

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-43.001
RULE TITLE: Regulation of Overhanging Encroachments

PURPOSE AND EFFECT: A revised application form is being incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: Rule 14-43.001, F.A.C., is being amended to incorporate by reference a revised application form.

SPECIFIC AUTHORITY: 334.044(2), 337.407 FS.

LAW IMPLEMENTED: 337.406, 337.407, 479.01, 479.16, 768.28 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-43.001 Regulation of Overhanging Encroachments.

(1) through (5) No change.

(6) Applications for an overhanging encroachment must be made in writing to the appropriate District Maintenance Office.

(a) Applications for overhanging signs and canopies shall include:

1. The name and address of the applicant.

2. A drawing of the sign or canopy, drawn to scale, including any message, logo, or emblem.

3. A sketch of the specific location of the sign or canopy, including height, location of supports, proximity to utility poles, and the identification of the state highway where the sign or canopy will be located.

4. Sketches or specific descriptions of the method to be used to affix the sign or canopy to the support structure(s).

5. Proof of compliance with any applicable local governmental regulations.

(b) Applications for banners shall be made no later than 30 days and no earlier than 365 days prior to the requested installation date. The application shall be on Application to

Place Banners on Non Limited Access Right of Way, DOT Form 575-070-18, Rev. ~~05/08~~ ~~03/05~~, incorporated herein by reference. Copies of DOT Form 575-070-18 are available from the State Maintenance Engineer or any District Maintenance Engineer. The application shall include:

1. through (8) No change.

Specific Authority 334.044(2), 337.407 FS. Law Implemented 337.406, 337.407, 479.01, 479.16, 768.28 FS. History—Amended 3-21-64, 5-9-70, 7-9-75, Formerly 14-43.01, Amended 8-3-99, 8-2-01, 5-30-05,_____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

UNDOCKETED

RULE NOS.:	RULE TITLES:
25-30.455	Staff Assistance in Rate Cases
25-30.456	Staff Assistance in Alternative Rate Setting
25-30.457	Limited Alternative Rate Increase

PURPOSE AND EFFECT: To change the necessary requirements to receive staff assistance in rate cases for water and wastewater utilities.

SUBJECT AREA TO BE ADDRESSED: Staff assistance in rate cases for water and wastewater companies.

SPECIFIC AUTHORITY: 350.127(2), 367.121, 371.0814 FS.

LAW IMPLEMENTED: 350.123, 367.0814, 367.121, 367.145(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Beth Shankle-Anderson, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-30.455 Staff Assistance in Rate Cases.

(1) Water and wastewater utilities whose total gross annual operating revenues are ~~\$250,000~~ ~~\$150,000~~ or less for water service or ~~\$250,000~~ ~~\$150,000~~ or less for wastewater service, or ~~\$500,000~~ ~~\$300,000~~ or less on a combined basis, may petition the Commission for staff assistance in rate applications by submitting a completed staff assisted rate case application. In

accordance with Section 367.0814(4), F.S., a utility that requests staff assistance waives its right to protest by agreeing to accept the final rates and charges approved by the Commission unless the final rates and charges would produce less revenue than the existing rates and charges. If a utility that chooses to utilize the staff assistance option employs outside experts to assist in developing information for staff or to assist in evaluating staff's schedules and conclusions, the reasonable and prudent expense will be recoverable through the rates developed by staff. A utility that chooses not to exercise the option of staff assistance may file for a rate increase under the provisions of Rule 25-30.443, F.A.C.

(2) through (14) No change.

Specific Authority 367.121, 371.0814 FS. Law Implemented 367.0814 FS. History--New 12-8-80, Formerly 25-10.180, Amended 11-10-86, 8-26-91, 11-30-93, 1-31-00,_____.

25-30.456 Staff Assistance in Alternative Rate Setting.

(1) As an alternative to a staff assisted rate case as described in Rule 25-30.455, F.A.C., water and wastewater utilities whose total gross annual operating revenues are ~~\$250,000~~ ~~\$150,000~~ or less for water service or ~~\$250,000~~ ~~\$150,000~~ or less for wastewater service, or ~~\$500,000~~ ~~\$300,000~~ or less on a combined basis, may petition the Commission for staff assistance in alternative rate setting by submitting a completed staff assisted application for alternative rate setting.

(2) through (19) No change.

Specific Authority 367.0814, 367.121 FS. Law Implemented 367.0814 FS. History--New 11-30-93, Amended 1-31-00,_____.

25-30.457 Limited Alternative Rate Increase.

(1) As an alternative to a staff assisted rate case as described in Rules 25-30.455 and 25-30.456, F.A.C., water utilities whose total gross annual operating revenues are ~~\$250,000~~ ~~\$150,000~~ or less for water service and wastewater utilities whose total gross annual operating revenues are ~~\$250,000~~ ~~\$150,000~~ or less for wastewater service may petition the Commission for a limited alternative rate increase of up to 20 percent applied to metered or flat recurring rates of all classes of service by submitting a completed application that includes the information required by subsections (8) and (9). In accordance with Section 367.0814(6), F.S., a utility that requests staff assistance waives its right to protest by agreeing to accept the final rates and charges approved by the Commission unless the final rates and charges would produce less revenue than the existing rates and charges. The original and two copies of the application shall be filed with the Office of Commission Clerk.

