

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

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

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

SUBJECT AREA TO BE ADDRESSED: Benefits to be paid beginning July 1, 2007.

SPECIFIC AUTHORITY: 112.19 FS.

LAW IMPLEMENTED: 112.19 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: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

2A-8.005 Adjustments to Reflect Consumer Price Index.

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

(2) The Consumer Price Index amount in March ~~2006~~ 2007 was ~~2.8 3.4~~ percent. Therefore, the statutory amount for the period July 1, ~~2007 2006~~ through June 30, ~~2008 2007~~, is:

(a) For those benefits paid or to be paid under paragraph (a) of subsection (2); ~~\$57,398.52 \$55,835.12~~.

(b) For those benefits paid or to be paid under paragraph (b) of subsection (2); ~~\$57,398.52 \$55,835.12~~.

(c) For those benefits paid or to be paid under paragraph (c) of subsection (2); ~~\$172,195.47 \$167,505.33~~.

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE NO.: 5C-27.001
 RULE TITLE: OCVI for Sale of Dog or Cat

PURPOSE AND EFFECT: The purpose and effect of this rule development is to develop a form for the Official Certificate of Veterinary Inspection (OCVI) required by Section 828.29, Florida Statutes, which is required to be provided by the Florida Department of Agriculture and Consumer Services, and related requirements with respect to the use of the OCVI.

SUBJECT AREA TO BE ADDRESSED: State law provides the requirements for an OCVI in connection with dogs and cats transported or offered for sale in Florida.

SPECIFIC AUTHORITY: 570.07(23) FS.

LAW IMPLEMENTED: 828.29 FS.

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

DATE AND TIME: May 15, 2007, 10:00 a.m.

PLACE: The Eyster Auditorium, Conner Building, 3125 Conner Boulevard, Tallahassee, FL 32399-1650

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: Ms. Anne Vuxton, Bureau of Animal Disease Control, Division of Animal Industry, Phone: (850)410-0900. 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: Dr. Wm. C. Jeter, Chief, Bureau of Animal Disease Control, Division of Animal Industry, Rm. 332, 407 S. Calhoun St., Tallahassee, FL 32399-0800; Phone: (850)410-0900

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09441
 RULE TITLE: Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation

PURPOSE AND EFFECT: The purpose of this rule development is to add a 2007 Supplement to the Course Code Directory to remove Performing Fine Arts (PF) designations from certain courses that are no longer determined to be PF, conforming with legislative action through House Bill 7078 in

2006 requiring one credit of Fine Arts in order to earn a Standard Florida diploma, and with the definition of "Fine Arts" being as follows: Courses listed in the Course Code Directory under Art, Dance, Drama/Theater, and Music meet the Fine Arts Requirement.

SUBJECT AREA TO BE ADDRESSED: Course Code Directory.

SPECIFIC AUTHORITY: 1001.02(1), 1011.62(1)(r) FS.

LAW IMPLEMENTED: 1011.62(1) 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: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.03012
 RULE TITLE: Special Programs for Students Who Are Speech and Language Impaired

PURPOSE AND EFFECT: The purpose of these rule development workshops is to ensure that the program for students who are speech and language impaired is consistent with the amendments to the federal law, the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. Chapter 33, and its implementing regulations and to update rule language to reflect current knowledge in the field. The effect of this rule development will be the promulgation of a rule which will be consistent with the federal requirements and current knowledge in the field.

SUBJECT AREA TO BE ADDRESSED: Federal and state requirements for programs for students who are speech and language impaired to include the definition, criteria for eligibility, procedures for screening, student evaluation, determination of eligibility, and instructional program.

SPECIFIC AUTHORITY: 1001.02(1), 1003.57(1) FS.

LAW IMPLEMENTED: 1001.03, 1003.57(1), 1003.01(3), 1011.62(1)(c) FS., Individuals with Disabilities Education Act 20 U.S.C. Chapter 33

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

DATES AND TIME: May 16, 2007, 8:00 a.m. – 5:00 p.m., May 30, 2007, 8:00 a.m. – 5:00 p.m.

PLACE: Florida Department of Education, 325 West Gaines Street, Room 1703, Tallahassee, FL 32399-0400

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, Department of Education, 325 West Gaines Street, Room 601, Tallahassee, FL 32399-0400, (850)245-0475

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-7.0100
 RULE TITLE: Merit Award Program for Instructional Personnel and School-Based Administrators

PURPOSE AND EFFECT: The purpose of the rule development is to develop rule language to administer the "Merit Award Program for Instructional Personnel and School Based Administrators" created by Chapter 2007-3, Laws of Florida. The rule will address the calculation of average teacher salaries per district, reporting formats, and the review of plan procedures.

SUBJECT AREA TO BE ADDRESSED: The Merit Award Program for Instructional Personnel and School-Based Administrators.

SPECIFIC AUTHORITY: Chapter 2007-3, Section 1, Laws of Florida; 1012.225(7) FS.

LAW IMPLEMENTED: Chapter 2007-3, Laws of Florida; 1012.225 FS.

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

DATES AND TIMES: May 16, 2007, 4:00 p.m. – 6:00 p.m.; May 17, 2007, 4:30 p.m. – 6:30 p.m.; May 23, 2007, 4:00 p.m. – 6:00 p.m.

PLACE: 16th – School Board Room, Orange County Public Schools, 445 West Amelia Street, Orlando, Florida 32801
 17th – Miami Edison Middle School, 6101 N.W. 2nd. Ave., Miami, Florida

23rd – Panhandle Area Educational Consortium, 753 West Boulevard, Chipley, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pam Stewart, Deputy Chancellor, K-12 Educator Quality, 325 West Gaines, Street, Room 514, Tallahassee, Florida 32399-0400

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

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-19.070	Assignment of Service Addresses to Local Taxing Jurisdictions; Liability for Errors; Avoidance of Liability Through Use of Specified Methods; Reduction in Collection Allowance for Failure to Use Specified Methods
12A-19.071	Department of Revenue Electronic Database
12A-19.100	Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rules 12A-19.070, 12A-19.071, and 12A-19.100, F.A.C., is to provide updated provisions regarding the Department of Revenue’s Address/Jurisdiction Database for purposes of determining the applicable communications services tax rate to be applied to sales of communications services or for purposes of assigning insurance policies and premiums to local taxing jurisdictions.

The purpose of the proposed amendments to Rule 12A-19.070, F.A.C. (Assignment of Service Addresses to Local Taxing Jurisdictions; Liability for Errors; Avoidance of Liability Through Use of Specified Methods; Reduction in Collection Allowance for Failure to Use Specified Methods) is to clarify that the pending file containing approved address additions and the pending file containing approved address deletions are separate files maintained by the Department that may be used by dealers to update their databases more frequently than the statutory requirement to update their databases.

The purpose of the proposed amendments to Rule 12A-19.071, F.A.C. (Department of Revenue Electronic Database), is to: (1) clarify that when changes to the Department’s Address/Jurisdiction Database have been approved, the approved address additions are stored in a pending file, and the approved address deletions are stored in a separate pending file; (2) specify the time periods during which requests for address changes are under review by the Department for inclusion in the next update to the database and the time periods during which the Department is unable to accept new submissions for address changes; (3) clarify that the list of authorized local government contact persons is available to those persons who have local government access; (4) adopt, by reference, updates to the on-line Guide for Address Change Requests used by local taxing jurisdictions in the maintenance of the Department’s Address/Jurisdiction Database; (5) remove provisions regarding notification by the Department to requesting jurisdictions of file errors when submitting a change that are no longer necessary, because the local jurisdictions now upload their batch files through the Department’s website and receive on-line notification whether the batch file contains formatting errors or has been accepted; (6) provide that an

objection to the Address/Jurisdiction Database must be filed no later than August 3 for an assignment that became effective on July 1 or no later than February 1 for an assignment that became effective on January 1; and (7) provide technical changes to the Department’s website address for the Address/Jurisdiction Database and to the titles of forms used to administer the database.

The purpose of the proposed amendments to Rule 12A-19.100, F.A.C. (Public Use Forms), is to incorporate, by reference, changes to forms used by the Department in the administration of the Department’s electronic Address/Jurisdiction Database.

SUBJECT AREA TO BE ADDRESSED: The subject of this rule development workshop is the proposed changes to provisions regarding the Department’s electronic Address/Jurisdiction Database.

SPECIFIC AUTHORITY: 175.1015(5), 185.085(5), 202.151, 202.16(2), 202.26(3)(a), (b), (c), (d), (f), (g), 202.28(1) FS.

LAW IMPLEMENTED: 175.1015, 185.085, 202.11(3), (10), (11), 202.12(1), 202.13(2), 202.151, 202.16(2), (4), 202.17(6), 202.19(1), 202.22(1), (2), (4)-(6), (8), 202.23, 202.27, 202.28, 202.30, 202.33, 202.34(1)(a), (3), (4)(c), 202.35(1), (2), (3) FS.

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

DATE AND TIME: May 15, 2007, 2:00 p.m.
PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Janet Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-19.070 Assignment of Service Addresses to Local Taxing Jurisdictions; Liability for Errors; Avoidance of Liability Through Use of Specified Methods; Reduction in Collection Allowance for Failure to Use Specified Methods.

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

(c) Due Diligence. In order to avoid liability for any additional local communications services tax, penalty, and interest resulting from errors in the assignment of customer

service addresses to local taxing jurisdictions under paragraph (a), a dealer must exercise due diligence in employing one or more of the described methodologies. The dealer must exercise the care and attention that is expected from and ordinarily exercised by a reasonable and prudent person, under the circumstances, when ascertaining the correct local taxing jurisdiction to which the purchaser's service address should be assigned.

1. A dealer is exercising due diligence if that dealer expends reasonable resources to accurately and reliably implement one or more of the methods described in paragraph (a) and maintains adequate internal controls in the assignment of service addresses.

a. Internal controls in the assignment of service addresses are adequate if the dealer has in place and consistently follows procedures to obtain and incorporate accurate updates to its database at least once every six months and corrects errors in assignments of service addresses within 120 days from discovering or being notified of such errors by any person. A dealer's internal controls must ensure that procedures are in place to prevent the recurrence of errors that the dealer was previously notified of and has previously corrected. A dealer may choose to update its database more frequently than once every six months, as long as the dealer has in place and consistently follows procedures to obtain and incorporate accurate updates. The file containing approved pending address additions and the file containing approved pending address deletions ~~auxiliary file~~ described in paragraph (1)(b) of Rule 12A-19.071, F.A.C., that are ~~is~~ maintained by the Department and available to dealers and local government users may be used by the dealer to update the dealer's database more frequently than the minimum of at least once every six months. However, the availability of the pending files ~~auxiliary file~~ on the Department's website does not constitute notice to a dealer of errors in the dealer's assignments of service addresses contained in the pending files ~~auxiliary file~~.

- b. No change.
- 2. through 3. No change.
- (d) through (e) No change.
- (3) No change.

Specific Authority 202.26(3)(b), (f), (g), 202.28(1) FS. Law Implemented 202.22(1), (4), (5), (6), (8), 202.23, 202.28(1), ~~(2)~~, 202.34(1)(a), 202.35(3) FS. History—New 11-14-05, Amended _____.

12A-19.071 Department of Revenue Electronic Database.

(1)(a) The Department maintains an electronic database that assigns service addresses to local taxing jurisdictions in a format that satisfies the requirements of Section 202.22(2)(a), F.S. The electronic database, referred to as the communications services tax Address/Jurisdiction Database, is maintained on the Department's website at <http://geotax.state.fl.us> ~~the address inside the parentheses (www.myflorida.com/dor)~~. An updated

Address/Jurisdiction Database is posted to the Department's website 90 days prior to adoption of the Address/Jurisdiction Database. The updated Address/Jurisdiction Database is adopted and becomes effective every January 1 or July 1. References to the effective Address/Jurisdiction Database refer to the official database that is available on the website and conclusive for purposes of communications services tax, which was adopted the previous January 1 or July 1. The effective Address/Jurisdiction Database does not include the information contained in the pending files ~~auxiliary file~~ described in paragraph (b).

(b) When a change to the Address/Jurisdiction Database has been approved, the approved pending address additions and approved pending address deletions are ~~it is~~ stored in separate files until they are included ~~an auxiliary file pending its inclusion~~ in the next scheduled update of the database ~~to become effective the next January 1 or July 1~~. These pending files include corrections of any errors discovered since the last preceding update, as well as changes in addresses or jurisdictional boundaries, that are based on information provided by local taxing jurisdictions and have been approved by the Department. These pending files contain ~~The auxiliary file is maintained by the Department and contains~~ the most recent ~~service address~~ local taxing jurisdictional assignment information. The individual address lookup feature searches the current database and the pending files and may reflect information that has not yet been incorporated into the database available for downloading and use by local taxing jurisdictions and insurers. Dealers may use the pending files ~~auxiliary file~~ to update their service address assignments between the January 1 and July 1 effective dates ~~date~~ of the Address/Jurisdiction Database even though such use of the pending files ~~auxiliary file~~ is not required to satisfy due diligence requirements. In such cases, the individual address lookup page carries a statement notifying the viewer that it reflects a pending change to the database.

(c) through (d) No change.

(e) The Department's website also has a single address lookup feature that permits any person to enter an address and ascertain to which local jurisdiction it is assigned. Use of the single address lookup feature does not require an access code or registration. The individual address lookup feature searches the pending files, ~~auxiliary file~~ as well as the effective database, and may therefore reflect information that has not yet been incorporated into the effective database available for downloading and use by local taxing jurisdictions and communications services dealers. In such cases, the individual address lookup page carries a statement notifying the viewer that it reflects a pending change to the database.

(f) through (g) No change.

(2)(a) Local taxing jurisdictions have a continuing obligation to provide the Department with information to update the Address/Jurisdiction Database, such as changes in

service addresses or address ranges, annexations, incorporations, reorganizations, and any other changes to jurisdictional boundaries. Local taxing jurisdictions must inform the Department of the identity of the jurisdictions' officers or employees who are authorized to act as contact persons with the Department on database matters. Local taxing jurisdictions are limited to two (2) authorized contact persons; however, local taxing jurisdictions may provide updated contact person information as frequently as necessary to ensure that the appropriate contact person can be reached by the Department to administer database matters. The contact list of authorized local government contact persons for all local taxing jurisdictions is located on the Department's website and is available to those persons who have local government ~~an~~ access ~~code~~.

(b) Local taxing jurisdictions must submit information requesting changes to the Address/Jurisdiction Database electronically following the on-line Guide for Address Change Requests (February 7, 2007 R-08/26/05, hereby incorporated by reference). Only local taxing jurisdictions that are registered users of the Department's electronic change submission process can access the Guide for Address Change Requests. Authorized local jurisdiction contact persons may access the login screen for registered users at <http://geotax.state.fl.us/dorPubIdx.jsp>. Local taxing jurisdictions that do not have access to computers with Internet access should contact the Department to request authorization to submit changes through alternative electronic media. The information must also be submitted on Form DR-700022, Local Communications Services Tax Notification of Jurisdiction Change for Local Communications Services and Local Insurance Premium Tax (incorporated by reference in Rule 12A-19.100, F.A.C.).

~~(e) In the event that a local taxing jurisdiction improperly formats its batch submission, the Department will notify the requesting jurisdiction of its error and designate the file as a pending submission until such time as a corrected submission is received. If the corrected submission is not received in time to be included in the next update, the pending submission will be denied and the local taxing jurisdiction should provide a new submission for those addresses or address ranges. Local taxing jurisdictions should not submit jurisdiction changes between the last date of submission for the next update and the posting of that update of the Address/Jurisdiction Database on the Department's website. Submissions initiated during this time frame will be denied, and a new submission will be necessary.~~

~~(c)(4)~~ The local taxing jurisdiction must specify the effective date of any information to be incorporated in the Address/Jurisdiction Database. The effective date must be the next January 1 or July 1 after the date of submission of the information to the Department. Changes must be submitted no later than the date that is 120 days prior to the January 1 or July

1 on which changes are to be effective. The Department will review the information provided in the requests for change and store the approved changes in the approved pending files. Local governments, including special fire districts, should not submit changes during the periods September 4 to October 3 and March 4 to April 2. The Department completes its review of pending submissions for the next database update during these periods and is unable to process new submissions. Submissions of information initiated during these time periods will be denied, and a new submission will be necessary.

(e) through (f) renumbered (d) through (e) No change.

(3)(a) Any substantially affected party may object to information contained in the Address/Jurisdiction Database by submitting Form DR-700025, Objection to Communications Services Tax Electronic Database Service Address/Jurisdiction Database for Local Communications Services Tax and Local Insurance Premium Tax Service Address Assignment (incorporated by reference in Rule 12A-19.100, F.A.C.), along with competent evidence to support the party's objection. Only objections to the effective Address/Jurisdiction Database can be considered; those objections that are not objections to the effective Address/Jurisdiction Database will be denied. Before submitting an objection, a person should check the effective Address/Jurisdiction Database ~~and the auxiliary file~~ to determine whether the contemplated objection is necessary. Examples of substantially affected parties include purchasers of communications services who pay local communications services taxes, dealers who are required to collect local communications services taxes, the Department of Revenue, and local taxing jurisdictions. However, local taxing jurisdictions should use Form DR-700022 to create addresses in the Address/Jurisdiction Database or to request address assignment changes. Regardless of which form is used to request changes to the Address/Jurisdiction Database, the consent of an affected jurisdiction will be required.

(b) through (d) No change.

(e) When the Department believes that addresses or address ranges have been assigned to an incorrect local taxing jurisdiction, the Department will initiate the change by using Form DR-700025. The Department will use any information at its disposal, including enhanced 911 Master Street Address Guide MSAG database address information and information supplied by any dealer, as a basis for initiating an objection; however, in no event, will the Department change any address assignment without providing notice to the affected jurisdictions in the manner provided in paragraph (3)(f). If the change is approved, it would be included in the pending files ~~auxiliary file~~ with other approved changes for inclusion in the next update of the database.

(f) Upon receipt of an objection on a completed Form DR-700025, including competent evidence to support the objection, the Department will forward copies of the form, along with the associated documentation, to the database

contact person in each affected taxing jurisdiction. The Department will provide to the affected local taxing jurisdictions Form DR-700026, Local Government Authorization for Address Changes Described on Form DR-700025 (incorporated by reference in Rule 12A-19.100, F.A.C.), to use to agree, disagree, or partially agree with the address jurisdiction changes proposed by the attached completed Form DR-700025. The Department will provide to the affected local taxing jurisdiction Form DR-700027, Local Government Authorization for Omission of Address or Range or Incorrect Address Identification (incorporated by reference in Rule 12A-19.100, F.A.C.), to use to agree or disagree with the inclusion of a service address or address range or with changing non-jurisdictional information about a service address or address range proposed by the attached completed Form DR-700025. In case the forms become separated, the Department will include on the bottom portion of each form the same tracking number and date to identify which forms belong together. The Department will, when practicable, provide the information electronically for review by the local taxing jurisdictions. These forms will not be sent to the local taxing jurisdictions between February 1 and April 2 nor between August 4 and October 3 due to the inability of local taxing jurisdictions to make on-line changes during the updating and posting of the next effective Address/Jurisdiction Database. The local taxing jurisdictions should review the specific address(es) at issue as well as the address range(s) that will be impacted by the change to ensure that each local taxing jurisdiction retains all of the addresses that it believes are within its jurisdictional boundaries. The Department will instruct each local taxing jurisdiction to indicate in writing its determination in regard to the objection by completing ~~utilizing~~ the provided authorization form, ~~which will be~~ either Form DR-700026 or Form DR-700027, and filing the form with the Department. If the affected local taxing jurisdictions both indicate agreement with the objection, the Department will revise the electronic database accordingly. If a local taxing jurisdiction fails to respond within a reasonable time, which shall be no less than 30 days, such jurisdiction shall be deemed to have indicated agreement with the objection. If either local taxing jurisdiction notifies the Department in writing that it does not agree with the objection, the Department will immediately assign the address with a special designation that indicates that the jurisdictional assignment of the address is in dispute. The service address will be reassigned to a local taxing jurisdiction when one of the following events occurs:

(g) No communications services provider who relies on the assignment of a service address in the effective Address/Jurisdiction Database will be held liable for any additional local communications services tax, interest, or penalty in regard to that service address if the assignment is later determined to be erroneous under this subsection. All requests by a purchaser for a refund or credit must comply with the requirements of Section 202.23, F.S. When a substantially

affected person files an objection to the Address/Jurisdiction Database no later than August 3 ~~31~~ for an assignment that became effective on July 1 or no later than February 1 ~~28~~ ~~(February 29 in a leap year)~~ for an assignment that became effective on January 1 that is approved, the substantially affected person's local taxing jurisdiction will be changed in the effective Address/Jurisdiction Database. Such a person would be entitled to a refund or credit of any local communications services taxes overcollected during the period of time that the incorrect assignment occurred in accordance with the documentation provided by the Department demonstrating approval of the objection and the date from which the change to the Address/Jurisdiction Database is effective, as long as the claim for refund or credit complies with the provisions of Section 202.23, F.S.

Specific Authority 202.26(3)(b), (g) FS. Law Implemented 202.22(2), 202.23 FS. History--New 11-14-05, Amended _____.

12A-19.100 Public Use Forms.

(1)(a) The Department employs the following public-use forms and instructions in the administration of Chapter 202, F.S., Communications Services Tax, and in the administration of the Department's electronic Address/Jurisdiction Database created pursuant to Sections 175.1015 and 185.085, F.S. These forms are hereby incorporated by reference in this rule.

(b) No change.

(2) No change.

Form Number	Title	Effective Date
(3) through (7)	No change.	
(8) DR-700022	Local Communications Services Tax Notification of Jurisdiction Change <u>for Local Communications Services and Local Insurance Premium Tax</u> (R. 10/06 08/05)	<u>11/05</u>
(9) DR-700025	Objection to <u>Address/Jurisdiction Database for Local Communications Services Tax and Local Insurance Premium Tax Electronic Database</u> Service Address Assignment (R. 10/06 10/05)	<u>11/05</u>
(10) DR-700026	Local Government Authorization for Address Changes Described on Form DR-700025 (R. 10/06 10/05)	<u>11/05</u>
(11) DR-700027	Local Government Authorization for Omission of Address or Range or Incorrect Address Identification (R. 10/06 10/05)	<u>11/05</u>
(12)	No change.	

Specific Authority 175.1015(5), 185.085(5), 202.151, 202.16(2), 202.26(3)(a), (c), (d) FS. Law Implemented 175.1015, 185.085, 202.11(3), (10), (11), 202.12(1), 202.13(2), 202.151, 202.16(2), (4), 202.17(6), 202.19(1), 202.22(6), 202.27, 202.28(1), (2), 202.30(3), 202.33, 202.34(3), (4)(c), 202.35(1), (2) FS. History—New 4-17-03, Amended 7-31-03, 10-1-03, 9-28-04, 6-28-05, 11-14-05, 7-16-06, _____.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.: 12B-8.0016
 RULE TITLE: Department of Revenue Electronic Database

PURPOSE AND EFFECT: Chapter 2004-21, L.O.F., requires the Department of Revenue to create and maintain a database for use by insurers that report and remit an excise tax on property insurance premiums or on casualty insurers premiums, and requires local governments to provide information for inclusion in the database. The promulgation of this rule will ensure that the procedures used by the Department and local governments to maintain the accuracy of the Insurance Premium Tax Address/Jurisdiction Database on an on-going basis are available, and that the applicable forms and on-line instructions that are used to maintain the database are made available to the local taxing jurisdictions and are incorporated into and made a part of this rule.

The proposed creation of Rule 12B-8.0016, F.A.C. (Department of Revenue Electronic Database), provides procedures regarding: (1) the Department of Revenue's electronic Insurance Premium Tax Address/Jurisdiction Database maintained by the Department of Revenue and used to assign insurance policies and premiums to local taxing jurisdictions; (2) requests by local taxing jurisdictions to make changes to the database; and (3) how any substantially affected person may object to the assignment of a customer service address in the database. The proposed amendments adopt, by reference, changes to the on-line Guide for Address Change Requests (February 7, 2007) submitted by local taxing jurisdictions and changes to forms used by the Department in the maintenance of the database.

SUBJECT AREA TO BE ADDRESSED: The subject of this rule development workshop is the implementation of procedures and requirements regarding the Department's electronic Insurance Premium Tax Address/Jurisdiction Database.

SPECIFIC AUTHORITY: 175.1015(5), 185.085(5) FS.

LAW IMPLEMENTED: 175.1015, 185.085 FS.

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

DATE AND TIME: May 15, 2007, 2:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Robert DuCasse, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4715

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12B-8.0016 Department of Revenue Electronic Database.

(1)(a)1. The Department maintains an electronic database that is for use by insurers to assign insurance policies and premiums to local taxing jurisdictions. The electronic database, referred to as the Insurance Premium Tax Address/Jurisdiction Database ("database"), is maintained on the Department's website at <http://geotax.state.fl.us>. An updated database is posted to the Department's website by November 1 of each year to be used in assigning policies and premiums to the proper local taxing jurisdictions for the insurance premium tax return due for the tax year beginning on or after the January 1 following the posting of the database; however, insurers may use the updated database when it is posted to assign policies and premiums to the proper local taxing jurisdiction for the current tax year. The database available for downloading does not include the information contained in the pending changes described in paragraph (b).

2. The database also has a single address lookup feature that permits any person to enter an address and ascertain to which local taxing jurisdiction, if any, the address is assigned.

3. Local taxing jurisdictions are provided with access codes to permit them to register as users of the database and to request changes in address assignments. Local taxing jurisdictions may register on the Department's website at <http://geotax.state.fl.us>.

4. When the Department is notified by the Division of Retirement, Department of Management Services, that a local taxing jurisdiction is to be added or deleted, the Department will update the database based upon existing database addresses within that jurisdiction. However, for the addition of special fire control districts, whose boundaries do not follow municipal or county lines, the special fire control district must identify the addresses within its local taxing jurisdiction.

(b) When a change to the database has been approved, the approved pending address additions and approved pending address deletions are stored in separate files maintained by the

Department in the next scheduled update of the database. These pending files include corrections of any errors discovered since the last update, as well as changes in addresses or jurisdictional boundaries based on information provided by local taxing jurisdictions and approved by the Department. These pending files contain the most recent local taxing jurisdictional assignment information. The individual address lookup feature searches the current database and the pending files and may reflect information that has not yet been incorporated into the database available for downloading and use by local taxing jurisdictions and insurers. Insurers may use the information contained in the address look-up feature to assign policies and premiums to the proper local taxing jurisdictions. In such cases, the individual address lookup page carries a statement notifying the viewer that it reflects a pending change to the database.

(c) To fulfill its statutory responsibility to maintain the database, when the Department notices apparent errors, such as an address that is assigned to multiple jurisdictions, the Department will initiate an objection to the database in accordance with subsection (3) and will process the objection in the same manner as other objections.

(2)(a) Local taxing jurisdictions have a continuing obligation to provide the Department all information needed to update the database, such as changes in addresses or address ranges, annexations, incorporations, reorganizations, and any other changes to jurisdictional boundaries. Local taxing jurisdictions must inform the Department of the identity of the jurisdictions' officers or employees who are authorized to act as contact persons with the Department on database matters. Local taxing jurisdictions are limited to two authorized contact persons; however, local taxing jurisdictions may provide updated contact person information as frequently as necessary to ensure that the appropriate contact person can be reached by the Department. The contact list of authorized local government contact persons for all local taxing jurisdictions is located on the Department's website and is available to those persons who have local government access.

(b) Local taxing jurisdictions must submit information requesting changes to the database electronically following the on-line Guide for Address Change Requests (February 7, 2007, hereby incorporated by reference). Only local taxing jurisdictions that are registered users of the Department's electronic change submission process can access the Guide for Address Change Requests. Authorized local jurisdiction contact persons may access the login screen for registered users at <http://geotax.state.fl.us>. Local taxing jurisdictions that do not have access to computers with Internet access should contact the Department to submit changes through alternative electronic media. The information must also be submitted on Form DR-700022, Notification of Jurisdiction Change for Local Communications Services and Local Insurance Premium Tax (incorporated by reference in Rule 12A-19.100, F.A.C.),

with the exception of Special Fire Control Districts, which must use Form DR-350907, Local Insurance Premium Tax Special Fire Control Districts Notification of Jurisdiction Change (R. 10/06, hereby incorporated by reference, effective _____).

(c) The local taxing jurisdiction must specify the effective date of any information to be incorporated in the database. Information must be submitted by September 3 of each year to be included in the next updated database posted to the Department's website by November 1 of each year. The Department will review the information provided in the requests for change and store the approved changes in the approved pending files. Local governments, including special fire districts, should not submit changes during the periods September 4 to October 3 and March 4 to April 2. The Department completes its review of pending submissions for the next database update during these time periods and is unable to process new submissions. Submissions of information initiated during these time periods will be denied, and a new submission will be necessary.

(d)1. Any requested changes or additions to the database must be supported by competent evidence. Competent evidence to support a change to the database is documentation establishing that the addresses affected by the requested change or addition are located in the local taxing jurisdiction indicated on the request. Examples of competent evidence include annexation ordinances, articles of incorporation of a new municipality, the plat filed for a newly approved subdivision, or the enhanced 911 Master Street Address Guide database information relating to local law enforcement responders issued by the local jurisdiction coordinator's office. Competent evidence must clearly designate the addresses or address ranges that are affected.

2. If a requested change is to move an address from one local taxing jurisdiction to another, competent evidence includes the consent of the local taxing jurisdiction that did not request the change. To facilitate processing of the change, the local taxing jurisdiction requesting the change should obtain a written consent to the change signed by an authorized contact person of the nonrequesting jurisdiction. Forms DR-700022 and DR-350907 contain an authorization statement that will serve as the written consent of the nonrequesting local taxing jurisdiction when signed by that jurisdiction's authorized contact person. The Department will consider the receipt of Form DR-700022 or Form DR-350907 containing the signatures of the authorized contact persons of both the initiating and affected jurisdictions to be sufficient competent evidence. In such instances, the Department will make the change based upon the representations on the form. A local taxing jurisdiction that objects to this change should use Form DR-700022 or Form DR-350907 to change the address information and, unless the affected local taxing jurisdiction signs the form, the Department will treat the request as one that

must be resolved by the local taxing jurisdictions involved as provided in this paragraph. Identification of the case number associated with the address changes is insufficient by itself to demonstrate competent evidence establishing that the service addresses are located in the local taxing jurisdiction indicated on the request.

3. If the requesting jurisdiction has not obtained the written consent of the nonrequesting jurisdiction, the Department will contact the nonrequesting jurisdiction before making the change. Based upon the response of the nonrequesting jurisdiction, the Department will take the following action in regard to the requested change:

a. If the nonrequesting jurisdiction consents in writing, the Department will accept and process the change.

b. If the nonrequesting jurisdiction objects in writing, the Department will treat the requested change as one that must be resolved by the local taxing jurisdictions involved as provided in subsection (3).

c. If the nonrequesting jurisdiction fails to either consent or object in writing within 20 days after the date on which the Department notified that jurisdiction of the requested change, the Department will accept and process the change. This does not preclude the nonrequesting jurisdiction from subsequently objecting to the new address assignments after they have been processed.

4. If a requested change affects only the requesting local taxing jurisdiction and does not affect another local taxing jurisdiction, the Department will consider receipt of an affidavit signed by the authorized contact person for that local taxing jurisdiction that identifies the addresses or address ranges and states that the change affects only the requesting local taxing jurisdiction to be sufficient competent evidence. The use of an affidavit is not required but, at the option of the requesting local taxing jurisdiction, may be used in lieu of providing other documentation such as subdivision plats. In such instances, the Department will make the change based upon the representations on the form and the affidavit. A local taxing jurisdiction that objects to the change should use Form DR-700022 to change the address information and, unless the affected local taxing jurisdiction signs the form, the Department will treat the request as one that must be resolved by the local taxing jurisdictions involved as provided in subsection (3).

(e) Examples.

1. A local taxing jurisdiction approves the plat and grants the permits necessary for development of a new subdivision on February 1, 2007. The plat indicates street names, but no address numbers have yet been assigned. In order for the addresses to be added to the next electronic database, the local taxing jurisdiction must file Form DR-700022 or Form DR-350907, as appropriate, with a copy of the approved subdivision plat or an affidavit indicating that the change affects only the requesting local taxing jurisdiction and submit

on-line address change information by September 3, 2007. If that deadline is not met, the address cannot be added until the following year's database (database created by November 1, 2008). In order to meet the deadline and be certain that the actual address numbers are included, the contact person for the local taxing jurisdiction may request the addition of a range of numbers that is certain to include the actual numbers. Because the development of the subdivision affects only the requesting jurisdiction, no consent from any other jurisdiction is required.

2. A municipality annexes an area with 1500 addresses that were formerly in another incorporated area. The annexation will be effective November 1, 2006. The municipality's database contact person timely enters address change requests for 1525 addresses on-line and files a Form DR-700022 on June 15, 2006. Included with the form are a copy of the annexation ordinance and a map with the annexed area outlined with street address ranges included in the annexed area noted. The other incorporated area database contact person has not signed the Form DR-700022 or otherwise given written consent to the changes. On July 15, 2006, the Department notifies the other incorporated area of the requested changes and provides copies of the municipality's Form DR-700022, annexation ordinance, and map. The other incorporated area does not respond with written consent or a written objection. On August 6, 2006, the Department processes the changes, and they are included in the database available by November 1, 2006. The other incorporated area's database contact person notifies the Department on September 1, 2006, that the other incorporated area believes the database now incorrectly assigns 25 service addresses to the municipality. The other incorporated area should submit Form DR-700022 to move the 25 services addresses to its incorporated area. The Department will handle this as a change to the database.

3. A municipality annexes an area with 1500 service addresses that was formerly in another incorporated area. The annexation will be effective November 1, 2006. The municipality's contact person timely enters address change requests for the 1500 addresses on-line and writes a letter to the other incorporated area's contact person requesting that consent be indicated by signing the Form DR-700022 that has been prepared by the municipality and enclosed with the letter. Also enclosed with the letter is a copy of the annexation ordinance and a street map on which the annexed area is outlined. The other incorporated area's contact person signs the Form DR-700022. The municipality submits the form to the Department on June 15, 2006. The Department will approve the changes and include them in the database available by November 1, 2006.

(3)(a)1. Any substantially affected party may object to information contained in the database by submitting Form DR-700025, Objection to Address/Jurisdiction Database for Local Communications Services Tax and Local Insurance

Premium Tax (incorporated by reference in Rule 12A-19.100, F.A.C.), along with competent evidence to support the party's objection. Only objections to the current effective database can be considered; objections that do not relate to the current effective database will be denied. Before submitting an objection, a person should check the effective database to determine whether the contemplated objection is necessary. Examples of substantially affected parties include police officers and firefighters from local taxing jurisdictions that impose the excise taxes under Chapter 175 and/or Chapter 185, F.S., local taxing jurisdictions that impose the excise taxes under Chapter 175 and/or Chapter 185, F.S., insurers who are required to pay the excise taxes under Chapter 175 and/or Chapter 185, F.S., individuals whose policies are being assigned via the database, and local taxing jurisdictions.

2. Local taxing jurisdictions should use Form DR-700022, and special fire control districts should use Form DR-350907, to create addresses in the database or to request address assignment changes. The consent of any other jurisdiction affected by the requested change will be required.

3. Firefighters and police officers, including pension board members, who wish to object to information contained within the database, should do so through the appropriate official within their local taxing jurisdiction.

(b) Multiple address submissions affecting multiple jurisdictions should be segregated, based on the specific combinations of the affected jurisdictions. For example, changes from City A to City B should be segregated from changes from City B to City A.

(c) In the event that an insurer that is required to pay taxes under Chapter 175 and/or 185, F.S., elects to formally object to information contained in the database, the insurer must file Form DR-700025. This requirement is not intended to interfere with any procedures implemented by insurers to inform local taxing jurisdictions of errors in the database.

(d) Examples of competent evidence that supports an inquiry into a substantially affected party's objection include a voter registration card indicating that the voter residing at the address is entitled to vote in municipal elections or only in county elections, the enhanced 911 Master Street Address Guide database property tax bill showing assessment by local taxing jurisdiction, or a map that includes the boundaries of a local taxing jurisdiction and clearly places the address for the property that is being insured inside or outside those boundaries. For example, if a map shows that a street is entirely within the boundaries of a municipality, that map is competent evidence that an address on that street should be assigned to that municipality in the database. The Department will notify the substantially affected party of any deficiencies in the objection or competent evidence.

(e) When the Department believes that addresses or address ranges have been assigned to an incorrect local taxing jurisdiction, the Department will initiate a change by using

Form DR-700025. The Department will use any information at its disposal, including enhanced 911 Master Street Address Guide database address information and information supplied by any insurer, as a basis for initiating an objection; however, the Department will not change an address assignment without providing notice to the affected jurisdiction(s) in the manner provided in paragraph (3)(f). If the change is approved, it will be included with other approved changes for inclusion in the next update of the database.

(f) Upon receipt of an objection on a completed Form DR-700025, including competent evidence to support the objection, the Department will forward copies of the form, along with the associated documentation, to the database contact person in each affected taxing jurisdiction. The Department will provide to the affected local taxing jurisdictions Form DR-700026, Local Government Authorization for Address Changes Described on Form DR-700025 (incorporated by reference in Rule 12A-19.100, F.A.C.), to use to agree, disagree, or partially agree with the address jurisdiction changes proposed by the attached Form DR-700025. The Department will provide the affected local taxing jurisdiction a Form DR-700027, Local Government Authorization for Omission of Address or Range or Incorrect Address Identification (incorporated by reference in Rule 12A-19.100, F.A.C.), to use to agree or disagree with the inclusion of an address or address range or with changing nonjurisdictional information about an address or address range proposed by the attached Form DR-700025. The Department will include a tracking number and date on the bottom portion of each form to identify which forms belong together. The Department will, when practicable, provide the information electronically for review by the local taxing jurisdictions. The local taxing jurisdictions should review the specific address(es) at issue, as well as the address range(s) that will be impacted by the change, to ensure that each local taxing jurisdiction retains all of the addresses that it believes are within its jurisdictional boundaries. The Department will instruct each local taxing jurisdiction to indicate its determination in regard to the objection by utilizing the provided authorization form, Form DR-700026 or Form DR-700027, as applicable. If the affected local taxing jurisdictions indicate agreement with the objection, the Department will revise the electronic database accordingly. If a local taxing jurisdiction fails to respond within a reasonable time, which shall be no less than 30 days, such jurisdiction shall be deemed to have indicated agreement with the objection. If either local taxing jurisdiction notifies the Department in writing that it does not agree with the objection, the Department will immediately assign the address a special designation that indicates that the jurisdictional assignment of the address is in dispute. The service address will be reassigned to a local taxing jurisdiction when one of the following events occurs:

1. The Department receives written notification from the local taxing jurisdiction that did not agree with the change requested in the objection that such local taxing jurisdiction has subsequently determined that the change should be made;

2. The Department receives written notification from the party that filed the Form DR-700025 that the objection was erroneous and the assignment in the database was correct; or

3. The Department is provided with a copy of a final order, judgment, or other binding written determination resolving the jurisdictional assignment of the contested address.

(4) All forms referenced in this rule are available, without cost, by one or more of the following methods: 1) downloading the form from the Department's Internet site at www.myflorida.com/dor/forms; or, 2) faxing a forms request to the Distribution Center at (850)922-2208; or, 3) calling the Distribution Center at (850)488-8422; or, 4) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or, 5) visiting any local Department of Revenue Service Center to personally obtain a copy. Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331.

Specific Authority 175.1015(5), 185.085(5) FS. Law Implemented 175.1015, 185.085 FS. History--New _____.

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.: 33-208.003
 RULE TITLE: Range of Disciplinary Actions
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the rule to include the offense of not reporting for duty when instructed to do so in time of emergency or potential emergency and impose a range of penalties to include written reprimand, up to 30 days of suspension or dismissal.
 SUBJECT AREA TO BE ADDRESSED: Employee disciplinary actions.
 SPECIFIC AUTHORITY: 944.09 FS.
 LAW IMPLEMENTED: 944.09, 944.14, 944.34, 944.35, 944.36, 944.37, 944.38, 944.39, 944.47 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-208.003 Range of Disciplinary Actions.

Violations of the foregoing Rules of Conduct as well as other departmental, and institutional policies will result in disciplinary actions, which may be by oral reprimand, written reprimand, reassignment, transfer in excess of 50 miles, suspension, reduction in pay, demotion or dismissal.

Any employee who feels that unjust disciplinary action such as an oral or written reprimand has been given, has the right to submit a grievance as established by the grievance procedures of the Department of Corrections. For disciplinary actions involving reassignment, transfer in excess of 50 miles, suspension, reduction in pay, demotion, or dismissal, permanent Career Service employees have the right to appeal to the Career Service Commission. Violation of more than one rule shall be considered in the application of discipline and may result in greater discipline than specified for one offense alone.

Any questions regarding these rules and personnel procedures should be referred to the employee's circuit administrator, warden or Personnel Manager.

The preceding section titled Rules of Conduct and the following list of offenses and work deficiencies with their ranges of disciplinary actions will be used by this Department in administering an effective disciplinary program.

THE SEVERITY OF PENALTIES MAY VARY DEPENDING UPON THE FREQUENCY AND NATURE OF A PARTICULAR OFFENSE AND THE CIRCUMSTANCES SURROUNDING EACH CASE. WHILE THE FOLLOWING GUIDELINES ARE NOT A SUBSTITUTE FOR IMPARTIAL SUPERVISION AND EFFECTIVE MANAGEMENT, AND DO NOT SET ABSOLUTE MINIMUM AND MAXIMUM PENALTIES, IT IS EXPECTED THAT ALL SUPERVISORS WILL CONSIDER THEM IN REACHING DISCIPLINARY DECISIONS.

Offense or Deficiency	First Occurrence	Second Occurrence	Third Occurrence	Fourth Occurrence
(1) Gambling	Oral or Written Reprimand or up to 10 days	Written Reprimand or up to 10 days	Up to 30 days Suspension	Dismissal

	Suspension	Dismissal		
(2) Horseplay or Fighting	Same	Same	Same	Same
(3) Loafing	Same	Same	Same	Same
(4) Tardiness (With a 2-month period)	Same	Same	Same	Same
(5) Excessive Absenteeism	Same	Same	Same	Same
(6) Malicious Use of Profane or Abusive Language Toward Inmates, Visitors, or Persons Under Supervision	Same	Same	Same	Same
(7) Absence Without Authorized Leave	Same	Same	Same	Same
(8) Unauthorized Distribution of Written or Printed Material of any Description	Same	Same	Same	Same
(9) Unauthorized Solicitations or Sales on DC Premises or While on Duty	Same	Same	Same	Same
(10) Substandard Quality and/or Quantity of Work	Same	Same	Same	Same
(11) Reporting to Work Improperly Dressed for Job Assignment	Same	Same	Same	Same
(12) Sleeping on Job	Written Reprimand, up to 30 days Suspension or Dismissal	Dismissal		
(13) Negligence	Same	Same		
(14) Revealing Confidential Information in DC records to unauthorized person	Same	Same		
(15) Possession of an Unauthorized Intoxicant, Narcotic, Barbiturate, Hallucinogenic drug, Central nervous system stimulant, Weapon or Firearm on DC Property	Same	Same		
(16*) Reporting to Work under the Influence of an Intoxicant, Narcotic, Barbiturate, Hallucinogenic drug, or Central nervous system stimulant	Same	Same		
(17*) Drinking an Intoxicant or using a Narcotic, Barbiturate, Hallucinogenic drug, or Central nervous system stimulant on the job	Same	Same		

*The Governor and Cabinet by Resolution adopted July 17, 1973, have established the State Policy on Alcoholism which recognized alcoholism as treatable illness, a medical and public health problem and an employment problem. When an employee drinks to the extent that it affects his or her work performance, the employee is a problem drinker. As with any health liability, alcoholism is of serious concern to the employee and employer alike. Therefore, it is the policy of this state to recognize alcoholism as a disease. The Career Service

Personnel Rules and Regulations (Rule 60K-4.010, F.A.C.) requires that a dismissal action taken against an employee for habitual drunkenness shall be in accordance with the State Policy on Alcoholism as adopted by the Administration Commission and the guidelines issued by the Secretary of Administration.