(2) through (18) No change.

Specific Authority 350.127(2), 367.0814, 367.121(1)(a) FS. Law Implemented 350.123, 367.0814, 367.121, 367.145(2) FS. History--New 3-15-05, Amended_____.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.:	RULE TITLES:
40C-4.021	Definitions
40C-4.091	Publications Incorporated by Reference

PURPOSE AND EFFECT: The St. Johns River Water Management District (District) proposes to amend the definition of listed species in its rules governing the issuance of environmental resource permits (ERP) to update the rule and statutory references concerning listed wildlife and plant species, and to specifically reference the bald eagle, which is protected under a federal statute known as the Bald and Golden Eagle Protection Act. Under the District's existing rules, the bald eagle is included in the definition of listed species by reference to a previous Florida Fish and Wildlife Conservation Commission (FWC) rule identifying threatened species; however, the FWC has recently amended its rules such that the bald eagle is no longer classified as a threatened species by the FWC. Specifically, the District proposes to amend the definition of listed species in subsection 40C-4.021(20), F.A.C., and in Section 2.0 Applicant's Handbook: Management and Storage of Surface Waters. Table 12.2.7-1 in the Applicant's Handbook would also be amended to include the bald eagle under a new category (other) and remove it from the category of threatened species. If these amendments are adopted, the protections afforded by the District's rules to wildlife species that are now classified as endangered, threatened or species of special concern would continue to be afforded the bald eagle which is no longer classified by FWC as a threatened species, effective May 15, 2008.

SUBJECT AREA TO BE ADDRESSED: The proposed rules amend the definition of listed species in subsection 40C-4.021(20), F.A.C., and in Section 2.0 Applicant's Handbook: Management and Storage of Surface Waters and update rule references in Section 12.2.7. of the Applicant's Handbook. The proposed rules would remove the bald eagle from the category of threatened species in Table 12.2.7.-1 of the Applicant's Handbook and include it under a new category. SPECIFIC AUTHORITY: 373.044, 373.113, 373.414, 373.418 FS.

LAW IMPLEMENTED: 373.016(2), 373.413, 373.414, 373.416, 373.418, 373.426 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: Sandy Bertram, Assistant District Clerk,

(386)329-4127. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4459, email nmesser@sjrwm.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-4.021 Definitions.

When appearing in this chapter or in Chapter 40C-40, 40C-41, 40C-42, 40C-44, or 40C-400, F.A.C., the following words shall mean:

(1) through (19) No change.

(20) "Listed species" means those animal species which are endangered, threatened or of special concern and are listed in Rules 68A-27.003 (as amended December 13, 2003), 68A-27.004 (as amended May 15, 2008), and 68A-27.005 (as amended November 8, 2007) ~~39-7.003, 39-27.004, and 39-27.005~~, F.A.C.; the bald eagle (*Haliaeetus leucocephalus*), which is protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d); and those plant species listed in 50 Code of Federal Regulation 17.12 (as amended April 8, 2004), when such plants are found to be located in a wetland or other surface water.

(21) through (32) No change.

Specific Authority 373.044, 373.113, 373.414, 373.418 FS. Law Implemented 373.019, 373.403, 373.413, 373.414, 373.416, 373.418, 373.426, 403.813(2) FS. History—New 1-31-77, Formerly 16I-4.02, 40C-4.02. Amended 2-3-81, 12-7-83, Formerly 40C-4.021, 40C-4.021, Amended 9-25-91, 2-27-94, 10-3-95, 10-11-01,_____.

40C-4.091 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference:

(a) Part I "Policy and Procedures," Part II "Criteria for Evaluation," subsections 18.0, 18.1, 18.2, and 18.3 of Part III and Appendix K "Legal Description Upper St. Johns River Hydrologic Basin," "Legal Description Ocklawaha River Hydrologic Basin," "Legal Description of the Wekiva River Hydrologic Basin," "Legal Description of the Wekiva Recharge Protection Basin," "Legal Description of the Wekiva Recharge Protection Basin," "Legal Description of the Econlockhatchee River Hydrologic Basin," "Legal Description of the Sensitive Karst Areas Basin, Alachua County," "Legal Description Tomoka River Hydrologic Basin," "Legal Description Spruce Creek Hydrologic Basin," "Legal Description of the Sensitive Karst Areas Basin, Marion County," and "Legal Description of the Lake Apopka Hydrologic Basin," and Appendix M "Regional Watersheds for

Mitigation Banking," of the document entitled "Applicant's Handbook: Management and Storage of Surface Waters," effective May 13, 2008.

(b) through (d) No change.

(2) No change.