(18) Failure to maintain direct (sight) supervision of assigned medium, close or maximum custody inmates while outside the institution security perimeter	Written Reprimand, up to 30 days of Suspension or Dismissal	Dismissal
(19) Leaving the Assigned Work Station without Authorization	Same	Same
(20) Use of Corporal Punishment, Verbal or Physical Abuse of an Inmate	Same	Same
(21) Falsification of Forms or Records	Same	Same

(22) Conduct Unbecoming a Public Employee	Same	Same
(23) Stealing DC Property, Property of an Inmate Visitor or Employee	Same	Same
(24) Willful Violation of Rules, Regulations, Directives or Policy Statements	Same	Same
(25) Unauthorized Use of DC Equipment or Property	Same	Same
(26) Insubordination	Same	Same
(27) Destruction or Abuse of DC Property or Equipment	Same	Same
(28) Destruction of Evidence or Giving False Testimony	Written Reprimand, up to 30 days Suspension or Dismissal	Dismissal
(29) Unlawfully Obtaining Money from or on behalf of an Inmate or Person under Supervision	Same	Same
(30) Failure to Report and Turn in Without Delay all Property Found, Seized, or Taken Officially	Same	Same
(31) Failure to Submit to a Required Physical Exam	Same	Same
(32) Failure to follow Oral or Written Instructions	Same	Same
(33) Abuse of Sick Leave Privileges	Same	Same
(34) Careless or Unsafe Handling of Firearms or Other Weapons	Same	Same
(35) Cowardice	Same	Same
<u>(36) Failure to report for duty when instructed to do so in time of emergency or potential emergency</u>	<u>Same</u>	<u>Same</u>

Specific Authority ~~20.315, 944.09, 945.21~~ FS. Law Implemented 944.09, 944.14, ~~944.34~~, 944.35, 944.36, 944.37, 944.38, 944.39, 944.47, ~~945.14, 945.15, 945.21~~ FS. History—New 10-8-76, Formerly 33-4.03, Amended 1-30-96, Formerly 33-4.003, Amended.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Clerk of the South Florida Water Management District, 1(800)432-8045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: 40E-1.659
 RULE TITLE: Forms and Instructions

PURPOSE AND EFFECT: To update information on how to obtain District forms and to update forms incorporated by reference to reflect changes to the District's service centers.

SUBJECT AREA TO BE ADDRESSED: The District's forms rule and various environmental resource permitting forms containing service center information.

SPECIFIC AUTHORITY: 120.53, 218.075, 373.044, 373.113, 373.4136, 373.416, 695.03, 704.06 FS.

LAW IMPLEMENTED: 120.53, 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 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: Anita R. Bain, Division Director, Natural Resource Management Division, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6866 or (561)682-6866, email: abain@sfwmd.gov. For procedural questions, contact Jan Sluth, Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045 ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov. Copies of the proposed forms are also available upon request.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-1.659 Forms and Instructions.

(+) The following forms and instructions are hereby incorporated by reference into this chapter and may be obtained without cost by contacting the Records Management Specialist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-8045, ext. 6436, or (561)682-6436 or at any of the

District's Regional Service Centers. These forms and information on the District's Service Center locations may also be obtained from the District's website at <http://www.sfwmd.gov>.

Form No.	Date	Title
0050A	7-89	Application to the South Florida Water Management District for a Permit for Utilization of District Works or Modification of Existing Permit Works of the District No.
0108	3-91	Application for Release of Mineral, Canal, and Road Reservations Reserved Under Chapters 6456, 6957, 7305, 9131, 14717 and 20658, Laws of Florida
0113	8-95	Surface Water Management Permit No.
0115	8-95	Surface Water Management Permit Modification No.
0119	8-95	Wetland Resource Permit No.
0122	4-93	Application to the South Florida Water Management District for Authority to Utilize Works or Land of the District
0123	4-95	Well Construction Permit Application
0124	11-90	Well Completion Report
0145	8-95	Environmental Resource Permit No.
0157	8-95	Environmental Resource Permit Modification No.
0188-QMQ	8-03	Quarterly Report of Withdrawals
0188-MDQ	8-03	Monthly Report of Daily Withdrawals
0188-QASR	8-03	Quarterly Report of Injections and Withdrawals for Aquifer Storage and Recovery (ASR) Wells
0188-QMON	8-03	Quarterly Report of Monitoring Requirements
0188-QMQF	8-03	Quarterly Report of Withdrawals from Wells and Surface Water Pumps
0188-QCROP	8-03	Report of Planting and Harvest of Seasonal Crops
0188-QBWDR	8-03	Quarterly Report of Bulk Water Delivered and Received
0195	6-91	Public Water Supply Well Information and Classification
0196	10-89	Water Well Inspection Scheduling Card
0299	1-90	Water Use Permit No.
0444	8-95	Application for a Standard General Permit for Incidental Site Activities
0445	8-03	Mining/Dewatering Permit Application (RC-1A, RC-1W, RC-1G)
0483	9-04	Request for Environmental Resource, Surface Water Management, Water Use or Wetland Resource Permit Transfer
0645-W01	8-03	Water Use Permit Application (RC-1A, RC-1W, RC-1G)
0645-G60	8-03	Table A Descriptions of Wells
0645-G61-1	8-03	Table B Description of Surface Water Pumps
0645-G61-2	8-03	Table C Description of Culverts
0645-G65	8-03	Table D Crop Information
0645-G74	8-03	Table E Water Received From or Distributed to Other Entities
0645-G69	8-03	Table F Past Water Use & Table G Projected Water Use
0645-G70	8-03	Table H Projected Water Use (For Per Capita Greater than 200 GPD)
0645-G71	8-03	Table I Water Treatment Method and Losses
0645-G72	8-03	Table J Aquifer Storage and Recovery
0645-G73	8-03	Table K Water Supply System Interconnections
0779	5-92	Guidance for Preparing an Application for a "Works of the District" Permit in the Everglades/ Application for a Works of the District Permit
0830	4-94	Special Use Application and License
0881A	9-03	Environmental Resource/Surface Water Management Permit Construction Completion Certification
0881B	9-03	Environmental Resource/Surface Water Management Permit Construction Completion Certification For Projects Permitted Prior to October 3, 1995
0889	9-04	Certification of Waiver of Permit Application Processing Fee
0920	9-04	Request for Conversion of District Environmental Resource/Surface Water Management Permit from Construction Phase to Operation Phase and Transfer of Permit to the Operating Entity
0941	8-95	Environmental Resource Standard/Noticed General Permit No.
0942	8-95	Surface Water Management General Permit No.

0960	9-04	Environmental Resource/Surface Water Management Permit Construction Commencement Notice
0961	9-04	Environmental Resource/Surface Water Management Permit Annual Status Report for Surface Water Management System Construction
0970	_____	Applicant Transmittal Form for Requested Additional Information
	2-04	
0971	_____	Joint Application for Environmental Resource Permit/Authorization to Use State Owned Submerged Lands/Federal Dredge and Fill Permit
	8-95	
0972	8-95	Petition for a Formal Wetland and Surface Water Determination
0973	8-95	Above Ground Impoundment Inspection/Certification Report
0974	8-95	Notice of Intent to Construct a Minor Silvicultural System
0980	8-95	Notice of Intent to Use a Noticed General Environmental Resource Permit
1019	9-04	Mitigation Bank Performance Bond to Demonstrate Construction/Implementation Financial Assurance
1020	9-04	Mitigation Bank Irrevocable Letter of Credit to Demonstrate Construction/Implementation Financial Assurance
1021	9-04	Mitigation Bank Standby Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance
1022	9-04	Mitigation Bank Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance
1023	9-04	Mitigation Bank Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance
1024	9-04	Mitigation Bank Standby Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance
1105	6-02	Performance Bond to Demonstrate Financial Assurance
1106	6-02	Irrevocable Letter of Credit to Demonstrate Financial Assurance
1109	8-03	Water Use General Permit
1189	2-06	Notice of Environmental Resource or Surface Water Management Permit
1190	1-07	Deed of Conservation Easement (Standard)
1191	1-07	Deed of Conservation Easement (Standard Passive Recreational)
1192	1-07	Deed of Conservation Easement (Standard Riparian)
1194	1-07	Deed of Conservation Easement (Third Party Standard)
1195	1-07	Deed of Conservation Easement (Third Party Passive Recreational)
1196	1-07	Deed of Conservation Easement (Third Party Riparian)
1197	1-07	Restrictive Covenant (Standard)

~~(2) The forms and instructions listed in subsection (1) are available without cost from the following District Service Centers upon request:~~

~~(a) Florida Keys Service Center, 80431 Old Hwy., Islamorada, FL 33036;~~

~~(b) Ft. Myers Service Center, 2301 McGregor Blvd., Ft. Myers, FL 33901;~~

~~(c) Okeechobee Service Center, 205 North Parrott Ave., Suite 201, P. O. Box 2033, Okeechobee, FL 34973-2033;~~

~~(d) Orlando Service Center, 1707 Orlando Central Parkway, Suite 200, Orlando, FL 32809;~~

~~(e) Miami/Dade Regional Service Center, 172A W. Flagler Street, Miami, FL 33130;~~

~~(f) Big Cypress Basin, 6089 Janes Lane, Naples, FL 34109; and~~

~~(g) West Palm Beach Service Center, 3301 Gun Club Road, West Palm Beach, FL 33406.~~

Specific Authority 120.53, 218.075, 373.044, 373.113, 373.4136, 373.416, 695.03, 704.06 FS. Law Implemented 120.53, 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS. History—New 9-3-81, Amended 12-1-82, 3-9-83, Formerly 16K-1.90, Amended 7-26-87, 11-21-89, 1-4-93, Formerly 40E-1.901, Amended 5-11-93, 4-20-94, 10-3-95, 6-26-02, 8-14-02, 8-31-03, 9-16-03, 9-20-04, 2-12-06, 1-23-07,_____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-4.041	Permits Required
40E-4.042	Formal Determination of Wetlands and Other Surface Waters
40E-4.091	Publications, Rules and Interagency Agreements Incorporated by Reference
40E-4.301	Conditions for Issuance of Permits
40E-4.302	Additional Conditions for Issuance of Permits

40E-4.361 Conversion from Construction Phase to Operation Phase

40E-4.381 General Conditions

PURPOSE AND EFFECT: The purpose of this rulemaking is: 1) to update rules referencing the “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District” to incorporate the current version as incorporated in Rule 40E-4.091, F.A.C.; 2) to correct clerical errors to Section 4.2.8 and Appendix 2 of the Basis of Review; and 3) to update Figure 4.4-1 of the Basis of Review to accurately reflect basin boundaries that were incorrectly transcribed from an outdated software package.

SUBJECT AREA TO BE ADDRESSED: Section 4.2.8, Figure 4.4-1 and Appendix 2 of the Basis of Review, and rules referencing the Basis of Review.

SPECIFIC AUTHORITY: 373.043, 373.044, 373.103(8), 373.113, 373.171, 373.406(5), 373.413, 373.414(9), 373.421(2), 373.441, 668.003, 668.004, 668.50, 704.06 FS.

LAW IMPLEMENTED: 373.103, 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441, 668.003, 668.004, 668.50, 704.06 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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Clerk of the South Florida Water Management District, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anita R. Bain, Division Director, Natural Resource Management Division, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6866 or (561)682-6866, email: abain@sfwmd.gov. For procedural questions, contact Jan Sluth, Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov. A copy of the corrected Figure 4.4-1 is also available upon request.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-4.041 Permits Required.
(1) through (3) No change.

(4) The District issues two types of mitigation bank environmental resource permits: conceptual approvals and individual permits, pursuant to Section 4.4 of the “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – ~~November 1996~~”, incorporated by reference in Rule 40E-4.091, F.A.C. A conceptual approval does not authorize the establishment or operation of the mitigation bank. A mitigation bank individual permit authorizes the establishment and operation of a mitigation bank and constitutes authorization pursuant to Chapters 40E-4, 40E-40, or 40E-400, F.A.C., as applicable, to construct any surface water management system proposed as part of the mitigation bank.

Specific Authority 373.044, 373.113, 373.406(5) FS. Law Implemented 373.103, 373.413, 373.416, 373.426 FS. History–New 9-3-81, Amended 12-1-82, Formerly 16K-4.03(1), 16K-4.07(1), 16K-4.09(1), Amended 1-23-94, 4-20-94, 10-3-95, 4-1-96, 1-7-97, _____.

40E-4.042 Formal Determination of Wetlands and Other Surface Waters.

(1) through (2) No change.

(3) The process and procedures for filing a petition for a formal determination of wetlands and other surface waters are set forth in Section 4.5 of the “Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District ~~August 1995~~”, and are incorporated by reference in Rule 40E-4.091, F.A.C ~~this rule~~.

(4) through (5) No change.

Specific Authority 373.043, 373.113, 373.421(2) FS. Law Implemented 373.421(2) FS. History–New 10-3-95, Amended _____.

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – _____ ~~April 23, 2007~~”.

(b) through (k) No change.

(2) No change.

Specific Authority 373.044, 373.103(8), 373.113, 373.171, 373.413, 373.441, 668.003 668.004, 668.50, 704.06 FS. Law Implemented 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441, 668.003, 668.004, 668.50, 704.06 FS. History–New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1) Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06, 10-1-06, 11-20-06, 1-23-07, _____.

(The following are proposed changes to the “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District”, incorporated by reference in Rule 40E-4.091, F.A.C.)

4.2.8 Cumulative Impacts

1st paragraph – No change.

When adverse impacts to water quality or adverse impacts to the functions of wetlands and other surface water, as referenced in the paragraph above, are not fully offset within the same drainage basin as the impacts, than an applicant must

provide reasonable assurance that the proposed system, when considered with the following activities, will not result in unacceptable cumulative impacts to water quality or the functions of wetlands and other surface waters, within the same drainage basin:

(a) through (b) No change.

Paragraphs 3 and 4 – No change.

Appendix 2

SFWMD – ALLOWABLE DISCHARGE FORMULAS

<u>Canal</u>	<u>Allowable Runoff</u>	<u>Design Frequency</u>
C-1	$Q = (112 + 31) A$ $\frac{\sqrt{A}}$ $Q = (112 + 31) A$	10 year
C-2	A Essentially unlimited inflow by gravity connections southeast of Sunset Drive:	200 year +
C-4	54 CSM northwest of Sunset Drive Essentially unlimited inflow by gravity connections east of S.W. 87th Avenue	200 year +
C-6	Essentially unlimited inflow by gravity connections east of FEC Railroad	200 year +
CG-7	Essentially unlimited inflow by gravity connection	100 year +
C-8	Essentially unlimited inflow by gravity connection	200 year +
C-9	Essentially unlimited inflow by gravity connection east of Red Road; 20 CSM pumped, unlimited gravity with development limitations west of Red Road or Flamingo Blvd.	100 year +
C-10	-----	200 year +
C-11	20 CSM west of 13A; 40 CSM east of 13A	-----
C-12	90.6 CSM	25 year
C-13	75.9 CSM	25 year
C-14	69.2 CSM	25 year
C-15	70.0 CSM	25 year
C-16	62.6 CSM	25 year
C-17	62.7 CSM	25 year
C-18	41.6 CSM	25 year
C-19	57.8 CSM	-----
C-23	31.5 CSM	10 year
C-24	30.25 CSM	10 year
C-25	$Q = (47 + 28) A$ (Under Review) $\frac{\sqrt{A}}$ $Q = (47 + 28) A$ (Under Review)	10 year
C-38	A 31.1 CSM (subject to restrictions of Basin Rule)	10 year
C-40, 41, 41A	35.4 CSM	10 year
Hillsboro Canal (east of S-39)	35 CSM	25 year
North New River (east of S-34)	70.8 CSM	25 year
Everglades Ag. Area (all canals)	20 CSM	5 year
L-28	11.8 CSM	-----
C-51	35 CSM east of Turnpike; 27 CSM west of Turnpike (subject to restrictions of Basin Rule)	10 year

C-100, 100A, 100B, 100C, 100D:	$Q = \frac{(104 + 43) A}{\sqrt{A}}$	10 year
	$Q = (104 + 43) A$	
C-102	$Q = \frac{(119 + 25) A}{\sqrt{A}}$	10 year
	$Q = (119 + 25) A$	
C-103N, C103-S	$Q = \frac{(107 + 39) A}{\sqrt{A}}$	10 year
	$Q = (107 + 39) A$	
C-110	$Q = \frac{(137 + 9) A}{\sqrt{A}}$	10 year
	$Q = (137 + 9) A$	
C-111	$Q = \frac{(117 + 29) A}{\sqrt{A}}$	10 year
	$Q = (117 + 29) A$	
C-113	$Q = \frac{(104 + 3) A}{\sqrt{A}}$	10 year
	$Q = (104 + 3) A$	
	$Q = (104 + 3) A$	
	$Q = (104 + 3) A$	

Definitions:

Q = Allowable runoff in cfs
(cubic feet per second)

CSM = cfs per square mile

A = Drainage area in square miles

40E-4.301 Conditions for Issuance of Permits.

(1) No change.

(2) If the applicant is unable to meet water quality standards because existing ambient water quality does not meet standards, the applicant must comply with the requirements set forth in subsection 4.2.4.5 of the “Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District ~~November 1996~~”, incorporated by reference in Rule 40E-4.091, F.A.C.

(3) The standards and criteria, including the mitigation provisions, and the provisions for elimination or reduction of impacts, contained in the “Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District ~~November 1996~~”, incorporated ~~adopted~~ by reference in Rule 40E-4.091, F.A.C., shall determine whether the reasonable assurances required by subsection 40E-4.301(1) and Rule 40E-4.302, F.A.C., have been provided.

(4) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.413, 373.416, 373.426 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(2), 16K-4.30, Amended 7-1-86, 3-24-87, 4-14-87, 7-9-87, 4-21-88, 4-20-94, 10-3-95, 4-1-96, 1-7-97,

40E-4.302 Additional Conditions for Issuance of Permits.

(1) No change.

(a) Located in, on, or over wetlands or other surface waters will not be contrary to the public interest, or if such an activity significantly degrades or is within an Outstanding Florida Water, that the activity will be clearly in the public interest, as determined by balancing the following criteria as set forth in subsections 4.2.3. through 4.2.3.7 of the “Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District”, incorporated by reference in Rule 40E-4.091, F.A.C.

1. through 7. No change.

(b) Will not cause unacceptable cumulative impacts upon wetlands and other surface waters as set forth in subsections 4.2.8. through 4.2.8.2 of the “Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District”, incorporated by reference in Rule 40E-4.091, F.A.C.

(c) Located in, adjacent to or in close proximity to Class II waters or located in Class II waters or Class III waters classified by the Department as approved, restricted or conditionally restricted for shellfish harvesting as set forth and incorporated in Chapter 62R-7, F.A.C., will comply with the additional criteria in subsection 4.2.5 of the “Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District”, incorporated ~~adopted~~ by reference in Rule 40E-4.091, F.A.C.

(d) Which constitute vertical seawalls in estuaries or lagoons, will comply with the additional criteria provided in subsection 4.2.6 of the “Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District”, incorporated adopted by reference in Rule 40E-4.091, F.A.C.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.414(9) FS. Law Implemented 373.042, 373.409, 373.413, 373.414, 373.416, 373.426, 380.23 FS. History—New 10-3-95, Amended 1-7-97, 12-3-98, 5-28-00,_____.

40E-4.361 Conversion from Construction Phase to Operation Phase.

(1) No change.

(a) through (b) No change.

(2) No change.

(a) No change.

(b) The professional engineer or other individual authorized by law shall certify that:

1. The system has been constructed substantially in accordance with approved plans and specifications, or;

2. Any deviations from the approved plans and specifications will not prevent the system from functioning in compliance with the requirements of this rule and Section 10.0 of the “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District ~~April 2003~~”, incorporated by reference in Rule 40E-4.091, F.A.C. The professional engineer or other individual authorized by law shall note and explain substantial deviations from the approved plans and specifications and provide two copies of as-built drawings to the District; and

(c) No change.

(3) A conversion to the operational phase shall not occur until a responsible entity meeting the requirements in Section 9.0, of the “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District —~~April 2003~~”, incorporated by reference in Rule 40E-4.091, F.A.C., has been established to operate and maintain the system. The entity must be provided with sufficient ownership, legal or equitable interest so that it has control over all water management facilities authorized by the permit.

(4) No change.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.413, 373.416 FS. History—New 10-3-95, Amended 1-7-97, 4-14-03, 9-16-03,_____.

40E-4.381 General Conditions.

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

(g) The operation phase of this permit shall not become effective: until the permittee has complied with the requirements of paragraph (f) above, has submitted a Request

for Conversion of Environmental Resource/Surface Water Management Permit from Construction Phase to Operation Phase and Transfer of Permit to the Operating Entity Form No. 0920, incorporated by reference in Rule 40E-1.659, F.A.C.; the District determines the system to be in compliance with the permitted plans and specifications; and the entity approved by the District in accordance with Sections 9.0 and 10.0 of the “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District”, incorporated by reference in Rule 40E-4.091, F.A.C. accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall initiate transfer of the permit to the approved responsible operating entity if different from the permittee. Until the permit is transferred pursuant to Rule 40E-1.6107, F.A.C., the permittee shall be liable for compliance with the terms of the permit.

(h) No change.

(i) For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the District along with any other final operation and maintenance documents required by Sections 9.0 and 10.0 of the “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District”, incorporated by reference in Rule 40E-4.091, F.A.C., prior to lot or unit sales or prior to the completion of the system, whichever occurs first. Other documents concerning the establishment and authority of the operating entity must be filed with the Secretary of State where appropriate. For those systems which are proposed to be maintained by the county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate final documents will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.

(j) through (s) No change.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 668.003, 668.004, 668.50 FS. Law Implemented 373.116, 373.229, 373.413, 373.416, 373.421, 373.422, 373.426, 668.003, 668.004, 668.50 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.07(3), 16K-4.38, Amended 7-1-86, 4-20-94, 10-3-95, 1-7-97, 4-14-03, 9-16-03, 10-1-06,_____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-40.051	Standard General Permit Authorization
40E-40.061	Delegation of Authority Pertaining to General Environmental Resource Permits, General Surface Water Management Permits and Associated Sovereign Submerged Lands Authorizations

PURPOSE AND EFFECT: To include Regulatory Manager as one of those delegated or appointed by the Governing Board to review and take final agency action on all general environmental resource and surface water management permits applications issued under Chapters 40E-1, 40E-40 and 40E-400, F.A.C., and associated Sovereign Submerged Lands authorizations.

SUBJECT AREA TO BE ADDRESSED: Standard General Permits and associated Sovereign Submerged Lands Authorizations.

SPECIFIC AUTHORITY: 120.53(1), 373.044, 373.113, 373.118 FS.

LAW IMPLEMENTED: 120.53, 373.016, 373.103(2), 373.103(6), 373.118, 373.427 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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Clerk of the South Florida Water Management District, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anita R. Bain, Division Director, Natural Resource Management Division, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6866 or (561)682-6866, email: abain@sfwmd.gov. For procedural questions, contact Jan Sluth, Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045 ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-40.051 Standard General Permit Authorization.

(1) through (3) No change.

(4) For applications for standard general permits, the Governing Board delegates to and appoints the Executive Director, Deputy Executive Director, Environmental Resources Regulation Department Director, Environmental Resources Regulation Department Deputy Director, Natural Resource Management Division Director, Surface Water Management Division Director, Regulatory Managers and Service Center Directors, as its agents for the purposes of reviewing and issuing these permits.

(5) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.103(2), 373.103(6), 373.427 FS. History–New 10-3-95, Amended 4-1-96, 5-28-00,_____.

40E-40.061 Delegation of Authority Pertaining to General Environmental Resource Permits, General Surface Water Management Permits and Associated Sovereign Submerged Lands Authorizations.

(1) The Governing Board delegates to and appoints the Executive Director, Deputy Executive Director, Environmental Resources Regulation Department Director, Environmental Resources Regulation Department Deputy Director, Natural Resource Management Division Director, Surface Water Management Division Director, Regulatory Managers and Service Center Directors, as its agents to review and take final action on all general environmental resource and surface water management permit applications issued under Chapter 40E-40, F.A.C. However, staff recommendations for denial of general permit applications shall be considered by the Governing Board.

(2) The Board of Trustees of the Internal Improvement Trust Fund, pursuant to Rule 18-21.0051, F.A.C., has delegated to the Governing Board the authority to review and take final agency action on certain applications to use sovereign submerged lands. Rule 18-21.0051, F.A.C., also provides that the Governing Board may delegate review and decision-making authority to District staff. Therefore, the Governing Board further delegates this authority to the Executive Director, Deputy Executive Director, Regulation Department Director, Regulation Department Deputy Director, Natural Resource Management Division Director, Surface Water Management Division Director, Regulatory Managers and Service Center Directors, when an application to use sovereign submerged lands involves an activity which is to be reviewed pursuant to the general permit procedures of Chapters 40E-1, 40E-40, or 40E-400, F.A.C.

Specific Authority 120.53(1), 373.044, 373.113, 373.118 FS. Law Implemented 120.53, 373.016, 373.118 FS. History–New 4-1-96, Formerly 40E-1.6015, Amended 5-28-00,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-26.001	Purpose and Intent
59A-26.002	Definitions
59A-26.003	License Required
59A-26.004	Classification of Deficiencies
59A-26.005	Licensure Procedure, Fees and Exemptions
59A-26.006	Responsibilities for Operation
59A-26.007	Fiscal Standards
59A-26.0075	Fiscal Prohibitions, Kickbacks and Referrals
59A-26.008	Admission Policies and Requirements
59A-26.009	Personnel Standards
59A-26.010	Training, Habilitation, Active Treatment Professional, and Special Programs and Services
59A-26.011	Dietary Services
59A-26.012	Dental Services
59A-26.013	Psychological Services
59A-26.014	Drugs and Pharmaceutical Services
59A-26.015	Administration of Medications to ICF/DD Residents by Unlicensed Medication Assistants
59A-26.016	Requirements for Administration of Medication to Residents by Unlicensed Medication
59A-26.017	Training and Validation Required for Unlicensed Medication Assistants
59A-26.018	Plant Maintenance and Housekeeping
59A-26.019	Fire Protection, Life Safety, Systems Failure and External Emergency Communication
59A-26.020	Plans Submission and Fees Required
59A-26.021	Physical Plant Codes and Standards for ICF/DD
59A-26.022	Construction and Physical Environment Standards
59A-26.023	Disaster Preparedness

PURPOSE AND EFFECT: The Agency proposes to establish a rule consistent with provisions of Section 400.967(2), Florida Statutes, which became effective May 7, 1999. The legislation provides for the development of rules regarding specific criteria including minimum standards of program development and quality of care of Intermediate Care Facilities for the Developmentally Disabled.

SUBJECT AREA TO BE ADDRESSED: Specific criteria pertaining to licensure requirements including procedures for licensing, fees and exemptions, classification of deficiencies, responsibility of operation, fiscal standards, fiscal prohibitions,

kickbacks and referrals, admission policies, personnel standards, training, habilitation, active treatment professional and specific program services, dietary, dental and psychological standards, drugs and pharmaceutical services, administration of medications by unlicensed medication assistants, including training and validation of the unlicensed medication assistants, plant maintenance and housekeeping, fire protection, life safety, systems failure, and external communications, plans submission and fee requirements, physical environment standards and disaster preparedness for Intermediate Care Facilities for the Developmentally Disabled. **SPECIFIC AUTHORITY:** 400.967(2) FS.

LAW IMPLEMENTED: 400.967 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: May 22, 2007, 1:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Bldg. #3, Conference Rm. C, Tallahassee, FL 32303

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kimberly Smoak, Long-Term Care Unit, 2727 Mahan Drive, Tallahassee, Florida, or call (850)488-5861

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.033 **RULE TITLE:** Marine Specialty Contractor
PURPOSE AND EFFECT: The Board proposes to promulgate the rule in order to create a marine specialty contractor.
SUBJECT AREA TO BE ADDRESSED: Marine Specialty Contractor.

SPECIFIC AUTHORITY: 455.213, 489.108, 489.113(6) FS.

LAW IMPLEMENTED: 489.105(3)(q), 489.113(6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-21.002
 RULE TITLE: Definitions

PURPOSE AND EFFECT: The Board proposes to amend the rule in order to make a clarification of the definition of damages.

SUBJECT AREA TO BE ADDRESSED: The definition of damages.

SPECIFIC AUTHORITY: 489.108 FS.

LAW IMPLEMENTED: 489.141, 489.143 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NOS.:	RULE TITLES:
61H1-22.006	Governmental Accounting Standards
61H1-22.007	Governmental Auditing Standards
61H1-22.008	Standards for Local Governmental Audits

PURPOSE AND EFFECT: The Board proposes the rule amendments to update the language consistent with terms of practice and to include language controlling single audit requirement.

SUBJECT AREA TO BE ADDRESSED: Government Accounting Standards; Government Auditing Standards; Standards for Local Governmental Audits.

SPECIFIC AUTHORITY: 473.304, 473.315 FS., Chapter 79-202, Laws of Florida.

LAW IMPLEMENTED: 473.315 FS., Chapter 79-202, Laws of Florida.

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: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.:	RULE TITLE:
61H1-23.002	Records Disposition Responsibility

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide clarification for records retention.

SUBJECT AREA TO BE ADDRESSED: Records Disposition Responsibility.

SPECIFIC AUTHORITY: 473.304, 473.315 FS.

LAW IMPLEMENTED: 473.315, 473.318 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: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.:	RULE TITLE:
61H1-24.001	Advertising

PURPOSE AND EFFECT: The Board proposes the rule amendment for consideration of deletion of the asterisk requirement.

SUBJECT AREA TO BE ADDRESSED: Advertising.

SPECIFIC AUTHORITY: 473.304, 473.323 FS.

LAW IMPLEMENTED: 473.323(1)(f) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
 61J2-3.010 License Reactivation Education for Brokers and Sales Associates

PURPOSE AND EFFECT: To bring the rule into compliance with statutory changes, which took effect July 1, 2006, relating to reactivation education.

SUBJECT AREA TO BE ADDRESSED: Rule provisions relating to the content of reactivation education for real estate licensees.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.182, 475.183, 475.451 FS

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

DATE AND TIME: May 15, 2007, 8:30 a.m., or as soon thereafter as possible

PLACE: Stetson University College of Law, "Great Hall", 1401 61st Street South, Gulfport, Florida 33707

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite 801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
 61J2-14.008 Definitions

PURPOSE AND EFFECT: To clarify the Division's lack of jurisdiction over escrow funds placed with a title company or attorney and not held by a licensed real estate broker.

SUBJECT AREA TO BE ADDRESSED: Escrow funds held by a title company or attorney.

SPECIFIC AUTHORITY: 475.05, 475.25(1)(k) FS.

LAW IMPLEMENTED: 475.25(1)(k) FS.

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

DATE AND TIME: May 15, 2007, 8:30 a.m., or as soon thereafter as possible

LOCATION: Stetson University College of Law, "Great Hall", 1401 61st Street South, Gulfport, Florida 33707

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite 801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE SEVEN DAYS PRIOR TO THE MEETING.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-7.001	Purpose and Scope
63E-7.002	Definitions
63E-7.003	Youth Admission
63E-7.004	Youth Intake
63E-7.005	Youth Orientation

PURPOSE AND EFFECT: The rule establishes the requirements for the administration and operation of state operated and contracted residential commitment programs for juvenile offenders.

SUBJECT AREA TO BE ADDRESSED: The rule governs residential commitment programs, with the exception of serious habitual offender programs, intensive residential treatment programs, sex offender programs, and sheriff's training and respect programs, all of which are specifically addressed elsewhere in this rule subtitle.

SPECIFIC AUTHORITY: 985.64, 985.601, 20.316 FS.

LAW IMPLEMENTED: 985.601, 985.03(44), 985.441 FS.

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

DATE AND TIME: Friday, May 11, 2007, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Dr., Ste. 312, General Counsel's Conference Room, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lydia Monroe, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100, e-mail: lydia.monroe@djj.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-40.003
RULE TITLE: Delegation of Powers and Duties
PURPOSE AND EFFECT: The Council proposes the rule amendment to add language delegating preliminary review of petitions for waiver or variances.

SUBJECT AREA TO BE ADDRESSED: Add to delegation of powers and duties for initial review of petitions for waivers and variances.

SPECIFIC AUTHORITY: 468.507 FS.

LAW IMPLEMENTED: 468.507 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: Susan Love, Executive Director, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-41.001
RULE TITLE: Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the fee paid to remove a license from delinquent status.

SUBJECT AREA TO BE ADDRESSED: Fee to be paid to remove a license from delinquent status.

SPECIFIC AUTHORITY: 456.036(3), (13), 468.507, 468.508 FS.

LAW IMPLEMENTED: 456.013, 456.036(4)(b), 456.065, 468.508 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: Susan

Love, Executive Director, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-2.001	Definitions
64E-2.002	Basic Life Support Service License – Ground
64E-2.003	Advanced Life Support Service License – Ground
64E-2.007	Vehicle Permits
64E-2.008	Emergency Medical Technician
64E-2.009	Paramedic
64E-2.0094	Voluntary Inactive Certification
64E-2.0095	Involuntary Inactive Certification
64E-2.036	Training Programs

PURPOSE AND EFFECT: Announce workshop to open discussion with the Emergency Medical Services (EMS) community regarding rule promulgation. This workshop is a follow-up to the February workshops in Miami. The Bureau of EMS will facilitate further discussions on updating Emergency Medical Technician and Paramedic applications for certification, updating the application process, bulk renewals, permitting EMS watercraft, and updating applications for Training Centers. These discussions will allow for the development of revised language for Chapter 64E-2, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Definitions, Basic Life Support Service License – Ground, Advanced Life Support Service License – Ground, Vehicle Permits, Emergency Medical Technician, Paramedic, Voluntary Inactive Certification, Involuntary Inactive Certification, and Training Programs. Please note, not all of these areas may be affected by the proposed rewrite.

SPECIFIC AUTHORITY: 381.0011, 381.0034, 381.0035, 395.405, 401.121, 401.23, 401.25, 401.265, 401.27, 401.2715, 401.34, 401.35, 401.411 FS.

LAW IMPLEMENTED: 381.001, 381.0011, 381.0205, 381.025, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.23, 401.24, 401.25, 401.251, 401.252, 401.26, 401.265, 401.27, 401.2715, 401.281, 401.30, 401.31, 401.321, 401.34, 401.35, 401.41, 401.411, 401.414, 401.421 FS.

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

DATE AND TIME: May 7, 2007, 12:30 p.m. – 4:30 p.m. EST
PLACE: Tampa Airport Fire Station (Station #2), 5405 W. Spruce Street, Tampa, FL 33607 (Southeast of the airport terminal), (813)274-7005

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Alexander Macy at (850)245-4440 ext. 2735 or Alexander_Macy@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lisa Walker, Deputy Chief – Government Affairs, (850)245-4440 ext. 2733 or Lisa_Walker2@doh.state.fl.us. This information is also available on the Bureau of Emergency Medical Services’ website at <http://www.fl-ems.com> and has been posted on the Bureau’s listserv. You may subscribe to the Bureau’s listserv at <http://ww7.doh.state.fl.us/mailman/listinfo/flemscomm>

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NOS.:	RULE TITLES:
65A-1.301	Citizenship
65A-1.704	Family-Related Medicaid Eligibility Determination Process
65A-1.705	Family-Related Medicaid General Eligibility Criteria

PURPOSE AND EFFECT: Amendments to the proposed rules will align citizenship requirements for Medicaid applicants and recipients in accordance with the federal law, the Deficit Reduction Act of 2005, Public Law 109-171 (DRA) and as amended by H.R.6111.

SUBJECT AREA TO BE ADDRESSED: Proposed amendments will revise language to be consistent with federal requirements for individuals who declare to be a U.S. citizen or national. These individuals are required to provide proof of U.S. citizenship and identity.

SPECIFIC AUTHORITY: 409.918, 409.919, 414.45 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.818, 409.919, 410.033, 414.095(3), 414.31 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: May 15, 2007, 3:00 p.m.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65A-1.301 Citizenship.

(1) The individual whose needs are included must meet the citizenship and noncitizen status established in: P.L. 104-193, The Personal Responsibility and Work Opportunity Reconciliation Act of 1996; P.L. 105-33, the Balanced Budget Act of 1997; P.L. 105-185, the Agricultural Research, Extension, and Education Reform Act of 1998; P.L. 105-306, the Noncitizen Benefit Clarification and Other Technical Amendments Act of 1998; P.L. 109-171, the Deficit Reduction Act of 2005; and, the Immigration and Nationality Act.

(2) For Medicaid, individuals who indicate they are a U.S. citizen must provide proof of U.S. citizenship and identity as specified in P.L. 109-171, the Deficit Reduction Act of 2005 as amended by H.R.6111. The Department will assist with obtaining documentation if requested.

(3)(2) The eligibility specialist must verify ~~confirm~~ the immigration status of ~~all non-U.S.~~ citizens through the United States Citizenship and Immigration and Naturalization Service (USCIS) (INS). Verification will be requested electronically using the alien number, or based on a USCIS or prior Immigration and Naturalization Services (INS)) document provided by the applicant. The system of verification is known as the Verification Information System-Customer Processing System (VIS-CPS) Systematic Alien Verification for Entitlement System (SAVE) Program. ~~SAVE verification must be obtained when the alien provides an INS document that does not clearly indicate alien status.~~ When the noncitizen alien provides neither an alien number nor an USCIS INS document to indicate their status, the noncitizen alien must contact the USCIS INS to obtain documentation or verification of noncitizen alien status. The department will assist in obtaining documentation ~~this effort~~ if requested ~~to do so~~. If the noncitizen alien provides any form of USCIS INS documentation, regardless of the expiration date, showing an eligible Immigration Act section, the eligibility specialist must accept the documentation and verify the individual's status ~~through SAVE~~. Electronic verification of an eligible immigrant status ~~through SAVE~~ is acceptable proof documentation of the individual's eligible status for all programs. Automated verification ~~by telephone~~ is attempted first. If automated verification cannot be obtained, noncitizenship status must be verified manually (i.e., secondary verification) through use of an USCIS INS form. Benefits will not be withheld when VIS-CPS SAVE indicates secondary (i.e., manual) verification is required and response from the secondary verification is pending, provided all other

technical factors of eligibility are met. Benefit recovery is required when such individuals are determined to not have been ~~no longer~~ in an eligible ~~noncitizen alien~~ status.

~~(4)(3)~~ Noncitizens who would experience an undue hardship in obtaining current USCIS ~~INS~~ documentation, hospitalized noncitizens or noncitizens with a medical disability will be considered eligible for benefits on the noncitizen factor of eligibility while awaiting the return of USCIS ~~INS~~ secondary or manual verification. Undue hardship includes living a prohibitive distance from the USCIS ~~INS~~ office, lack of transportation, inability to travel to or attend appointments due to a medical condition, or a long waiting period for an appointment with the USCIS ~~INS~~. However, these individuals are subject to recoupment for any benefits issued while verification is pending should they subsequently be determined to have been in an ineligible noncitizen ~~alien~~ status.

Specific Authority ~~409.919, 414.45 FS. Law Implemented 409.903, 409.904, 410.033, 414.095(3), 414.31 FS. History–New 4-9-92, Amended 11-22-93, Formerly 10C-1.301, Amended 4-18-99, _____.~~

65A-1.704 Family-Related Medicaid Eligibility Determination Process.

(1) No change.

(2) Simplified Eligibility for Pregnant Women.

(a) through (b) No change.

(c) The following information must be verified or obtained, as indicated below, prior to approval for Medicaid for a pregnant woman.

1. through 3. No change.

4. A declaration of citizenship is required. The applicant’s statement on the Health Insurance Application for Pregnant Woman, CF-ES 2700, 08/2006, is acceptable as a declaration of citizenship. U.S. citizens must provide proof of their U.S. citizenship and identity. Non-citizens must provide proof of immigration status through the USCIS. The department will request verification of immigration status of noncitizens electronically through the VIS-CPS using the noncitizen’s alien number. If the pregnant woman is a non-citizen, she may provide her ~~a~~ Alien n~~u~~Number to the ~~eligibility public assistance~~ specialist on the application. If the information is not on the application, it may be provided ~~obtained~~ by telephone. The pregnant woman’s eligibility as a non-citizen will be determined in accordance with Section 1137 of the Social Security Act. ~~As a non-citizen, she will be requested to provide verification of her immigration status and the SAVE system will be used to verify this information.~~

5. through 6. No change.

(d) No change.

(3) through (5) No change.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.919 FS. History–New 10-8-97, Amended 2-7-01, 10-21-01, 4-1-03, 2-4-04, _____.

65A-1.705 Family-Related Medicaid General Eligibility Criteria.

(1) through (7) No change.

(8) Medicaid Applications Due to KidCare.

(a) through (b) No change.

(c) Prior to approval for Medicaid, children who are U.S. citizens must have their citizenship and identity verified. Prior to approval for Medicaid, verification of immigration status will be required for children who are not citizens. Immigration status will be verified. This requirement will be met through the VIS-CPS ~~SAVE~~ system and completion of a KidCare Program Immigration Status Statement, CF-ES 2083, Oct. 2002 (incorporated by reference). Information about immigration status and the receipt of Medicaid will be sent to parents when they are asked to complete the Immigration Status Statement form. If the requested information is not provided within thirty ~~(30)~~ days, the application will be denied, unless a request for an extension is made or there are extenuating circumstances known to the department justifying an extension. If the verification or information is difficult for the parent or caretaker to obtain, the eligibility specialist must provide assistance obtaining the verification or information when requested.

(d) through (h) No change.

(9) No change.

Specific Authority 409.918, 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.818, 409.919 FS. History–New 10-8-97, Amended 9-28-98, 4-5-99, 11-23-99, 2-15-01, 9-24-01, 4-1-03, _____.

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.:

RULE TITLE:

33-501.302

Copying Services for Inmates

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the rule to provide that inmates shall be charged for copying services related to civil or administrative legal actions. The cost of providing the copies shall be collected from any existing balance in the inmate’s bank trust fund account and a hold will be placed on the inmate’s account for unpaid costs until the debt has been paid.

Form DC5-154, Copying Services Request and Withdrawal, is amended to indicate the purpose of the requested copies and specify court deadlines.

SUMMARY: Amends the rule to provide that inmates shall be charged for copying services related to civil or administrative legal actions. The cost of providing the copies shall be collected from any existing balance in the inmate's bank trust fund account and a hold will be placed on the inmate's account for unpaid costs until the debt has been paid. Form DC5-154, Copying Services Request and Withdrawal, is amended to indicate the purpose of the requested copies and specify court deadlines.

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: 944.09, 945.6038 FS.

LAW IMPLEMENTED: 944.09, 945.6038 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: 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:

33-501.302 Copying Services for Inmates.

(1) All institutions and facilities shall provide photographic copying services to inmates submitting legal documents and accompanying evidentiary materials to judicial or courts and administrative forums ~~bodies~~. No provision of this section shall be implemented in such a way as to conflict with any administrative order, administrative rule, judicial rule or judicial order of court.

(2) Definitions.

(a) Accompanying evidentiary material: refers to a document, record, or other paper object attached to a judicial or agency form or pleading as supporting evidence.

(b) Civil proceeding: refers to any proceeding, except that which is referenced in paragraph (2)(c), brought in a judicial or administrative forum to secure a private or civil right or remedy.

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

(d) Judicial or administrative forum: refers to a municipal, county, state, or federal court, a governmental agency, the Florida Division of Administrative Hearings, or any other body or organization that is authorized by law, court order, or agency action to adjudicate a party's legal rights.

(e) Law library supervisor: refers to a library program specialist, librarian specialist, library technical assistant, and, whenever these positions are vacant, any other employee that the warden or designee appoints to oversee operation of the institution's law library program.

(f) Legal or administrative action: refers to an action brought before a municipal, county, state, or federal court, or an action brought before a governmental body to obtain or challenge a ruling, order, or decision of the governmental body. It also includes an action filed in the Division of Administrative Hearings or any other forum that is authorized by law, court order, or agency action to adjudicate a party's legal rights.

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

(a) No change.

(b) Title 42, United States Code, Section 1983, civil rights complaints ~~filed into federal district courts~~.

1. Inmates shall be provided a copy for the inmate if the original must be filed with the judicial forum court, and one copy for each named defendant if the complaint names five or fewer defendants.

2. If more than five defendants are named in the complaint, the inmate shall only be made one file copy to keep if the original complaint must be filed with the judicial forum court. No copies shall be made to serve defendants until the inmate presents a judicial court order indicating that the complaint is not being dismissed pursuant to Title 28, United States Code, Section 1915, or Section 57.085 F.S., and directs that specific defendants must be served with a copy. The law library supervisor shall then make the inmate the number of copies needed to serve all the defendants.

(c) Cases, statutes, and other reference materials are not evidentiary materials and will not be copied to accompany legal documents unless the inmate is required to provide such copies by law, administrative rule, administrative order, judicial court rule, or judicial court order.

(d) Requests for records made during the course of discovery. Inmates shall produce an order from a judicial or administrative forum, or pleading from opposing litigants or opposing counsel, requiring the production of records prior to

~~copying. Only the specific records requested shall be copied and only one copy of the records shall be provided unless a judicial or administrative forum orders otherwise. If the discovery request relates to a civil proceeding, the inmate shall be charged for the copies as provided in this section. Inmate requests for access to records of the department shall be handled in accordance with Rule 33-601.901, F.A.C. Documents will not be provided in response to a public records request from an inmate unless the inmate has a sufficient balance in his account, unencumbered by liens, to cover the cost of the copying.~~

~~(4)(3) Inmate requests for copying services shall be submitted on Form DC5-154, Copying Service Request and Withdrawal. Form DC5-154 and the documents to be copied shall be submitted for approval to the Law Library Supervisor, or other staff the warden designates to approve copying service requests, for approval. The law library supervisor or other approving staff may inspect an inmate's documents to ensure that the material to be copied is of a legal or administrative nature and is in accordance with the reason the inmate provided for needing the copies; however, the law library supervisor or other approving staff shall not read the documents. Form DC5-154 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is 4-29-04.~~

~~(5) Copying services in criminal proceedings. Inmates shall not be charged for copies of legal pleadings and accompanying evidentiary materials made for submission in criminal proceedings. The law library supervisor shall not forward completed DC5-154 forms to the Bureau of Finance and Accounting, Inmate Trust Fund Section.~~

~~(6)(4) Copying services in civil proceedings.~~

~~(a) Inmates will be charged \$0.15 per page for standard legal or letter size copies, or If special equipment or paper is required, the institution is authorized to charge up to the estimated actual cost of duplication to the institution of making the copies. Only one-sided copies will be made; two-sided copies will not be made for inmates.~~

~~(b) The law library supervisor shall forward approved and completed DC5-154 forms to the Bureau of Finance and Accounting, Inmate Trust Fund Section, on at least a weekly basis.~~

~~(c)(5) Filing or Service in Actions Challenging Convictions, Sentences, or Prison Conditions. Inmates who are without funds shall not be denied copying services for documents and accompanying evidentiary materials needed to initiate a civil proceeding legal or administrative action or which must be filed or served in a pending civil proceeding action that challenges convictions and sentences or prison conditions, or are required to be filed or served per order of a~~

~~judicial the court or administrative forum body. However, the cost of providing copies for documents to be filed or served is a debt owed by the inmate that shall be collected as follows: Upon receipt of a completed DC5-154 At the time the inmate submits his request for copies, the Inmate Trust Fund Section department shall place a hold on the inmate's account for the estimated cost of providing the copies. The cost of providing the copies shall be collected from any existing balance in the inmate's bank trust fund account. If the account balance is insufficient to cover the cost, the account shall be reduced to zero. If costs remain unpaid, a hold will be placed on the inmate's account and all subsequent deposits to the inmate's account will be applied against the unpaid costs until the debt has been paid. Copies shall be provided at a rate of \$0.15 per page.~~

~~(6) Unless they have sufficient funds in their inmate trust account to cover the complete cost of making the copies, inmates shall not be provided copying services for:~~

~~(a) Legal or administrative proceedings that do not relate to a challenge of convictions or sentences, or to challenges of prison conditions.~~

~~(b) Records requests pursuant to Rule 33-601.901, F.A.C.~~

~~(c) Requests for records made during the course of discovery.~~

~~(7) Inmate requests for access to records of the department shall be handled in accordance with Rule 33-601.901, F.A.C. Documents will not be provided in response to a public records request from an inmate unless the inmate has a sufficient balance in his account, unencumbered by liens, to cover the cost of the copying.~~

~~(8)(7) The law library supervisor or other approving staff may require an inmate for whom copies are to be made to seal the copies, except for his file copy, in envelopes and mail them immediately. This requirement, if imposed, shall be explained to the inmate before copies are made. Before the envelopes are sealed and mailed, the librarian or mail collection representative shall stamp the document(s) to be mailed and the inmate's copy, if provided by the inmate, "Provided to (name of institution) on (blank to insert date) for mailing." The mail collection representative shall then have the inmate initial the document(s) next to the stamp.~~

~~Specific Authority 20.315, 944.09, 945.6038 FS. Law Implemented 20.315, 944.09, 945.6038 FS. History-New 10-6-83, Formerly 33-3.051, Amended 6-13-88, 8-20-89, 2-12-91, 4-10-94, 4-21-96, 6-29-98, Formerly 33-3.0051, 33-602.405, Amended 4-29-04,~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Franchatta Barber, Deputy Assistant Secretary of Institutions – Programs

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 1, 2006

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.203 RULE TITLE: Control of Contraband

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to prohibit the introduction of any firearm, ammunition, explosive substance or any instrumentality customarily used or designed to be used as a dangerous weapon as defined in Section 790.001, F.S., into or upon the grounds of an institution and to prohibit the possession or control of the same by inmates without authorization and supervision of authorized personnel.

SUMMARY: Amends the rule to prohibit the possession or control of any firearm, ammunition, explosive substance or any instrumentality customarily used or designed to be used as a dangerous weapon as defined in Section 790.001, F.S., by inmates without authorization and supervision of authorized personnel. The rule is also amended to prohibit the introduction of any firearm, ammunition, explosive substance or any instrumentality customarily used or designed to be used as a dangerous weapon as defined in Section 790.001, F.S., into or upon the grounds of an institution.

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: 944.09, 945.215 FS.

LAW IMPLEMENTED: 944.47, 945.215 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:

33-602.203 Control of Contraband.

(1) No change.

(2) No inmate shall possess or have in his possession or under his control any firearm, ammunition, explosive substance, or any instrumentality customarily used or designed to be used as a dangerous weapon as defined in Section 790.001, F.S., without authorization and, or any explosive

~~substance. Inmates may use such tools and implements as are assigned to them by and under the supervision of authorized personnel.~~

(3) No person, whether he be an inmate or other person, unless authorized by the warden, assistant warden, chief of security or the shift supervisor, shall introduce into or upon the grounds of an institution any of the following articles which are hereby declared to be contraband:

(a) through (b) No change.

(c) Any firearm, ammunition, explosive substance, or any instrumentality customarily used or designed to be used as a dangerous weapon, as defined in Section 790.001, F.S.

(d) through (f) No change.

(4) through (8) No change.

Specific Authority 944.09, 945.215 FS. Law Implemented 944.47, 945.215 FS. History—New 10-8-76, Amended 2-24-81, 4-18-82, 8-13-84, 2-13-85, 6-2-85, Formerly 33-3.06, Amended 2-9-87, 11-3-87, 8-14-90, 11-21-91, 1-6-94, 5-28-96, 10-26-97, Formerly 33-3.006, Amended 3-2-00, 7-8-03, 11-10-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp, Assistant Secretary of Institutions
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura E. Bedard, Ph.D., Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 19, 2007

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

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

PURPOSE AND EFFECT: The amendment to Rule 59G-4.002, F.A.C., incorporates by reference the Florida Medicaid Provider Reimbursement Schedule, January 2007. The reimbursement schedule contains the procedure codes and maximum fees that are effective January 2007 for the following provider types whose fees are based on a resource-based relative value scale: advanced registered nurse practitioner, birth center, chiropractic, dental, hearing, independent laboratory, licensed midwife, optometric, outpatient hospital laboratory, physician, physician assistant, podiatry, portable x-ray, registered nurse first assistant, and visual. The effect will be to incorporate the Florida Medicaid Provider Reimbursement Schedule, January 2007, in rule.

SUMMARY: The amendment to Rule 59G-4.002, F.A.C., will incorporate by reference the Florida Medicaid Provider Reimbursement Schedule, January 2007. The effect will be to incorporate the Florida Medicaid Provider Reimbursement Schedule, January 2007, in rule.

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: 409.905, 409.906, 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: Thursday, May 24, 2007, 2:00 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ouida Mazzoccoli, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7351

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.002 Medicaid Provider Reimbursement Schedule.

Medicaid providers who provide the following services and their billing agents who submit claims on behalf of an enrolled Medicaid provider must be in compliance with the provisions of the Florida Medicaid Provider Reimbursement Schedule, January 2007 2006, errata January 2006, updated July 2006, which is incorporated by reference: advanced registered nurse practitioner, birth center, chiropractic, dental, hearing, independent laboratory, licensed midwife, optometric, outpatient hospital laboratory, physician, physician assistant, podiatry, portable x-ray, registered nurse first assistant, and visual. The Florida Medicaid Provider Reimbursement Schedule is available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Fees. Paper copies of the reimbursement schedule may be obtained by calling Provider Enrollment at (800)377-8216.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.906, 409.908 FS. History--New 8-18-05, Amended 11-30-05, 4-16-06, 10-11-06, 3-27-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ouida Mazzoccoli

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Andrew Agwunobi, M.D., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 12, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 23, 2007

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: RULE TITLE:

61D-6.008 Permitted Medications for Horses

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to amend the Division's rules regarding the race-day administration of Salix to racehorses.

SUMMARY: The rules address the following subject matter areas: changes to the procedure by which reports of administration will be received and processed by the Division, and penalty provisions for Salix tag violations.

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: 120.80(4)(a), 550.0251(3), 550.2415(8), (9), (13), (16) FS.

LAW IMPLEMENTED: 120.80(4)(a), 550.0251, 550.2415 FS.

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: May 30, 2007, 10:00 a.m. – 12:00 Noon

PLACE: North Broward Regional Service Center, 1400 West Commercial Blvd., Room 195, Ft. Lauderdale, Florida 33309

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo, (850)413-0750. 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: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

THE FULL TEXT OF THE PROPOSED RULE IS:

61D-6.008 Permitted Medications for Horses.

(1) through (3)(b)4. No change.

(c) Horses will be eligible to race on the day immediately following the completion of the suspension period. The owner or trainer of any horse placed on the Veterinarian's List as a result of exercise induced pulmonary hemorrhage (bleeding) may elect to place the animal on Florida's official Furosemide (Salix) List. The official Furosemide List shall be maintained by the Salix Coordinator and shall be the official list of horses

approved for racing with furosemide in Florida. Horses placed on the official Furosemide List must have furosemide administered on race day, at a dosage of ~~0.3—1.0 mg/kg~~ (150 mg—500 mg), administered intravenously (I.V.) no closer than 4 hours prior to the officially scheduled post time of the race for which the horse is entered. The furosemide must be administered by a veterinarian currently licensed pursuant to Chapters 474 and 550, Florida Statutes. Every race day administration of furosemide must be reported by the attending veterinarian to the division on Form DBPR PMW-3280, Veterinarian Report of Race-Day Salix Administration (the Salix tag), adopted and incorporated by Rule 61D-10.001, Florida Administrative Code. ~~The Salix tag Form DBPR PMW 3280, Veterinarian Report of Race Day Salix Administration, shall be delivered by the trainer or the trainer's designee to the Salix Coordinator/State Veterinarian at least two hours prior to the scheduled post-time of the horse's race. Failure to comply with this subsection shall result in a minimum fine of \$100 to be imposed by the Stewards upon the person found to be responsible for failure to deliver the Salix tag the horse being scratched from the race in which it is entered. The Stewards shall scratch a horse if they are unable to determine that a horse on the Salix List has been administered Salix prior to a race, or that Salix was administered to a horse less than four hours prior to the post time of a race that horse is entered to run.~~

(d) through (7) No change.

Specific Authority 120.80(4)(a), 550.0251(3), 550.2415(8), (9), (13), (16) FS. Law Implemented 120.80(4)(a), 550.0251(11), 550.2415(8), (9) FS. History—New 10-20-96, Amended 1-5-98, 6-6-00, 5-14-02, 6-6-04, 7-6-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David J. Roberts, Director, Division of Pari-Mutuel Wagering
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Holly Benson, Secretary, Department of Business and Professional Regulation
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 27, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.001
 RULE TITLE: Qualification for Certification
 PURPOSE AND EFFECT: The Board proposes to amend the rule in order to address contractor certification with regard to consistency with the Department's procedures.
 SUMMARY: Contractor certification with regard to consistency with the Department's procedures will be addressed.

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: 489.111 FS.

LAW IMPLEMENTED: 489.111 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.001 Qualification for Certification.

(1) through (4) No change.

(5) As an alternative to the experience required under Section 489.111(2)(c)1.-3., F.S., an applicant for certification as a wishing to sit for the swimming pool/spa servicing contractor certification examination must submit proof that he meets the requirements of Section 489.111(2)(c)6.d., F.S., by demonstrating one year of proven experience related to the scope of work of a swimming pool/spa servicing contractor as defined in Section 489.105(3)(l), F.S., performed under the supervision of a certified or registered commercial pool/spa, residential pool/spa, or pool/spa servicing contractor, and demonstrating satisfactory completion of a sixty-hour course of instruction, approved by the Board pursuant to Rule 61G4-18.004, F.A.C., and conducted by a course provider registered pursuant to Rule 61G4-18.003, F.A.C., that consists of the following:

(a) through (c) No change.

Specific Authority 489.111 FS. Law Implemented 489.111 FS. History—New 1-6-80, Amended 12-16-80, 6-30-82, 4-11-83, Formerly 21E-15.01, Amended 12-11-90, 8-21-91, 4-16-92, Formerly 21E-15.001, Amended 7-18-94, 12-16-01, 2-6-03, 6-23-04, 1-15-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2007

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-113.100
 RULE TITLE: Purpose

PURPOSE AND EFFECT: Incorporate by reference updated Operating Agreements Concerning Regulation Under Part IV of Chapter 373, F.S., between the Department and the Suwannee River Water Management District (SRWMD), St. Johns River Water Management District (SJRWMD), Southwest Florida Water Management District (SWFWMD), and South Florida Water Management District (SFWMD). When this rule becomes effective, the updated Operating Agreements will supersede the October 27, 1998, Operating Agreements Concerning Regulation Under Part IV, Chapter 373, F.S., between the Department and the SFWMD [#98-2, as adopted by reference in paragraph 62-113.100(3)(e), F.A.C.], SRWMD [#98-3, as adopted by reference in paragraph 62-113.100(3)(k), F.A.C.], SWFWMD [#98-4, as adopted by reference in paragraph 62-113.100(3)(p), F.A.C.], and SJRWMD [#98-5, as adopted by reference in paragraph 62-113.100(3)(t), F.A.C.].

SUMMARY: The Operating Agreements between the Department and the Suwannee River, St. Johns River, Southwest Florida, and South Florida Water Management Districts (Districts) provide a division of responsibility between the Department and each water management district (District) regarding permitting, compliance, and enforcement under Part IV of Chapter 373, F.S., mitigation banking under Sections 373.4135 and 373.4136, F.S., and wetland determinations under Sections 373.421(2) through (5), F.S. The updated Operating Agreements will: (1) clarify the division of responsibilities for activities associated with domestic or industrial wastewater treatment activities and potable water facilities; (2) clarify the types of mining activities that will be retained by the Department; (3) provide for District review and agency action on utility lines that are contained within larger plans of development for which the Districts are otherwise responsible; (4) provide that the South Florida Water Management District will review boat docks associated with residential developments, including where the upland development qualified for a no-notice general permit under Rule 40E-400.315, F.A.C.; (5) return to the Department the responsibility for review and agency action on docking facilities and seawalls within the Mosquito Lagoon, Banana River, and Indian River associated with projects that are otherwise the responsibility of the Department within the St. Johns River Water Management District; (6) provide a revision of the threshold for the Districts to review single family

dwelling units, duplexes, triplexes, and quadruplexes associated with four or more contiguous lots under single ownership; (7) revise the division of responsibilities for mitigation banks and Regional Offsite Mitigation Areas; (8) clarify the process for review or transfer of incorrectly submitted applications and modifications of stormwater systems previously authorized under Chapters 17-25 or 62-25, F.A.C.; (9) add an additional provision for Special Case Agreements between the Department and the Districts; (10) eliminate the District's responsibilities for reviewing and taking agency action on aquaculture activities; and (11) clarify the responsibilities for coordinating compliance and enforcement actions that include violations on state owned submerged lands.

The Agreements will be executed by both the Department and the Districts. Concurrent rulemaking is being conducted by each District to incorporate the updated Agreement into the rules of the respective District.

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

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

SPECIFIC AUTHORITY: 373.043, 373.046, 373.418, 403.061 FS.

LAW IMPLEMENTED: 373.026, 373.046, 373.441, 403.061, 403.182 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: Alice Heathcock, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources – MS 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8483, or e-mail: Alice.Heathcock@dep.state.fl.us. Further information and updates on this proposed rule also may be obtained from the Department's Web Site at: <http://www.dep.state.fl.us/water/wetlands/erp/rules/rulestat.htm>. (OGC No.: 07-0080)

THE FULL TEXT OF THE PROPOSED RULE IS:

62-113.100 Purpose.

This rule chapter lists the delegation agreements which have been entered into by the Department with another state agency, political subdivision or water management district, and which delegate any of the Department's duties and responsibilities under Chapters 253, 373, 376 and 403, Florida Statutes, and Rule Title 62, F.A.C Florida Administrative Code. This rule chapter additionally lists the agreements with water management districts which specify that the Department is exercising any of its independent regulatory authorities

pursuant to Chapter 373, F.S. For purposes of ~~Rule~~ Title 62, F.A.C. ~~Florida Administrative Code~~, wherever the term "Department" appears, it shall mean the Florida Department of Environmental Protection or its delegatee as provided in the agreements listed in ~~Rule~~ Chapter 62-113, F.A.C. ~~Florida Administrative Code~~. These delegation agreements are hereby incorporated by reference and are available for public inspection and copying during normal business hours at the Department's Office of General Counsel, 3900 Commonwealth Blvd, 2600 Blairstone Road, Tallahassee, Florida.

(1) through (2) No change.

(3) Delegations to water management districts and agreements with water management districts specifying areas in which the Department is exercising any of its independent regulatory authorities pursuant to Chapter 373, F.S.

(a) through (e) No change.

(f) #07-1: Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between South Florida Water Management District and Department of Environmental Protection – provides a division of responsibility between the South Florida Water Management District and the Department for the exercise of their authority to implement environmental resource permitting, compliance, and enforcement, under Part IV, Chapter 373, F.S., and a division of responsibility between the South Florida Water Management District and the Department regarding formal wetland determinations pursuant to subsections 373.421(2) through (5), F.S., [Effective Date].

(f) through (k) renumbered (g) through (l) No change.

(m) #07-2: Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between Suwannee River Water Management District and Department of Environmental Protection – provides a division of responsibility between the Suwannee River Water Management District and the Department for the exercise of their authority to implement environmental resource permitting, compliance, and enforcement, under Part IV, Chapter 373, F.S., and a division of responsibility between the Suwannee River Water Management District and the Department regarding formal wetland determinations pursuant to subsections 373.421(2) through (5), F.S., [Effective Date].

(l) through (p) renumbered (n) through (r) No change.

(s) #07-3: Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between Southwest Florida Water Management District and Department of Environmental Protection – provides a division of responsibility between the Southwest Florida Water Management District and the Department for the exercise of their authority to implement environmental resource permitting, compliance, and enforcement, under Part IV, Chapter 373, F.S., and a division of responsibility between the Southwest Florida Water Management District and the Department regarding formal wetland determinations pursuant to subsections 373.421(2) through (5), F.S., [Effective Date].

(q) through (t) renumbered (t) through (w) No change.

(x) #07-4: Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between St. Johns River Water Management District and Department of Environmental Protection – provides a division of responsibility between the St. Johns River Water Management District and the Department for the exercise of their authority to implement environmental resource permitting, compliance, and enforcement, under Part IV, Chapter 373, F.S., and a division of responsibility between the St. Johns River Water Management District and the Department regarding formal wetland determinations pursuant to subsections 373.421(2) through (5), F.S., [Effective Date].

(u) through (v) renumbered (y) through (z) No change.

Proposed Effective Date: July 1, 2007.

Specific Authority ~~373.026, 373.043, 373.046, 373.418, 373.441, 403.061~~ FS. Law Implemented ~~373.026, 373.046, 373.441, 403.061, 403.182~~ FS. History–New 1-5-93, Amended 11-16-93, 3-14-94, Formerly 17-113.100, Amended 7-4-95, 4-3-96, 3-24-98, 12-3-98, 7-16-01, ~~7-1-07.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Janet G. Llewellyn, Director, Division of Water Resource Management

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 31, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 9, 2007

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-14.011
 RULE TITLE: Qualifications of Physicians Who Evaluate and Treat Sex Offenders

PURPOSE AND EFFECT: The Board proposes the development of this rule to address the coursework, training, qualifications and experience of physicians to evaluate and treat sex offenders.

SUMMARY: In this rule, the coursework, training, qualifications and experience of physicians to evaluate and treat sex offenders 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 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: 947.005(9), 948.001(6), 459.005 FS.

LAW IMPLEMENTED: 947.005, 948.30 FS.

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

DATE AND TIME: May 18, 2007, 9:00 a.m.

PLACE: Crowne Plaza, 1201 Riverplace Blvd., Jacksonville, FL 32207

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-14.011 Qualifications of Physicians Who Evaluate and Treat Sex Offenders.

(1) Before a physician may evaluate or treat sex offenders pursuant to Sections 947 and 948, F.S., as a "qualified practitioner," as defined in Section 947.005(9) or Section 948.001, F.S., the physician shall, at a minimum:

(a) Hold an active license under Chapter 459, F.S. and

(b) Demonstrate coursework, training, qualifications, and experience through the completion of training from a four (4) year psychiatric residency program accredited by the ACGME or AOA.

(2) As a condition of biennial licensure renewal, a physician who evaluates or treats sex offenders as a "qualified practitioner," as defined in Section 947.005(9) or Section 948.001(6), F.S., must complete a minimum of two (2) of the forty (40) hours of required Continued Medical Education on a topic involving the evaluation or treatment of sexual disorders as defined in DSM IV R published by the American Psychiatric Association.

(3) Physicians licensed under Chapter 459, F.S. who had been treating patients defined as sex offenders, as of January 1, 2006, will continue to be a qualified practitioners as defined in Section 947.005(9) or Section 948.001(6), F.S.

Specific Authority 459.005, 947.005(9), 948.001(6) FS. Law Implemented 947.005(9), 948.001(6) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Osteopathic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 23, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 6, 2007

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-170.0155
 RULE TITLE: Forms

PURPOSE AND EFFECT: The purpose is to amend existing Form OIR-B1-1655, Notice of Premium Discounts for Hurricane Loss Mitigation, to incorporate changes required by Chapter 2007-1, Laws of Florida, and to adopt a Uniform Mitigation Verification Inspection Form for use by insurers.

SUMMARY: Adopts revisions to Form OIR-B1-1655 and adopts new form OIR-B1-XXXX, "Uniform Mitigation Verification Inspection Form", required by Chapter 2007-1, Laws of Florida.

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: 624.308(1), 627.711 FS.

LAW IMPLEMENTED: 624.307(1), 624.424, 627.062, 627.0645, 627.711 FS.

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

DATE AND TIME: Tuesday, May 22, 2007, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Michael Milnes, P&C Product Review, Office of Insurance Regulation, E-mail michaelmilnes@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Milnes, Deputy Director, Product Review, Office of Insurance Regulation

THE FULL TEXT OF THE PROPOSED RULE IS:

690-170.0155 Forms.

The following forms are hereby adopted and incorporated by reference:

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

(j) ~~Effective March 1, 2007, Form OIR-B1-1655, "Notice of Premium Discounts for Hurricane Loss Mitigation", (Rev 3/1/07) 3/07 is adopted and incorporated herein by reference.~~

(k) Form OIR-B1-XXXX, "Uniform Mitigation Verification Inspection Form" (New 7/07).

(2) No change.

Specific Authority 624.308(1), 627.711 FS. Law Implemented 624.307(1), 624.424, 627.062, 627.0645, 627.711 FS. History--New 6-19-03, Formerly 4-170.0155, Amended 2-23-06, 12-26-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Milnes, Deputy Director, Product Review, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard Koon, Director, Product Review, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 18, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 9, 2007

- 59A-26.016 Requirements for Administration of Medication to Residents by Unlicensed Medication
- 59A-26.017 Training and Validation Required for Unlicensed Medication Assistants
- 59A-26.018 Plant Maintenance and Housekeeping
- 59A-26.019 Fire Protection, Life Safety, Systems Failure and External Emergency Communication
- 59A-26.020 Plans Submission and Fees Required
- 59A-26.021 Physical Plant Codes and Standards for ICF/DD
- 59A-26.022 Construction and Physical Environment Standards
- 59A-26.023 Disaster Preparedness

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 12, March 24, 2006 issue of the Florida Administrative Weekly has been withdrawn.

Section III
Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-26.001	Purpose and Intent
59A-26.002	Definitions
59A-26.003	License Required
59A-26.004	Classification of Deficiencies
59A-26.005	Licensure Procedure, Fees and Exemptions
59A-26.006	Responsibilities for Operation
59A-26.007	Fiscal Standards
59A-26.0075	Fiscal Prohibitions, Kickbacks and Referrals
59A-26.008	Admission Policies and Requirements
59A-26.009	Personnel Standards
59A-26.010	Training, Habilitation, Active Treatment Professional, and Special Programs and Services
59A-26.011	Dietary Services
59A-26.012	Dental Services
59A-26.013	Psychological Services
59A-26.014	Drugs and Pharmaceutical Services
59A-26.015	Administration of Medications to ICF/DD Residents by Unlicensed Medication Assistants

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE NO.:	RULE TITLE:
61B-79.001	Developer, Filing

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 11, March 16, 2007 issue of the Florida Administrative Weekly.

(6)(a) Upon recording the cooperative documents as defined in Section 719.1035(1), Florida Statutes, or recording amendments adding phases as defined in Section 719.403(7), Florida Statutes, the developer or the association shall file the incorporation and recording information with the division within 30 working days on DBPR Form CP 6000-2, **NOTICE OF COOPERATIVE INCORPORATION/RECORDING INFORMATION**, incorporated in this rule and effective _____. Any person ~~You~~ may request a copy of the form, as well as all forms referenced in these rules, by sending a written request to the Division of Florida Land Sales, Condominiums, and Mobile Homes at the Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1033.

(b)1. If ~~you~~, the developer or the association ~~has~~, ~~have~~ not already filed and the division has not reviewed and approved the recorded documents under ~~subsection~~ subsections ~~subsection~~ (2) and (3) of this rule and Sections 719.502, 719.503, and 719.504, Florida Statutes, prior to recording, then the developer or association ~~you~~ shall submit a complete copy of the recorded

documents with DBPR Form CP 6000-2, NOTICE OF COOPERATIVE INCORPORATION / RECORDING INFORMATION; or

2. If the division has already reviewed and approved the recorded documents, then you, the developer or the association, shall only file the form.

Specific Authority ~~719.4035(1)~~; 719.501(1)(f) FS.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

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

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 13, March 30, 2007 issue of the Florida Administrative Weekly.

This change was made to address a concern expressed by the Board.

When changed, Subsection (2) shall read as follows:

(2) A licensee’s first time violation of the prohibition against practicing on a delinquent or inactive license shall ~~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.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 14, April 6, 2007 issue of the Florida Administrative Weekly. The date the Notice of Proposed Rule Development was published in the FAW was incorrectly stated as April 6, 2007. The correct date the Notice of Proposed Rule Development was published is February 2, 2007.

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-4.002	Definitions
63E-4.005	Safety and Security
63E-4.008	Case Management
63E-4.009	Intake
63E-4.010	Orientation
63E-4.011	Youth Services
63E-4.013	Program Monitoring and Evaluation
63E-4.014	Research Projects

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 3, January 19, 2007 issue of the Florida Administrative Weekly.

63E-4.002 Definitions.

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

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

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

(3) Authority for Evaluation and Treatment – The document that, when signed by a parent or guardian, authorizes the department to assume responsibility for the provision of necessary and appropriate physical and mental health care to a youth in the department’s physical custody. The Authority for Evaluation and Treatment (October 2006) is incorporated by reference and is accessible electronically at http://www.djj.state.fl.us/forms/residential_rule63E_forms.html.

~~(4)~~(3) Balanced and Restorative Justice (BARJ) – A blueprint for putting the restorative justice philosophy into practice that involves active participation of victims, the community, and youthful offenders. The BARJ approach focuses on accountability to victims and the community, competency development, and community safety.

~~(5)~~(4) Behavior Management System – An organized system designed to promote positive behavior through the giving or taking of rewards or privileges based on youth behavior.

~~(6)~~(5) Case Management – The processes and procedures utilized in a residential commitment program to ensure a youth’s treatment, social, rehabilitative, and educational/vocational needs are implemented, evaluated, reported, and documented.

~~(7)(6)~~ Central Placement Authority – The headquarters unit responsible for coordinating, managing, and supervising the commitment placement process on a statewide basis.

~~(8)(7)~~ Commitment Manager – A department employee responsible for coordinating the placement of youth in residential commitment programs with the Central Placement Authority and the residential programs.

~~(9)(8)~~ Commitment/Transfer Packet – A compilation of legal, medical, and social history documents provided to a residential commitment program for each committed youth.

~~(10)(9)~~ Continuity of Operations Plan (COOP) – A plan that provides for the continuity of mission-essential functions of an organization in the event an emergency prevents occupancy of its primary physical plant or location.

~~(11)(10)~~ Contracted Provider – An entity contractually providing juvenile services to the department.

~~(12)(11)~~ Designated Health Authority – A Florida licensed physician (Medical Doctor or Doctor of Osteopathy) who, by agreement, employment, contract or other arrangement, provides and/or supervises the provision of health care within a detention center or residential program.

~~(13)(12)~~ Designated Mental Health Authority – A specified licensed mental health professional who, by agreement, employment, contract or other arrangement, provides and/or supervises the provision of mental health care within a detention center or residential program.

~~(14)(13)~~ Direct-Care Staff – Employees whose primary job responsibility is to provide care, custody, and control of youth committed to the facility. This definition includes those who directly supervise staff responsible for the daily care, custody, and control of youth.

~~(15)(14)~~ Evidence-based Treatment and Practices – Treatment and practices which have been independently evaluated using sound methodology, including, but not limited to, random assignment, use of control groups, valid and reliable measures, low attrition and appropriate analysis. Such studies shall provide evidence of statistically significant positive effects of adequate effect size and duration. In addition, there must be evidence that replication by different implementation teams at different sites is possible with similar positive outcomes. Behavior management within the IRT facility shall be based on specific techniques that have been found to be effective with offenders younger than 13 years of age, and take into account their level of cognitive ability, emotional maturity, and other personal characteristics.

~~(16)~~ Facility Entry Physical Health Screening – A standardized initial health screening, conducted at the time of a youth's admission or re-admission to each residential commitment program. The purpose of this screening is to ensure the youth has no immediate health conditions or medical needs that require emergency services. This screening shall be conducted and documented using the Facility Entry Physical Health Screening form and the Facility Entry Physical

Health Screening Body Chart (male or female). The Facility Entry Physical Health Screening form and its accompanying Facility Entry Physical Health Screening Body Charts (February 2007) are incorporated by reference and are available electronically at http://www.djj.state.fl.us/forms/health_services_forms_index.html.

~~(17)(15)~~ Facility Entry Screening – The gathering of preliminary information used in determining a youth's need for further evaluation, assessment, or for referral for substance abuse, mental health, or other services through means such as psychosocial interviews, urine and breathalyzer screenings and reviews of available educational, delinquency, and dependency records of the youth.

~~(18)(16)~~ Grievance Procedure – A procedure for addressing youth grievances in residential programs.

~~(19)(17)~~ High-risk Restrictiveness Level – This is one of five statutorily authorized restrictiveness levels utilized by the courts for commitment of youth to the department. Youth assessed and classified for this level of placement require close supervision in a structured residential setting that provides 24-hour-per-day secure custody, care and supervision. Placement in programs at this level is prompted by a concern for public safety that outweighs placement in programs at lower restrictiveness levels. Programs or program models at this level are staff or physically secure residential commitment facilities.

~~(20)(18)~~ ~~(2018)~~ Institutional Review Board (IRB) – The department's management group responsible for overseeing, reviewing, and approving access to departmental records and youth in the department's care, custody, and supervision for the purpose of research.

~~(21)~~ Juvenile Justice Information System (JJIS) – The department's electronic information system used to gather and store information on youth having contact with the department. The JJIS facesheet is the youth-specific, demographic information that is generated by the department.

~~(22)(19)~~ Juvenile Probation Officer (JPO) – The officer responsible for the direct supervision of a youth in the community or on post-commitment probation or conditional release.

~~(23)(20)~~ Licensed Mental Health Professional – A psychiatrist licensed pursuant to Chapter 458 or 459, F.S., a psychologist licensed pursuant to Chapter 490, F.S., a mental health counselor, marriage and family therapist, or clinical social worker licensed pursuant to Chapter 491, F.S., or a psychiatric nurse as defined in Section 394.455(23), F.S.

~~(24)(21)~~ Orientation – The process that occurs within 24 hours of the youth's admission whereby facility staff inform the youth of the rules, expectations, services, goals of the residential program, and the means to access the Abuse Registry and Advocacy Center for Persons with Disabilities.

~~(25)~~(22) Performance Plan – An individualized plan developed by the treatment team and youth that stipulate measurable goals the youth must achieve prior to release from the program. Performance plan goals are based on the prioritized needs identified during assessment of the youth and may be updated as appropriate. The plan identifies the youth's and staffs' responsibilities and the timelines associated with completion of each goal. The performance plan also serves as the basis for the youth's post-residential services plan since it includes the transition goals and activities identified at the transition conference conducted at least 60 days prior to the youth's anticipated release.

~~(26)~~(23) Performance Summary – A written document used to inform the youth, committing court, youth's Juvenile Probation Officer, parent or guardian, and other pertinent parties of the youth's performance in the program, including status of and progress toward performance plan goals, academic status, behavior and adjustment to the program, significant incidents (positive and negative), and justification for a request for release, discharge or transfer, if applicable. The Performance Summary (September 2006) is incorporated by reference and is accessible electronically at http://www.djj.state.fl.us/forms/residentialrule63E_forms.htm.

~~(27)~~(24) Physically Secure – The use of hardware security devices, such as fencing and locks, to ensure that all entrances and exits of the program are under the exclusive control of program staff, preventing youth from leaving the program without permission.

(28) Predisposition Report – A multidisciplinary assessment reporting the youth's priority needs, recommendations as to a classification of risk for the youth in the context of his or her program and supervision needs, and a plan for treatment that recommends the most appropriate placement setting to meet the youth's needs with the minimum program security that reasonably ensures public safety.

~~(29)~~(25) Program – A contracted or state-operated non-residential environment providing supervision of youth who have been identified to receive services within the community. This includes, but is not exclusively limited to, non-secure detention, home detention, Intensive Delinquency Diversion Services (IDDS) programs, conditional release programs, screening and intake units, and day treatment programs.

~~(30)~~(26) Program Director – The on-site administrator of a residential commitment program for juvenile offenders, whether state or privately operated; who is accountable for the on-site operation of the program.

~~(31)~~(27) Protective Action Response (PAR) – The department-approved verbal and physical intervention techniques and the application of mechanical restraints used in accordance with Chapter 63H-1, F.A.C.

~~(32)~~(28) Protective Action Response Certification – Certification awarded to an employee who has successfully completed PAR training as described in this rule. Only employees who are PAR certified are authorized to use PAR.

(33) Pre-Release Notification and Acknowledgement – A form that allows for a residential commitment program to give prior notification to the JPO of a youth's planned release, the JPO's additional information pertinent to the release, and the court's approval of the youth's release from the program. The Pre-Release Notification and Acknowledgement (September 2006) is incorporated by reference and is accessible electronically at http://www.djj.state.fl.us/forms/residential_rule63E_forms.html.

~~(34)~~(29) Qualified Researcher – Any person who has a Masters or Doctoral degree in a criminal justice or related field and a minimum of one year experience level proficiency in conducting research projects or designs and who has been approved through the department's Institutional Review Board (IRB) proposal process to conduct a research project with youth in the care, custody and supervision of the department.

~~(35)~~(30) Safety and Security Coordinator – The person responsible for the oversight of the facility's safety and security program which includes, but is not limited to: facility security, fire safety and awareness, disaster preparedness, and the oversight of equipment and tool management within the facility.

~~(36)~~(31) Sick Call Care – The health care delivery system component intended to provide care in response to episodic complaints of illness or injury of a non-emergency nature.

~~(37)~~(32) Temporary Release – Any court-approved period of time during which an eligible youth is allowed to leave a residential program without the direct supervision of program staff or properly screened and trained interns or volunteers. The purpose of temporary release activities is to provide youth with opportunities to develop skill competencies and prepare for transition upon release or discharge from the program. Examples of temporary release include, but are not limited to, home visits and community employment.

~~(38)~~(33) Transfer – The movement of a youth from one residential program to another, at the same restrictiveness level, a lower restrictiveness level, or a higher restrictiveness level.

~~(39)~~(34) Transition Conference – A conference conducted at least 60 days prior to a youth's anticipated release at which the youth, residential staff, the youth's JPO and/or post-residential service provider, the youth's parent(s) or guardian(s), and other pertinent parties establish transition activities, responsibilities, and timelines necessary for the youth's successful release and reintegration into the community.

~~(40)~~(35) Transition Planning – The process of establishing transition activities to facilitate a youth's successful release and reintegration into the community.

~~(41)~~(36) Treatment Team – A multidisciplinary team consisting of representatives from the program’s administrative, educational, vocational, residential, medical, mental health, substance abuse, and counseling components which assesses each youth to identify needs and risk factors, develop rehabilitative treatment goals, ensure service delivery, and assess and report the youth’s progress. The youth is a member of the treatment team.

(42) Victim Notification of Release – Unless victim notification rights have been waived, a letter that a residential commitment program sends to the victim, or the next of kin in homicide cases, or the parent or legal guardian in cases involving minor victims, prior to any discharge or release, including temporary release, of a youth whose committing offense meets the criteria for victim notification pursuant to Chapter 960, F.S. The Victim Notification of Release form (September 2006) is incorporated by reference and is accessible electronically at http://www.djj.state.fl.us/forms/residential_rule63E_forms.html.

Specific Authority 985.483, 985.64 FS. Law Implemented 985.483 FS. History–New_____.

63E-4.005 Safety and Security.

(1) The Program Director of an IRT program shall designate a Safety and Security Coordinator to oversee the facility’s safety and security program and systems. The coordinator’s duties and responsibilities shall include, at a minimum, the following:

(a) Ensuring that the facility has operating procedures addressing safety and security;

(b) Ensuring that the physical plant, grounds and perimeter are maintained so that the environment is safe and secure for youth, staff, visitors and the community;

(c) Conducting the program’s internal security audit on a monthly basis per the facility operating procedure and ensuring overseeing follow-up corrective action occurs within 30 days as needed;

(d) Conducting internal safety inspections on a monthly basis per the facility operating procedure and overseeing follow-up corrective action as needed;

(e) Working with the Program Director and other program staff to develop corrective actions warranted as a result of safety and security deficiencies found during any reviews, audits, or inspections, and overseeing implementation of actions that ensure the deficiencies are corrected and appropriate systems are in place to maintain compliance;

(f) Serving as, or working cooperatively with, the program’s Disaster Coordinator and Continuity of Operations Plan (COOP) Coordinator in planning for, practicing and, if necessary, mobilizing the program’s Disaster Plan and/or COOP, and

(g) Ensuring that staff are sufficiently trained on any safety and security procedures and appropriate use of security features and equipment commensurate with their job duties.

(2) Physical security features for an IRT program shall meet the requirements the department has established for programs designated as high-risk. The required physical security features include a security fence of at least 12 feet in height with an inside overhang or razor wire; electronic door locks with manual override on entry, exit, and passage doors; a closed circuit video taped television surveillance system with inside and outside cameras; a sally port with intercom; an electric or manual secure pedestrian gate with intercom capability; secure windows that are break-resistant or screened glass; sleeping room doors that open outward; exterior security lighting; electronic search equipment; and radio or cell phone communication devices for staff.

(3) Direct-care staffing for an IRT program shall be based on the high-risk level of the resident population. At a minimum, the staff to youth ratio is 1 staff to 9 youth during the awake shifts, 1: 12 during the sleep shift and 1:5 for off campus activities.

(4) The program shall institute a tool management system to prevent youth from using equipment and tools as weapons or a means of escape. Tool management shall address, at a minimum:

(a) Inventorying tools and procedures addressing missing tools;

(b) Storing tools;

(c) Training youth to use tools appropriately and safely;

(d) Issuing tools to youth and staff;

(e) Training staff on procedures and on appropriate and safe tool usage;

(f) Replacing and disposing of dysfunctional tools (in disrepair or unsafe condition); and

(g) Assessing youth to determine whether they may participate in vocational training, work projects, public service, or disciplinary work activities that involve the use of tools.

(5) The program shall maintain strict control of flammable, poisonous, and toxic items. At a minimum, the program shall:

(a) Maintain a complete inventory of all such items used in the facility.

(b) Maintain a current list of personnel identified by position, title or function, who are authorized to handle these items.

(c) Not allow youth to handle these items and restrict their access to areas where these items are being used.

(d) Dispose of hazardous items and toxic substances or chemicals in accordance with OSHA standards.

(e) Maintain Material Safety Data Sheets (MSDS) on site as required by OSHA.

Specific Authority 985.483, 985.64 FS. Law Implemented 985.483 FS. History—New_____.

63E-4.008 Case Management.

(1) The treatment team shall assess each youth; develop appropriate performance plan and transition plan goals, and conduct treatment team meetings to review each youth's progress in the context of the Balanced and Restorative Justice (BARJ) approach. Residential case management shall address the three BARJ components:

- (a) Accountability;
- (b) Competency Development; and
- (c) Community Safety.

(2) Admission to the IRT program shall occur Monday through Friday between 8 A.M. and 5 P.M. unless otherwise specified in the contract. Youth admitted to the IRT shall have their commitment packets reviewed to ensure all required documents are intact prior to youth orientation. Missing documents shall be obtained from the youth's Juvenile Probation Officer. The core documents required are:

- (a) ~~JJIS DJ~~ expanded facesheet;
- (b) Current commitment order;
- (c) Pre-disposition report;
- (d) Commitment conference summary; and

(e) Individual healthcare record, if it exists from a prior commitment or placement in detention. The following documents shall be included in the individual healthcare record, or in the commitment/transfer packet if the individual healthcare record has not been created:

1. The current original Authority for Evaluation and Treatment;
2. Comprehensive physical assessment;
3. Immunization records; and
4. Tuberculosis skin test (Mantoux) results, unless contraindicated.

(3) Staff shall be notified through verbal communication and written documentation in the logbook when a new admission is scheduled to arrive. Internal notification shall include the youth's name, date and time of arrival, mode of transportation, medical and mental health needs and any safety/security risks. The designated health authority shall be notified of the admission of any youth with medical problems, regardless of the youth's condition upon admission. Confidentiality of all medical information shall be ensured and, if applicable, confidentiality of a youth's positive test results for the Human Immunodeficiency Virus (HIV) shall be maintained in accordance with Section 381.004, F.S., Section 384.30, F.S., and Rule 64D-2.003, F.A.C. (8-24-99) state law.

(4) When a youth is admitted to the IRT program, the program shall take the following steps:

- (a) Within 24 hours of any admission, the residential commitment program shall update the JJIS Bed Management System or notify the designated regional Commitment

Manager. The only exception to this 24-hour requirement is when the youth is admitted on a holiday, a weekend or a Friday afternoon wherein contact with the commitment Manager shall be made the first regular workday of the following week.

(b) Parents or guardians of the youth shall be notified by telephone within 24 hours of the youth's admission with written notification from the Program Director being sent within 48 hours of admission.

(c) The committing court shall be provided written notification of the youth's admission within 5 working days of the admission.

(d) Copies of the letter sent to the committing court will suffice as official notification to the youth's JPO and, if known at the time of admission, the youth's Post-residential Services Counselor (the person supervising the youth's post-commitment probation or conditional release after residential placement).

(5) The IRT program shall establish multidisciplinary treatment teams to plan and manage each youth's case and ensure services that meet individualized needs. Treatment teams shall be multidisciplinary in membership to include, at a minimum, representatives from program administration, direct care staff, and treatment staff to represent areas such as education, vocational, medical, mental health, and recreation, as needed. The youth shall also be a member of the treatment team. The role of the treatment team is to participate in the following processes:

- (a) Assessment of the youth;
- (b) Development and implementation of the youth's performance plan;
- (c) Active participation in progress reviews and treatment team meetings;
- (d) Development of performance summaries; and
- (e) Development of the youth's transition plan.

(6) Assessment of the youth shall be completed within the first 30 days of admission to the program. The treatment team, with the youth, shall identify:

- (a) Risk factors that pre-dispose a youth to antisocial behavior and, if effectively addressed, would decrease the youth's likelihood that he or she will engage in antisocial behaviors; and
- (b) Strengths and protective factors that, if effectively promoted, would build the youth's resiliency and decrease the likelihood that he or she will engage in antisocial behaviors.

(7) Areas of assessment shall include, at a minimum, the following:

- (a) Relationships to include family relationships (parents, legal guardians, siblings, grandparents, delinquent youth's children), peer relationships (pro-social peers, isolation from pro-social peers, and antisocial peers), dating relationships, relationships with significant adults other than family or legal guardians, and relationship boundaries;

- (b) Academic skills;
- (c) Employability and/or vocational skills;
- (d) Substance abuse;
- (e) Mental health;
- (f) Life skills;
- (g) Social skills;
- (h) Leisure and recreational interests;
- (j) Physical health;
- (k) Sexual development;
- (l) History of sexual abuse, physical abuse, domestic violence, emotional abuse, neglect, and/or abandonment;
- (m) Specialized needs and abilities;
- (n) Delinquency history and status;
- (o) Responsibility for criminal actions and harm to others;
- (p) Community involvement and connections; and
- (q) Court ordered sanctions and treatment recommendations.

(8) The program shall file and maintain any completed assessment and all reassessment results in the youth's individual management record.

(9) All youth admitted shall have a performance plan developed within 30 calendar days of admission to the program. The performance plan goals shall be measurable, individualized, and based upon prioritized needs that reflect the risk and protective factors identified during the initial classification process. The plan shall identify the youth's responsibilities to accomplish the goals, and the responsibilities of staff to enable the youth to accomplish their goals. It shall also set timelines for the completion of each goal. The treatment team shall revise a youth's performance plan based on reassessment results, a youth's demonstrated progress or lack of progress on a goal or goals, newly acquired or revealed information, or demonstration of antisocial behavior not yet addressed or insufficiently addressed.

(10) At a minimum, the youth, the treatment team leader, and all other parties who have significant responsibilities in goal completion shall sign the performance plan. Within 10 working days a copy will be provided to the following, and the youth's individual management record must document the date the performance plan was sent:

- (a) Youth case file- original;
- (b) Committing court;
- (c) Juvenile Probation Officer;
- (d) Parent or guardian;
- (e) DCF, if applicable.

(11) Progress reviews. The treatment team is responsible for bi-weekly reviews for youth. Of these two reviews each month, one shall be formal and the other can be informal. A formal review involves a meeting of the treatment team to discuss the youth's progress. Informal reviews can consist of

the treatment team leader meeting only with the youth. At a minimum, progress review documentation shall include the following elements:

- (a) Youth's name;
- (b) Date of the review;
- (c) Youth's progress in the program; and
- (d) Any comments from the treatment team members, including direct care staff and the youth.

(12) Performance summaries shall be completed every 90 days beginning 90 days from the signing of the youth's performance plan, unless the committing court requests monthly performance summaries, in which case the performance summary shall be completed every 30 days beginning 30 days following completion of the performance plan. Areas that shall be addressed in the performance summary include, but are not limited to:

- (a) The youth's status on each performance plan goal;
- (b) The youth's academic status;
- (c) The youth's behavior, including:
 1. Initial adjustment to program;
 2. Level of motivation and readiness for change;
 3. Interactions with peers;
 4. Interactions with staff;
- (d) The youth's overall behavior adjustment; for youth receiving mental health or substance abuse services, their progress shall be addressed ~~in a manner that complies with the confidentiality requirements set forth in both state and federal statutes;~~
- (e) Significant incidents (positive or negative); and
- (f) The justification for a request for release, discharge or transfer, if applicable.

(13) The staff member who prepared the summary, the treatment team leader, the Program Director or designee, and the youth shall review, sign and date the performance summary. Program staff shall give the youth the opportunity to add comments to the performance summary prior to signing it. Within 10 working days the program shall distribute the performance summary to the:

- (a) Committing court,
- (b) Youth's JPO,
- (c) Parents or guardians; and
- (d) Other pertinent parties.

(14) If the performance summary is notification of the program's intent to release or discharge a youth, the residential program shall send the original of the release or discharge summary, together with the Pre-Release Notification form, to the youth's JPO (rather than directly to the court). The program shall place the original performance summaries and copies of the youth's release or discharge summary and the Pre-release Notification form in the youth's individual management record.

(15) Transition Planning. The program shall begin planning for the youth's transition back to the community upon admission to the program. It is critical that all parties involved with the youth communicate with each other on a regular basis to ensure information is transferred in a timely manner, and job tasks related to the youth's transition are assigned and completed within the designated timeframes.

(a) The residential commitment program is responsible for the timely notification of a youth's release from the program to the youth's JPO and other pertinent parties. Notification of Release form shall be sent to the youth's JPO at least 45 days prior to the youth's targeted transition date (90 days prior for sex offenders). No section of this form can be left blank and all arrangements made for the youth must be clearly stated on this form.

(b) Prior to a youth's release, the program shall conduct a transition conference to plan and assign responsibilities for transition activities necessary to facilitate the youth's successful reintegration into the community. Transition activities established during the transition conference, together with the associated responsibilities and timelines for completion, shall be documented on the youth's performance plan. The youth's treatment team leader or designee shall coordinate with the youth's JPO and Post-residential Services Counselor (if different than the JPO) to schedule the transition conference. The transition conference shall be conducted not less than 60 days prior to the youth's targeted release date.

(c) At a minimum, the Program Director or designee and the youth's treatment team leader shall represent the program at the exit conference. In the event other members of the youth's treatment team are unable to attend, they shall provide input to the treatment team leader prior to the conference. The program shall invite the JPO, Post-residential Services Counselor (if different than the JPO), and parent or guardian to the exit conference. The youth shall also be in attendance at the conference. The residential program shall send a youth's complete official case record, including the cumulative individual healthcare record, to the JPO within five (5) working days of the youth's release.

(16) Transfers to other residential programs shall be accomplished as follows:

(a) Transfers may be requested for the following reasons:

1. The youth has committed new law violations. If the request for transfer is based solely on a new law violation, the program shall notify the Transfer Administrator immediately if the charges are not petitioned, not prosecuted, dismissed, or the youth is found not guilty, and the transfer shall be immediately revoked;

2. The youth has demonstrated continued non-compliance with program rules even though the program has made reasonable efforts to intervene and manage the behavior;

3. The treatment needs of the youth have changed, and the program does not have the capacity to meet those needs;

4. The youth is a member of a criminal street gang and needs to be separated from other gang member(s) in the program;

5. The youth has reached 14 years of age;

6. The program has determined that a transfer is necessary to protect the public; or

7. The program is closing or reducing capacity.

(b) The program requesting the transfer shall submit a request for transfer to the Regional Transfer Administrator. This request shall list the specific violations or reasons for the request.

(c) The program shall send written notification of the date, time and location of the transfer staffing to the youth's parent(s) or legal guardian(s), copying the youth, the youth's JPO, the DCF Foster Care Worker, if applicable, and any attorneys of record including the defense attorney and the appropriate state attorney. A copy of the transfer Performance Summary that includes the specific violations or reasons for transfer shall be attached to the notification letter.

(d) If the youth's transfer is denied, the youth shall stay in the program or return to the program (if in detention).

(e) If the youth is approved for transfer the program shall ensure the youth's records and property are taken to the detention center if the youth is securely detained. If the youth is not detained, the program shall arrange transportation of the youth and their records and property to the receiving program.

Specific Authority 985.483, 985.64 FS. Law Implemented 985.483(11) FS. History--New_____.

63E-4.009 Intake.

(1) Youth intake will commence upon the arrival of the youth to the facility. The following activities shall occur during intake:

(a) A strip search of youth being admitted to the IRT is required. The strip search of the youth shall be conducted upon arrival to the facility as follows:

1. The strip search shall be conducted in a private room with two staff members present, both of the same sex as the youth being searched. As an alternative when two staff of the same sex are not available, the search can be conducted by one staff of the same sex, while staff of the opposite sex is positioned to observe the staff person conducting the search, but cannot view the youth.

2. Strip searches shall be conducted visually, without touching the unclothed youth.

(b) The intake process shall document visible body markings, i.e. scars, bruises, tattoos, or other physical injuries. This may be accomplished when staff conduct a strip search, during the physical screening, or when the youth showers.

(2) The following entry screenings shall be completed immediately upon a youth's admission to a program. These screenings are used to ensure that the youth has no emergency medical, mental health, or substance abuse conditions of a nature that render admission unsafe.

(a) The Facility Entry Physical Health Screening may be conducted by non-medical program staff responsible for youth intake. This screening is conducted to identify physical health needs requiring attention.

(b) The Mental Health Screening may be conducted by non-clinical program staff responsible for youth intake. This screening is conducted to identify mental health needs requiring attention. Either the MAYSI-2 or clinical mental health and clinical substance abuse screening must be administered upon each youth's admission to a residential commitment. Direct care staff trained in its administration may conduct MAYSI-2 screening. A Clinical mental health screening must be conducted by a licensed mental health professional and clinical substance abuse screening must be conducted by a qualified substance abuse professional as defined in Section 397.311(25)(24), F.S., and in accordance with subsection 65D-30.003(15), F.A.C. (12-12-05), using valid and reliable screening instruments.

(c) The Substance Abuse Screening may be conducted by non-clinical program staff responsible for youth intake.

(3) Unless a youth is being admitted into a program directly from secure detention, a correctional facility, or another program, a shower, including shampooing hair, is required.

(a) An ectoparasiticide or an ovicide may be used routinely for all new admissions if the program's designated health authority deems it appropriate, if it is used in accordance with current standards of clinical practice guidelines, and if it is not contraindicated. In the absence of such a routine protocol approved by the designated health authority, an ectoparasiticide and an ovicide shall not be routinely used, and shall be used only if an infestation with lice or scabies is present and use is ordered by the designated health authority, is in accordance with current guidelines, and is not contraindicated.

(b) Two staff of the same gender as the youth shall supervise the newly admitted youth during this shower.

(4) Clothing that is appropriate for size and climate shall be issued to each youth consistent with the program's dress code.

(5) Upon admission to a program, staff shall conduct an inventory of the youth's personal property. The property shall be listed on a personal property inventory form and the youth shall sign the form, attesting to its accuracy.

(a) A filed copy of the youth's personal property inventory shall be maintained.

(b) A copy of the inventory shall be available to the youth's parents or guardians if requested.

(c) Clothing not meeting dress code requirements shall be sent to the youth's home or stored until the youth's release from the program.

(d) All money, jewelry ~~valued at \$50 or more~~, and other items of ~~apparent~~ value shall be secured in a locked area immediately upon the youth's arrival at the program and shall be documented on a personal property inventory form.

(6) All contraband such as weapons and narcotics, excluding narcotics that are verified as having been prescribed for a medical condition, shall be confiscated by the Program Director or designee for disposal or storage, with all illegal contraband submitted to the law enforcement agency having local jurisdiction.

(7) Any medications brought into the residential commitment program when the youth is admitted shall be in the original container issued by the pharmacist with a current and complete label. The program shall verify by telephone the legitimacy of the prescription and the contents of the container with the issuing pharmacist or the prescribing physician. If the prescribing physician or dispensing pharmacist is not available, the program shall contact its designated health authority to provide verification. This verification contact shall be recorded in the youth's individual management record. If the youth is arriving from a juvenile or adult detention center or another residential program where the prescription has already been verified, further verification is not required.

(8) Based on a review of all documentation and interactions with the youth, the Program Director or designee shall make an initial classification of the youth for purposes of room or living area assignment within the program. To determine the offender's risk of escape, the program shall use, at a minimum, the Predisposition Report and face sheet (in JJIS) to secure information about the youth's past history of escapes and escape attempts. Assignment to a group or staff advisor shall also be based on this initial classification. If the program has an orientation unit that houses newly admitted youth, a copy of the classification form shall be sent to the orientation unit. Factors to consider when classifying the youth shall include, but are not limited to:

- (a) Sex;
- (b) Age;
- (c) Size;
- (d) Emotional maturity;
- (e) Gang affiliation;
- (f) Medical or mental health problems;
- (g) History of violence;
- (h) Sexual aggression;
- (j) Predatory behavior;
- (k) Risk of escape and risk to the public; and
- (l) Skill levels; ~~and~~

~~(m) Current assessment under the Prison Rape Elimination Act for youth vulnerability and/or sexually aggressive behavior.~~

(9) When mental health, substance abuse, physical health, security risk factors, or special needs related to a newly admitted youth are identified during or subsequent to the classification process, this information shall be immediately entered into the program's in-house alert system and the Juvenile Justice Information System (JJIS) alert system.

(10) The program shall ensure that a current photograph and critical information are obtained and easily accessible for use in verifying the youth's identity as needed during his or her stay in the program. The program shall ensure that a current photograph of each youth is maintained in the individual management record and the individual healthcare record. A photograph shall be made available to law enforcement or other criminal justice agencies to assist in apprehending a delinquent youth in the event of escape. The program may store this critical information electronically, however, a hard copy of the information on each youth shall be maintained in an administrative file that is easily accessible and mobile in the event of an emergency situation that results in the program having to relocate quickly or in the event the information is needed when the computer is inoperative. The critical information shall include, but not be limited to, the following:

- (a) Youth's full name, ~~Social Security number~~, and DJJ ID number;
- (b) Admission date;
- (c) Date of birth, gender, and race;
- (d) Name, address, and phone number of parent(s) or legal guardian;
- (e) Name, address, and phone number of the person with whom the youth resides and his or her relationship to the youth;
- (f) Person(s) to notify in case of an emergency (and contact information);
- (g) JPO's name, circuit/unit, and contact information;
- (h) Names of committing judge, state attorney, and public defender (or attorney of record) with contact information on each;
- (j) Committing offense and judicial circuit where offense occurred;
- (k) Notation of whether or not the judge retains jurisdiction;
- (l) Victim notification contact information, if notification is required;
- (m) Physical description of youth to include height, weight, eyes and hair color, and any identifying marks;
- (n) Overall health status, including chronic illnesses or allergies; and
- (o) Personal physician (if known).

~~(11) Consistent with departmental procedures addressing participation in the National School Lunch and Breakfast Program, residential commitment program staff of state-operated programs and contracted programs that are classified as not for profit programs shall complete an Individual Determination Report form for each youth admitted to the program to ensure the youth is eligible to participation in the National School Lunch and Breakfast Program.~~

Specific Authority 985.483, 985.64 FS. Law Implemented 985.483(8), (10) FS. History—New_____.

63E-4.010 Orientation.

(1) Youth admitted to the IRT program shall receive orientation to the program within 24 hours of admission.

(2) Orientation to the program shall include the following:

(a) Review of expectations, program rules and the behavior management system. This information shall be conspicuously posted including all program rules, schedules and youth responsibilities to allow easy access for staff and youth. Program staff shall discuss with each youth:

- 1. Services available;
- 2. Daily schedule;
- 3. Expectations and responsibilities of youth;
- 4. Written rules governing conduct;
- 5. Written behavioral management system and possible disciplinary actions;
- 6. Availability of and access to medical and mental health services;

(b) Items considered contraband. Youth shall be advised that bringing illegal contraband into the program or possessing illegal contraband while in the program is a violation of law for which the youth may be prosecuted;

(c) Performance planning process that involves the development of goals for each youth to achieve;

(d) Program's dress code for youth and hygiene practices;

(e) Program's procedures on visitation, mail, and use of the telephone;

(f) Anticipated length of stay in the program and what the youth must do in order to successfully complete the program and be eligible for release. Staff should also explain that the youth must complete each performance plan goal in order to be recommended for release from the program and that the release decision is ultimately up to the committing court;

(g) High-risk commitments are restricted to necessary, supervised off-campus activities, i.e. health and court-related activities. However, during the final 60 days of their residential stay and with court approval, youth in high-risk programs may be granted permission to leave the facility.

(h) Program's youth grievance procedures.

(j) How to access the Abuse Registry and Advocacy Center for Persons with Disabilities.

~~(k)(j)~~ What to do in the case of an emergency, including procedures for fire drills and building evacuation.

~~(l)(k)~~ Ensure that each newly admitted youth is familiar with the physical design of the facility, advising the youth which areas are accessible and which are not accessible to youth.

~~(m)(l)~~ Room Assignment. Shall introduce each newly admitted youth to other program staff and youth. The youth shall be informed of any assignments to a staff advisor and youth group, if applicable. In addition, each youth shall be assigned to a treatment team.

Specific Authority 985.483, 985.64 FS. Law Implemented 985.483 FS. History--New_____.

63E-4.011 Youth Services.

(1) Each program is expected to promote youth competency development in life skills such as:

- (a) Recognizing and avoiding high-risk situations that could endanger self or others;
- (b) Controlling impulsive behaviors;
- (c) Coping;
- (d) Decision-making;
- (e) Problem-solving;
- (f) Organizing;
- (g) Planning;
- (h) Managing time; and
- (j) Searching and applying for jobs, job interviewing, and engaging in behaviors appropriate for work situations.

(2) Each program shall promote youth competency development in social skills to help them interact positively and constructively with others. Social skills include, but are not limited to:

- (a) Communicating effectively and constructively;
- (b) Recognizing emotional cues from others;
- (c) Improving relationship skills, such as differentiating positive and negative relationships; establishing positive relationships and avoiding negative ones; understanding relationship dynamics to include gender differences, relationship boundaries, dating relationships and behaviors, peer relationships, family relationships, relationships with employers and other authority figures, and relationships with other significant adults;
- (d) Differentiating and appropriately responding to social contexts; and
- (e) Engaging in constructive dialogue and peaceful conflict resolution.

(3) The residential program shall offer Impact of Crime classes or group sessions to youth committed to the intensive residential treatment program. The curriculum shall be conducted by a facility employee who has successfully completed the Impact of Crime and restorative justice training conducted by the department. ~~Staff shall be trained in the~~

~~principles of restorative justice and how to apply those principles to the IRT.~~ The classes are intended to assist the youth to:

- (a) Develop remorse and empathy through understanding of how various crimes harm victims and communities;
- (b) Accept responsibility for past criminal actions;
- (c) Develop realistic strategies to address the harm they caused;
- (d) Peacefully resolve conflict;
- (e) Learn to bond with positive people in healthy relationships; and
- (f) Contribute to the community.

(4) Participation in the educational program is mandatory for students of compulsory school-attendance age, as defined in Section 1003.21, F.S. For programs operated by private providers, the school district may provide educational services directly or may contract with a private provider to deliver its own educational program.

(5) The educational program at the IRT shall establish an educational and prevocational training component consistent with juvenile justice education standards that includes:

- (a) Basic Achievement Skills Inventory (BASI) or other common assessment tools identified by the Florida Department of Education;
- (b) Performance plan goals (student outcomes) focused on post-placement needs. Based on the student assessment and identification of youth's needs, performance goals (educational, prevocational training outcomes) must be developed in conjunction with the youth. Performance goals must target educational and prevocational services that will assist the youth in acquiring the skills most needed to increase success upon release from the residential program to the community;
- (c) Educational and prevocational or vocational curricula that are approved by the local school district, reviewed and revised at least annually and as needed based on skill acquisition demonstrated by youth in pre-testing and post-testing.

~~(d)~~ Educational staff shall be qualified, competent and trained in the residential program's philosophy, treatment approach(es), behavior management system, and other treatment components of the program, as well as program safety and security procedures. They shall be trained specifically on how to work effectively with the program's young population.

~~(e)~~ They shall also be trained in how to integrate support services with instruction and in the local school districts' funding procedures for accessing resources. Educational staff shall receive in-service training in areas including but not limited to instructional delivery, understanding youth behavior and learning styles, and processes and procedures commonly used in juvenile justice educational programs.

(f) The educational program shall provide for the testing and provision of special education services to youth requiring these services.

(6) IRT program shall provide opportunities for youth to participate in recreation, leisure and physical fitness activities that are appropriate for pre-adolescents. Such activities shall be scheduled and reflected on the program's daily activity schedule. Youth shall be provided the opportunity for daily recreational activities, one hour of which allows the youth to engage in large muscle activity. In addition to structured outdoor recreational activities or activities in a gymnasium, the program shall provide activities that are non-physical in nature, such as board games, reading, art projects, and other such activities.

(7) Content of television programming, videos, movies, and video games shall be age appropriate and shall not promote violence, criminal activity, sexual situations, abusive situations, or inappropriate language. Program staff shall not allow youth to view television, videos, or movies that are rated above PG.

(8) Programs allowing youth to participate in water related activities shall have a water safety plan, which at a minimum, shall address the following:

- (a) Age and maturity of the youth who will participate;
- (b) Identification of swimmers and non-swimmers;
- (c) Special needs youth;
- (d) Type of water in which the activity is taking place (pool or open water);
- (e) Water conditions (clarity, turbulence, etc.) †
- (f) Bottom conditions;
- (g) Lifeguard-to-youth ratio and positioning of lifeguards; and
- (h) Equipment needed for the activity.

(9) Off-Campus Activities. Youth committed to high-risk level commitment are restricted to necessary, supervised off-campus activities, i.e. health and court-related activities. During the final 60 days of their residential stay and with court approval, youth in high-risk programs may be granted permission to leave facility grounds (supervised and, under limited circumstances, unsupervised) to engage in transitional activities (enrollment in school, performance of community service, and home visits of no more than 72 hours). A risk assessment shall be conducted on all youth prior to any off campus activity.

(10) The Program Director shall ensure access to and provision of physical health services to all youth committed to the program. The health care delivery system shall include the following components:

(a) Intake Screenings and Assessments (also known as "routine medical and dental screening and evaluation") upon entry and at other specified times;

(b) Follow-up assessments when requested by the youth or facility medical personnel, with at specified intervals (also known as "periodic evaluations") and ongoing treatment by licensed health care professionals as required by the presence of a chronic condition, a change in a youth's physical or mental health status, or the initiation of a new medication or medical regimen;

- (c) Episodic care including first aid and/or emergency care
- (d) Sick call care;

(e) Medication management systems that facilitate the safe, effective, and documented storage and administration of medications, both prescription and over-the-counter, for acute or and chronic physical, mental, and dental health conditions;

(f) Infection control measures to prevent the spread of disease;

- (g) Age appropriate health education;
- (h) Transitional healthcare planning; and
- (j) Health care documentation system.

(11) The IRT shall have a designated health authority defined as the physician (MD or DO licensed pursuant to Chapter 458 or 459, F.S.) who, by agreement, employment, contract or other arrangement, provides and/or supervises the provision of health care within the facility.

(12) The Program Director shall ensure access to and provision of mental health services to all youth committed to the program. The mental health care delivery system shall include the following components:

(a) Mental health and substance abuse screening upon admission to determine if there are any immediate mental health or substance abuse needs;

(b) Comprehensive mental health and substance abuse evaluation or updated comprehensive evaluations for those youth identified by screening as in need of further evaluation;

(c) Access to and provision of mental health and substance abuse services, including psychotherapeutic intervention (primarily individual, group, and family counseling and psychosocial or psychoeducational skills training) and medical/somatic intervention (primarily administration and management of psychotropic medication), for youth in need of mental health and/or substance abuse treatment;

(d) Crisis intervention and suicide prevention services;

(e) Specialized services for non-routine situations where additional mental health expertise is needed, such as sex offender treatment or pharmacological treatment; and

(f) Emergency mental health and substance abuse care.

(g) A designated mental health authority will be accountable to the Program Director for ensuring that mental health services are appropriately provided in the IRT. This person shall be a licensed mental health professional (psychiatrist licensed pursuant to Chapter 458 or 459, F.S., psychologist licensed under Chapter 490, F.S., mental health counselor, clinical social worker or marriage and family

therapist licensed under Chapter 491, F.S., or a psychiatric nurse as defined in Section 394.455(23), F.S.). A licensed mental health staff shall directly supervise unlicensed mental health staff.

Specific Authority 985.483, 985.64 FS. Law Implemented 985.483(9) FS. History–New_____.

63E-4.013 Program Monitoring and Evaluation.

(1) Periodic reviews by the DJJ regional residential monitor shall be conducted to ensure that quality services are provided, departmental standards are maintained, and departmental policies, related statutes, and rules are followed in contracted and state-operated programs. Monitoring is conducted monthly, quarterly, or semi-annually, based on risk factors determined in an annual assessment by the residential monitor. If there are major deficiencies noted in the residential monitor’s site visit summary, the program shall submit an outcome-based corrective action plan (OBCAP) to the designated DJJ regional residential monitor.

(2) Security Audit. The DJJ region’s security monitor shall conduct an audit of safety and security measures at least annually. The program shall develop a corrective action plan as instructed by the regional security monitor to address any non-compliance issues included in the security audit report. If the security monitor performs a Pre-Operational and Post-Operational Review or Quality Assurance program audit, that may be substituted as the annual security audit.

(3) For new programs or programs undergoing a change in provider, an on-site review will be conducted 30 to 45 days prior to the anticipated date of youth into the program. The review shall determine whether the program has the trained staff, policies, procedures, equipment, and supplies in place sufficient to begin accepting youth into the program. A favorable review will result in a Letter of Operation being issued by the department, authorizing the facility to begin admitting youth.

(4) A second on-site review is conducted 60 to 90 days after the facility commences operations to confirm full compliance in areas found in partial or non-compliance during the Pre-Operational Review to ascertain readiness to continue operations, and to determine additional programming needs.

(5) In some cases where federal funds are involved, audits may be conducted according to federal requirements. Other reviews or audits may be required per contract ~~or departmental policy or as determined necessary by the department. For example, a Program Administrative Review may be conducted in a program by designated regional staff when the Assistant Secretary for Residential and Correctional Facilities determines a more detailed review of an incident is required. Also, an investigation may be conducted by the DJJ Inspector General’s staff when determined necessary.~~ In addition, there may be inspections or reviews required locally, for example, by the county.

Specific Authority 985.483, 985.64 FS. Law Implemented 985.483(8)-(9) FS. History–New_____.

63E-4.014 Research Projects.

(1) All research project requests must follow the department’s Institutional Review Board Research Proposal Review Process, prior to any contact with youth. The Institutional Review Board Research Proposal Review Process is the procedure the department utilizes to accept or deny research projects submitted to the department for consideration. The membership of the Board consists of employees from all branches and units of the department who review proposed research designs to be conducted at department sites. The Board is chaired by staff from the department’s Bureau of Research and Data.

(2) No research project involving contact with youth or access to confidential information is authorized without the department’s Institutional Review Board (IRB) and the Secretary’s permission. Prior to any research project involving youth in the department’s custody, the research project’s lead researcher shall obtain permission from the youth and the youth’s parents or legal guardian.

(3) The principal investigator of any research project shall meet the department’s definition of a qualified researcher as defined by this rule.

Specific Authority 985.483, 985.64 FS. Law Implemented 985.483(11) FS. History–New_____.

DEPARTMENT OF JUVENILE JUSTICE

Staff Training

RULE NOS.:	RULE TITLES:
63H-2.002	Definitions
63H-2.003	Contracted Residential Staff
63H-2.004	Contracted Non-Residential Staff
63H-2.005	State Residential Staff
63H-2.006	State Non-Residential Staff
63H-2.007	Detention Staff

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 4, January 26, 2007 issue of the Florida Administrative Weekly.

63H-2.002 Definitions.

(1) Academy – A department approved training site where Phase II certification training occurs.

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

(3)(2) Certification – A process indicating that an individual has fulfilled a minimum standard level of competency in a profession and authorizes the individual to practice in the profession.

~~(4)(3)~~ Certified Staff – Direct care staff in facilities/units who have completed the certification requirements set forth in Section ~~Rules~~ 63H-2.005, 2.006 and 2.007, F.A.C.

~~(5)(4)~~ Daily Observation Report (DOR) – The document used to formally evaluate and provide feedback on the newly hired staff’s performance and knowledge to ensure the staff has achieved or exceeded satisfactory performance.

~~(6)(5)~~ Department – Florida Department of Juvenile Justice.

~~(7)(6)~~ Detention Staff – State or contracted direct care staff assigned to work at a detention facility.

~~(8)(7)~~ Direct Care Staff – Having direct contact with youth for the purpose of providing care, supervision, custody, or control in a detention facility, probation unit, day treatment program or commitment program within any restrictiveness level, operated by the department or by a provider under contract with the department.

~~(9)(8)~~ Field Training Officer (FTO) – Refers to an employee who has successfully completed the Field Training Officer course.

~~(10)(9)~~ In-Service Training – The on-going training that employees are required to receive in all but the first year of their employment. Such training must be documented and relevant to the employee’s job responsibilities as set out in this rule.

~~(11)(10)~~ ITW – The 80-hour Instructor Techniques Workshop.

~~(12)(11)~~ Non-Residential Staff – State or contracted direct care staff assigned to work in a non-residential environment, including probation and day treatment programs.

~~(13)(12)~~ On the job training – Training on specific skills based on pre-service/Phase I topics that is conducted by an FTO and/or administrative staff.

~~(14)(13)~~ Protective Action Response (PAR) – The department-approved verbal and physical intervention techniques and the application of mechanical restraints used in accordance with the PAR Rule (Chapter 63H-1, F.A.C.), the PAR Escalation Matrix, and PAR training curricula.

~~(16)(14)~~ PAR Certification – The status attained upon successful completion of PAR training pursuant to Chapter 63H-1, F.A.C.

~~(16)(15)~~ Phase I Training – The initial portion of the certification training process, applicable to state direct care staff, that is conducted at the workplace.

~~(17)(16)~~ Phase II Training – A part of the certification training process, applicable to state direct care staff, that is conducted at an academy.

~~(18)(17)~~ Pre-Service Training – The initial training for newly hired contracted direct care staff that is conducted after hire but before they become direct care staff.

~~(18) PAR Trained – The completion of one attempt at the written examination (whether pass or fail) and passing the performance evaluation.~~

(19) Residential Staff – State or contracted direct care staff assigned to work at a residential facility

(20) Returning Staff – These are trained/certified staff who have separated from employment and are re-hired into the same position type.

(21) Staff Development and Training – The branch of the department responsible for the creation, implementation, and maintenance of training and evaluation materials.

Specific Authority 20.316(1), 985.601(8) FS. Law Implemented 985.02(3)(c), 985.601(8) FS. History–New_____.

63H-2.003 Contracted Residential Staff.

(1) Pre-service training requirements are as follows:

(a) Staff must complete all training within 180 days of being hired.

(b) Staff must complete a minimum of 120 hours of pre-service training (computer based and/or instructor led) to include the following:

1. PAR training as required by Rule Chapter 63H-1, F.A.C.
2. CPR/First Aid
3. Professionalism and ethics
4. Suicide prevention
5. Emergency procedures
6. Mission/Program philosophy/ Program culture
7. Adolescent behavior
8. Confidentiality/ HIPPA
9. Infection control/Blood borne pathogens
10. Gangs
11. Safety, security, and supervision
12. Cultural competency
13. Behavior management
14. DJJ: The organization
15. Mental health and substance abuse services
16. Sexual harassment
17. Communication skills

(c) All contracted residential facilities/programs will submit, in writing a list of pre-service training to Staff Development and Training that includes course names, descriptions, objectives, and training hours for any instructor-led training based on the above topics.

(d) Staff must complete all of the on the job training associated with the above topics.

(2) Contracted residential employees are authorized to be in the presence of youth prior to the completion of the training requirements outlined above. However, the following essential skills training must be completed first:

- (a) PAR trained
- (b) CPR/First Aid certified

- (c) Professionalism and ethics training
- (d) Suicide prevention training
- (e) Emergency procedure training

(3) Upon request by a Regional Director, the Assistant Secretary for Staff Development and Training ~~will~~ ~~may~~ grant ~~an~~ 90-day extension to the 180-day time frame for completing training requirements. The extension may only be based on the following:

- (a) Death of an immediate family member.
- (b) Serious chronic condition, illness or injury.
- (c) Immediate family crisis.
- (d) Court appearance.
- (e) Military duty.
- (f) Family medical leave.
- (g) Other emergency circumstances.

(4) Testing requirements for pre-service training are as follows:

(a) A passing score of at least 70 percent on all applicable computer based courses.

(b) PAR testing and evaluation requirements as outlined in Chapter 63H-1, F.A.C.

(c) Successful completion of all written and practical requirements for CPR/First Aid training.

(5) During each year, beginning on the first anniversary of hire, contracted residential staff must complete 24 hours of annual in-service training.

(6) The following are mandatory training topics that must be completed each year:

- (a) PAR update (Chapter 63H-1, F.A.C.).
- (b) CPR.

(c) First aid, unless the specific certification is good for more than one year, in which case training is only necessary as required by certification.

(d) Professionalism and ethics

(7) All contracted residential facilities/programs will submit to Staff Development and Training a written list of in-service training that includes course names, descriptions, objectives, and training hours for any instructor-led in-service training other than the above topics.

(8) As part of the 24 hours of in-service training required for direct-care staff, supervisory staff shall complete 8 hours of training in the areas of management, leadership, personal accountability, employee relations, communication skills; ~~and~~ or fiscal training each year.

(9) Returning staff who return less than one year from separation shall complete the following:

- (a) PAR update consisting of a minimum of 8 hours training (Chapter 63H-1, F.A.C.)
- (b) CPR/First Aid certification (if not current).
- (c) Overview of facility/program operating procedures.

(10) Returning staff who return more than one year from separation shall complete all requirements set forth in subsection 63H-2.003(1), F.A.C., as they are no longer considered trained.

(11) Contracted Staff who cross over from non-residential to residential shall complete all training requirements set forth in subsection 63H-2.003(1), F.A.C.

(12) Procedures for documentation of training are as follows:

(a) Administrators will ensure that a training file is maintained for each direct care staff, and that they meet all requirements.

(b) Completion of all training requirements shall be documented on the department's computer based tracking system.

(c) Facilities and/or programs shall develop an annual in-service training calendar which must be updated as changes occur.

Specific Authority 20.316(1), 985.601(8) FS. Law Implemented 985.02(3)(c), 985.601(8) FS. History--New_____.

63H-2.004 Contracted Non-Residential Staff.

(1) Pre-service training requirements are as follows:

(a) Staff must complete all training within 180 days of being hired.

(b) Staff must complete a minimum of 120 hours of pre-service training (web-based and/or instructor led) to include the following:

1. PAR;
2. CPR/First aid;
3. Suicide prevention;
4. Emergency procedures;
5. Understanding youth;
6. Legal;
7. Interpersonal/Communication skills;
8. Professionalism and ethic;
9. Supervision;
10. Changing offender behavior;
11. Mental health and substance abuse;
12. Risk and needs assessment;
13. Sexual harassment.

(c) All contracted non-residential programs will submit, in writing a list of pre-service training to Staff Development and Training that includes course names, descriptions, objectives, and training hours for any instructor-led training based on the above topics.

(d) Staff must complete all on the job training associated with the above topics.

(2) Contracted non-residential employees are authorized to be in the presence of youth prior to the completion of the training requirements outlined above. However, the following essential skills must be completed first:

- (a) PAR trained;
- (b) CPR/First aid certified;
- (c) Professionalism and ethics training;
- (d) Suicide prevention training;
- (e) Emergency procedures training.

(3) Upon request by a Regional Director, the Director Assistant Secretary for Staff Development and Training will ~~may~~ grant an 90-day extension to the 180-day time frame for completing training requirements. The extension may only be based on the following:

- (a) Death of an immediate family member.
- (b) Serious chronic condition, illness or injury.
- (c) Immediate family crisis.
- (d) Court appearance.
- (e) Military duty.
- (f) Family medical leave.
- (g) Other emergency circumstances.

(4) Testing requirements for pre-service training are as follows:

(a) A passing score of at least 70 percent on all applicable computer based courses.

(b) PAR testing and evaluation requirements as outlined in 63H-1.

(c) Successful completion of all written and practical requirements for CPR/First Aid training.

(5) ~~During each year, beginning on the first anniversary of hire, C~~contracted non-residential staff must complete 24 hours of annual in-service training beginning the calendar year after the staff has completed pre-service training.

(6) The following are mandatory training topics that must be completed each year:

- (a) PAR update (Chapter 63H-1, F.A.C.).
- (b) CPR.
- (c) First aid, unless the specific certification is good for more than one year, in which case, training is only necessary as required by certification.
- (d) Professionalism and ethics.

(7) All contracted non-residential programs will submit to Staff Development and Training a written list that includes course names, descriptions, objectives, and training hours for any instructor-led in-service training other than the above topics.

(8) As part of the 24 hours of in-service training required for direct-care staff, supervisory staff shall complete 8 hours of training in the areas of management, leadership, personal accountability, employee relations, communication skills, ~~and~~ or fiscal training each year.

(9) Returning staff who return less than one year from separation shall complete the following:

- (a) PAR update consisting of a minimum of 8 hours training (Chapter 63H-1, F.A.C.).

(b) CPR/First Aid/AED certification (if not current).

(c) Overview of facility/program operating procedures.

(10) Returning staff who return more than one year from separation shall complete all requirements set forth in subsection 63H-2.004(1), F.A.C., as they are no longer considered trained.

(11) Contracted Staff who cross over from residential to non-residential shall complete all training requirements set forth in subsection 63H-2.004(1), F.A.C.

(12) Documentation procedures are as follows:

(a) Administrators will ensure that a training file is maintained for each direct care staff, and that they meet all requirements.

(b) Completion of all training requirements shall be documented on the department's computer based tracking system.

(c) Facilities and/or programs shall develop an annual in-service training calendar which must be updated as changes occur.

Specific Authority 20.316(1), 985.601(8) FS. Law Implemented 985.02(3)(c), 985.601(8) FS. History--New_____.

63H-2.005 State Residential Staff.

(1) All staff shall be certified within 180 days of being hired.

(2) The training shall be in two phases. Phase one is workplace training. Phase two is training at the academy.

(a) Phase one shall consist of 120 hours of certification training (web-based and instructor led) in the following areas:

- 1. Orientation training;
- 2. Information security awareness;
- 3. DJJ residential facility operations (to include training on the unit log, admissions, releases, and transfers);
- 4. PAR;
- 5. CPR/First Aid;
- 6. Mental health and substance abuse services;
- 7. Safety, security, and supervision;
- 8. Legal;
- 9. DJJ: The organization;
- 10. Gang awareness;
- 11. Interpersonal/Communication skills;
- 12. Case management in residential facilities.

(b) Staff must complete all on the job training associated with the above topics.

(c) Phase Two is academy training, which shall consist of 120 hours of certification training in the following areas:

- 1. Restorative justice;
- 2. Professionalism and ethics;
- 3. Adolescent behavior;
- 4. Health care;
- 5. Effective written communication;

6. Mental health;
7. Suicide recognition, prevention, and intervention;
8. Human diversity;
9. Interpersonal/communication skills.

(d) Staff must demonstrate satisfactory performance in all categories for at least seven (7) days on the Phase One Daily Observation Reports using the standardized evaluation guidelines. The Daily Observation Report (ADSD-21, revised 12/15/06) is incorporated by reference, and is available through Staff Development and Training, 2737 Centerview Dr., Tallahassee, FL 32399.

(3) State Residential staff are authorized to be in the presence of youth prior to the completion of the training requirements outlined above. However, the following essential skills training must be completed first:

- (a) PAR trained.
- (b) CPR/First aid/AED training.
- (c) Mental health and substance abuse.
- (d) Suicide recognition, prevention, and intervention.
- (e) Safety, security, and supervision.
- (f) DJJ residential facility operations.

(4) Once the trainee has completed these essential skills, the trainee may be in the presence of youth while the remaining training requirements are completed. However, until the trainee completes the remaining training requirements, he or she shall, at all times, be under the direct supervision of a fully certified Juvenile Justice Residential Officer (JJRO).

(5) Testing requirements for certification training are as follows:

- (a) A passing score of at least 70 percent on all applicable computer-based courses.
- (b) PAR testing and evaluation requirements as outlined in Chapter 63H-1, F.A.C.
- (c) Successful completion of all written and practical requirements for CPR/First Aid/AED training.

(d) Staff must receive a minimum score of 75 percent on the certification examination.

(e) Staff ~~will~~ ~~may~~ be given ~~up to~~ three attempts to pass the certification examination within the 180-day timeframe.

(6) Upon request by a Regional Director, the ~~Director Assistant Secretary~~ for Staff Development and Training ~~will~~ ~~may~~ grant an 90-day extension to the 180-day time frame for completing training requirements. The extension may only be based on the following:

- (a) Death of an immediate family member.
- (b) Serious chronic condition, illness or injury.
- (c) Immediate family crisis.
- (d) Court appearance.
- (e) Military duty.
- (f) Family medical leave.
- (g) Other emergency circumstances.

(7) ~~During each year, beginning on the first anniversary of hire, State residential staff must complete 24 hours of annual in-service training beginning the calendar year after the staff has completed certification training.~~

(8) The following are mandatory training topics that must be completed each year:

- (a) PAR update (Chapter 63H-1, F.A.C.).
- (b) CPR/AED.

(c) First aid, unless the specific certification is good for more than one year, in which case, training is only necessary as required by certification.

- (d) Suicide prevention.
- (e) Professionalism and ethics.

(9) Each region will submit to Staff Development and Training a written list of in-service trainings that includes course names, descriptions, objectives, and training hours for any instructor-led in-service training other than the above topics.

(10) As part of the 24 hours of in-service training required for direct-care staff, supervisory staff shall complete 8 hours of training in the areas of management, leadership, personal accountability, employee relations, communication skills; ~~and/or~~ fiscal training each year.

(11) Returning staff who return more than four years from separation shall complete all requirements set forth in subsection 63H-2.005(1), F.A.C., as they are no longer considered trained.

(12) Returning staff that return less than four years from the date of separation shall meet the following requirements within sixty calendar days of their return to the Department:

- (a) All PAR training pursuant to Chapter 63H-1, F.A.C.
- (b) CPR/First aid/AED certification
- (c) Overview of facility operating procedures
- (d) In-service training to include:

1. Professionalism and ethics;
2. Suicide prevention;
3. Adolescent behavior;
4. DJJ residential facility operations;
5. Safety, security, and supervision.

(13) Staff who crossover from contracted residential facilities, contracted non-residential programs, or state operated non-residential programs must complete all certification requirements outlined in this section.

(14) Staff who crossover from detention facilities must complete all certification requirements outlined in this section that are non-duplicative of their detention certification, including the Juvenile Justice Detention Officer (JJDO) to Juvenile Justice Residential Officer (JJRO) examination.

(15) Procedures for the documentation of training are as follows:

(a) Administrators will ensure that a training file is maintained for each direct care staff, and that they meet all requirements.

(b) Completion of all training requirements shall be documented on the department's computer based tracking system.

(c) Facilities and programs shall develop an annual in-service training calendar which must be updated as changes occur.

Specific Authority 20.316(1), 985.601(8) FS. Law Implemented 985.02(3)(c), 985.601(8) FS. History--New_____.

63H-2.006 State Non-Residential Staff

(1) All staff shall be certified within 180 days of hiring.

(2) The certification training shall be in two phases. Phase one is workplace training. Phase two is training at the academy.

(a) Phase one shall consist of 96 hours of training in the following areas:

1. Orientation training;
2. Juvenile Justice Information System;
3. Information security awareness;
4. Mental health and substance services;
5. Professionalism and ethics;
6. Restorative justice;
7. Human diversity;
8. Personal safety;
9. Adolescent behavior;
10. Legal;
11. Interpersonal/Communication skills;
12. Screening and intake;
13. Supervision;
14. Transfer, commitment and termination of supervision.

(b) Staff must complete all on the job training associated with the above topics.

(c) Phase two shall consist of 224 hours of training at the academy in the following areas:

1. PAR;
2. CPR/First aid;
3. DJJ overview;
4. Legal;
5. Adolescent behavior;
6. Restorative justice;
7. Interpersonal/Communication skills;
8. Human diversity;
9. Screening and intake;
10. Legal;
11. Supervision;
12. Transfer, commitment and termination of supervision;
13. Personal safety;
14. Professionalism and ethics.

(d) Staff must demonstrate satisfactory performance in all categories for at least seven (7) days on the Phase One Daily Observation Reports using the standardized evaluation guidelines incorporated by reference in paragraph 63H-2.005(2)(d), F.A.C.

(3) State non-residential staff are not required to be PAR certified and CPR/First Aid certified prior to contact with youth. However, the following requirements shall apply:

(a) The staff shall be assigned to a fully certified officer who has successfully completed all certification requirements outlined in this section.

(b) The staff shall not supervise a caseload or have direct contact with youth where department certified staff are not present until they complete all certification requirements in this section.

(4) Testing requirements for certification training are as follows:

(a) A passing score of at least 70 percent on all ~~applicable~~ computer-based certification courses.

(b) PAR testing and evaluation requirements as outlined in Chapter 63H-1, F.A.C.

(c) Successful completion of all written and practical requirements for CPR/First Aid training.

(d) Staff must receive a minimum score of 75 percent on the certification examination.

(e) Staff may be given up to three attempts to pass the certification examination within the 180-day timeframe.

(5) Upon request by a Regional Director, the ~~Director Assistant Secretary~~ for Staff Development and Training will ~~may~~ grant a 90-day extension to the 180-day time frame for completing training requirements. The extension may only be based on the following:

- (a) Death of an immediate family member.
- (b) Serious chronic condition, illness or injury.
- (c) Immediate family crisis.
- (d) Court appearance.
- (e) Military duty.
- (f) Family medical leave.
- (g) Other emergency circumstances.

(6) ~~During each year, beginning on the first anniversary of hire,~~ State non-residential staff must complete 24 hours of annual in-service training beginning the calendar year after the staff has completed certification training.

(7) The following are mandatory training topics that must be completed each year:

- (a) PAR update (Chapter 63H-1, F.A.C.).
- (b) CPR.
- (c) First aid, unless the specific certification is good for more than one year, in which case, training is only necessary as required by certification.
- (d) Suicide prevention.
- (e) Professionalism and ethics.

(8) Each region will submit to Staff Development and Training a written list of in-service trainings that includes course names, descriptions, objectives, and training hours for any instructor-led in-service training other than the above topics.

(9) As part of the 24 hours of in-service training required for direct-care staff, supervisory staff shall complete 8 hours of training in the areas of management, leadership, personal accountability, employee relations, communication skills; ~~and~~ or fiscal training each year.

(10) Returning staff who return more than four years from separation shall complete all requirements set forth in subsection 63H-2.006(1), F.A.C., as they are no longer considered trained.

(11) Returning staff that return less than four years from the date of separation shall meet the following requirements within sixty calendar days of their return to the department:

- (a) All PAR training pursuant to Chapter 63H-1, F.A.C.
- (b) CPR/First aid certification.
- (c) Overview of program operating procedures.
- (d) In-service training to include:
 1. Professionalism and ethics;
 2. Suicide prevention;
 3. Adolescent behavior;
 4. Risk and needs assessment;
 5. Supervision.

(12) Staff who crossover from contracted residential or detention facilities, contracted non-residential programs, state operated residential facilities, or state operated detention facilities must complete all certification requirements outlined in this section.

(13) Procedures for the documentation of training are as follows:

(a) Administrators will ensure that a training file is maintained for each direct care staff, and that they meet all requirements

(b) Completion of all training requirements shall be documented on the department's computer based tracking system.

(c) Facilities and programs shall develop an annual in-service training calendar which must be updated as changes occur.

Specific Authority 20.316(1), 985.601(8) FS. Law Implemented 985.02(3)(c), 985.601(8) FS. History—New_____.

63H-2.007 Detention Staff.

(1) All staff shall be certified within 180 days of being hired.

(2) The training shall be in two phases. Phase one is workplace training. Phase two is training at the academy.

(a) Phase one shall consist of 120 hours of certification training (computer-based and instructor led) in the following areas:

1. Orientation training;
2. Information security awareness;
3. DJJ detention facility operations (to include training on the unit log, transportation, admissions, and releases);
4. PAR;
5. CPR/First aid;
6. Mental health and substance abuse services;
7. Safety, security, and supervision;
8. Legal;
9. DJJ: The organization;
10. Gang awareness;
11. Interpersonal/Communication skills;
12. Detainee behavior and consequences.

(b) Staff must complete all on the job training associated with the above topics.

(c) Phase Two is academy training, which shall consist of 120 hours of certification training to include:

1. Restorative justice;
2. Professionalism and ethics;
3. Adolescent behavior;
4. Health care;
5. Effective written communication;
6. Mental health;
7. Suicide recognition, prevention, and intervention;
8. Human diversity;
9. Interpersonal/communication skills.

(d) Staff must demonstrate satisfactory performance in all categories for at least seven (7) days on the Phase One Daily Observation Reports using the standardized evaluation guidelines.

(3) Detention staff are authorized to be in the presence of youth prior to the completion of the training requirements outlined above. However, the following essential skills training must be completed first:

- (a) PAR trained.
- (b) CPR/First aid/ AED certified.
- (c) Mental health and substance abuse.
- (d) Suicide recognition, prevention, and intervention.
- (e) Safety, security, and supervision.
- (f) DJJ detention facility operations.

(4) Once the trainee has completed these essential skills, the trainee may be in the presence of youth while the remaining training requirements are completed. However, until the trainee completes the remaining training requirements, he or she shall, at all times, be assigned to a fully certified Juvenile Justice Detention Officer (JJDO).

(5) Testing requirements for certification training are as follows:

(a) A passing score of at least 70 percent on all applicable computer-based certification courses.

(b) PAR testing and evaluation requirements as outlined in Chapter 63H-1, F.A.C.

(c) Successful completion of all written and practical requirements for CPR/First Aid/AED training.

(d) Staff must receive a minimum score of 75 percent on the certification examination.

(e) Staff may be given up to three attempts to pass the certification examination within the 180-day timeframe.

(6) Upon request by a Regional Director, the Director Assistant Secretary for Staff Development and Training will ~~may~~ grant an 90-day extension to the 180-day time frame for completing training requirements. The extension may only be based on the following:

- (a) Death of an immediate family member.
- (b) Serious chronic condition, illness or injury.
- (c) Immediate family crisis.
- (d) Court appearance.
- (e) Military duty.
- (f) Family medical leave.
- (g) Other emergency circumstances.

(7) ~~During each year, beginning on the first anniversary of hire,~~ Detention staff must complete 24 hours of annual in-service training beginning the calendar year after the staff has completed certification training.

(8) The following are mandatory training topics that must be completed each year:

- (a) PAR update (Chapter 63H-1, F.A.C.).
- (b) CPR/AED.
- (c) First aid, unless the specific certification is good for more than one year, in which case, training is only necessary as required by certification.
- (d) Suicide prevention.
- (e) Professionalism and ethics.

(9) Each region will submit to Staff Development and Training a written list of in-service trainings that includes course names, descriptions, objectives, and training hours for any instructor-led in-service training other than the above topics.

(10) As part of the 24 hours of in-service training required for direct-care staff, supervisory staff shall complete 8 hours of training in the areas of management, leadership, personal accountability, employee relations, communication skills; ~~and~~ or fiscal training each year.

(11) Returning staff who return more than four years from separation shall complete all requirements set forth in subsection 63H-2.005(1), F.A.C, as they are no longer considered trained.

(12) Returning staff that return less than four years from the date of separation shall meet the following requirements within sixty calendar days of their return to the department:

- (a) All PAR training pursuant to Chapter 63H-1, F.A.C.
- (b) CPR/First Aid/AED certification.
- (c) Overview of facility operating procedures.
- (d) In-service training to include:
 - 1. Professionalism and ethics;
 - 2. Suicide prevention;
 - 3. Adolescent behavior;
 - 4. DJJ detention facility operations;
 - 5. Safety, security, and supervision.

(13) Staff who crossover from contracted residential, contracted non-residential, and state operated non-residential must complete all certification requirements outlined in this section.

(14) Staff who crossover from state operated residential must complete all certification requirements outlined in this section that are non-duplicative of their JJRO certification, including the JJRO to JJDO examination.

(15) Procedures for the documentation of training are as follows:

(a) Administrators will ensure that a training file is maintained for each direct care staff, and that they meet all requirements.

(b) Completion of all training requirements shall be documented on the department's computer based tracking system.

(c) Facilities and programs shall develop an annual in-service training calendar which must be updated as changes occur.

Specific Authority 20.316(1), 985.601(8) FS. Law Implemented 985.02(3)(c), 985.601(8) 985.601(9)(b) FS. History--New_____.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:
64B3-5.002 Supervisor

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 10, March 9, 2007 issue of the Florida Administrative Weekly.

The Board held a public hearing on this rule on March 2, 2007, in Jacksonville, Florida, and determined a change to this rule should be made.

The changes are as follows:

Qualifications and Responsibilities.

(1) Qualification. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or by foreign education equated pursuant to subsection 64B3-6.002(6), F.A.C. In order to be licensed as a supervisor, an applicant shall be licensed or meet the requirements for licensure as a technologist, ~~and have one hour of Board approved HIV/AIDS continuing education,~~

a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety, and one of the following:

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE CHANGE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.003
 RULE TITLE: Technologist
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 10, March 9, 2007 issue of the Florida Administrative Weekly.

The Board held a public hearing on this rule on March 2, 2007, in Jacksonville, Florida, and determined a change to this rule should be made.

The changes are as follows:

(1) Technologist Qualifications. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or, if foreign education, equated pursuant to subsection 64B3-6.002(6), F.A.C. Applicants for technologist licensure in the categories of microbiology, serology/immunology, chemistry, hematology, immunochemistry, histocompatibility, blood banking, cytology, cytogenetics, histology, molecular pathology, andrology and embryology shall have ~~one hour of Board approved HIV/AIDS continuing education~~, a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE CHANGE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.003
 RULE TITLE: Technologist
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 10, March 9, 2007 issue of the Florida Administrative Weekly.

(2) through (3) No change.

(a)1. through (h)3.
 No change.

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Five year of pertinent experience and 48 contact hours of continuing education in immunohistochemistry/advanced histologic techniques and licensure as a technician in the specialty of histology.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-18.008
 RULE TITLE: Board Approval of Specialty Certifying Bodies
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 13, March 30, 2007 issue of the Florida Administrative Weekly.

The change is in response to public comments received on the rule. The Board discussed this rule at a public hearing on March 13, 2007. The Board voted to change subsection (4) to read as follows:

(4) Has implemented and documented a comprehensive assessment procedure, designed to measure the competencies required to provide services characteristic of the specialty area, that describes security and grading standards, and consists of an oral examination and peer-review of practice samples and may include a written examination.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan K. Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NOS.: 65A-1.301, 65A-1.704, 65A-1.705
 RULE TITLES: Citizenship, Family-Related Medicaid Eligibility Determination Process, Family-Related Medicaid General Eligibility Criteria

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 44, November 3, 2006 issue of the Florida Administrative Weekly has been withdrawn.

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NOS.:	RULE TITLES:
68-5.001	Introduction of Non-Native Species Into the State
68-5.002	Conditional Non-Native Species
68-5.003	Prohibited Non-Native Species

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 10, March 9, 2007 issue of the Florida Administrative Weekly.

Based upon the record of the public hearing, the Commission decided to delete the proposed July 1, 2007 effective date for these rules, and to amend paragraph (1)(h) of Rule 68-5.002, F.A.C., to impose additional requirements for those possessing Nile perches.

RULES RELATING TO NON-NATIVE SPECIES

68-5.001 Introduction of Non-native Species into the State.

(1) No person shall transport into the state, introduce, or possess, for any purpose that might reasonably be expected to result in liberation into the state, any freshwater fish, aquatic invertebrate, marine plant, marine animal, or wild animal life not native to the state, without having secured a permit from the Commission, except:

- (a) Fathead minnow (*Pimephales promelas*).
- (b) Variable platy (*Xiphophorus variatus*).
- (c) Coturnix quail (*Coturnix coturnix*).
- (d) Ring-necked pheasant (*Phasianus colchicus*).

(2) Conditional Non-native Species – The species or hybrids or eggs thereof listed in Rule 68-5.002, F.A.C., may be possessed only pursuant to permit issued by the Executive Director, with the following restrictions:

(a) Such permits will be issued only to individuals or institutions engaged in research, or to commercial import or export businesses, public aquaria, public zoological parks, or public exhibitors providing educational exhibits. Permits shall not be issued for display of these species in private aquaria, private zoological parks, or for personal possession.

(b) Prior to the issuance of a permit to possess conditional non-native species, facilities where conditional species are to be kept and waters where their use is intended may be inspected by Commission personnel to assure that adequate safeguards exist to prevent escape or accidental release into the waters of the state.

(c) Permits for conditional freshwater fish and aquatic invertebrate species may be issued by the Commission subject to the following:

1. Conditional freshwater fish and aquatic invertebrate species held outdoors may only be held in a water body that has the lowest point of the top edge of its levee, dike, bank, or

tank at an elevation of at least one foot above the 100-year flood elevation determined by reference to elevation maps issued by the National Flood Insurance Program, U.S. Department of Housing and Urban Development. Such water body shall have no water discharge or shall be constructed with a barrier system designed to prevent escape of adults, juveniles, and eggs in the water effluent discharged from the permittee's property. Public visitation at facilities in possession of conditional non-native species shall occur only under supervision of the permittee or his/her designee.

2. Conditional freshwater fish and aquatic invertebrate species held indoors may only be held in culture systems having no water discharge, having a water discharge through a closed drain system, or other system designed to prevent discharge of water containing adults, juveniles and eggs from the permittee's property.

3. Any person engaged in aquaculture who possesses a valid certificate of registration from the Department of Agriculture and Consumer Services issued pursuant to Chapter 597, Florida Statutes, and who is authorized to possess such species in accordance with Chapter 597, F.S., is not required to obtain the permit.

4. Conditional aquatic turtle species:

a. Outdoor facilities must have a permanent containment barrier secured at least six inches below ground level to prevent escape by digging or erosion. Such barriers may be constructed of solid board, or metal or plank fencing, and may not use mesh material.

b. All eggs must be removed daily from outdoor facilities.

(3) Prohibited Non-native Species – No person shall import into the state, sell, possess, or transport any live specimens of the species or hybrids or eggs thereof listed in Rule 68-5.003, F.A.C., except as provided in paragraphs (a) and (b) below:

(a) Public aquaria, zoological parks, or public exhibitors with current accreditation by the American Zoo and Aquarium Association or the American Association of Museums will be granted a permit.

(b) Individuals or institutions engaged in research will be granted such a permit, provided the following requirements are met:

1. A detailed research proposal shall accompany the application for the research permit. The proposal shall state with particularity research objectives, methodology and study duration, and outline planned safeguards to assure proper containment of the species.

2. All research on prohibited aquatic species shall be conducted in indoor facilities in containers having no water discharge or having a water discharge through a closed drain system that terminates in a dry-bed wastewater pond.

3. All research on prohibited terrestrial wildlife species shall be conducted in indoor facilities in cages or other confinement facilities to prevent escape.

4. The research permit shall expire 12 months from the date of issuance and shall not be renewed until a detailed report of research findings is received and approved by the Commission. The report shall include a description of activities undertaken in the permit period, progress toward research project objectives, and proposed additional activities to be undertaken during any renewal period. Such reports are public records subject to the requirements for public disclosure under Chapter 119, Florida Statutes.

(4) No permits shall be granted for possession of any species of piranha or pirambeba (subfamily Serrasalminae).

(5) Possession of sea snakes (Family Hydrophiidae, all species) is limited to public aquaria, public zoological parks, or public exhibitors with current accreditation by the American Zoo and Aquarium Association or the American Association of Museums, providing educational exhibits, for public exhibition purposes only, under the following conditions:

(a) Only male sea snakes may be possessed.

(b) A public aquarium, zoological park, or public exhibitor possessing sea snakes shall not be located in a coastal county and shall have no contiguous connection with any waters of the state.

(c) Each public aquarium, public zoological park, or public exhibitor possessing sea snakes shall provide quarterly reports to the Commission regarding the number of each species of sea snakes on the premises and any changes in inventory resulting from death or additions by importation.

(d) Sea snakes shall not be released into the waters of the state.

(e) Each public aquarium, zoological park, or public exhibitor possessing sea snakes shall post with the Commission a \$1 million letter of credit. The letter of credit shall be in favor of the State of Florida, Fish and Wildlife Conservation Commission, for use by the Commission to remove any sea snake accidentally or intentionally introduced into waters of the state. The letter of credit shall be written in the form determined by the Commission. The letter of credit shall provide that the zoological park or aquarium is responsible for the sea snakes within that facility and shall be in effect at all times that the zoological park or aquarium possesses sea snakes.

(f) No person or public aquarium, public zoological park, or public exhibitor shall barter, sell, or trade sea snakes within this state.

(g) A public aquarium, public zoological park, or public exhibitor that imports sea snakes pursuant to this subsection may bring the sea snakes into this state only by airplane that may land only at an airport located in a non-coastal county within this state.

(h) A public aquarium, public zoological park, or public exhibitor possessing sea snakes pursuant to this subsection shall abide by all regulatory requirements of the Fish and Wildlife Conservation Commission with respect to venomous reptiles.

(6) No leopard tortoise (*Geochelone pardalis*), African spurred tortoise (*Geochelone sulcata*), or Bell's hingeback tortoise (*Kinixys belliana*) shall be imported or transported into this state, without a special permit issued by the Commission. The basis for the issuance of such permit shall include:

(a) That each shipment is accompanied by a veterinary certificate stating that all specimens are free from external parasites;

(b) That all shipping containers used to transport such tortoises are incinerated within 24 hours;

(c) Such other conditions as may be necessary to insure that no tortoise infested with ticks capable of transmitting the Heartwater disease is imported into Florida.

(7) No person shall allow or permit any freshwater aquatic organism not native to the state to remain in the waters of any propagating pool or pond that is no longer maintained or operated for the production of such non-native species. The presence of any species designated in Rule 68-5.002 or Rule 68-5.003, F.A.C., in any propagating pool or pond shall constitute possession by the owner or operator of the pool or pond.

(8) Unless otherwise specifically provided in Titles 68A through 68E, F.A.C., all species of freshwater aquatic life and wild animal life not native to Florida may be taken throughout the year, without restrictions.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New

68-5.002 Conditional Non-native Species.

The following species or hybrids thereof may be possessed only pursuant to permit issued by the Executive Director with restrictions as provided in subsection 68-5.001(2), F.A.C.

(1) Non-native freshwater aquatic species.

(a) Bighead carp (*Aristichthys nobilis*).

(b) Bony-tongue fishes (Family Osteoglossidae, all species except silver arowana, *Osteoglossum bicirrhosum*).

(c) Dorados (Genus *Salminus*, all species).

(d) Freshwater stingrays (Family Potamotrygonidae, all species).

(e) Grass carp (*Ctenopharyngodon idella*), with restrictions as provided in Rule 68A-23.088, F.A.C.

(f) Silver carp (*Hypophthalmichthys molitrix*).

(g) Snail or black carp (*Mylopharyngodon piceus*).

(h) Nile perches (Genus *Lates*, all species).

For facilities that are operating under permit or a certificate of registration, but which are not cultivating Nile perches as of April 11, 2007, and for facilities which are issued permits or certificates of registration after April 11, 2007, Nile perches:

1. Shall be held only in indoor facilities.

2. Shall not be taken on a fee or for-hire basis using hook and line or rod and reel.

(i) Blue tilapia (*Oreochromis aureus*), except that *Oreochromis aureus* may be possessed, cultured, and transported without permit in Citrus County in the North Central Region; and all counties of the Northeast, South and Southwest Regions.

(j) Wami tilapia (*Oreochromis hornorum*).

(k) Mozambique tilapia (*Oreochromis mossambicus*)

(l) Nile tilapia (*Oreochromis niloticus*)

(m) Walking catfish (*Clarias batrachus*)

(n) Blue catfish (*Ictalurus furcatus*), except that blue catfish may be possessed in the Suwannee River and its tributaries and north and west of the Suwannee River.

(o) Australian red claw crayfish (*Cherax quadricarinatus*) only in closed tank culture systems.

(p) Red swamp crayfish (*Procambarus clarkii*) and white river crayfish (*Procambarus zonangulus*)

1. Pond aquaculture of either species is prohibited.

2. Red swamp crayfish and white river crayfish may be possessed west of the Apalachicola River and its tributaries or imported for direct sale to food wholesalers and food retailers for resale to consumers without permit.

(q) Red-eared slider (*Trachemys scripta elegans*):

1. Red-eared sliders in personal possession prior to July 1, 2007 may continue in the possession of the owner.

2. Red-eared sliders less than four inches carapace length may not be possessed after July 1, 2008 without a permit.

3. Red-eared sliders with distinctive aberrant color patterns, including albino or melanistic specimens, may be possessed without a permit otherwise required by this rule.

(2) Non-native mammals – Nutria (*Myocaster coypu*).

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New _____.

68-5.003 Prohibited Non-native Species.

No person shall import into the state, sell, possess, or transport any live specimens of the species, or hybrids or eggs thereof, of the species listed below, except as provided in subsection 68-5.001(3), F.A.C.

(1) Non-native freshwater aquatic species:

(a) African electric catfishes (Family Malapteruridae, all species).

(b) African tigerfishes (Subfamily Hydrocyninae, all species).

(c) Airbreathing catfishes (Family Clariidae, all species except *Clarias batrachus*).

(d) Candiru catfishes (Family Trichomycteridae, all species).

(e) Freshwater electric eels (Family Electrophoridae, all species).

(f) Lampreys (Family Petromyzonidae, all species).

(g) All species of piranha and pirambeba (subfamily Serrasalminae).

(h) Snakeheads (Family Channidae, all species).

(i) Tilapias (Genera *Tilapia*, *Sarotherodon* and *Oreochromis*, all species except *Oreochromis aureus*, *Oreochromis hornorum*, *Oreochromis mossambicus*, and *Oreochromis niloticus*).

(j) Trahiras or Tigerfishes (Family Erythrinidae, all species).

(k) Airsac catfishes (Family Heteropneustidae, all species).

(l) Green sunfish (*Lepomis cyanellus*).

(m) Australian crayfish (Genus *Cherax*, all species except *Cherax quadricarinatus* cultured in a closed tank system.

(n) Zebra mussel (*Dreissena polymorpha*).

(2) Non-native mammals – African giant pouched rats (Genus *Cricetomys*, all species).

(3) Non-native marine species:

(a) Mitten crab (Genus *Eriocheir*, all species).

(b) Sea snakes (Family Hydrophiidae, all species), except that sea snakes may be possessed as described in subsection 68-5.001(5), F.A.C.

(c) Weeverfishes (Family Trachinidae, all species).

(d) Stone fishes (Genus *Synanceia*, all species).

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New _____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-4.005	Introduction of Foreign Wildlife or Freshwater Fish or Carriers of Disease

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 10, March 9, 2007 issue of the Florida Administrative Weekly. Based upon the record of the public hearing, the Commission decided to delete the proposed July 1, 2007 effective date for this rule.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-23.008
 RULE TITLE: Introduction of Non-Native Aquatic Species in the Waters of the State; Provisions for Sale and Inspection of Fish for Bait or Propagation Purpose; Diseased Fish

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 10, March 9, 2007 issue of the Florida Administrative Weekly. Based upon the record of the public hearing, the Commission decided to delete the proposed July 1, 2007 effective date for this rule.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.: 68A-25.002
 RULE TITLES: General Provisions for Taking, Possession and Sale of Reptiles

68A-25.006
 Possession, Exhibition and Caging Venomous Reptiles: Prohibited Species

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 10, March 9, 2007 issue of the Florida Administrative Weekly.

Based upon the record of the public hearing, the Commission decided to delete the proposed July 1, 2007 effective date for this rule.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.: 68B-14.001
 RULE TITLES: Purpose and Intent, Designation as Restricted Species

68B-14.0035
 Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper

68B-14.00355
 Size Limits for Importation and Sale

68B-14.0036
 Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Exception, Wholesale/Retail Purchase Exemption

68B-14.0045
 Commercial Harvest Requirements; Licenses, Season Closures, Bag and Trip Limits

68B-14.005
 Regulation and Prohibition of Certain Harvesting Gear: Allowable Gear, Incidental Bycatch, Violation

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 10, March 9, 2007 issue of the Florida Administrative Weekly.

Based upon the record of the public hearing, the Commission decided to include in each rule a proposed effective date of July 1, 2007.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.: 68B-28.003
 RULE TITLES: Diving: Open and Closed Areas

68B-28.0035
 Commercial Sponge Size Limit

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 10, March 9, 2007 issue of the Florida Administrative Weekly.

Based upon the record of the public hearing, the Commission decided to include in each rule a proposed effective date of July 1, 2007.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-6.0016
 RULE TITLE: Definition of Developed Area

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. 42, October 20, 2006 issue of the Florida Administrative Weekly.

Notice is hereby given that the Board of Funeral, Cemetery, and Consumer Services has made the following changes to the above referenced rule based on comments made at the public hearing and based on written comments from the Joint Administrative Procedures Committee.

Subsection (2) has been changed to provide as follows:

(2) For the purposes of this rule, the following will ~~not~~ be considered an ~~an~~ "undeveloped area":

- (a) No change.
- (b) No change.

Subsection (3) has been deleted.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-142.015
 RULE TITLE: Standardized Requirements
 Applicable to Insurers After
 Hurricanes or Natural Disasters

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. 39, September 29, 2006 issue of the Florida Administrative Weekly.

1. 69O-142.015(1)(a) is revised to read:

(1) CLAIMS REPORTING REQUIREMENTS.

(a) All entities having direct premiums written in Florida and authorized, approved or otherwise eligible to provide the coverages indicated below in items 1. and 2. shall report the information required by Form OIR-DO-1681, "Catastrophic Event Data Reporting and Analysis", providing loss and associated exposure data within this state. The reporting shall be submitted with such frequency and for such areas as set forth in the Order activating this subsection and may be revised to reflect the phases of reporting necessary as set forth in form OIR-DO-1681. The applicable coverages are:

1. Those coverages as defined in Sections 627.4025(1) and 215.555(2)(c), F.S.

2. Other property coverages where loss is not specifically excluded in the policy's outline of coverage such as:

- a. Private Passenger Auto Physical Damage;
- b. Commercial Auto Physical Damage;
- c. Commercial Property, including Fire and Allied Lines;
- d. Commercial Multiple Peril;
- e. Farmowners Multiple Peril;
- f. Ocean Marine;
- g. Inland Marine;
- h. Aircraft;
- i. Boiler and Machinery.

(b) The following form is hereby adopted and incorporated by reference:

1. OIR-DO-1681 (revised 05/2007), "Catastrophic Event Data Reporting and Analysis".

2. Copies of the form are available and may be printed from the Office's website: <http://www.floir.com/>.

3. All information shall be submitted electronically through <https://iportal.fldfs.com>.

2. 69O-142.015(2)(d) is revised by editing the third sentence to read:

The extension of time shall also not apply to new policies effective on or after the date of the Order.

3. 69O-142.015(2)(f) is revised by removing "the week" and inserting "ten (10) calendar days".

4. 69O-142.015(2)(g) is revised by deleting "date" and inserting "expiration date".

5. 69O-142.015(2)(i) is revised by deleting "policy or not" and inserting "policy and not".

6. 69O-142.015(2)(n) is revised to read:

This rule shall not apply to new policies effective on or after the initial activation date specified in the order.

7. 69O-142.015(2)(q) is revised by editing the second sentence to read:

Notwithstanding any other provisions contained herein, an insurer may file a petition pursuant to Section 120.542, F.S. if compliance with this rule may be reasonably expected to result in such insurer being subject to financial regulatory action levels by the Office.

8. Form OIR-DO-1681 has been revised to reflect additional reporting requirements authorized by law. A copy is available from the contact person.

FINANCIAL SERVICES COMMISSION

Office of Financial Regulation

RULE NO.: 69W-301.002
 RULE TITLE: Processing of Applications

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 8, February 23, 2007 issue of the Florida Administrative Weekly. In response to comments received from the Joint Administrative Procedures Committee, OFR Form CAN, Canadian Dealer Notification, has been amended to remove the notarial acknowledgement. This form is incorporated by reference in subparagraph 69W-301.002(7)(a)15.

**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.: 53ER07-25
 RULE TITLE: Instant Game Number 691, IN THE MONEY

SUMMARY: This emergency rule describes Instant Game Number 691, "IN THE MONEY," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER07-25 Instant Game Number 691, IN THE MONEY.

(1) Name of Game. Instant Game Number 691, "IN THE MONEY."

(2) Price. IN THE MONEY lottery tickets sell for \$2.00 per ticket.

(3) IN THE MONEY lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning IN THE MONEY lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:



(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:



(7) The legends are as follows:



(8) Determination of Prizewinners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches either number in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number. A ticket having a "10" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$50.

(b) The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$25.00, \$50.00, \$100, \$1,000 and \$10,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$2.00 instant ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a IN THE MONEY lottery ticket which entitles the claimant to a prize of a \$2.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 691 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 56 POOLS OF 180,000 TICKETS PER POOL
FREE TICKET	\$2TICKET	8.33	1,209,600
\$2	\$2	50.00	201,600
\$2 x 2	\$4	25.00	403,200
\$1 + (\$2 x 2)	\$5	37.50	268,800
\$5	\$5	37.50	268,800
(\$1 x 2) + (\$2 x 4)	\$10	150.00	67,200
\$2 x 5	\$10	75.00	134,400
\$10	\$10	150.00	67,200
\$5 + (\$10 x 2)	\$25	150.00	67,200
\$5 x 10	\$50	1,285.71	7,840
(\$5 x 5) + \$25	\$50	2,250.00	4,480
\$50	\$50	391.30	25,760
(MONEYBAG)	\$50	391.30	25,760
\$10 x 10	\$100	6,000.00	1,680
(\$25 x 2) + \$50	\$100	7,500.00	1,344
(MONEYBAG)	\$100	7,500.00	1,344
\$100	\$100	8,181.82	1,232
\$100 x 10	\$1,000	180,000.00	56
\$1,000	\$1,000	180,000.00	56
\$10,000	\$10,000	2,520,000.00	4

(10) The estimated overall odds of winning some prize in Instant Game Number 691 are 1 in 3.69. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 691, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing an IN THE MONEY lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for IN THE MONEY lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 4-13-07.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: April 13, 2007

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER07-26
RULE TITLE: Instant Game Number 690, \$100,000 HOLD 'EM POKER

SUMMARY: This emergency rule describes Instant Game Number 690, "\$100,000 HOLD 'EM POKER," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER07-26 Instant Game Number 690, \$100,000 HOLD 'EM POKER.

(1) Name of Game. Instant Game Number 690, "\$100,000 HOLD 'EM POKER."

(2) Price. \$100,000 HOLD 'EM POKER lottery tickets sell for \$5.00 per ticket.

(3) \$100,000 HOLD 'EM POKER lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning \$100,000 HOLD 'EM POKER lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

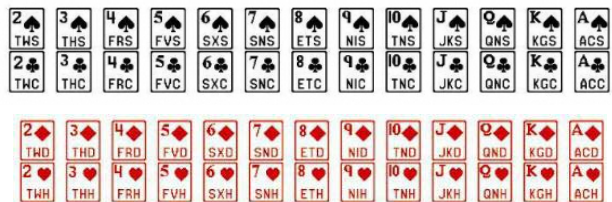
(4) The "YOUR 2 CARDS" play symbols and play symbol captions are as follows:



(5) The "THEIR 2 CARDS" play symbols and play symbol captions are as follows:



(6) The "COMMUNITY CARDS" play symbols and play symbol captions are as follows:



(7) The prize symbols and prize symbol captions are as follows:

\$1.00 ONE	\$2.00 TWO	\$4.00 FOUR	\$5.00 FIVE	\$6.00 SIX	\$10.00 TEN	\$15.00 FIFTEEN
\$20.00 TWENTY	\$25.00 TWENTY FIVE	\$50.00 FIFTY	\$75.00 SEVENTY FIVE	\$100 ONE HUND	\$200 TWO HUND	\$250 TWO FIFTY
\$500 FIVE HUND	\$1,000 ONE THO	\$2,000 TWO THO	\$5,000 FIVE THO	\$10,000 TEN THO	\$100,000 ONE HUN THO	WPT PRIZE PACK

(8) The legends are as follows:

TABLE 1 TABLE 2 TABLE 3 TABLE 4

TABLE 5 YOUR 2 CARDS THEIR 2 CARDS COMMUNITY CARDS PRIZE

(9) Determination of Prizewinners.

(a) There are five tables on a ticket. Players may win in one or more tables per ticket. A ticket having a 5-card poker hand from a combination of "YOUR 2 CARDS" and "COMMUNITY CARDS" that beats the best 5-card poker hand from a combination of "THEIR 2 CARDS" and "COMMUNITY CARDS" shall entitle the claimant to the corresponding prize shown.

(b) A ticket having a "WPT PRIZE PACK" symbol in the "PRIZE" area shall entitle the claimant to a prize of a World Poker Tour® merchandise prize pack valued at \$560 that includes a quad-folding poker game table top, 300 chip set with dealer button, sunglasses, a set of 8 tumblers, a baseball cap and a set of watches.

(c) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$6.00, \$10.00, \$15.00, \$20.00, \$25.00, \$50.00, \$75.00, \$100, \$200, \$250, \$500, \$1,000, \$2,000, \$5,000, \$10,000 and \$100,000.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 690 are as follows:

GAME PLAY	WIN	NUMBER OF WINNERS IN 62 POOLS OF	
		ODDS OF 1 IN	120,000 TICKETS PER POOL
\$1 x 5	\$5	30.00	248,000
(\$1 x 3) + \$2	\$5	30.00	248,000
\$1 + (\$2 x 2)	\$5	30.00	248,000
\$5	\$5	30.00	248,000
\$2 x 5	\$10	60.00	124,000
\$2 + (\$4 x 2)	\$10	60.00	124,000
(\$1 x 4) + \$6	\$10	60.00	124,000
\$1 + (\$2 x 2) + \$5	\$10	120.00	62,000
\$10	\$10	120.00	62,000
\$5 x 3	\$15	60.00	124,000
\$15	\$15	60.00	124,000
\$10 + \$15	\$25	300.00	24,800
(\$5 x 3) + \$10	\$25	400.00	18,600
\$5 + (\$10 x 2)	\$25	300.00	24,800
\$5 x 5	\$25	300.00	24,800
\$5 + \$20	\$25	400.00	18,600
\$25	\$25	600.00	12,400
\$50	\$50	120.00	62,000
\$25 x 3	\$75	12,000.00	620
\$25 + \$50	\$75	12,000.00	620
\$5 + \$20 + \$50	\$75	12,000.00	620
\$5 + \$10 + (\$20 x 3)	\$75	12,000.00	620
\$75	\$75	12,000.00	620
\$50 x 2	\$100	1,200.00	6,200
\$20 x 5	\$100	1,200.00	6,200
\$25 x 4	\$100	1,500.00	4,960
(\$25 x 2) + \$50	\$100	1,428.57	5,208
\$100	\$100	2,000.00	3,720
\$250 x 2	\$500	120,000.00	62
\$100 x 5	\$500	120,000.00	62
\$500	\$500	120,000.00	62
PRIZE PACK	\$560	2,222.22	3,348
\$250 x 4	\$1,000	744,000.00	10
\$200 x 5	\$1,000	744,000.00	10
(\$100 x 3) + \$200 + \$500	\$1,000	744,000.00	10
\$500 x 2	\$1,000	744,000.00	10
\$1,000	\$1,000	744,000.00	10
\$2,000 x 5	\$10,000	1,860,000.00	4
\$5,000 x 2	\$10,000	1,860,000.00	4
\$10,000	\$10,000	1,860,000.00	4
\$100,000	\$100,000	1,860,000.00	4

(11) The estimated overall odds of winning some prize in Instant Game Number 690 are 1 in 3.81. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 690, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) By purchasing a \$100,000 HOLD 'EM POKER lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(14) Payment of prizes for \$100,000 HOLD 'EM POKER lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c) FS. History—New 4-13-07.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: April 13, 2007

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on December 29, 2006, the Florida Public Service Commission has issued an order. Silver Lake Utilities' petition for waiver of rule variance from paragraph 25-30.033(1)(l), Florida Administrative Code (F.A.C.), filed December 29, 2006, in Docket No. 060726-WS, was approved by the Commission at its March 27, 2007 Agenda Conference. Order No. PSC-07-0328-PAA-WS, issued April 16, 2007, memorialized the decision. The rule required

applications for original certificates to include a description of the water and wastewater service territory proposed to be served according to the technical legal description requirements of subsection 25-30.030(2), F.A.C. The petition requested to abbreviate the legal description required by paragraph 25-30.033(1)(l), F.A.C. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the F.A.W. on January 19, 2007.

A copy of the Order may be obtained by contacting: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770 or the Commission's Homepage at <http://www.floridapsc.com>.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on April 13, 2007, South Florida Water Management District (District) received a petition for waiver from Richard L. Houghton, Application No. 07-0413-1 for issuance of a Right of Way Occupancy Permit for utilization of Works or Lands of the District known as the L-28, Miami-Dade County, to allow utilization of the District's L-28 right of way for temporary vehicular access to privately-owned land lying in multiple Sections through Township 54, 53, 52S, Range 35E. The petition seeks relief from subsection 40E-6.221(9), F.A.C., which governs the requirement that, except for both private and public utilities, an applicant must own or lease the land lying adjacent to the District Work within Works or Lands of the District.

A copy of the petition may be obtained from Kathie Ruff at (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 March 8, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Date Aqui Miami located in Miami. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of 20.

This variance request was approved March 23, 2007, and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed twenty (20) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes. To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on March 12, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Banana Leaf Cafe located in Altamonte Springs. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of 38.

This variance request was approved March 23, 2007, and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed thirty-eight (38) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes. To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on March 12, 2007, the Division of Hotels and Restaurants received a Petition for an emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Larry's Giant Subs located in Jacksonville. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of 36.

This variance request was approved March 23, 2007, and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed thirty-six (36) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the

rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes. To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on March 16, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from Emma Catering Service 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.

This variance request was approved March 27, 2007, and is contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating properly according to manufacturer's specifications and Section 6-202-15(D) (2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to paragraph 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes. To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on April 6, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraphs 61C-1.004(1)(a), 61C-1.004(1)(d) and 61C-4.010(6), Florida Administrative Code (F.A.C.), from Espressio Caffe Express at Northpointe II located in Lake Mary. The above referenced F.A.C. state the water supply shall meet the standards provided in Chapters 64E-8, 62-550 and 62-555 F.A.C., that sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601 F.A.C., and physical facilities at public food service establishments shall be subject to the provisions of Chapter 6 of the Food Code. The Petitioner is requesting a variance to not have hard plumbing in their kiosk and use alternative methods for sewage disposal and obtaining potable water.

This variance was approved April 10, 2007, and is contingent upon Petitioner using one (6) gallon or greater potable water tanks and utilizing wastewater holding tank that is at least 15% larger than the potable water holding tank. Water and wastewater holding tanks are to be emptied as often as needed to prevent a sanitary nuisance. Petitioner must have an approved supply of potable water with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours. If the menu changes or expands in any manner, the Petitioner must notify the Division in writing and this variance request will be re-evaluated. All provisos and plan review deficiencies shall be met prior to licensing. The Petitioner shall follow all applicable Administrative Rules and Federal Food and Drug Administration Food Code references. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261 Florida Statutes. To obtain a copy of the approved variance you may contact David.Fountain@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on April 10, 2007, the Board of Accountancy, received a petition for Cecilia Lavina, seeking a variance or waiver of subsection 61H1-33.006(2), Florida Administrative Code, which requires that any certified public accountant who seeks to reactivate his or her license must demonstrate successful completion of the required number of continuing professional education hours, at least 80% of which have been completed in the twenty-four (24) months immediately preceding the date of an application for reactivation.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida

32607, or by telephone at (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on February 22, 2007, the Board of Hearing Aid Specialists, received a petition for waiver or variance from Petitioner Robert Eacret, who seeks a waiver or variance pursuant to Rule 64B6-8.003, Florida Administrative Code, Trainee Stages, Minimum Training Requirements, and Training Program, to re-enter a training program.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on April 10, 2007, the Board of Medicine received a petition filed on behalf of Thomas J. Feneran, M.D., seeking a waiver or variance from subsection 64B8-2.001(2), F.A.C., with regard to the requirement for the passing score on the FLEX examination to be obtained in one administration of the examination.

Comments on this petition should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice. For a copy of the petition, contact Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on April 11, 2007, the Board of Medicine received a petition filed by Mina Nakbeen, M.D., seeking a waiver or variance from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for official transcripts from Petitioner's medical school.

Comments on this petition should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice. For a copy of the petition, contact: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on April 13, 2007, the Board of Medicine received a petition filed by Charles Lye, M.D., seeking a waiver or variance from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for official transcripts from Petitioner's medical school.

Comments on this petition should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice. For a copy of the petition, contact Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on April 11, 2007, the Board of Optometry, received a petition for Variance or Waiver filed on April 11, 2007 on behalf of Ruben E. Carlson, O.D. Petitioner seeks a variance of Rule 64B13-4.001, F.A.C., Examination Requirements. Specifically, the Petitioner, an out-of-state optometrist who has applied for an optometrist license in Florida, requests for reasons stated in the petition that the Board waive or grant a conditional or temporary variance of the requirement under Rule 64B13-4.001 F.A.C., entitled "Examination Requirements," which determines that a passing score must be obtained on all parts of the NBE0 examination within the five years immediately prior to application for the state examination.

This petition will be considered by the Board at its May 11, 2007 meeting.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257.

NOTICE OF WITHDRAWAL

The Petition for Variance filed by Scott C. Roberts, Esq., on behalf of Promise Ventures, LLC, noticed in the F.A.W., on January 26, 2007, in Vol. 33, No. 4, has been withdrawn by the petitioner.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that on March 27, 2007, the Department of Children and Family Services, received a petition for Waiver for Rule 65C-14.055, F.A.C., that requires staff who perform direct counseling to children and their families shall have a master's degree in social work, counseling, or related area of study from a college or university, and at least 2 years of experience in social work, counseling or related area of experience.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Faye Jones, Office of the Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI

Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration
 Financial Services Commission
 Department of Veterans' Affairs
 Department of Highway Safety and Motor Vehicles
 Department of Law Enforcement
 Department of Revenue
 Department of Education
 Administration Commission
 Florida Land and Water Adjudicatory Commission
 Board of Trustees of the Internal Improvement Trust Fund
 Department of Environmental Protection

DATE AND TIME: May 15, 2007, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative

supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and

easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Viticulture Advisory Council to which all interested persons are invited.

DATES AND TIMES: Monday, May 7, 2007, 2:30 p.m. – 5:30 p.m.; Tuesday May 8, 2007, 9:00 a.m. – 2:00 p.m.

PLACE: Leroy Collins Building, Large Conference Room, 2051 East Dirac Drive, Innovation Park, Tallahassee, Florida 32310-3760, (850)488-0163

GENERAL SUBJECT MATTER TO BE CONSIDERED: Viticulture Advisory Council Meeting (VAC). To conduct the general business of the Florida Viticulture Advisory Council.

For additional information or if you need special accommodations, call Tom Thomas at (850)922-9827 or Lacoadia Burkes at (850)921-1850.

The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Tropical Fruit Advisory Council to which all interested persons are invited.

DATE AND TIME: Thursday, May 10, 2007, 10:00 a.m.

PLACE: Miami-Dade Extension Office, 18710 S. W. 288 Street, Homestead, FL 33030

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. To conduct the general business of the Florida Tropical Fruit Advisory Council.

For additional information or if you need special accommodations, call Louise King at (305)401-1502.

The Florida **Department of Agriculture and Consumer Services** announces a meeting with the Seafood and Aquaculture Advisory Committee to which all interested persons are invited.

DATE AND TIME: Thursday, May 17, 2007, 11:00 a.m. – 1:30 p.m.

PLACE: Hilton Bayfront, St. Petersburg, Florida

AGENDA:

- I. Approval of Minutes from January Telephone Conference Call
- II. Overview of Bureau Activities for 2006/07
 - a. Public Relations Update
 - b. New Recipe Brochures
 - c. Photo Library
 - d. Website
 - e. Promotional Events
 - f. Product Substitution
 - g. Trade Events
 - h. FAPC
 - a. Incentives
 - b. Race Car
 - i. Great American Seafood Cook-Off
 - j. Bureau ROI
 - i. Impressions and Ad Value
- III. Legislative Update
 - a. Bob Jones
- IV. Consumer Research
- V. P.O.P. Needs
- VI. Great American Seafood Cook-Off
- VII. Grants
- VIII. Next Meeting Date

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive recommendations from the industry regarding marketing and education efforts.

For additional information, or if you need special accommodations due to disability, please call Nicole Haugdahl at (850)488-0163.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry (DOF)** and the Matanzas State Forest Management Plan Advisory Group announce two public meetings and a public hearing to which all persons are invited.

Public Meeting – Matanzas State Forest Management Plan Advisory Group

DATE AND TIME: Monday, May 14, 2007, 6:30 p.m.

PLACE: St. Johns County Cooperative Extension Service, Wind Mitigation Building, 3111 Agricultural Center Drive, St. Augustine, FL 32092

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Matanzas State Forest Management Plan Advisory Group to prepare for a public hearing and provide recommendations to the DOF to help in preparation of a management plan for the Lake Wales Ridge State Forest.

Public Hearing

DATE AND TIME: Monday, May 14, 2007, 7:00 p.m.

PLACE: St. Johns County Cooperative Extension Service, Wind Mitigation Building, 3111 Agricultural Center Drive, St. Augustine, FL 32092

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit comments on management of the Matanzas State Forest. Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to: DOF's Bunnell District Office, 5001 U.S. Highway 1, N., Bunnell, FL 32110, to the attention of Mike Kuypers and should be mailed so as to arrive at the office by the date of the public hearing.

Public Meeting – Matanzas State Forest Management Plan Advisory Group

DATE AND TIME: Monday, May 14, 2007, 8:00 p.m.

PLACE: St. Johns County Cooperative Extension Service, Wind Mitigation Building, 3111 Agricultural Center Drive, St. Augustine, FL 32092

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Matanzas State Forest Management Plan Advisory Group to review comments from the public hearing and provide recommendations to the DOF to help in preparation of a management plan for the Matanzas State Forest.

Copies of a working draft on the plan and the management plan prospectus are available by contacting the Division of Forestry in writing at the above address or contacting Mike Kuypers at (386)446-6785.

Special accommodations for persons with a disabling condition should be requested in writing to the DOF's Bunnell District office at the above listed address at least 48 hours in advance of these proceedings. You are hereby notified in accordance with Section 286.0105, Florida Statutes, should you decide to appeal any decision made as a result of, or take exception to any findings of fact with respect to any matter considered at the hearing and meeting referred to above, you may need to ensure that a verbatim record of the proceedings is made. Such record shall include the testimony and evidence upon which the appeal is to be based.

The Board of Directors of **Florida Agriculture in the Classroom, Inc.** will hold its next meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, May 2, 2007, 10:00 a.m.

PLACE: Florida Farm Bureau, 5700 S. W. 34th St., Gainesville, FL 32608

The Florida **State Fair Authority** announces a meeting of the Agricultural Committee to which all interested persons are invited.

DATE AND TIME: Thursday, May 10, 2007, 9:00 a.m.

PLACE: Florida State Fairgrounds, 4800 U.S. Highway 301, North, Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher, Executive Assistant, Florida State Fair Authority, P. O. Box 11766, Tampa, FL 33680.

If special accommodations are needed due to a disability, please contact Kathleen Fisher at the above address or at (813)627-4221.

The Florida **State Fair Authority** announces a meeting of the Marketing Committee to which all interested persons are invited.

DATE AND TIME: Thursday, May 10, 2007, 9:30 a.m.

PLACE: Florida State Fairgrounds, 4800 U.S. Highway 301, North, Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business,

A copy of the agenda may be obtained by contacting: Kathleen Fisher, Executive Assistant, Florida State Fair Authority, P. O. Box 11766, Tampa, FL 33680.

If special accommodations are needed due to a disability, please contact Kathleen Fisher at the above address or at (813)627-4221.

The Florida **State Fair Authority** announces a meeting of the Finance Committee to which all interested persons are invited.

DATE AND TIME: Thursday, May 10, 2007, 10:00 a.m.

PLACE: Florida State Fairgrounds, 4800 U.S. Highway 301 North, Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher, Executive Assistant, Florida State Fair Authority, P. O. Box 11766, Tampa, FL 33680.

If special accommodations are needed due to a disability, please contact Kathleen Fisher at the above address or at (813)627-4221.

The Florida **State Fair Authority** announces a meeting of the Full Board to which all interested persons are invited.

DATE AND TIME: Thursday, May 10, 2007, 1:00 p.m.

PLACE: Florida State Fairgrounds, 4800 U.S. Highway 301, North, Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher, Executive Assistant, Florida State Fair Authority, P. O. Box 11766, Tampa, FL 33680.

If special accommodations are needed due to a disability, please contact Kathleen Fisher at the address above or at (813)627-4221.

DEPARTMENT OF EDUCATION

The **Florida Schools of Excellence Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 10, 2007, 10:00 a.m. – Completion

PLACE: Aventura City of Excellence School, 3333 N. E. 188 Street, Aventura, FL 33180

GENERAL SUBJECT MATTER TO BE CONSIDERED: Per Section 1002.335(3)(c), Florida Statutes, the Florida Schools of Excellence Commission shall meet each month at the call of the chair.

A copy of the agenda may be obtained by contacting: Florida Department of Education, Attn: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400 or by calling (850)245-0861.

For more information, you may contact: Florida Department of Education, Attn: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400 or by calling (850)245-0861.

The **Charter School Review Panel** announces a public meeting to which all persons are invited.

DATE AND TIME: May 11, 2007, 10:00 a.m. – Completion

PLACE: Aventura City of Excellence School, 3333 N. E. 188 Street, Aventura, FL 33180

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Education shall regularly convene a Charter School Review Panel in order to review issues, practices, and policies regarding charter schools.

A copy of the agenda may be obtained by contacting: Office of Independent Education and Parental Choice, Attention: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400, (850)245-0502.

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 1 day before the workshop/meeting by contacting: Office of Independent Education and Parental Choice, Attention: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400, (850)245-0502. 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: Office of Independent Education and Parental Choice, Attention: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400, (850)245-0502.

The **Commission for Independent Education** announces a public meeting to which all persons are invited.

Commission Meeting

DATES AND TIMES: May 15, 2007, 2:00 p.m.; May 16, 2007, 9:00 a.m.

PLACE: The Florida Hotel and Conference Center, 1500 Sand Lake Road, Orlando, Florida 32809, (407)859-1500

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission for Independent Education will consider: All Non-Degree Granting Institutions on May 15, 2007 and all Degree Granting Institutions on May 16, 2007 for the following: Disciplinary Matters, Informal Hearings, Institutions Ordered to Appear Back Before the Commission, New Applications for Licensure, Institutional Applications for Program Modifications and Additional Programs, Application for Annual License, Motions for Extension of License, Motions for Request for Extension of Time to Comply with Contingencies, Reports, Approved Applicant Letters Sent, Licenses Sent, Closed Schools, Agent Training Programs, Annual Renewals, Extension of Annual License, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Substantive Change Applications, Name Change Applications. The Attorney and Executive Director Reports as well as Applications for Exemption for Religious Colleges will be considered on May 16, 2007.

A copy of the agenda may be obtained by contacting: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

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: May 10, 2007, 10:00 a.m. (EDT)

PLACE: Franklin County School Board Meeting Room, 155 Avenue "E", Apalachicola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

The public is invited to a meeting of the **Board of Governors** of the State University System of Florida to which all interested persons are invited.

DATE AND TIME: May 10, 2007, 9:00 a.m. – 11:00 a.m.

PLACE: By Telephone Conference Call, 1605 Turlington Building, 325 W. Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of 2007 Legislative Session; Limited Access status for the B.A. in Music, FGCU; Limited Access status for the B.S. in Athletic Training, FSU; Limited Access status for the Bachelor's in Architecture, FAU; authorize 128 credit hours for the B.S. in Construction Engineering, UCF; final approval of proposed BOG Regulation Rule 6C-8.001, F.A.C., University Calendars; final approval to repeal BOG Regulation Rule 6C-8.010, F.A.C., Incentive/Efficiency Program; approval of Credit-by-Exam Equivalency List; Discussion of the SUS Type 1 Institutes and Centers; authorize release of funds from the University Concurrency Trust Fund in accordance with the Campus Development Agreement between the USF Board of Trustees and the City of Tampa; Authorize Resolution Requesting the Division of Bond Finance of the State Board of Administration of Florida to issue Revenue Bonds on behalf of FSU to finance construction of a multi-level Parking Garage on the main campus, FSU; Authorize Resolution approving the issuance of Certificates of Participation by the USF Finance Corporation to Finance the Student Residence Facility Phase IV Project on the Tampa Campus, USF; approval of a Debt Management/Financial Derivatives Policy; and other matters pertaining to the State University System of Florida.

A copy of the agenda may be obtained from the Board of Governors website at <http://www.flbog.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The Florida **Department of Education** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 11, 2007, 9:00 a.m. – 2:00 p.m.

PLACE: Mid-Florida Technical Center, Florida Electrical Apprenticeship and Training Building, 2900 West Oak Ridge Road, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Apprenticeship Advisory Council will hold a meeting to discuss general items relating to apprenticeship in Florida. The agenda includes follow-up actions from previous council meetings on subjects of committee structure, assignments and responsibilities. The program will include an apprenticeship update relative to apprentices and programs registered in Florida.

A copy of the agenda may be obtained by calling Juanita Warren, (850)245-9950 or by e-mail to juanita.warren@fl.doe.org.

Any person requiring special accommodations to attend this meeting because of a disability or physical impairment may contact Ms. Warren, (850)245-9950, at least seven days in advance so their needs can be accommodated.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 6, 2007

9:00 a.m. Meeting of the Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee.

DATE AND TIMES: May 7, 2007

8:00 a.m. Meeting of the Structural Technical Advisory Committee.

9:00 a.m. Meeting of the Accessibility Advisory Council to consider the following applications for waiver from the accessibility code requirements: Gables CitiTower, 999 Ponce de Leon Boulevard, Coral Gables; Southpointe Park, Miami Beach; Soho Beach House, 4385 Collins Avenue, Miami Beach; Academy for International Studies, 717 Prosperity Farms Road, North Palm Beach; Sessums, Mason, Black & Caballero, 307 South Magnolia Avenue, Tampa; The Mercato, Collier County; Bob Wilson Dodge Storage Garage Addition, 11945 North Florida Avenue, Tampa, Florida.

9:00 a.m. Meeting of the Plumbing Technical Advisory Committee.

1:00 p.m. Meeting of the Accessibility Technical Advisory Committee.

1:00 p.m. Meeting of the Roofing Technical Advisory Committee.

1:00 p.m. Meeting of the Mechanical Technical Advisory Committee.

3:00 p.m. Meeting of the Energy Technical Advisory Committee.

DATE AND TIMES: May 8, 2007

8:00 a.m. Meeting of the Fire Technical Advisory Committee.

8:00 a.m. Meeting of the Education Program Oversight Committee.

10:00 a.m. Meeting of the Code Administration Technical Advisory Committee.

1:00 p.m. Meeting of the Electrical Technical Advisory Committee.

1:00 p.m. Meeting of the Budget Committee.

3:30 p.m. Meeting of the Plenary Session of the Florida Building Commission.

Review and approval of the Agenda.
 Review and approval of the March 27-28, 2007 Minutes and Facilitator's Report.
 Consideration of requests for waiver from accessibility code requirements: Gables CitiTower, 999 Ponce de Leon Boulevard, Coral Gables; Southpointe Park, Miami Beach; Soho Beach House, 4385 Collins Avenue, Miami Beach; Academy for International Studies, 717 Prosperity Farms Road, North Palm Beach; Sessums, Mason, Black & Caballero, 307 South Magnolia Avenue, Tampa; The Mercato, Collier County; Bob Wilson Dodge Storage Garage Addition, 11945 North Florida Avenue, Tampa, Florida.
 Consideration of Applications for Product and Entity Approval.
 Consideration of Legal Issues and Petitions for Declaratory Statement.
 Binding Interpretations: Report(s) Only.
 Supplemental Hearing.
 DCA07-DEC-011 by Billy Tyson, CBO of Clemmons, Rutherford and Associates, Inc.

First Hearing:

DCA07-DEC-017 by Robert S. Fine for TRG-Block One LTD.
 DCA07-DEC-047 by John Leedy, PE, Leedy Electric Corporation.
 DCA07-DEC-048 by Joseph W. Broughton, PE, Burgess Engineering Inc.
 DCA07-DEC-049 by Penny Hoxie, PolyVulc USA, Inc.
 DCA07-DEC-050 by Alfonso E. Oviedo-Reyes, Hunker Down Systems.
 DCA07-DEC-060 by Emil Veksenfeld, PE
 DCA07-DEC-065 by Andrew Johnston, Harbor Home Improvements.
 DCA07-DEC-067 by Joseph R. Hetzel, PE, DASMA.
 DCA07-DEC-072 by Nelson de Leon, AIA.
 DCA07-DEC-078 by Siegfried W. Valentin of AAMA.
 DCA07-DEC-079 by Keith A. Mahaffey, President, Keith Mahaffey Pools, Inc.
 DCA07-DEC-080 by Mike Pella, PE, Kamm Consulting, Inc.

Second Hearing:

DCA06-DEC-299 by Grant E. Tolbert of Hernando County Development Services.
 DCA07-DEC-016 by James M. Nicholas, PA
 DCA07-DEC-020 by Ed Riley of Fire Districts of Collier County.

DCA07-DEC-034 by Don Blalock, of Quickbrick USA LLC.
 DCA07-DEC-038 by Ed Riley, Fire Districts of Collier County (058).

DATE AND TIMES: May 9, 2007

8:30 a.m. Meeting of the Plenary Session of the Florida Building Commission continued.
 Chair's Discussion of Issues and Recommendations.
 Review and Update of Commission Workplan.
 Supplemental Rule Development Workshop on Rule 9B-72, Product Approval
 Legislative Session Update
 Consideration of Committee Reports and Recommendations: Accessibility TAC Report; Code Administration TAC Report; Electrical TAC Report; Energy TAC Report; Fire TAC and Joint Fire TAC/Fire Code Advisory Council Reports; Mechanical TAC Report; Plumbing TAC Report; Roofing TAC Report; Structural TAC Report; Education POC Report; Product Approval/Prototype Buildings/Manufactured Buildings POC Report.
 Report on Special Legislative Session Actions and Commission Follow-up Actions.
 Commission Member Comments and Issues.
 General Public Comment.
 Review Committee Assignments and Issues for the June 24-27, 2007 Commission Meeting.
 Summary Review of Meeting Work Products.
 Adjourn.

1:00 p.m. Meeting of the Hurricane Research Advisory Committee.

PLACE: Embassy Suites Hotel, 3705 Spectrum Boulevard, Tampa, Florida 33612, (813)977-7066

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting and hearings as listed above.

A copy of the agenda may be obtained by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824 or Fax (850)414-8436 or go to the web site at www.floridabuilding.org

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 or call (850)487-1824 or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824 or Fax (850)414-8436 or go to the web site at www.floridabuilding.org

DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement**, Missing Children Information Clearinghouse Advisory Board, announces a public meeting to which all persons are invited.

QUARTERLY MCIC ADVISORY BOARD MEETING

DATE AND TIME: Tuesday, May 8, 2007, 9:00 a.m. – 4:00 p.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting, for the purpose of notice herein, is limited to a gathering for the purpose of conducting public business by members of a collegial body constituting the agency head.

A copy of the agenda may be obtained by writing to: Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Dinah Johnson, Missing Children Information Clearinghouse.

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation**, District 6 announces a public meeting to which all persons are invited.

DATE AND TIME: May 2, 2007, 10:00 a.m.

PLACE: District Six, Auditorium, 1000 N. W. 111th Avenue, Miami, FL 33172

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Project Selection Committee will receive the scores resulting from the Financial Scoring Committee and Technical Scoring Committee scoring process of the Proposals received for the Port of Miami Tunnel and Access Improvement Project. The Project Selection Committee may choose to select a best value Proposal at this meeting or arrange a subsequent public meeting for this purpose.

Note that this meeting is open to the public, but that members of the public that attend will not be allowed to participate in the meeting.

A copy of the agenda may be obtained by contacting: Ronald Fountain, Administrator, Procurement and Professional Services, 1000 N. W. 111th Avenue, Miami, FL 33172, (305)470-5457 or on the Project website at: <http://portofmiami.tunnel.com/>

For more information, you may contact: Ronald Fountain, Administrator, Procurement and Professional Services, 1000 N. W. 111th Avenue, Miami, FL 33172, (305)470-5457.

The **Commercial Motor Vehicle Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: May 10, 2007, 8:30 a.m.

PLACE: Clarion Hotel and Conference Center, 2701 E. Fowler Avenue, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or person under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

Any person aggrieved by the imposition of a civil penalty pursuant to Section 316.3025 or 316.550, Florida Statutes, may apply to the Commercial Motor Vehicle Review Board for a modification, cancellation, or revocation of the penalty.

A copy of the agenda may be obtained by contacting: Christine Jones, Executive Assistant, Commercial Motor Vehicle Review Board, 325 John Knox Rd., Bldg. K, Tallahassee, FL 32303.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Christine Jones, Executive Assistant, Commercial Motor Vehicle Review Board, 325 John Knox Rd., Bldg. K, Tallahassee, FL 32303. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Christine Jones, Executive Assistant, Commercial Motor Vehicle Review Board, 325 John Knox Rd., Bldg. K, Tallahassee, FL 32303.

The **Florida Transportation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 23, 2007, 2:00 p.m. – 5:00 p.m.

PLACE: Department of Transportation, Executive Conference Room, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop of the Florida Transportation Commission.

Information may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

A copy of the agenda may be obtained by contacting Cathy Goodman at (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting Cathy Goodman at (850)414-4105. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Transportation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 24, 2007, 8:00 a.m. – 12:00 Noon

PLACE: Department of Transportation, Auditorium, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Florida Transportation Commission.

A copy of the agenda may be obtained by contacting: Florida Transportation Commission, Room 176, M.S. 9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting Cathy Goodman at (850)414-4105. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Cathy Goodman at (850)414-4105.

The **Florida Seaport Transportation and Economic Development Council** announces a Project Review Group teleconference in which all interested persons are invited to participate.

DATE AND TIME: May 8, 2007, 10:00 a.m.

PLACE: Toll Free Conference Call Number: 1(877)540-9892, Participant Code: 833035, Florida Ports Council, 502 E. Jefferson Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

Information on the meeting may be obtained by contacting: Toy Keller, Florida Ports Council, 502 East Jefferson Street, Tallahassee, Florida 32301, (850)222-8028.

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.

In accordance with provisions of the Americans with Disabilities Act, persons requiring special accommodations to participate in this public meeting should advise Toy Keller, (850)222-8028.

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** on behalf of the Florida Commission on Hurricane Loss Projection Methodology announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, May 8, 2007, 12:00 Noon – 3:00 p.m. (ET); Wednesday, May 9, 2007, 9:00 a.m. – 4:30 p.m. (ET); Thursday, May 10, 2007, 12:00 Noon – 4:30 p.m. (ET); Friday, May 11, 2007, 9:00 a.m. – 12:00 p.m.(ET)

PLACE: Hermitage Centre, Hermitage Conference Room, 1801 Hermitage Blvd., Tallahassee, FL 32308. To Participate by Telephone Call: 1(888)808-6959 and use code 4765251363.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular business meetings of the Florida Commission on Hurricane Loss Projection Methodology to review computer models submitted under the standards and acceptability process for 2006. In addition, other general business will be addressed.

A copy of the agenda may be obtained by contacting Donna Sirmons at (850)413-1349 or at donna.sirmons@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Donna Sirmons at (850)413-1349 or at donna.sirmons@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 16, 2007, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Rd., Bldg. C, Tallahassee, Florida 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release matters as well as other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, 2601 Blair Stone Rd., Bldg. C, Tallahassee, Florida 32399-2450.

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 Five days before the workshop/meeting by contacting: Florida Parole Commission, 2601, Blair Stone Rd., Tallahassee, FL 32399-2450, (850)488-3417. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Parole Commission, 2601 Blair Stone Rd., Tallahassee, Florida, (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, May 9, 2007, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission's staff will hold an undocketed, informational workshop to discuss IOU storm damage insurance issues. Commissioners may be present at this workshop.

A copy of the agenda may be obtained by contacting: Larry Harris, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6076. A copy of the agenda will be available after May 1, 2007.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 4075 Esplanade Way, Tallahassee, FL, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 14, 2007, 10:00 a.m. (CST)

PLACE: Washington County Commission, Commissioners' Board Room, 1331 South Blvd., Suite 400, Chipley, FL 32428

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. and Title: 060368-WS – Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide customers an opportunity to present testimony and other evidence before the Florida Public Service Commission concerning the Utility's proposed rates or service. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

EMERGENCY CANCELLATION OF SERVICE HEARING: If a named storm or other disaster requires cancellation of the service hearing, the Commission will attempt to give timely direct notice to the parties. Notice of cancellation of the service hearing will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

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: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

The Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 16, 2007, 10:00 a.m.

PLACE: St. Johns Water Management District, Resource Management Building, Rooms 136A and B, 4049 Reid Street, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. and Title: 060368-WS – Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide customers an opportunity to present testimony and other evidence before the Florida Public Service Commission

concerning the Utility's proposed rates or service. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

EMERGENCY CANCELLATION OF SERVICE HEARING: If a named storm or other disaster requires cancellation of the service hearing, the Commission will attempt to give timely direct notice to the parties. Notice of cancellation of the service hearing will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

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: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, (850)413-6770.

The Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 16, 2007, 6:00 p.m.

PLACE: City Commission Chambers, Gainesville City Hall, 200 E. University Avenue, Gainesville, FL 32601

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. and Title: 060368-WS – Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc. To provide customers an opportunity to present testimony and other evidence before the Florida Public Service Commission concerning the Utility's proposed rates or service. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

EMERGENCY CANCELLATION OF SERVICE HEARING: If a named storm or other disaster requires cancellation of the service hearing, the Commission will attempt to give timely direct notice to the parties. Notice of cancellation of the service hearing will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

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: Florida Public Service Commission, Office of

Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, (850)413-6770.

The Florida **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, May 23, 2007, 9:30 a.m. – 5:00 p.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0862

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to provide a forum for Florida electric utilities to brief the Commission on their 2007 hurricane season preparation.

EMERGENCY CANCELLATION OF COMMISSION WORKSHOP: If a named storm or other disaster requires cancellation of the workshop, Commission staff will attempt to give timely direct notice to all interested persons. Notice of cancellation of the workshop will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

The Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 23, 2007, 6:00 p.m.

PLACE: Highlands County Agri-Civic Center Auditorium, 4509 George Blvd., Sebring, FL 33875

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. and Title: 060747-WS – Application for staff-assisted rate case in Highlands County by Mink Associates II, LLC d/b/a Crystal Lake Club Utilities. To give customers and other interested person an opportunity to provide comments to the Florida Public Service Commission staff regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on staff's preliminary rates.

EMERGENCY CANCELLATION OF CUSTOMER MEETING: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at (850)413-6770.

The Florida **Public Service Commission** announces a hearing to which all persons are invited.

PREHEARING CONFERENCE

DATE AND TIME: Thursday, May 31, 2007, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action for Docket No.: 070193-EI – Petition for determination of need for Willow Oak-Davis 230 kV transmission line in Polk and Hillsborough Counties, by Tampa Electric Company.

HEARING

DATE AND TIME: Monday, June 11, 2007, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this hearing is for the Commission to take final action to determine the need, pursuant to Section 403.537,

Florida Statutes, for the Willow Oak-Davis 230 kV electrical transmission line proposed by Tampa Electric Company in Polk and Hillsborough Counties, Florida. This proceeding shall: (1) allow Tampa Electric Company to present evidence and testimony in support of its petition for a determination of need for its proposed electrical transmission line; (2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate. Any member of the public who wishes to offer testimony should be present at the beginning of the hearing. By providing public testimony, a person does not become a party to the proceeding. To become an official party of record, you must file a Petition for Intervention at least five days before the final hearing, pursuant to the requirements contained in Rule 25-22.039, Florida Administrative Code. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

The hearing will be governed by the provisions of Chapter 120, Florida Statutes; Section 403.537, Florida Statutes; and Chapters 25-22 and 28-106, Florida Administrative Code.

Only issues relating to the need for the electrical transmission line will be heard at the June 11, 2007, hearing. Separate public hearings may be held before the Division of Administrative Hearings to consider environmental and other impacts of the proposed electrical transmission line as required by the "Transmission Line Siting Act," Sections 403.52-.5365, Florida Statutes.

EMERGENCY CANCELLATION OF PREHEARING AND HEARING: If a named storm or other disaster requires cancellation of the prehearing or hearing, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the prehearing or hearing will also be provided on the Commission's website <http://www.psc.state.fl.us/> under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 10, 2007, 12:30 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 Nominating Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

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 2 business days before the workshop/meeting by calling (352)955-2200. 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 **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 16, 2007, 12:00 Noon

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 Finance Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

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 2 business days before the workshop/meeting by calling (352)955-2200. 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 **Central Florida Regional Planning Council**, Local Emergency Planning Committee (LEPC) announces a public meeting to which all persons are invited.

DATE AND TIME: May 3, 2007, 9:30 a.m.

PLACE: DeSoto County Turner Center Exhibit Hall, 2260 Northeast Roan Street, Arcadia, FL 34266

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Bi-Monthly Meeting of the LEPC and/or its Sub-Committees, to discuss the provisions of the Emergency Planning and Community Right to Know Program.

A copy of the agenda may be obtained by contacting Chuck Carter, CFRPC Emergency Management Program Director.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Central Florida Regional Planning Council**, Local Emergency Planning Committee (LEPC) announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2007, 9:30 a.m.

PLACE: DeSoto County Turner Center Exhibit Hall, 2260 Northeast Roan Street, Arcadia, FL 34266

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Bi-Monthly Meeting of the LEPC and/or its Sub-Committees, to discuss the provisions of the Emergency Planning and Community Right to Know Program.

A copy of the agenda may be obtained by contacting Chuck Carter, Emergency Management Program Director.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2007, 9:30 a.m.

PLACE: Historic Bok Sanctuary, Lecture Hall, 1151 Tower Blvd., Lake Wales, FL 33853

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Council and/or its Executive Committee.

A copy of the agenda may be obtained by contacting Patricia M. Steed.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Patricia M. Steed, CFRPC Executive Director, 555 East Church Street, Bartow, FL 33830.

The District II, **Local Emergency Planning Committee (LEPC)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 2, 2007, 10:00 a.m. (Eastern Time), 9:00 a.m. (Central Time)

PLACE: Tallahassee Fire Department Training Room, 2964 Municipal Way, Tallahassee, Florida 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regularly scheduled LEPC meeting.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 20776 Central Avenue, East, Suite 1, Blountstown, FL 32424 or calling (850)674-4571.

If any person desires to appeal any decision with respect to any matter considered at the above-cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices at (850)674-4571, prior to the meeting.

REGIONAL TRANSPORTATION AUTHORITIES

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 11, 2007, 10:00 a.m.

PLACE: Board Room of SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: Property Committee Meeting.

A copy of the agenda may be obtained by contacting SFRTA Planning Office at (954)788-7916.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. 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).

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces the following public meetings to which all interested persons are invited.

DATE AND TIME: May 10, 2007, 9:00 a.m.

PLACE: Fiddler's Restaurant, 1306 S. E. Riverside Drive, Steinhatchee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. To consider District business, and conduct public hearings on regulatory and land acquisition matters. Public hearing in accordance with Section 373.59, F.S., concerning the proposed acquisition of the Robert Feagin/Middle Aucilla Addition Parcel, 79 acres +/- located in Taylor County, Florida, with funds from the Florida Forever Trust Fund.

DATE AND TIME: May 10, 2007, 1:30 p.m.

PLACE: Fiddler's Restaurant, 1306 S. E. Riverside Drive, Steinhatchee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Workshop.

DATE AND TIME: May 11, 2007, 8:30 a.m.

PLACE: Fiddler's Restaurant, 1306 S. E. Riverside Drive, Steinhatchee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Workshop.

A copy of the agenda(s) may be obtained by writing: SRWMD, 9225 CR 49, Live Oak, Florida 32060.

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

Persons with disabilities who need assistance in order to participate in this meeting may contact Lisa Cheshire, Adm./Board Coordinator at (386)362-1001 or 1(800)226-1066 (Florida only), at least two business days in advance to make appropriate arrangements.

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 8, 2007, 2:00 p.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, Florida 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of council and task force business for the Citrus/Hernando Waterways Restoration Council and following the Hernando County Task Force.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida only), extension 4227.

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 1(800)423-1476 (Florida), or (352)796-7211, extension 4226; Fax: (352)797-5806; TDD ONLY 1(800)231-6103 (Florida). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: Wednesday, May 9, 2007, 9:00 a.m. – completed

PLACE: Okeechobee Shrine Club, 1855 S. W. 53rd St., Okeechobee, FL 34974

DATE AND TIME: May 10, 2007, 9:00 a.m. – Completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8) (2005) to discuss strategy related to litigation expenditures in Roker v. South Florida Water Management District, et al. United States District Court, Southern District of Florida, Case No. 06-80768 CIV-Middlebrooks/Johnson. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Burt-Stewart, M. Collins, C. Dauray, N. Gutierrez, L. Lindahl, K. McCarty, H. Thornton, M. Wade; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, R. Panse, C. Linton, A. Aragona, P. Lopez.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting the District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

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 District Clerk's Office at (561)682-2087. If you

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

For more information, you may contact the District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: Wednesday, May 9, 2007, 9:00 a.m. – Completion

PLACE: Okeechobee Shrine Club, 1855 S. W. 53rd St., Okeechobee, FL 34974, or

DATE AND TIME: May 10, 2007, 9:00 a.m. – Completion

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8) (2005) to discuss strategy related to litigation expenditures in Gabriel v. South Florida Water Management District, 15th Judicial Circuit, Palm Beach County, Case No. 502004 CA 004488 – Gerber. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Burt-Stewart, M. Collins, C. Dauray, N. Gutierrez, L. Lindahl, K. McCarty, H. Thornton, M. Wade; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, R. Panse, C. Linton, A. Bowden.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

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For more information, you may contact the District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: Wednesday, May 9, 2007, 9:00 a.m. – completed

PLACE: Okeechobee Shrine Club, 1855 S. W. 53rd St., Okeechobee, FL 34974, or

DATE AND TIME: May 10, 2007, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8) (2005) to discuss strategy related to litigation expenditures in *J & H Groves Holding, L. C. v. South Florida Water Management District, et al.*, Circuit Court, Twentieth Judicial Circuit, Hendry County, Case No. 06-631CA. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Burt-Stewart, M. Collins, C. Dauray, N. Gutierrez, L. Lindahl, K. McCarty, H. Thornton, M. Wade; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, R. Panse, C. Linton, M. Dorta, A. Cooper, A. Ross.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting the District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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For more information, you may contact the District Clerk's Office.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: Wednesday, May 9, 2007, 9:00 a.m. – completed

PLACE: Okeechobee Shrine Club, 1855 S. W. 53rd St., Okeechobee, FL 34974, or

DATE AND TIME: May 10, 2007, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8) (2005) to discuss strategy related to litigation expenditures in *United States of America v. South Florida Water Management District, et al.*, United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Burt-Stewart, M. Collins, C. Dauray, N. Gutierrez, L. Lindahl, K. McCarty, H. Thornton; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, R. Panse, C. Linton, K. Burns.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting the District Clerk's Office at (561)682-2087 or www.sfwmd.gov

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For more information, you may contact the District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: Wednesday, May 9, 2007, 9:00 a.m. – completed

PLACE: Okeechobee Shrine Club, 1855 S. W. 53rd St., Okeechobee, FL 34974, or

DATE AND TIME: May 10, 2007, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8) (2005) to discuss strategy related to litigation expenditures in Pietrucha v. South Florida Water Management District, 15th Judicial Circuit, Palm Beach County, Case No. 50-2005 CA 006879 – Kelley. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Burt-Stewart, M. Collins, C. Dauray, N. Gutierrez, L. Lindahl, K. McCarty, H. Thornton, M. Wade; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, R. Panse, C. Linton, M. Compagno, S. Eisenberg, E. Gordon.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: the District Clerk's Office at (561)682-2087 or www.sfwmd.gov

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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For more information, you may contact the District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: Wednesday, May 9, 2007, 9:00 a.m. – completed

PLACE: Okeechobee Shrine Club, 1855 S. W. 53rd St., Okeechobee, FL 34974, or

DATE AND TIME: May 10, 2007, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8) (2005) to discuss strategy related to litigation expenditures in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 02-80309-CV-Altonaga/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Burt-Stewart, M. Collins, C. Dauray, N. Gutierrez, L. Lindahl, K. McCarty, H. Thornton; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, R. Panse, C. Linton, J. Nutt, E. Artau, M. Compagno, R. Olian.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: the District Clerk's Office at (561)682-2087 or www.sfwmd.gov

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 District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact the District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2007, 10:00 a.m.

PLACE: Okeechobee Shrine Club, 1855 S. W. 53rd Street, Okeechobee, Florida 34974

DATE AND TIME: May 10, 2007, 9:00 a.m.

PLACE: SFWMD, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters and may include an amendment to the District's Fiscal Year 2007 budget to revise revenues and expenditures. Governing Board action may be taken at the Governing Board Workshop or Meeting. All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. If Workshop items are not discussed on May 9, 2007, the items may be discussed on May 10, 2007.

A copy of the agenda may be obtained by contacting Jacki McGorty, (561)682-2087, or https://my.sfwmd.gov/portal/page?_pageid=2574,13014318&_dad=portal&_schema=PORTAL. If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a hearing on Rules 40E-4.091, Publications, Rules and Interagency Agreements Incorporated by Reference, 40E-4.302, Additional Conditions for Issuance of Permits to which all persons are invited.

DATE AND TIME: May 10, 2007, 9:00 a.m.

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public hearing to adopt amendments to Rules 40E-4.091 and 40E-4.302, F.A.C., to incorporate the "Operating Agreement Concerning Regulation under Part IV, Chapter 373, F.S., between the South Florida Water Management District and the Department of Environmental Protection" with an effective date of July 1, 2007. This public hearing is a continuation from the public hearing on April 12, 2007.

A copy of the agenda may be obtained by contacting: Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov.

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 Clerk of the South Florida Water Management District at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jan Sluth, Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

Quarterly meeting of the Everglades Technical Oversight Committee (TOC)

DATE AND TIME: May 22, 2007, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained by contacting: (1) District Website <http://www.sfwmd.gov/org/ema/toc/draftagenda.html> or (2) by writing to: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the District Clerk's office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the District Clerk's office at (561)682-2087.

The **South Florida Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: June 5, 2007, 10:00 a.m. – 4:00 p.m.

PLACE: Westgate River Ranch Resort, in the Lodge, (SR 60, 30 miles west of YeeHaw Junction)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Identify key issues regarding public use on SFWMD owned lands on the Lower Kissimmee Chain of Lakes.

A copy of the agenda may be obtained by contacting <http://consensus.fsu.edu/FWC/kcl.html>, or by contacting: Florida Conflict Resolution Consortium, Florida State University, Shaw Bldg., Suite 132, 2031 E. Paul Dirac Dr., Tallahassee, FL 32310.

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 District Clerk's office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact District Clerk's office at (561)682-2087.

REGIONAL UTILITY AUTHORITIES

The **Peace River/Manasota Regional Water Supply Authority** announces the following Board of Directors meeting to which the public is invited.

DATE AND TIME: Wednesday, May 2, 2007, 9:30 a.m.

PLACE: Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will convene to conduct regular business of the Authority.

A copy of the agenda may be obtained by writing to: Peace River/Manasota Regional Water Supply Authority, 6311 Atrium Drive, Suite 100, Bradenton, Florida 34202.

Although Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based.

Persons with disabilities who need assistance may call (941)316-1776, at least two business days in advance to make appropriate arrangements.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, Advisory Council, announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 30, 2007, 8:00 a.m. – 10:00 a.m.

PLACE: Holiday Inn Capitol East, 1355 Apalachee Pkwy., Tallahassee, FL 32301, (850)877-3137, Fax: (850)942-9743, website: www.holidayinncapitoleast.com

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the initiatives that the advisory council and the department want to undertake.

A copy of the agenda may be obtained by contacting: W. John Matthews III, Department of Elder Affairs, 4040 Esplanade Way, Suite 315K, Tallahassee, FL 32399-7000, (850)414-2085, Suncom 994-2085, e-mail matthewsw@elderaffairs.org.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: W. John Matthews III, Department of Elder Affairs, 4040 Esplanade Way, Suite 315K, Tallahassee, FL 32399-7000, (850)414-2085, Suncom 994-2085, e-mail: williamsw@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: W. John Matthews III, Department of Elder Affairs, 4040 Esplanade Way, Suite 315K, Tallahassee, FL 32399-7000, (850)414-2085, Suncom 994-2085, e-mail: matthewsw@elderaffairs.org

The Florida **Department of Elder Affairs, Statewide Public Guardianship Office** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 8, 2007, 8:00 a.m. – 10:00 a.m.

PLACE: Callers within Tallahassee and outside Tallahassee: 1(888)808-6959; When prompted, enter Conference Code number 4142381 followed by #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be a general business meeting of the Foundation for Indigent Guardianship, Inc.

A copy of the agenda may be obtained by contacting Ms. Frankie D. Leland at (850)414-2381.

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 Ms. Frankie D. Leland at (850)414-2381. 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).

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 14, 2007, 10:00 a.m.

PLACE: Dial-in Number: 1(888)808-6959; Conference Code 487-0698, Leader Pin 9427

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Panel on Excellence in Long Term Care to review applications submitted by nursing homes for the Gold Seal and other matters as decided by the panel.

A copy of the agenda may be obtained by contacting: Barbara Dombrowski, 2727 Mahan Drive, MS 51, Tallahassee, FL 32308 or at (850)414-9707.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 18, 2007, 1:00 p.m. – 4:00 p.m.

PLACE: Dial-In Number: 1(877)328-7346, Conference ID# 6088603

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medicaid Reform Technical Advisory Panel Teleconference.

A copy of the agenda may be obtained by contacting Susan Dilmore at dilmores@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a public meeting to which all persons are invited.

DATE AND TIME: May 3, 2007, 10:00 a.m.

PLACE: The Capitol Building, Room 2103, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Council on Efficient Government Meeting.

A copy of the agenda may be obtained by contacting Amy Houston at (850)414-9200.

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 Amy Houston, (850)414-9200. 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 Management Services** announces a public meeting to which all persons are invited.

DATES AND TIME: May 9, 2007; May 23, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: 4050 Esplanade Way, Room 260K, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Florida State Employees' Charitable Campaign (FSECC) Steering Committee to review applications for participation in the 2007 Campaign.

A copy of the agenda may be obtained by contacting: Erin Thoresen, Department of Management Services, 4050 Esplanade Way, Suite 235, Tallahassee, Florida 32399-0950, (850)922-1274.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Division of Hotels and Restaurants** announces a meeting of the Hotels and Restaurants Advisory Council to which all persons are invited.

DATE AND TIME: May 14, 2007, 2:00 p.m. – 5:00 p.m.

PLACE: The Boardwalk Resort, Boardwalk Salon II, 2101 North Epcot Resorts Blvd., Lake Buena Vista, Florida 32830.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Routine meeting of the Hotels and Restaurants Advisory Council.

A copy of the agenda may be obtained by contacting: Marlita Peters, Division of Hotels and Restaurants, Hospitality Education Program, 1940 North Monroe Street, Tallahassee, Florida 32399-1014, (850)644-9349.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the meeting by contacting Marlita Peters, at (850)644-9349. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

The person to be contacted regarding the public meeting is: Marlita Peters, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Hospitality Education Program, 1940 North Monroe Street, Tallahassee, FL 32399-1014, (850)644-9349.

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees which all persons are invited.

DATE AND TIME: Wednesday, May 16, 2007, 8:30 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes 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 made.

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 Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

The **Florida Board of Professional Engineers** announces a public telephone conference call to which all persons are invited.

DATE AND TIME: Friday, May 25, 2007, 10:00 a.m.

PLACE: Conference Call Number: 1(866)895-8146, Passcode 5210500, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on recommendations from the Educational Advisory and Application Review Committees to approve or deny applications for licensure and any old or new business of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes 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 made.

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 Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

The Florida **Engineers Management Corporation** and the Florida **Board of Professional Engineers** announces a joint public meeting, to which all persons are invited.

DATES AND TIMES: Wednesday, June 20, 2007, 8:30 a.m.; Thursday, June 21, 2007, 8:30 a.m. (if business of the Board is not concluded)

PLACE: Hyatt Regency Tampa, Two Tampa City Center, 211 North Tampa Street, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss old and new business of the Corporation and Board.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes 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 made.

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 Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

The Florida **Board of Professional Engineers** announces the public meeting of the Legislative Committee.

DATE AND TIME: Tuesday, July 17, 2007, 1:00 p.m. – until conclusion of meeting

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes 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 made.

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 Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

The Florida **Board of Professional Engineers** announces a public meeting of the Educational Advisory and Application Review Committees which all persons are invited.

DATE AND TIME: Wednesday, July 18, 2007, 8:30 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for examination and/or licensure by endorsement and to review applications of foreign educated applicants.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes 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 made.

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 Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

The Florida **Board of Professional Engineers** announces a public telephone conference call to which all persons are invited.

DATE AND TIME: Friday, July 27, 2007, 10:00 a.m.

PLACE: Conference Call Number: 1(866)895-8146, Passcode 5210500, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on recommendations from the Educational Advisory and Application Review Committees to approve or deny applications for licensure and any old or new business of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes 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 made.

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 Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin at (850)521-0500.

The **Building Code Administrators and Inspectors Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 9, 2007, 10:00 a.m.

PLACE: Conference Call Number: (850)808-6959, Conference Code: 4148135

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting portions which are closed to the public.

A copy of the agenda may be obtained by contacting: Building Code Administrators and Inspectors Board, 1940 N. Monroe Street, Tallahassee, FL 32399.

The Probable Cause Panel of the **Florida Real Estate Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: Monday, May 14, 2007, 3:00 p.m., or the soonest thereafter. Portions of the probable cause proceedings are not open to the public.

PLACE: Stetson University College of Law, "Great Hall", 1401 – 61st Street, South, Gulfport, Florida 33707

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate at (407)245-0800 (between the hours of 8:30 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Commission** (FREC) announces a public meeting to which all persons are invited.

DATES and TIMES: Tuesday, May 15, 2007, 8:30 a.m.; Wednesday, May 16, 2007, 8:30 a.m.

PLACE: Stetson University College of Law, "Great Hall", 1401 – 61st Street, South, Gulfport, Florida 33707

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by writing to: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation at (407)245-0800, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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 meeting of the Orange Creek Basin Total Maximum Daily Load (TMDL) Working Group announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 3, 2007, 9:30 a.m.

PLACE: Gainesville Regional Utilities, 1st Floor, Conference Room, 301 S. E. 4th Avenue, Gainesville, Florida 32601

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Orange Creek Basin (OCB) TMDL Working Group was formed to provide a forum for stakeholders to discuss issues related to the OCB TMDLs, including development, allocation, and implementation of the TMDLs. Topics for this meeting include continued development of the Orange Creek Basin Management Action Plan and finalization of the list of water quality improvement projects that address TMDLs in the basin. A copy of the agenda may be obtained by contacting: Ms. Mary Paulic, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Planning and Coordination Section, MS 3565, Tallahassee, Florida 32399-2400 or by calling her at (850)245-8560.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Ms. Mary Paulic at (850)245-8560.

The **Suwannee River Wilderness Trail** announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2007, 10:00 a.m.

PLACE: Suwannee River Water Management District, 9225 County Rd. 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Springs on the Suwannee River.

A copy of the agenda may be obtained by contacting Amy Thompson at (800)868-9914 or amy.thompson@dep.state.fl.us.

For more information, you may contact Amy Thompson at 1(800)868-9914 or amy.thompson@dep.state.fl.us.

DEPARTMENT OF HEALTH

The Florida **Board of Medicine**, PCP South Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 11, 2007, 2:00 p.m.

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by contacting the Board of Medicine at (850)245-4131.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact the Board of Medicine at (850)245-4131.

The Florida **Board of Medicine** announces a meeting to which all persons are invited.

DATES AND TIME: Friday, June 1, 2007; Saturday, June 1, 2007, 8:00 a.m.

PLACE: Hilton Airport Westshore, 2225 North Lois Ave., Tampa, FL 33607, (813)877-6688

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by writing to: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is

to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, 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, June 1, 2007, immediately following the Board Meeting

PLACE: Hilton Airport Westshore, 2225 North Lois Ave., Tampa, FL 33607, (813)877-6688

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by writing to: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Probable Cause Panel (North), announces a telephone conference call to be held via meet me number.

DATE AND TIME: July 27, 2007, 3:00 p.m.

PLACE: Meet me Number: Contact Florida Board of Medicine at (850)245-4131 for the meet me number.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing to: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 32317-4229, (850)922-2414; 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The Florida **Board of Nursing**, North PCP announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 14, 2007, 5:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number 1(888)808-6959, Conference Code 2454640

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by writing: Rick García, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Florida **Board of Medicine**, Probable Cause Panel (North), announces a telephone conference call to be held via meet me number.

DATE AND TIME: June 22, 2007, 2:00 p.m.

PLACE: Meet me Number: Contact Florida Board of Medicine at (850)245-4131 for the meet me number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by writing to: Gaynetta Rosier, Regulation Specialist II, Agency for Health Care Administration, Medical Services, Palmer Building, P. O. Box 14229, Tallahassee, Florida 32317-4229.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Medical Litigation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Medical Litigation Section may be contacted at P. O. Box 14229, Tallahassee, Florida 32317-4229, (850)922-2414; 1(800)955-8771(TDD) or 1(800)955-8770 (Voice) via Florida Relay Service.

The Probable Cause Panel of the **Board of Osteopathic Medicine** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 17, 2007, 10:00 a.m. or soon thereafter

PLACE: Crowne Plaza, 1201 Riverplace Blvd., Jacksonville, FL 32207, (904)398-8800

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing to: Kathryn Price, Senior Attorney, Department of Health, Prosecution Services, 4052 Bald Cypress Way, #C-65, Tallahassee, FL 32399.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Practitioner Regulation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Practitioner Regulation Section may be contacted at: 4052 Bald Cypress Way, #C-65, Tallahassee, FL 32399, 1(800)955-8771 (TDD) or 1(800)955-8770 via Florida Relay Service.

The Florida **Board of Osteopathic Medicine** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, May 17, 2007, 4:00 p.m., or shortly thereafter; Friday, May 18, 2007, 9:00 a.m., or shortly thereafter; Saturday, May 19, 2007, 9:00 a.m., or shortly thereafter

PLACE: Crowne Plaza, 1201 Riverplace Blvd., Jacksonville, FL 32207, (904)398-8800

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board business.

A copy of any item on the agenda may be obtained by writing: Pamela King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee,

Florida 32399-3256, or you may call (850)488-0595. You will be charged seventeen cents per page for the number of copies desired.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Christy Robinson, (850)488-0595, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Christy Robinson using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Osteopathic Medicine** announces a hearing on Rule 64B15-19.009, Submission of Malpractice Record, to which all persons are invited.

DATE AND TIME: May 18, 2007, 9:00 a.m.

PLACE: Crowne Plaza, 1201 Riverplace Blvd., Jacksonville, FL 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Osteopathic Medicine hereby gives notice of a public hearing on the above-referenced rule.

A copy of the agenda may be obtained by contacting: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

The **Board of Speech-Language Pathology and Audiology** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 23, 2007, 9:00 a.m. or soon thereafter

PLACE: Marco Island Marriott, 400 South Collier Blvd., Marco Island, FL 34145, (239)642-2794

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by contacting: Board of 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 **Florida KidCare Coordinating Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 11, 2007, 1:00 p.m. – 4:00 p.m.

PLACE: Betty Easley Conference Center, Capital Circle Office Complex, Room 166, 4075 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida KidCare Coordinating Council, an advisory body appointed by the Secretary of the Florida Department of Health, to discuss Florida KidCare, the state children's health insurance program.

The Council is charged with making recommendations to the Department, the Governor and the Legislature, as well as other state government groups about possible changes and adjustments to the Florida KidCare Program which may result in recommendations for legislative action, state agency rule change, federal agency rule or policy change, or Congressional action.

A copy of the agenda may be obtained by contacting: Gail Vail, Department of Health, (850)245-4200, ext. 2238, Gail_Vail@doh.state.fl.us.

The **Governor-appointed Diabetes Advisory Council** announces a quarterly business meeting to which all interested persons are invited.

Quarterly business meeting

DATE AND TIME: May 9, 2007, 9:00 a.m. – 12:00 Noon

PLACE: Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues related to diabetes prevention and control in Florida.

If you would like to attend, have questions, or require further information, please contact Mrs. M.R. Street at (850)245-4444, ext. 2842.

The **Drug Wholesaler Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 17, 2007, 9:30 a.m.

PLACE: 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include Welcome/Introductions, Approval of Minutes from the February 22, 2007, Meeting; Old Business; New Business; Rule Development Update, Election of Chair and Vice Chair, and Open Discussion.

The agenda will be sent out electronically two weeks prior to meeting. It will also be placed on the website www.doh.state.fl.us/mqa/pharmacy.

For more information, you may contact the Board of Pharmacy and Drugs, Devices, and Cosmetics Program at (850)245-4292.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Heart of Florida Community Alliance of the **Department of Children and Family Services**, District 14, announces the following public meeting to which all persons are invited.

Meeting

DATE AND TIME: May 10, 2007, 2:00 p.m. – 4:00 p.m.

PLACE: United Way of Central Florida, Pines Board Room, 5605 U.S. Hwy. 98, South, Highland City, FL 33846

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Heart of Florida Community Alliance meeting.

For more information, please contact: Diane S. Dvorak, Community Relations, 4720 Old Hwy. 37, Lakeland, FL 33813, (863)619-4148.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Diane S. Dvorak, (863)619-4148, at least five days prior to the meeting. If you are hearing or speech-impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955 8770 (Voice) and 1(800)955 8771 (TDD).

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: May 8, 2007, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited. The purpose of the hearing is to conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing (a) to refund the \$30,020,000 Florida Housing Finance Corporation Multifamily Housing Revenue Bonds (Northbridge at Millenia) 2003 Series V-1, issued to finance the acquisition and construction of a multifamily residential rental development known as Northbridge at Millenia, a 396-unit multifamily residential rental development located at 4902 Millenia Blvd., Orlando, Orange County, FL 32839. The owner and operator of the development is Northbridge at Millenia Partners, Ltd., 1551 Sandspur Road, Maitland, FL 32751, or such successor in interest in which CED Capitol

Holdings XVI, Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The manager of the development is American Management Services East LLC d/b/a Pinnacle Realty Management Company, 501 South New York Avenue, Winter Park, FL 32789; and (b) to refund the \$16,500,000 Orange County Housing Finance Authority Multifamily Housing Revenue Bonds 2003 Series A (Northbridge at Millenia – Phase II), issued to finance the acquisition and construction of the multifamily residential rental development known as Northbridge on Millenia Lake II, a 211-unit multifamily residential rental development located at 4902 Millenia Blvd., Orlando, Orange County, FL 32839. The owner and operator of the development is Northbridge at Millenia Partners II, Ltd., 1551 Sandspur Road, Maitland, FL 32751, or such successor in interest in which CED Capitol Holdings XVI, Ltd., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The manager of the development is American Management Services East LLC d/b/a Pinnacle Realty Management Company, 501 South New York Avenue, Winter Park, FL 32789; and (c) to finance additional costs of the acquisition and construction of the multifamily residential rental developments described in clauses (a) and (b) above.

The proposed aggregate principal amount of refunding tax-exempt bonds to be issued is not to exceed \$46,520,000. The proposed aggregate principal amount of additional tax-exempt bonds to be issued is not to exceed \$2,180,000. Total aggregate principal amount of tax-exempt bonds to be issued shall not exceed \$48,700,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), May 7, 2007, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

A copy of the agenda may be obtained by contacting Wayne Conner, Deputy Development Officer, Florida Housing Finance Corporation at (850)488-4197.

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 Wayne Conner, Deputy Development Officer, Florida Housing Finance Corporation at (850)488-4197. If you

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

FISH AND WILDLIFE CONSERVATION COMMISSION

The **Florida Fish and Wildlife Conservation Commission** will hold a teleconference with its ad hoc Blue Crab Advisory Board to which all interested persons are invited.

DATE AND TIME: May 8, 2007, 3:00 p.m. – 5:00 p.m.

PLACE: FWC Berkeley Building, 2590 Executive Center Circle East, Suite 100R, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Blue Crab Effort Management Program and possible alternative management strategies for the blue crab fishery in the event that the fees and penalties associated with the Blue Crab Effort Management Program are not approved by the Florida Legislature.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542.

For further information, contact: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

The **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 2007, 6:00 p.m. – 8:00 p.m.

PLACE: South Miami Community Center, 5800 S. W. 66th St., Miami, Florida 33143

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct public workshops to gather public input regarding draft rule language developed by the Florida Fish and Wildlife Conservation Commission to aid commercial spiny lobster, stone crab, and blue crab fishers recover their traps following significant storm events.

A copy of the agenda may be obtained by contacting: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

NOTICE OF CORRECTION – The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 2007, 6:00 p.m. – 8:00 p.m.

PLACE: South Miami Community Center, 5800 S. W. 66th St., Miami, FL 33143

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to conduct public workshops to gather public input regarding draft rule language developed by the Florida Fish and Wildlife Conservation Commission that allows licensed trap fishers to designate people who would be allowed to recover and possess their traps when an emergency has been declared by the Governor of Florida and the Fish and Wildlife Conservation Commission following a storm event. Public input will also be gathered regarding draft rule language that would allow local, state, and federal employees to remove derelict traps or traps from areas closed to trapping during an open fishing season without prior FWC approval.

A copy of the agenda may be obtained by contacting: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

NOTICE OF CORRECTION – The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 16, 2007, 6:00 p.m. – 8:00 p.m.

PLACE: Harvey Government Center, 1200 Truman Avenue, Key West, FL 33040

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct public workshops to gather public input regarding draft rule language developed by the Florida Fish and Wildlife Conservation Commission that allows licensed trap fishers to designate people who would be allowed to recover and possess their traps when an emergency has been declared by the Governor of Florida and the Fish and Wildlife Conservation Commission following a storm event. Public input will also be gathered regarding draft rule language that would allow local, state, and federal employees to remove derelict traps or traps from areas closed to trapping during an open fishing season without prior FWC approval.

A copy of the agenda may be obtained by contacting: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

NOTICE OF CORRECTION – The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 16, 2007, 6:00 p.m. – 8:00 p.m.

PLACE: Key Largo School, Middle School Media Center, 104801 Overseas Hwy., Key Largo, FL 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct public workshops to gather public input regarding draft rule language developed by the Florida Fish and Wildlife Conservation Commission that allows licensed trap fishers to designate people who would be allowed to recover and possess their traps when an emergency has been declared by the Governor of Florida and the Fish and Wildlife Conservation Commission following a storm event. Public input will also be gathered regarding draft rule language that would allow local, state, and federal employees to remove derelict traps or traps from areas closed to trapping during an open fishing season without prior FWC approval.

A copy of the agenda may be obtained by contacting: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

NOTICE OF CORRECTION – The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 17, 2007, 6:00 p.m. – 8:00 p.m.

PLACE: Joseph P D’Alessandro Office Complex, 2295 Victoria Ave., Ft. Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct public workshops to gather public input regarding draft rule language developed by the Florida Fish and Wildlife Conservation Commission that allows licensed trap fishers to designate people who would be allowed to recover and possess their traps when an emergency has been declared by the Governor of Florida and the Fish and Wildlife Conservation Commission following a storm event. Public input will also be gathered regarding draft rule language that would allow local, state, and federal employees to remove derelict traps or traps from areas closed to trapping during an open fishing season without prior FWC approval.

A copy of the agenda may be obtained by contacting: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

NOTICE OF CORRECTION – The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 22, 2007, 6:00 p.m. – 8:00 p.m.

PLACE: City Hall Council Chambers, 123 N. W. Hwy. 19, Crystal River, FL 34428

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct public workshops to gather public input regarding draft rule language developed by the Florida Fish and Wildlife Conservation Commission that allows licensed trap fishers to designate people who would be allowed to recover and possess their traps when an emergency has been declared by the Governor of Florida and the Fish and Wildlife Conservation Commission following a storm event. Public input will also be gathered regarding draft rule language that would allow local, state, and federal employees to remove derelict traps or traps from areas closed to trapping during an open fishing season without prior FWC approval.

A copy of the agenda may be obtained by contacting: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

NOTICE OF CORRECTION – The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 23, 2007, 6:00 p.m. – 8:00 p.m.

PLACE: St. Marks Volunteer Fire Department, 32 Shell Island Road, St. Marks, FL 32355

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct public workshops to gather public input regarding draft rule language developed by the Florida Fish and Wildlife Conservation Commission that allows licensed trap fishers to designate people who would be allowed to recover and possess

their traps when an emergency has been declared by the Governor of Florida and the Fish and Wildlife Conservation Commission following a storm event. Public input will also be gathered regarding draft rule language that would allow local, state, and federal employees to remove derelict traps or traps from areas closed to trapping during an open fishing season without prior FWC approval.

A copy of the agenda may be obtained by contacting: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

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: Mark Robson, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission** announces a public hearing to which all persons are invited.

DATE AND TIME: May 15, 2007, 9:00 a.m. during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 69O-167.014, Florida Administrative Code, published on February 16, 2007 issue, Vol. 33, No. 7, of the F.A.W., No notice of change was published.

A copy of the agenda may be obtained by contacting the Governor and Cabinet Website at <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the contact person at least 5 calendar days before the program by contacting Michael Milnes, e-mail: Michael.Milnes@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-167.014 Alternative Methods to Handwritten Statements.

(1) The handwritten disclosures required by Section 627.712(2), F.S., and Section 627.701(4)(d)1., F.S., may be obtained by alternative methods from those persons or policyholders who have a disabling condition that prevents them from providing a handwritten statement. Any one or more of the following methods may be used:

(a) Obtaining through an authorized guardian or attorney-in-fact a handwritten statement in conformance with Section 627.712(2) or 627.701(4)(d)1., F.S. The insurer shall maintain on file all documentation necessary to verify that the guardian or attorney is so duly authorized to execute such handwritten statement; or

(b) Videotaping the reading of the disclosure to the policyholder and videotaping the policyholder's verbal acknowledgement that the policyholder understands the disclosure and elects not to purchase the coverage described in the disclosure. The insurer must maintain the videotape with the records of the policyholder.

Specific Authority 624.308(1), 627.701, 627.712 FS. Law Implemented 627.701, 627.712 FS. History—New

FLORIDA BIRTH RELATED NEUROLOGICAL INJURY COMPENSATION

The Finance Committee of the **Florida Birth-Related Neurological Injury Compensation Association**, Board of Directors announces a meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, May 8, 2007, 2:00 p.m. – 6:00 p.m.

PLACE: Hilton Garden Inn Central, 1330 S. Blair Stone Road, Tallahassee, FL 32301

For additional information, contact our office at (850)488-8191.

The Board of Directors of the **Florida Birth-Related Neurological Injury Compensation Association** announces a meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, May 9, 2007, 9:00 a.m. – 3:00 p.m.

PLACE: Hilton Garden Inn Central, 1330 S. Blair Stone Road, Tallahassee, FL 32301

For additional information, contact our office at (850)488-8191.

FLORIDA COMPREHENSIVE HEALTH ASSOCIATION

The **Florida Comprehensive Health Association** created pursuant to Section 627.6488, Florida Statutes, as amended, announces a public meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, May 9, 2007, 2:00 p.m.
PLACE: Department of Financial Services, 200 E. Gaines Street, Larson Building, Rm. 101B, Tallahassee, FL 32399
GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors' Meeting.

A copy of the proposed agenda may be obtained by writing to: Brenda DeYounks, Florida Comprehensive Health Association, 820 E. Park Avenue, D-200, Tallahassee, Florida 32301, (850)309-1200 or by facsimile (850)309-1222.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person will need a record of the proceedings, and for such purpose, they 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 CLERKS OF COURT OPERATIONS CORPORATION

The **Clerks of Court Operations Corporation** announces a telephonic business meeting to which all persons are invited to attend.

DATE AND TIME: Tuesday, May 15, 2007, 1:30 p.m.
GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of 07-08 Budget forms and instructions and other issues as needed.

Information regarding the meeting may be obtained by contacting John Dew, Florida CCOC at (850)386-2223 or by visiting the CCOC website at www.flccoc.org.

HINKLEY CENTER FOR SOLID AND HAZARDOUS WASTE MANAGEMENT

The **Hinkley Center for Solid and Hazardous Waste Management**, Advisory Board announces a meeting to which all interested persons are invited.

DATE AND TIME: May 17, 2007, 9:00 a.m. – 1:00 p.m.
PLACE: Orlando at the Residence Inn Sea World International Center.

Please visit www.hinkleycenter.org for more information, or call (352)392-6264.

FLORIDA COMMISSION ON TOURISM

The **Florida Commission on Tourism** announces a public meeting of the VISIT FLORIDA, Board of Directors and the Florida Commission on Tourism as follows:

Meeting: Visitor Services Committee
DATE AND TIME: Wednesday, June 13, 2007, 8:00 a.m. – 10:00 a.m.

PLACE: Biltmore Hotel, 120 Anastasia Avenue, Coral Gables, FL 33134, 1(800)727-1926

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will hear updates on the Florida Welcome Centers and other business as necessary.

Meeting: New Product Development Council
DATE AND TIME: Wednesday, June 13, 2007, 9:00 a.m. – 12:00 Noon

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will hear regional updates and other business as necessary.

Meeting: Finance Committee
DATE AND TIME: Wednesday, June 13, 2007, 10:00 a.m. – 11:45 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will review financial statements and other business as necessary.

Meeting: Partner Development Committee
DATE AND TIME: Wednesday, June 13, 2007, 1:00 p.m. – 3:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will discuss old business and strategies for recruiting new Partners.

Meeting: Marketing Steering Committee
DATE AND TIME: Wednesday, June 13, 2007, 3:00 p.m. – 5:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will discuss and review marketing strategies and other business as necessary.

Meeting: VISIT FLORIDA Board of Directors Meeting
DATE AND TIME: Thursday, June 14, 2007, 9:00 a.m. – until adjournment

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will discuss committee reports, on-going issues and other matters.

Meeting: Florida Commission on Tourism
DATE AND TIME: Thursday, June 14, 2007 – Upon adjournment of the Board of Directors meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will ratify actions of the Board of Directors and discuss other matters as necessary.

For further information contact: Susan Gale, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, or at (850)488-5607, ext. 334.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are

hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT Agency for Health Care Administration has issued an order disposing of the petition for declaratory statement filed by Morton Plant Hospital on January 17, 2007. The following is a summary of the agency's disposition of the petition:

MORTON PLANT Summary statement of the Agency's decision: On January 17, 2007 the Agency received a Petition for Declaratory Statement ("Petition") from Morton Plant Hospital Association, Inc., d/b/a/Morton Plant Hospital ("Morton Plant"). Morton Plant's Petition requests that the Agency issue a declaratory statement pursuant to Section 120.565, Fla. Stat. (2006), advising Morton Plant as to the applicability of paragraph 59A-3.066(2)(e), and subsections 59A-3.079(3), 59A-3.081(11), Florida Administrative Code, to Morton Plant's intended development of a freestanding emergency department at a location off the premises of Morton Plant Hospital. The Petition also asks "whether AHCA will add the proposed freestanding emergency department to Morton Plant's Class I Hospital license as an offsite outpatient facility upon Morton Plant's satisfaction of all applicable statutory and regulatory criteria" as set forth in the Petition. AHCA will add the proposed freestanding emergency department to Morton Plant's Class I Hospital license as an offsite outpatient facility upon Morton Plant's full and complete compliance to the Agency's satisfaction of all statutory and regulatory criteria as stated in the Petition, provided that Morton Plant is also in compliance with all other applicable Florida and federal statutes and regulations. This Agency Declaratory Statement concerns only the authority the Agency has as of its issuance. Furthermore, this Declaratory Statement is only intended to apply to this specific party, in these specific circumstances as related in the Petition.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting Isabelle Kalms by phone at (850)921-0114. Please refer all comments to: William Roberts, Office of General Counsel, 2727 Mahan Drive, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by The Conservancy and Sporting Society; Docket Number 2007008627 on February 12, 2007. The following is a summary of the agency's disposition of the petition:

The Division ordered that Conservancy Sporting Society plan is not subject to regulation as a timeshare plan under the exceptions provided in Sections 721.03(1) and 721.52(4), Florida Statutes (2006), because it is less than three years in duration and provides members with a notice no less than 30 days and no more than 60 days prior to the date of renewal informing the member of the right to terminate at any time prior to the date of automatic renewal.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Baytree Condominium Association, Inc.; Docket Number 2007009226 on February 14, 2007. The following is a summary of the agency's declination of the petition:

The Division has no jurisdiction or authority to issue a Declaratory Statement due to related litigation pending in the Nineteenth Judicial Circuit Court. Therefore, the Division has issued an Order Declining the Petition for Declaratory Statement.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on April 5, 2007, the Board of Psychology has received the petition for declaratory statement from Demara Bennett, Psy.D. The petition seeks the agency's opinion as to the applicability of Rule 64B19-18.004, Florida Administrative Code, as it applies to the petitioner.

The petition seeks the Board's interpretation of Rule 64B19-18.004, Florida Administrative Code, concerning the psychologist's signature for an evaluation, as outlined in the petition, which also contains other licensed professional signatures.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN THAT the Office of Insurance Regulation has issued an order disposing of the petition for declaratory statement filed by Debevoise & Plimpton, LLP, on behalf of Protective Life Insurance Company on January 19, 2007. The following is a summary of the agency's disposition of the petition:

The Petition for a Declaratory Statement was granted only with regard to the aspect of a funding agreement-backed securitization program which involves the ownership of a beneficial interest by an affiliate of Protective Life Insurance Company. The Office states that the ownership of a beneficial interest by an affiliate of Protective Life Insurance Company does not constitute the transaction of insurance within the meaning of Section 624.10, Florida Statutes, and the ownership of a beneficial interest by an affiliate of Protective Life Insurance Company does not constitute the sale of insurance within the meaning of Section 624.02, Florida Statutes. The Office does not make a declaration on the applicability of the Florida Insurance Code to funding agreement-backed securitization programs in general.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: General Counsel, Office of Insurance Regulation, Acting as Agency Clerk, 612 Larson Building, Tallahassee, Florida 32399-4206.

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 Applications for Available Funding
The Florida Department of Education, Division of Workforce Education announces the availability of instructions and forms for preparing project applications for funding under the Adult Education and Family Literacy Act of 1998, (Public Law 105-220). Follow the guidelines on each individual Request for Proposal (RFP) as due dates may vary, depending on final approval and web posting.

Through the competitive review process, eligible applicants are assured direct and equitable access to apply for funds.

For application instructions, forms, and funding opportunities conference information, please refer to the following website <http://www.firn.edu/doe/dwdgrants/grants.htm>. For hardcopies or formats for the disabled, call 1(800)342-9271. Remember to forward related questions to Mr. Ken Plummer via email at ken.plummer@fldoe.org

Notice of Bid/Request for Proposal

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida announces that continuing professional services are required for the following discipline: Civil Engineering, Tampa Campus with ability to include other campuses as required.

PROJECT DESCRIPTION

Projects included in the scope of this Agreement will be specific projects for renovations, alterations, new construction and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Continuing Service contracts for these projects provide that the consultant will be available on an as-needed basis for an initial contract period of one (1) year with an Owner's option to renew for one (1) additional year at a time up to a total of two (2) additional years.

This selection is based upon Civil Engineering services only. Other services (surveying, utility location, geotechnical and mechanical, electrical and structural) required for specific projects shall be provided as part of basic services through the selected Civil Engineer(s), if not in-house, on a consultant basis, based upon project need. Use of USF continuing service consultants by the selected Civil Engineer(s) shall be encouraged.

The consultant(s) receiving the award may not have an exclusive contract to perform services for these projects. The University may have additional continuing service professionals under contract during the same time period. Blanket professional liability insurance shall be required for the contract. Services required to be provided under the Continuing Services Contracts include the development of record drawings by the Continuing Service Consultant for projects designed by that consultant to reflect as-built conditions to facilitate the University's space management program.

INSTRUCTIONS

Firms desiring to provide professional services shall submit one (1) original submittal and five (5) bound copies consisting of the information as required in the "Submittal Requirements" of the Project Fact Sheet including a letter of interest, a completed "USF Professional Qualifications Supplement" dated April 2007, and any required or additional information within the proposal limits. Submittals must not exceed 40

pages, including the Professional Qualifications Supplement, letter of interest, attachments and additional information, but excluding cover sheets and divider pages (as long as such pages do not include any promotional material, such as proposal language, pictures of past projects, etc.) Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested information may not be considered. Submittals are part of the public record and no submittal material will be returned. Applications submitted in any other format may not be considered.

An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida. The plans and specifications for University of South Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

PROJECT SELECTION CRITERIA

Selection of finalists for interview will be made on the basis of professional qualifications, including, experience and ability, design ability, past performance, workload, volume of USF work (regardless of the contract entity at the University or funding source), and location.

As part of the University of South Florida's Strategic Plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. MBE participation information by the Civil Engineer for this contract shall be provided by the Civil Engineer in response to a request from the University's Supplier Diversity Manager's office.

The "USF Professional Qualifications Supplement dated April 2007" and Project Fact Sheet which includes project information may be obtained by contacting: Kathy Bennett, Contracts Administrator, University of South Florida, Facilities Planning and Construction, 4202 East Fowler Avenue,

FPC110, Tampa, Florida 33620-7550, phone (813)974-3098, (813)974-2625, Fax (813)974-3542, e-mail: kbennett@admin.usf.edu.

All interested firms are invited and encouraged to attend a Pre-Submittal Meeting to be held at 2:30 p.m. (Eastern Time), on Monday, May 14, 2007, at the University of South Florida, Tampa Campus, Facilities Planning and Construction, Conference Room 109, 4202 East Fowler Avenue, Tampa, Florida, to review the scope and requirements of this project. Requests for meetings by individual firms will not be granted. It shall be noted that no verbal communication shall take place between the applicants and the employees of the University of South Florida except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and the request for the PQS and Project Fact Sheet. Requests for any project information must be in writing to the above address. The Selection Committee reserves the right to waive any irregularities and may reject all proposals and stop the selection process at any time.

One (1) original and five (5) bound copies of the above requested proposal data, bound in the order listed, shall be addressed to: Joseph P. D'Azzo, R.A., Assistant Director, University of South Florida, Facilities Planning and Construction, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550. Applications that do not comply with the above instructions may be disqualified. Submittals must be received in the University of South Florida, Facilities Planning and Construction office, FPC110, by 2:00 p.m. (Eastern Time), on Tuesday, May 29, 2007. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered.

NOTICE TO ARCHITECTS AND CONSTRUCTION MANAGERS

The University of Central Florida on behalf of its Board of Trustees announces that Professional Services in the disciplines of architecture and construction management will be required for the project listed below:

Project No. UCF-517 Career Services and Experiential Learning Center

Project and Location: Career Services and Experiential Learning Center, University of Central Florida, Main Campus, Orlando, Florida 32816-3020.

The combined project cost will be approximately \$6,200,000 for planning, construction and furnishings/equipment. There will be two separate contracts for this project, one for the Architect (A/E) and one for the Construction Manager (CM).

The projects consist of the design and construction of a new facility. The space categories and square footage will be determined during the design process.

FORM OF PROPOSALS

It is the University's intention to have professionals in the disciplines of architecture and construction management to submit proposals separately one for architect and one for construction manager. Proposal reviews, selection and interviews will be conducted separately.

This facility will be in the early planning phase in the fiscal year 2007-08. The selected architect and construction manager will provide design, construction documents, and administration for the referenced project. Blanket professional liability insurance for the Architect/Engineer will be required for this project in the amount of \$500,000 and will be provided as a part of Basic Services.

Five (5) bound copies of the required proposal data shall be submitted to: Mrs. Gina Seabrook, 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), on May 31, 2007. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

The committee members have elected not to meet with proposed firms.

INSTRUCTIONS FOR ARCHITECT AND CONSTRUCTION MANAGEMENT

Architects and Construction Management firms desiring to apply for consideration must include a letter of application and should have attached:

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form.
2. A copy of the firms current Professional Registration Certificates from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.
3. The most recent version of the Florida Board of Education "Revised Construction Manager Qualifications Supplement" (CMQS) dated 02/02. Do not alter the CMQS form.

Applications that do not comply with all instructions may be disqualified. Application materials will not be returned.

Selection of finalist for interviews will be made on the basis of architect/engineer and construction manager qualifications separately, including experience and ability; past experience; bonding capacity; cost estimating; qualification of the firm's personnel, staff and consultants; and ability to include minority business enterprise participation. Finalists will be provided with a description of the final interview topics. The Selection Committee may reject all proposals and stop the selection process at any time.

The plans and specifications for Florida Board of Education projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Carefully review the Architect/Engineer, Construction Management Contract and General Condition's documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at www.fp.ucf.edu with the advertisement.

INSTRUCTIONS FOR CONSTRUCTION MANAGERS

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 their being placed on the convicted vendor list.

CONSTRUCTION MANAGEMENT CONTRACT

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be compensated. 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 Documents. 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. Failure to negotiate an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

PROJECT FACT SHEET

Project Fact Sheet contains the selection criteria which is the primary basis for determining the shortlist. The Project Fact Sheet, Professional Qualifications Supplement forms, Construction Manager Qualifications Supplement forms,

descriptive project information, and selection criteria may be obtained by contacting Ms. Gina Seabrook, University of Central Florida, (407)823-2166, Fax (407)823-5141, email: gseabroo@mail.ucf.edu, Web site: www.fp.ucf.edu

NOTICE TO PROFESSIONAL CONSULTANTS REQUEST FOR QUALIFICATIONS – RFQ# 07-27

The University Of North Florida Board Of Trustees, a public body corporate, announces that Professional Services in the engineering disciplines for Enhanced Building Commissioning will be required for the projects listed below:

Project and Location: University of North Florida Student Union Building, Jacksonville, FL.

The new 148,000 gross sq. ft. facility will include office, dining, conference, recreation, food service and bookstore spaces.

Project and Location: University of North Florida Education and Human Services Building, Jacksonville, FL. The new 97,000 gross sq. ft. facility will include office, conference and classroom spaces.

The scope of services for these projects shall include design phase peer review, development of the Commissioning Plan and Specifications, review of contractor submittals applicable to systems being commissioned, develop systems manual for commissioned systems, verification of training requirements, construction phase pre-functional, functional, and performance testing for HVAC, Lighting and Daylighting Controls, and Domestic Hot Water systems, and review of building operation within 10 months after substantial completion.

The University retains the right to award either a single or multiple projects to the most qualified firm(s). Firms shall be completely independent of the design and construction teams for these projects. Firms wishing to provide professional services can apply by letter.

Attach to each letter of application:

1. The most recent version of the Board of Governors "Professional Qualifications Supplement" completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.
3. Proposed staff, qualifications, and past project experience. Submit 6 copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned. Applications shall not exceed 80 pages.

The plans and specifications for projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplies, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Vendor shall have established equal opportunity practices which conform to all laws against discrimination and prohibits discrimination based on race, creed, color, sex, age, national origin, marital status or religion; neither Vendor nor any subcontractor or other person, firm or business entity with whom it would be engaged in a combined effort to perform the services has hired any person who is an officer or employee of UNF.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting:

Evelyn Jenkins, Assistant Director Purchasing
 University of North Florida
 4567 St. Johns Bluff Road, South
 Jacksonville, Florida 32224
 Email: e.jenkins@unf.edu
 Phone: (904)620-1732
 Fax: (904)620-2462

Submittals must be received in the Purchasing Office, Bldg. 6, University of North Florida, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224, by 2:00 p.m. (Local Time), on May 18, 2007. 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."

DEPARTMENT OF CORRECTIONS

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, FOR THE CONSTRUCTION OF:

PROJECT NO: EK – 11WW

PROJECT NAME AND LOCATION: Upgrade and Expansion to the Marion Correctional Institution WWTP located in Lowell, Florida.

FOR: STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 (one hundred thousand dollars) or less, a Performance Bond and a Labor and Material Payment Bond are not required.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

PREQUALIFICATION: Each bidder whose field is governed by Chapters 399, 489 and 633 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 if not previously qualified by the Department for the current biennium (July 1 through June 30) of odd numbered years, or you are unsure, please contact Ms. Sandra L. Rogers, (850)922-8855, for prequalification instructions. After the bid opening the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the rule requirements is included in the Instruction to Bidders under Article B-2 "Bidder Qualification Requirements and Procedures".

Sealed bids will be received, publicly opened, and read aloud on:

DATE AND TIME: Tuesday, May 29, 2007, 1:00 p.m. (EDT) (local time).

PLACE: Administration Building, Conference Room, Marion Correctional Institution, 3269 N. W. 105th Street, Lowell, Florida 32663-0158

Any person with a qualified disability requiring special accommodations at the pre-bid conference and/or bid/proposal opening shall contact the person listed below at least (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services, which can be reached at 1(800)955-8771 (TDD).

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT-ENGINEER: Spectra Engineering & Research, Inc., 345 S. Magnolia Dr., Suite E-25, Tallahassee, FL 32301, Attention: Peter Okonkwo, (850)656-9834 or Fax: (850)942-2717.

Drawings and specifications may be purchased for a Non-refundable price of \$125.00 per set from the Architect/Engineer. Bidder must pay postage/shipping. Partial sets may not be purchased.

A non-mandatory pre-bid conference will be held on Friday, May 11, 2007 at 1:00 p.m. (EDT) in the Administration Building, Conference Room, Marion Correctional Institution, 3269 N. W. 105th Street, Lowell, Florida 32663-0158. A brief walk-through of the work areas will be available as part of the pre-bid conference.

CONTRACT AWARD: Bid Tabulation and Notice of Award Recommendation will be sent to all bidders by Facsimile, Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, "Bid Protests, Points of Entry", the contract will be awarded by the Secretary, Department of Corrections. RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

NOTICE TO PROFESSIONAL CONSULTANTS
PROFESSIONAL ENGINEERING SERVICES
AE-26 – REGION I

The State of Florida, Department of Corrections, Bureau of Procurement and Supply, announces that Professional Services are required from Civil/Environmental Engineering firms for the project listed below. Applications from qualified firms are to be sent to the attention of Sandra Rogers, Bureau of Procurement and Supply, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, (850)922-8855. The selected firm may be required to perform its services on an accelerated schedule.

INSTRUCTIONS

Any firm desiring to provide professional services for this project shall apply for consideration with a letter of application, indicating within the body of the letter, your firm's specific abilities respective to the particular project's requirements, office location(s) from which the firm will be doing the work and attach current copies of the following:

1. A copy of the Department of Corrections' current "Professional Qualifications Supplement" (PQS) (dated September 2004) with current data. The PQS is posted as a related document for printing on the Vendor Bid System under this solicitation at the following website address: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.search.criteri_a_form.
2. A reproduction of the firm's current Florida State Board License with the appropriate board governing the discipline offered. If the firm is a corporation, it must be

properly chartered with the Department of State to operate in Florida. Include a copy of the charter and current certification that all fees and filings are current.

3. Attach a current copy of the SF 330 for the office(s) that will be performing the work. This form may be found at the following website address: <http://www.gsa.gov>
4. Evidence of professional liability insurance in the amount of at least \$1,000,000.
5. Describe scope of work to be assigned to any sub-consultant and include a SF330 for each subconsultant.
6. Names, specific qualifications and professional memberships of person(s) to be assigned to this project and their respective roles (do not include resumes).
7. Names, addresses, and phone numbers of at least five (5) other agencies for whom similar services have been performed within the last five (5) years and the date, project name, brief project description, firm's project manager and specific services provided in each case.
8. If desired by the firm, additional examples of similar projects completed by persons to be assigned to this project, references (none from current or former Department of Corrections personnel), and any other supporting information.

Submit one (1) original Letter of Interest, along with one (1) Original and four (4) copies of the required data. The required data shall be submitted in the order listed above. Faxed copies will not be accepted. Applications that do not comply with the instructions set forth above may be considered improper and be disqualified.

The plans and specifications developed by the firm awarded this project are subject to reuse in accordance with the requirements of Section 287.055, Florida Statutes, ("Consultants' Competitive Negotiation Act").

The awarded firm shall not knowingly engage in this project, on a full time, part time, or other basis during the period of this Contract, any current or former employee of the Department where such employment conflicts with Section 112.3185, Florida Statutes.

Respondents will be ranked by a Competitive Selection Committee based on the information received in response to this Request For Qualifications (RFQ). Interviews of all ranked respondents may or may not be required, at the direction of the Committee. If interviews are required they will be held during the week beginning June 18, 2007 and ending June 21, 2007. Under the authority delegated to the Secretary of the Department of Corrections by Section 287.055, Florida Statutes, sitting as the head of the Department of Corrections, Professional Services Contracts will be awarded to one firm following the recommendations of the Competitive Selection Committee and in accord with the statutory negotiation procedures. All firms responding to this RFQ will be notified by a single posting after approval of the Secretary through the

following website address: http://fcn.state.fl.us/owa_vbs_/owa/vbs_www.search.criteria_form. It is the firm's responsibility to check the website for updated information. The selected firm will be notified after approval by the Secretary and all applicants will receive copies of this information.

Response Date: May 29, 2007, by 4:00 p.m. (Eastern Daylight Time). Late submittals will not be opened or considered.

PROJECT: Provide Continuing Civil/Environmental Engineering services for projects in which basic construction cost, for each project, does not exceed \$1,000,000, or for a study activity when the fee for professional services does not exceed \$50,000.

CONTRACT TERM: Services are for projects authorized within a two (2) year period with an option to renew for one (1) additional two (2) year period.

EXPERIENCE: Candidate firms need to provide information regarding their experience and expertise in Civil/Environmental Engineering, along with their ability to provide services related to surveying, geotechnical and hydro-geological engineering, environmental assessment and cleanup activities, and petroleum storage tank issues.

PLACE: Most of the work will be related to working on prototype designs for projects in Region I, thus the Region I Office, 2015 West Unit Drive, Sneads, Florida 32460, is designated as the project site for purposes of the selection process.

**NOTICE TO PROFESSIONAL CONSULTANTS
FOR PROFESSIONAL ENGINEERING SERVICES
AE027 – REGION IV**

The State of Florida, Department of Corrections, Bureau of Procurement and Supply, announces that Professional Services are required from Civil/Environmental Engineering firms for the project listed below. Applications from qualified firms are to be sent to the attention of Sandra Rogers, Bureau of Procurement and Supply, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, (850)922-8855. The selected firm may be required to perform its services on an accelerated schedule.

INSTRUCTIONS

Any firm desiring to provide professional services for this project shall apply for consideration with a letter of application, indicating within the body of the letter, your firm's specific abilities respective to the particular project's requirements, office location(s) from which the firm will be doing the work and attach current copies of the following:

1. A copy of the Department of Corrections' current "Professional Qualifications Supplement" (PQS) (dated September 2004) with current data. The PQS is posted as a related document for printing on the Vendor Bid System under this solicitation at the following website address: http://fcn.state.fl.us/owa_vbs_/owa/vbs_www.search.criteria_form.

2. A reproduction of the firm's current Florida State Board License with the appropriate board governing the discipline offered. If the firm is a corporation, it must be properly chartered with the Department of State to operate in Florida. Include a copy of the charter and current certification that all fees and filings are current.
3. Attach a current copy of the SF330 for the office(s) that will be performing the work. This form may be found at the following website address: <http://www.gsa.gov>.
4. Evidence of professional liability insurance in the amount of at least \$1,000,000.
5. Describe scope of work to be assigned to any sub-consultant and include a SF330 for each subconsultant.
6. Names, specific qualifications and professional memberships of person(s) to be assigned to this project and their respective roles (do not include resumes).
7. Names, addresses, and phone numbers of at least five (5) other agencies for whom similar services have been performed within the last five (5) years and the date, project name, brief project description, firm's project manager and specific services provided in each case.
8. If desired by the firm, additional examples of similar projects completed by persons to be assigned to this project, references, (none from Department of Corrections current or former personnel) and any other supporting information.

Submit one original Letter of Interest with one (1) Original and four (4) copies of the required data. The required data shall be submitted in the order listed above. Faxed copies will not be accepted. Applications that do not comply with the instructions set forth above may be considered improper and be disqualified. The plans and specifications developed by the firm awarded this project are subject to reuse in accordance with the requirements of Section 287.055, Florida Statutes, ("Consultants' Competitive Negotiation Act").

The awarded firm shall not knowingly engage in this project, on a full time, part time, or other basis during the period of this Contract, any current or former employee of the Department where such employment conflicts with Section 112.3185, Florida Statutes.

Respondents will be ranked by a Competitive Selection Committee based on the information received in response to this Request For Qualifications (RFQ). Interviews of all ranked respondents may or may not be required, at the direction of the Committee. If interviews are required they will be held during the week beginning June 25, 2007 and ending June 29, 2007. Under the authority delegated to the Secretary of the Department of Corrections by Section 287.055, Florida Statutes sitting as the head of the Department of Corrections, Professional Services Contracts will be awarded to one firm following the recommendations of the Competitive Selection Committee and in accord with the statutory negotiation

procedures. All firms responding to this RFQ will be notified by a single posting after approval of the Secretary through the following website address: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.search.criteria_form. It is the firm's responsibility to check the website for updated information.

Response Date: May 31, 2007 by 4:00 p.m. (Eastern Daylight Time). Late submittals will not be opened or considered.

PROJECT: Provide Continuing Civil/Environmental Engineering services for projects in which basic construction cost, for each project, does not exceed \$1,000,000, or for a study activity when the fee for professional services does not exceed \$50,000.

CONTRACT TERM: Services are for projects authorized within a two (2) year period with an option to renew for one (1) additional two (2) year period.

EXPERIENCE: Candidate firms need to provide information regarding their experience and expertise in Civil/Environmental Engineering, along with their ability to provide services related to surveying, geotechnical and hydro-geological engineering, environmental assessment and cleanup activities, and petroleum storage tank issues.

PLACE: Most of the work will be related to working on prototype designs for projects in Region IV, thus the Region IV Office located at 20421 Sheridan Street in Fort Lauderdale, Florida 33332-2300, is designated as the project site for purposes of the selection process.

WATER MANAGEMENT DISTRICTS

NOTICE OF REQUEST FOR PROPOSALS WATER QUALITY ANALYSIS NO. 06/07-040WR

The Suwannee River Water Management District (DISTRICT) is requesting proposals from firms or companies (Referred to as Contractor or Proposer) to provide laboratory services for inorganic water quality analysis for District sampling projects. The District will be performing sampling at selected sites throughout the District and will need these samples analyzed. This project is a continuation of the District's ongoing ambient surface and ground water quality monitoring network. The types of nutrient, mineral, and metals to be analyzed are included in Section 6 of the Request for Proposal.

The document outlines the scope of services and all general and specific conditions associated with that scope. All proposals submitted to perform the requested services must be prepared in accordance with the RFP document.

Any work proposed by the District as part of this Request for Proposal (RFP) is subject to District Governing Board approval and funding.

A copy of this RFP is available at <ftp://ftp.srwm.d.state.fl.us/pub/water-quality-RFPs/chemistry-lab/> or requests for the RFP 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 1(800)226-1066 (Florida only)

A mandatory pre-proposal teleconference will be held at the District headquarters on May 24, 2007, at 10:00 a.m. All questions concerning the RFP must be emailed to Debbie Davidson at dad@srwm.d.org or faxed to her at (386)362-1056, no later than 4:00 p.m., on June 8, 2007. To receive responses to questions sent to the District, and to receive instructions on the mandatory pre-proposal teleconference, a Contractor Registration Form must be emailed or faxed to the District no later than May 17, 2007, at 4:00 p.m. Responses to the questions will be emailed on June 15, 2007, no later than 5:00 p.m., to individuals as outlined in the RFP.

The proposals are due at SRWMD headquarters in Live Oak prior to 4:00 p.m., June 22, 2007.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF INVITATION TO BID BID NO. BDC 46-06/07

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:
PROJECT NAME: Tom's Harbor Channel Historic Bridge Fishing Platforms

SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials required to successfully complete all work associated with the construction of 6 fishing platforms

PARK LOCATION: Florida Keys Overseas Heritage Trail (MM 60.5)

PROJECT MANAGER: J. Randy Smith, Office of Greenways and Trails, Telephone Number: (850)245-2052, Fax Number: (850)245-2082.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapters 399, 489 and 633, Florida Statutes, for licensure or certification must submit prequalification data of their eligibility prior to the bid closing date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on April 18, 2007 at: Office of Greenways and Trails, Florida Keys Overseas Heritage Trail, 3 Lacroix Court, Key Largo, Florida 33037, Attention: Debra Stucki, Telephone Number: (305)853-3571, Fax Number: (305)853-3574.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Mike Renard with the Bureau of Design and Construction at (850)488-5372, at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 3:30 p.m., Tuesday, May 29, 2007, to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309. The Department reserves the right to reject any or all bids. Michael Renard, Contracts Manager, Bureau of Design and Construction at (850)488-5372.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Notice of Bid/Request for Proposal
INVITATION TO BID

Proposals are requested from qualified Roofing Contractors by the State of Florida, Department of Children and Family Services, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF-06235520
PROJECT: RE-ROOF BUILDINGS 12 & 13
 NORTHEAST FLORIDA STATE
 HOSPITAL
 MACCLENNY, FLORIDA

PREQUALIFICATION: The Owner accepts bids from those firms who demonstrate current licensure with the Florida Department of Business and Professional Regulation, as a General or Roofing Contractor, and who comply with the pre-qualification requirements as stated in the project specifications.

BONDING REQUIREMENTS: See Section B-11 for bid guarantee requirements. See Section C-5 for performance and payment bond requirements.

BID DATE AND TIME: Sealed bids will be received at the Engineering Office, Northeast Florida State Hospital, 7487 S.R. 121 South, Macclenny, Florida 32063 on MAY 31, 2007 until 2:00 p.m. (Local Time), at which time they will be publicly opened and read aloud.

PRE-BID MEETING: No pre-bid meeting will be held for this rebidding. An inspection of the on-site conditions can be arranged by contacting Zander Brantley, (904)259-6211, ext. 1166.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the Drawings and the General and Technical Specifications, which may be examined and obtained for \$50.00 from the Architect:

SKINNER VIGNOLA McLEAN, INC.
 1628 N. W. 6th Street
 Gainesville, Florida 32609
 Telephone: (352)378-4400
 Fax: (352)377-5378

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted within two business days, at the location where the bids were opened. In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be duly notified. If no protest is filed per Section B-21 of the Instructions to Bidders, "Notice and Protest Procedures," the Owner will award a contract to the qualified, responsive low bidder in accordance with established departmental contracting procedures (CFOP 70-7).

**NOTICE TO ROOFING CONTRACTORS
 INVITATION TO BID**

Proposals are requested from qualified general, mechanical or roofing contractors by the Department of Children and Family Services, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF 07260900
PROJECT: A/C UNIT REPLACEMENT &
 ROOF REPAIR
 BELLE GLADE SERVICE CENTER
 BELLE GLADE, FLORIDA

PREQUALIFICATION: The Owner accepts bids from those contractors who demonstrate current licensed status with the Department of Business and Professional Regulations. The Instructions to Bidders "Bidder Qualification Requirements and Procedures" are included in the specifications under Article B-2.

PERFORMANCE BOND AND LABOR AND MATERIAL BOND: A performance bond and labor and material payment bond are required.

DATE AND TIME: Sealed bids will be received at the architect's office on May 18, 2007 until 2:00 p.m. (Local Time), at which time they will be publicly opened and read aloud.

PRE-BID INSPECTION: We will conduct a pre-bid inspection with the architect at the project site on Thursday, May 10, 2007, at 12:30 p.m. (Local Time), for all interested contractors.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, and with a copy of the contractor's license. The contract documents may be examined and obtained from the Architect/Engineer:

THE RUSSELL PARTNERSHIP, INC.

5818 S. W. 68 Street

Miami, FL 33143

Telephone: (305)663-7301

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted by 5:00 p.m. (Local Time), on May 21, 2007, at the architect's office. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by Certified United States mail, Return Receipt requested. Any protests of the bid must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in Section 120.57, Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes." If no protest is filed per Section B-21 of the Instructions to Bidders, "Notice and Protest Procedures", the contract will be awarded to the qualified, responsive low bidder by the Owner.

EARLY LEARNING COALITION OF PUTNAM AND ST. JOHNS COUNTIES

Notice of Bid/Request for Proposal

Request for Qualifications for External Auditing

Request for Qualifications #2007-01 for external auditing.

The Early Learning Coalition of Putnam and St. Johns Counties, Inc. is requesting qualifications for external auditing. The potential auditing firm will be responsible for providing a high level of service for a reasonable cost to the Coalition. The intent of the RFQ is to select an independent auditing firm to provide basic auditing services for the Coalition's total annual budget of approximately \$13 million. The Request for Qualifications released April 25, 2007 may be obtained at www.sunkidz.net, requested by e-mail: tajarodixon@bell-south.net or requested by phone (386)328-8225. The deadline for receipt of written questions is May 9, 2007. The deadline for receipt of proposals (no exceptions) is May 18, 2007 by

5:00 p.m. (Eastern Standard Time). Official notice of award will be mailed to all proposers. For more information contact Tajaro Dixon at (386)328-8225.

NASSAU COUNTY SCHOOL BOARD

NOTICE OF INTENT TO BID

Sealed bids will be received by the Food Service Director of the School Board of Nassau County Florida, at 1201 Atlantic Avenue, Food Service Office, Fernandina Beach, FL 32034 up until 2:00 p.m., May 10, 2007, at which time and place bids received will be tabulated for furnishing the following for the period of July 1, 2007 through June 30, 2008.

The estimated dollar value of Milk & Juice Bid, Bid #2007-01 is \$350,000.00 annually.

The estimated dollar value of Bread & Bakery Bid, Bid #2007-02 is \$45,000.00 annually.

The estimated dollar value of Ice Cream & Frozen Juice Bar Products Bid, Bid #2007-03 is \$50,000.00 annually.

This will include delivery to 16 schools.

Only vendors who request a bid package in person, in writing, or by fax will receive the complete bid package. Call (904)491-9924 or Fax (904)277-9033.

FLORIDA ASSOCIATION OF COURT CLERKS

Notice of Bid/Request for Proposal

REQUEST FOR QUOTE

Sealed responses to the following project shall be received by the FACC Services Group, LLC prior to 4:00 p.m., on June 13, 2007, 3544 Maclay Blvd., Tallahassee, FL 32312. At said time, date and place, responses will be accepted for consideration for the project listed below:

PROJECT TITLE:

REQUEST FOR QUOTE

DATA ARCHIVING AND RECOVERY SERVICES

FOR THE

FACC SERVICES GROUP, LLC

This Request for Quote (RFQ) is for FACC Services Group, LLC (FACCSG) to seek new computing capabilities for high volume data archiving and recovery services.

Enclosed is a Request for Quote (RFQ) soliciting responses to our need for high volume data archiving and recovery services in accordance with the guidelines and requirements provided herein.

Firms desiring to respond to the above noted project are required to submit a completed "Notification of Intent to Bid Form" by May 4, 2007. This form, along with technical details and proposal requirements, are contained in documents that may be obtained from the FACC Services Group, LLC website

at www.flclerks.com. If you have further questions or need further assistance, please call Melvin Cox at (850)921-0808 between the hours of 8:30 a.m. and 5:00 p.m.

Section XII Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

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 Hitong Motors Corp., intends to allow the establishment of Beachside Scooter & Cycle World, Inc., as a dealership for the sale of motorcycles manufactured by Cixi Kingring Motorcycle Co. Ltd. (KING) at 323 North 2nd Street, Flagler Beach (Flagler County), Florida 32136, on or after April 16, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Beachside Scooter & Cycle World, Inc. are dealer operator(s): Dennis Jones, 323 North 2nd Street, Flagler Beach, Florida 32136; principal investor(s): Dennis Jones, 323 North 2nd Street, Flagler Beach, Florida 32136.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Hong Wang, President, Hitong Motors Corp., 16507 Northwest 8 Avenue, Miami, Florida 33169.

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 Boss Hoss Cycles, Inc., intends to allow the establishment of Big Boys Toys Florida, LLC, as a dealership for the sale of Boss Hoss motorcycles (BOSS) at 1312 Thomas Drive, Panama City (Bay County), Florida 32408, on or after May 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Big Boys Toys Florida, LLC are dealer operator(s): Rap Peavy, 1312 Thomas Drive, Panama City, Florida 32408; principal investor(s): Rap Peavy, 1312 Thomas Drive, Panama City, Florida 32408.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Rad Hunsley, COO, Boss Hoss Cycles, Inc., 790 South Main Street, Dyersburg, Tennessee 38024.

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), Cobra Scooters, LLC, intends to allow the establishment of DK Cycle, Inc. d/b/a Beach Scooters, as a dealership for the sale of motorcycles manufactured by Taiwan Golden Bee Co. Ltd. (TAIW) at 1333 Washington Avenue, Miami Beach, Miami (Dade County), Florida 33139, on or after April 9, 2007.

The name and address of the dealer operator(s) and principal investor(s) of DK Cycle, Inc. d/b/a Beach Scooters are dealer operator(s): Kiko Sitbon, 1333 Washington Avenue,

Miami Beach, Florida 33139; principal investor(s): Kiko Sitbon, 1333 Washington Avenue, Miami Beach, Miami, Florida 33139.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Robert P. Bates, Vice President of Operations, Cobra Scooters, LLC, 3939 Royal Drive Northwest, Suite 139, Kennesaw, Georgia 30144.

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 Goldenvale, Inc., intends to allow the establishment of D.P. & Company, as a dealership for the sale of Roketa motorcycles (RKTA) at 7743 State Road 471, Bushnell (Sumter County), Florida 33513, on or after April 9, 2007.

The name and address of the dealer operator(s) and principal investor(s) of D.P. & Company are dealer operator(s): Dave Eddy, 7743 State Road 471, Bushnell, Florida 33513; principal investor(s): Dave Eddy, 7743 State Road 471, Bushnell, Florida 33513.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be

submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Julia Law, Account Executive, Goldenvale, Inc., 2041 South Turner Avenue, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Goldenvale, Inc., intends to allow the establishment of Discount Scooter, Inc., as a dealership for the sale of Roketa motorcycles (RKTA) at 5908 North Armenia Avenue, Tampa (Hillsborough County), Florida 33603-1002, on or after March 28, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Discount Scooter, Inc. are dealer operator(s): Brooke S. Gentile, 5908 North Armenia Avenue, Tampa, Florida 33603; principal investor(s): Brooke S. Gentile, 5908 North Armenia Avenue, Tampa, Florida 33603.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lily Wong, Account Executive, Goldenvale, Inc., 2041 South Turner Avenue, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Piaggio Group Americas, Inc., intends to allow the establishment of Douglas Power Sports of Sarasota, Inc., as a dealership for the sale of Moto Guzzi motorcycles (MOGU) at 6501 North Washington Boulevard, Sarasota (Sarasota County), Florida 34243, on or after April 10, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Douglas Power Sports of Sarasota, Inc. are dealer operator(s): Greg Douglas, 6051 North Washington Boulevard, Sarasota, Florida 34243; principal investor(s): Greg Douglas, 6051 North Washington Boulevard, Sarasota, Florida 34243.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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), Goldenvale, Inc., intends to allow the establishment of Joel Ilesanmi African Art, Inc. d/b/a Sanmi Auto Express, as a dealership for the sale of Roketa motorcycles (RKTA) at 8612-A North 40th Street, Tampa (Hillsborough County), Florida 33604, on or after April 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Joel Ilesanmi African Art, Inc. d/b/a Sanmi Auto Express are dealer operator(s): Joel Ilesanmi,

8612-A North 40th Street, Tampa, Florida 33604; principal investor(s): Joel Ilesanmi, 8612-A North 40th Street, Tampa, Florida 33604.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Shi, Account Executive, Goldenvale, Inc., 2041 South Turner Avenue, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Goldenvale, Inc., intends to allow the establishment of Nordan Enterprizes, LLC, as a dealership for the sale of Roketa motorcycles (RKTA) at 11461 South Orange Blossom Trail, Suite #3, Orlando (Orange County), Florida 32837, on or after April 16, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Nordan Enterprizes, LLC are dealer operator(s): Daniel Apointe, 14005 Abaco Isle Drive, Orlando, Florida 32824; principal investor(s): Daniel Apointe, 14005 Abaco Isle Drive, Orlando, Florida 32824.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Wayne McWilliams, Account Executive, Goldenvale, Inc., 2041 South Turner Avenue, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Goldenvale, Inc., intends to allow the establishment of Xtreme Vision Powersports, LLC, as a dealership for the sale of Roketa motorcycles (RKTA) at 37732 Martin Luther Kings Boulevard, Dade City (Pasco County), Florida 33523, on or after April 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Xtreme Vision Powersports, LLC are dealer operator(s): Sean Arnett, 37732 Martin Luther Kings Boulevard, Dade City, Florida 33523; principal investor(s): Sean Arnett, 37732 Martin Luther Kings Boulevard, Dade City, Florida 33523.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Shi, Account Executive, Goldenvale, Inc., 2041 South Turner Avenue, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**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 Pari-Mutuel Wagering, Department of Business and Professional Regulation, filed a Final Order Approving Relocation of Permit on March 21, 2007. The Final Order was in response to the Petition for Relocation of Pari-Mutuel Permit Pursuant to Section 550.0555, Florida Statutes, filed on December 8, 2006, by Daytona Beach Kennel Club, Inc., Petitioner, in DBPR Case No. 2007006866. The Final Order approves Daytona Beach Kennel Club, Inc.'s application to relocate its permit from its current facility at 2201 West International Speedway Boulevard, Daytona Beach, to a new facility to be constructed at 960 South Williamson Boulevard, Daytona Beach, FL.

A copy of the Final Order Approving Relocation of Permit may be obtained by writing to: Agency Clerk, Department of Business and Professional Regulation, 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."

The Department of Environmental Protection will accept Fiscal Year 2007-2008 grant applications for the Land and Water Conservation Program (LWCF) as follows:

APPLICATION SUBMISSION PERIOD: June 1, 2007 (applications will be available April 18, 2007)

Applications must be postmarked before or on the last date of the program application period.

ELIGIBLE APPLICANTS: All county governments and incorporated municipalities of the State of Florida and other legally constituted local governmental entities with the legal responsibility for the provision of outdoor recreational sites and facilities for the use and benefit of the public.

MAXIMUM GRANT REQUEST: The maximum grant request may not exceed \$200,000.00. An applicant's requested grant funds may be revised by the Department due to the availability of program funds. Available program funds for Fiscal Year 2006-2008 are estimated at 1.2 million.

APPLICATION INFORMATION: FRDAP application packets may be obtained from the Department of Environmental Protection, Division of Recreation and Parks, Office of Information and Recreation Services, Mail Station #585, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; (850)245-2501, Suncom: 205-2501, Fax: (850)245-3038, Fax Suncom: 205-3038, Email: Leylani.Velez@dep.state.fl.us Website: <http://www.dep.state.fl.us/parks/oirs>

PROGRAM DESCRIPTION: LWCF is a competitive grant program which provides financial assistance to local governmental entities for development or acquisition of land for public outdoor recreational purposes.

Pursuant to the Americans With Disabilities Act, any person requiring special accommodations to participate in this meeting/workshop/hearing is asked to advise the agency at least 5 days before the meeting/workshop/hearing by calling the Bureau of Personnel Services at (850)245-2511, or by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice) via the Florida Relay Service.

The Department of Environmental Protection (Department) gives notice of its intent to issue a variance (File No. 0095520-007-EV, OGC No. 07-0550) to Mosaic Fertilizer, L.L.C., Post Office Box 2000, Mulberry, Florida 33860-1100, under Sections 373.414(17) and 403.201(1)(a), Florida Statutes (F.S.), from the provisions of Rule 62-302.530, Florida Administrative Code (F.A.C.), which provides minimum standards for dissolved oxygen levels in surface waters. This variance will apply to dissolved oxygen levels in the hypolimnion (the deepest layer) in the reclaimed pit impoundments proposed in the Conceptual Reclamation Plan (MOS-WC-CPD) and Wetland Resource/Environmental Resource Permit modification no. 0095520-006.

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Florida Department of Environmental Protection, Bureau of Mine Reclamation, 2051 East Dirac Drive, Tallahassee, Florida 32310-3760, (850)488-8217.

On November 15, 2004, Mosaic Fertilizer, L.L.C. applied for a conceptual reclamation plan modification (MOS-WC-CPD) for the Wingate Creek Mine. On August 5, 2005, a Wetland Resource/Environmental Resource permit modification (application No. 0095520-006) was received. The post reclamation plan proposed for the application area includes two (2) pit impoundments totaling approximately 193.8 acres to be created in areas previously mined for phosphate. On February 2, 2007, Mosaic Fertilizer, L.L.C.

submitted a petition for a variance, under Sections 373.414(17) and 403.201(1)(a), Florida Statutes (F.S.), from the provisions of subsection 62-302.530(31), F.A.C., which provides minimum standards for dissolved oxygen levels in surface waters.

The dissolved oxygen levels in the hypolimnion of the pit impoundments are expected to drop below the mandatory minimum of 5.0 mg/l at times. Stratification and the associated reduction of dissolved oxygen in the hypolimnion are natural phenomena in deep-water bodies, especially during warmer parts of the year. This condition is well documented in the limnological literature and recognized in Section 373.414(6)(a), F.S., which states, "The Legislature recognizes that some mining activities that may occur in waters of the state must leave a deep pit as part of the reclamation. Such deep pits may not meet the established water quality standard for dissolved oxygen below the surficial layers. Where such mining activities otherwise meet the permitting criteria contained in this section, such activities may be eligible for a variance from the established water quality standard for dissolved oxygen within the lower layers of the reclaimed pit."

The low dissolved oxygen levels in the hypolimnion of the pit impoundments are not expected to result in any on-site or off-site impacts. Oxygen levels in the upper layers of the pit impoundments are expected to meet the requirements of Rule 62-302.530, F.A.C., and be adequate to support healthy fish populations. Existing pit impoundments on lands previously mined for phosphate support healthy populations of fish. Several reclaimed pit impoundments are currently being managed by the Florida Fish and Wildlife Conservation Commission to provide the public recreational fishing opportunities. Once reclamation is completed, the pit impoundments will be connected to reclaimed and/or preserved wetlands and streams. Water exiting these pit impoundments is expected to meet the requirements for dissolved oxygen and other water quality criteria of Rule 62-302.530, F.A.C. The water will exit from the upper surface of the pit impoundments and will flow through shallow conveyances that will provide further aeration.

There is no practicable means known or available to achieve the required dissolved oxygen levels within the hypolimnion in the reclaimed pit impoundments. Therefore, the Department intends to issue a variance pursuant to Section 403.201(1)(a), F.S., for dissolved oxygen within the hypolimnion in the reclaimed pit impoundments.

Wingate Creek Mine is located in Manatee County, Sections 19, 20, 21, 28, 29, 30 and 31, Township 34 South, Range 22 East and Sections 1 and 6, Township 35 South, Range 22 East. Wetlands and waters of the state proposed to be impacted are associated with Johnson Creek and Wingate Creek, a tributary to the Myakka River, all Class III waters, designated to support the recreation, propagation and

maintenance of a healthy, well-balanced population of fish and wildlife. Additionally, the mine is upstream of the Beker Tract, a designated Outstanding Florida Water.

Under this intent to issue, this variance is hereby granted subject to the applicant's compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with Section 50.051, Florida Statutes. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, Florida Statutes as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to issue automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the variance will be issued as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the variance has been executed and delivered. Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under subsection 62-110.106(4), Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have

the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

In accordance with Section 373.414(17) and 403.201, F.S., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), Florida Statutes, must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, Florida Administrative Code. Under Sections 120.569(2)(c) and (d),

Florida Statutes, a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to issue a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with: the Clerk, Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTICE

The Department of Environmental Protection has determined that Jasper's proposed project for the construction of wastewater facilities improvements will not have a significant adverse affect on the environment. The total project cost is estimated at \$325,000. The project is expected to qualify for a Small Community Wastewater Grant composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Jim Plexico, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8367.

Florida State Clearing House

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comment deadlines and the address for providing comments are available at: <http://appprod.dep.state.fl.us/clearinghouse/>

For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On April 13, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Patricia Mathieu, R.N., license number RN 9251627. 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 April 13, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Mary Theresa McKay, R.N., license number RN 3194672. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8), and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

DIVISION OF TREASURY

BUREAU OF COLLATERAL MANAGEMENT

PUBLIC DEPOSITS SECTION

FOR PUBLIC DEPOSITORS TO RECEIVE THE PROTECTION FROM LOSS PROVIDED IN CHAPTER 280, FLORIDA STATUTES, THEY SHALL COMPLY WITH THE FOLLOWING ON EACH PUBLIC DEPOSIT ACCOUNT IN ADDITION TO ANY OTHER REQUIREMENTS SPECIFIED IN CHAPTER 280: (1) EXECUTE THE PUBLIC DEPOSIT IDENTIFICATION AND ACKNOWLEDGMENT FORM DFS-J1-1295 WITH THE QUALIFIED PUBLIC DEPOSITORY (QPD), MAINTAIN IT AS A VALUABLE RECORD, AND CONFIRM THE ACCOUNT ANNUALLY; (2) EXECUTE A REPLACEMENT FORM DFS-J1-1295 WHEN THERE IS A MERGER, ACQUISITION, NAME CHANGE, OR OTHER EVENT WHICH CHANGES THE ACCOUNT NAME, ACCOUNT NUMBER, OR NAME OF THE QPD.

THE FOLLOWING QPDS ARE AUTHORIZED TO HOLD PUBLIC DEPOSITS. THEY ARE LISTED UNDER THE STATE OF HOME OFFICE LOCATION. INSTITUTIONS MARKED WITH AN ASTERISK HAVE LIMITED THE AMOUNT OF PUBLIC DEPOSITS THEY WILL ADMINISTER AND ARE NOT ACCEPTING NEW PUBLIC DEPOSIT ACCOUNTS. DEPOSITORIES HAVING A DATE BESIDE THEIR NAME ARE IN THE PROCESS OF WITHDRAWING FROM THE PROGRAM AND SHALL NOT RECEIVE OR RETAIN PUBLIC DEPOSITS AFTER THE DATE SHOWN. THEY MAY, HOWEVER, HAVE CERTAIN OBLIGATIONS TO THE PROGRAM AFTER THAT DATE WITH WHICH THEY MUST COMPLY BEFORE CONCLUDING THE WITHDRAWAL PROCESS.

ALABAMA

ATMORE

UNITED BANK

BIRMINGHAM

COMPASS BANK
REGIONS BANK
SUPERIOR BANK

MONTGOMERY

COLONIAL BANK, N.A.

FLORIDA

APALACHICOLA

COASTAL COMMUNITY BANK

ARCADIA

FIRST STATE BANK OF ARCADIA

AVENTURA

TURNBERRY BANK

BARTOW

CITRUS & CHEMICAL BANK
COMMUNITY NATIONAL BANK AT BARTOW

BELLE GLADE

BANK OF BELLE GLADE

BOCA RATON

FIRST SOUTHERN BANK
FIRST UNITED BANK
PARADISE BANK
SUN AMERICAN BANK

BONIFAY

BANK OF BONIFAY

BRADENTON

COAST BANK OF FLORIDA
FIRST AMERICA BANK
FLAGSHIP NATIONAL BANK

BRANDON

PLATINUM BANK

BROOKSVILLE

HERNANDO COUNTY BANK

CAPE CORAL

RIVERSIDE BANK OF THE GULF COAST

CARRABELLE

GULF STATE COMMUNITY BANK

CASSELBERRY

R-G CROWN BANK

CHIEFLAND

DRUMMOND COMMUNITY BANK

CLEWISTON

FIRST BANK OF CLEWISTON
OLDE CYPRESS COMMUNITY BANK

COCOA BEACH

SUNRISE BANK

CORAL GABLES

BANKUNITED, F.S.B.
COMMERCEBANK, N.A.
GIBRALTAR PRIVATE BANK & TRUST COMPANY
INTERNATIONAL BANK OF MIAMI, N.A.

CRAWFORDVILLE

WAKULLA BANK

CRESTVIEW

FIRST NATIONAL BANK OF CRESTVIEW

CRYSTAL RIVER

CRYSTAL RIVER BANK

DADE CITY

FIRST NATIONAL BANK OF PASCO

DANIA BEACH

COMMUNITY BANK OF BROWARD

DAVIE

REGENT BANK

DUNNELLON

DUNNELLON STATE BANK

ENGLEWOOD

ENGLEWOOD BANK
PENINSULA BANK

FERNANDINA BEACH

FIRST COAST COMMUNITY BANK
FIRST NATIONAL BANK OF NASSAU COUNTY

FORT LAUDERDALE

BANKATLANTIC
EQUITABLE BANK
LANDMARK BANK, N.A.

FORT MYERS

EDISON NATIONAL BANK
FLORIDA GULF BANK
IRONSTONE BANK

FORT PIERCE

RIVERSIDE NATIONAL BANK OF FLORIDA

FORT WALTON BEACH

BEACH COMMUNITY BANK
FIRST CITY BANK OF FLORIDA
FIRST NATIONAL BANK & TRUST

FROSTPROOF

CITIZENS BANK & TRUST

GAINESVILLE

FLORIDA CITIZENS BANK
MERCHANTS & SOUTHERN BANK
MILLENNIUM BANK

GRACEVILLE

BANK OF JACKSON COUNTY
PEOPLES BANK OF GRACEVILLE

HALLANDALE

DESJARDINS BANK, N.A.

HOMESTEAD

COMMUNITY BANK OF FLORIDA
FIRST NATIONAL BANK OF SOUTH FLORIDA

HOMOSASSA

HOMOSASSA SPRINGS BANK

IMMOKALEE

FLORIDA COMMUNITY BANK

INDIANTOWN

FIRST BANK AND TRUST COMPANY OF INDIANTOWN

INVERNESS

BANK OF INVERNESS

JACKSONVILLE

CNLBANK, FIRST COAST
EVERBANK

JACKSONVILLE BEACH

OCEANSIDE BANK

KEY LARGO

TIB BANK

KEY WEST

FIRST STATE BANK OF THE FLORIDA KEYS

KISSIMMEE

CENTERSTATE BANK CENTRAL FLORIDA, N.A.

LAKE CITY

COLUMBIA BANK
PEOPLES STATE BANK

LAKELAND

COMMUNITY SOUTHERN BANK

LANTANA

STERLING BANK

LEESBURG

CENTERSTATE BANK MID FLORIDA

LIVE OAK

FIRST FEDERAL SAVINGS BANK OF FLORIDA

LONGWOOD

*ORLANDO NATIONAL BANK

MADISON

MADISON COUNTY COMMUNITY BANK

MARATHON

MARINE BANK

MARIANNA

FIRST CAPITAL BANK

MAYO

LAFAYETTE STATE BANK

MIAMI

BAC FLORIDA BANK
CITY NATIONAL BANK OF FLORIDA
COCONUT GROVE BANK
COMMERCIAL BANK OF FLORIDA
CONTINENTAL NATIONAL BANK OF MIAMI
EAGLE NATIONAL BANK OF MIAMI
EASTERN NATIONAL BANK
ESPIRITO SANTO BANK
EXECUTIVE NATIONAL BANK
GREAT FLORIDA BANK
INTERAMERICAN BANK, F.S.B.
MELLON UNITED NATIONAL BANK
METRO BANK OF DADE COUNTY
NORTHERN TRUST, N.A.
OCEAN BANK
SUNSTATE BANK
TOTALBANK
TRANSATLANTIC BANK
U.S. CENTURY BANK

MILTON

FIRST NATIONAL BANK OF FLORIDA

MONTICELLO

FARMERS & MERCHANTS BANK

MOUNT DORA

FIRST NATIONAL BANK OF MOUNT DORA
FLORIDA CHOICE BANK

NAPLES

BANK OF NAPLES
COMMUNITY BANK OF NAPLES, N.A.
ORION BANK
PARTNERS BANK

NEW SMYRNA BEACH

FRIENDS BANK

NICEVILLE

PEOPLES NATIONAL BANK

NORTH LAUDERDALE

SECURITY BANK, N.A.

NORTH PALM BEACH

ENTERPRISE NATIONAL BANK OF PALM BEACH

OAKLAND PARK

AMERICAN NATIONAL BANK

OCALA

ALARION BANK
COMMUNITY BANK & TRUST OF FLORIDA
INDEPENDENT NATIONAL BANK

ORANGE PARK

HERITAGE BANK OF NORTH FLORIDA

ORLANDO

CNLBANK
MERCANTILE BANK
ORANGE BANK OF FLORIDA
UNITED HERITAGE BANK

ORMOND BEACH

CYPRESSCOQUINA BANK

OVIEDO

CITIZENS BANK OF FLORIDA

PALATKA

FIRST FEDERAL BANK OF NORTH FLORIDA
PUTNAM STATE BANK

PANAMA CITY

BAY BANK & TRUST COMPANY
FIRST NATIONAL BANK NORTHWEST FLORIDA
PEOPLES FIRST COMMUNITY BANK
VISION BANK

PENSACOLA

BANK OF PENSACOLA
BANK OF THE SOUTH
FIRST GULF BANK, N.A.
GULF COAST COMMUNITY BANK

PERRY

CITIZENS BANK OF PERRY

PINELLAS PARK

FIRST COMMUNITY BANK OF AMERICA

PORT CHARLOTTE

BUSEY BANK, N.A.

PORT RICHEY

REPUBLIC BANK

PORT ST. JOE

BAYSIDE SAVINGS BANK

PORT ST. LUCIE

FIRST PEOPLES BANK

ST. AUGUSTINE

BANK OF ST. AUGUSTINE
PROSPERITY BANK

ST. CLOUD

PUBLIC BANK

ST. PETERSBURG

SYNOVUS BANK OF TAMPA BAY

SANTA ROSA BEACH

BANKTRUST

SARASOTA

PEOPLE'S COMMUNITY BANK OF THE WEST COAST

SEBRING

HEARTLAND NATIONAL BANK
HIGHLANDS INDEPENDENT BANK

SOUTH MIAMI

FIRST NATIONAL BANK OF SOUTH MIAMI

STARKE

COMMUNITY STATE BANK

STUART

GULFSTREAM BUSINESS BANK
SEACOAST NATIONAL BANK

TALLAHASSEE

CAPITAL CITY BANK
HANCOCK BANK OF FLORIDA
PREMIER BANK
TALLAHASSEE STATE BANK
THE BANK OF TALLAHASSEE

TAMPA

AMERICAN MOMENTUM BANK
BANK OF ST. PETERSBURG
FIRST CITRUS BANK

THE VILLAGES

CITIZENS FIRST BANK

TRINITY

PATRIOT BANK

UMATILLA

UNITED SOUTHERN BANK

VALPARAISO

VANGUARD BANK & TRUST COMPANY

VENICE

COMMUNITY NATIONAL BANK OF SARASOTA
COUNTY
THE BANK OF VENICE

VERO BEACH

CITRUS BANK, N.A.
INDIAN RIVER NATIONAL BANK

WAUCHULA

FIRST NATIONAL BANK OF WAUCHULA
WAUCHULA STATE BANK

WEST PALM BEACH

FLAGLER BANK
GRAND BANK & TRUST OF FLORIDA

WILLISTON

PERKINS STATE BANK

WINTER HAVEN

CENTERSTATE BANK OF FLORIDA, N.A.

WINTER PARK

BANKFIRST
RIVERSIDE BANK OF CENTRAL FLORIDA

ZEPHYRHILLS

CENTERSTATE BANK WEST FLORIDA, N.A.

GEORGIA

ALBANY

HERITAGEBANK OF THE SOUTH

ATLANTA

SUNTRUST BANK

COLQUITT

PEOPLESOUTH BANK

DARIEN
SOUTHEASTERN BANK

MOULTRIE
AMERIS BANK

LOUISIANA

NEW ORLEANS
WHITNEY NATIONAL BANK

MASSACHUSETTS

BOSTON
ONEUNITED BANK

MICHIGAN

GRAND RAPIDS
FIFTH THIRD BANK

MISSISSIPPI

JACKSON
TRUSTMARK NATIONAL BANK

TUPELO
BANCORPSOUTH BANK

NEVADA

LAS VEGAS
CITIBANK, N.A.

NEW YORK

NEW YORK CITY
BANCO POPULAR NORTH AMERICA
INTERVEST NATIONAL BANK

NORTH CAROLINA

CHARLOTTE
BANK OF AMERICA, N.A.
WACHOVIA BANK, N.A.

ROCKY MOUNT
RBC CENTURA BANK

WINSTON-SALEM
BRANCH BANKING & TRUST COMPANY

OHIO

CLEVELAND
NATIONAL CITY BANK

WILMINGTON
LIBERTY SAVINGS BANK, F.S.B.

PENNSYLVANIA

PHILADELPHIA
COMMERCE BANK, N.A.

TEXAS

HOUSTON
ENCORE BANK

WISCONSIN

MILWAUKEE
M&I MARSHALL & ILSLEY BANK

THE FOLLOWING IS A LIST OF INSTITUTIONS THAT
HAD A CHANGE SINCE THE LAST PUBLICATION OF
THIS REPORT.

AMERICAN BANKING COMPANY
MOULTRIE, GEORGIA
AMERICAN BANKING COMPANY HAS CHANGED ITS
NAME TO AMERIS BANK.

FIDELITY FEDERAL BANK & TRUST
WEST PALM BEACH
FIDELITY FEDERAL BANK & TRUST (WEST PALM
BEACH) A QUALIFIED PUBLIC DEPOSITORY (QPD),
WAS ACQUIRED BY NATIONAL CITY BANK
(CLEVELAND, OHIO) ON APRIL 14, 2007. NATIONAL
CITY BANK IS A NEW QPD AS A RESULT OF ITS
ACQUISITION/MERGER OF HARBOR FEDERAL
SAVINGS BANK ON MARCH 17, 2007 (SEE BELOW).
NATIONAL CITY BANK HAS NOW COMPLETED THE
PROPER PAPERWORK TO REMAIN AS A QPD IN THE
FLORIDA PUBLIC DEPOSITS PROGRAM.

HARBOR FEDERAL SAVINGS BANK

FORT PIERCE

HARBOR FEDERAL SAVINGS BANK (FORT PIERCE) A QUALIFIED PUBLIC DEPOSITORY (QPD), WAS ACQUIRED BY NATIONAL CITY BANK (CLEVELAND, OHIO), A NON-QPD, ON MARCH 17, 2007. NATIONAL CITY BANK AUTOMATICALLY BECAME A QPD FOR 90 DAYS AND HAS COMPLETED THE PROPER PAPERWORK TO REMAIN AS A QPD IN THE FLORIDA PUBLIC DEPOSITS PROGRAM.

INDEPENDENT COMMUNITY BANK

TEQUESTA

INDEPENDENT COMMUNITY BANK (TEQUESTA), A QUALIFIED PUBLIC DEPOSITORY (QPD), WAS ACQUIRED BY SUN AMERICAN BANK (BOCA RATON), A NON-QPD, EFFECTIVE MARCH 30, 2007. SUN AMERICAN BANK AUTOMATICALLY BECAME A QPD FOR 90 DAYS AND HAS CHOSEN TO COMPLETE THE PROPER PAPERWORK TO REMAIN AS A QPD IN THE FLORIDA PUBLIC DEPOSITS PROGRAM.

SIGNATURE BANK

ST. PETERSBURG

SIGNATURE BANK (ST. PETERSBURG) WAS MERGED WITH AND INTO WHITNEY NATIONAL BANK (NEW ORLEANS, LOUISIANA) AS OF THE CLOSE OF BUSINESS MARCH 2, 2007.

SOFISA BANK OF FLORIDA

MIAMI

SOFISA BANK OF FLORIDA HAS CHANGED ITS NAME TO SUNSTATE BANK.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institution, has received the following applications. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, Division of Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., May 18, 2007):

APPLICATION FOR AN INTERNATIONAL REPRESENTATIVE OFFICE

Application and Location: Bank of Scotland, Edinburgh, United Kingdom

Proposed Florida Location: Miami, Florida

Received: April 11, 2007

APPLICATION FOR A NEW FINANCIAL INSTITUTION

Applicant and Proposed Location: Jefferson Bank of Florida, 3711 Tampa Road, Oldsmar, Pinellas County, Florida 34677

Correspondent: A. George Iglar, Esquire and Richard L. Pearlman, Esquire, 2457 Care Drive, Tallahassee, Florida 32308

Received: April 16, 2007

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN April 9, 2007
 and April 13, 2007

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

9B-70.001	4/10/07	4/30/07	33/2	
9B-70.002	4/10/07	4/30/07	33/2	33/8

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Board of Accountancy

61H1-31.001	4/9/07	4/29/07	33/10	
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-304.425	4/11/07	5/1/07	33/7	
62-304.625	4/11/07	5/1/07	33/7	
62-304.725	4/11/07	5/1/07	33/7	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Division of Recreation and Parks

62D-2.014	4/10/07	4/30/07	33/5	
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DEPARTMENT OF HEALTH
Board of Dentistry

64B5-15.020	4/10/07	4/30/07	33/10	
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Board of Massage

64B7-28.009	4/11/07	5/1/07	33/9	
64B7-30.004	4/11/07	5/1/07	33/9	

Board of Pharmacy

64B16-27.850	4/12/07	5/2/07	33/10	
64B16-27.851	4/12/07	5/2/07	33/10	

Board of Speech-Language Pathology and Audiology

64B20-6.002	4/11/07	5/1/07	33/10	
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