Specific Authority 369.318, 373.044, 373.046(4), 373.113, 373.4136, 373.414, 373.415, 373.416, 373.418, 373.421, 373.461 FS. Law Implemented 120.60, 369.316, 369.318, 373.016(2), 373.042, 373.046, 373.085, 373.086, 373.103, 373.109, 373.146(1), 373.406, 373.413, 373.4135, 373.4136, 373.414, 373.4141, 373.415, 373.416, 373.417, 373.418, 373.421(2)-(6), 373.423, 373.426, 373.461(3), 380.06(9), 403.813(2) FS. History—New 12-7-83, Amended 10-14-84, Formerly 40C-4.091, Amended 5-17-87, Formerly 40C-4.0091, Amended 8-20-87, 10-1-87, 10-11-87, 11-26-87, 8-30-88, 1-1-89, 8-1-89, 10-19-89, 4-3-91, 9-25-91, 11-12-91, 3-1-92, 7-14-92, 9-8-92, 9-16-92, 11-12-92, 11-30-92, 1-6-93, 1-23-94, 2-27-94, 11-22-94, 10-3-95, 8-20-96, 11-25-98, 12-3-98, 1-7-99, 1-11-99, 8-21-00, 7-8-01, 10-11-01, 4-10-02, 9-26-02, 3-7-03, 11-11-03, 2-1-05, 12-3-06, 7-1-07, 5-13-08, _____.

APPLICANT'S HANDBOOK SECTIONS

2.0 Definitions

The following definitions are used by the District to clarify its intent in implementing its permitting programs pursuant to part IV, Chapter 373, F.S. Many of these definitions are derived directly from chapter 373, F.S., and are reproduced here for the convenience of applicants.

(a) through (p) No change.

(q) Endangered Species – Those animal species which are listed in Rule 68A-27.003 (as amended December 13, 2003) ~~39-27.003~~, F.A.C., and those plant species which are listed as endangered in 50 Code of Federal Regulations 17.12 (as amended April 8, 2004).

(r) through (bb) No change.

(cc) "Listed species" – Those animal species which are endangered, threatened or of special concern and are listed in Rules 68A-27.003 (as amended December 13, 2003), 68A-27.004 (as amended May 15, 2008), and 68A-27.005 (as amended November 8, 2007) ~~39-27.003, 39-27.004, and 39-27.005~~, F.A.C.; the bald eagle (*Haliaeetus leucocephalus*), which is protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d); and those plant species which are listed in 50 Code of Federal Regulation 17.12 (as amended April 8, 2004), when such plants are located in a wetland or other surface water.

(dd) through (aaa) No change.

(bbb) Threatened Species – Those animal species listed in Rule 68A-27.004 (as amended May 15, 2008) ~~39-27.004~~, F.A.C., and those plant species which are listed as threatened in 50 Code of Federal Regulations 17.12 (as amended April 8, 2004) when such plants are located in a wetland or other surface water.

(ccc) through (hhh) No change.

12.2.7 Secondary Impacts

Pursuant to paragraph 12.1.1(f), an applicant must provide reasonable assurances that a regulated activity will not cause adverse secondary impacts to the water resource, as described in paragraphs (a) through (d) below. Aquatic or wetland dependent fish and wildlife are an integral part of the water resources which the District is authorized to protect under Part IV, Chapter 373, F.S. Those aquatic or wetland dependent species which are listed as defined in section 2.0 threatened, endangered or of special concern are particularly in need of protection.

A proposed system shall be reviewed under this criterion by evaluating the impacts to: wetland and surface water functions identified in subsection 12.2.2, water quality, upland habitat for aquatic or wetland dependent listed species, and historical and archaeological resources. De minimis or remotely related secondary impacts will not be considered. Applicants may propose measures such as preservation to prevent secondary impacts. Such preservation shall comply with the land preservation provisions of subsection 12.3.8. If such secondary impacts can not be prevented, the applicant may propose mitigation measures as provided for in subsections 12.3 – 12.3.8.

This secondary impact criterion consists of the following four parts:

- (a) No change.
- (b) An applicant shall provide reasonable assurance that the construction, alteration, and intended or reasonably expected uses of a proposed system will not adversely impact the ecological value of uplands to aquatic or wetland dependent listed animal species for enabling existing nesting or denning by these species, but not including:
 1. Areas needed for foraging; or
 2. Wildlife corridors, except for those limited areas of uplands necessary for ingress and egress to the nest or den site from the wetland or other surface water.

Table 12.2.7-1 identifies those aquatic or wetland dependent listed species that use upland habitats for nesting and denning.

For those aquatic or wetland dependent listed animal species for which habitat management guidelines have been developed by the U.S. Fish and Wildlife Service (USFWS) or the Florida Fish and Wildlife Conservation Commission (FWC) ~~Florida Game and Fresh Water Fish Commission (FGFWFC)~~, compliance with these guidelines will provide reasonable assurance that the proposed system will not adversely impact upland habitat functions described in paragraph (b). For those aquatic or

wetland dependent listed animal species for which habitat management guidelines have not been developed or in cases where an applicant does not propose to use USFWS or FWC ~~FGFWFC~~ habitat management guidelines, the applicant may propose measures to mitigate adverse impacts to upland habitat functions described in paragraph (b) provided to aquatic or wetland dependent listed animal species. (c) through (d) No change.

TABLE 12.2.7-1

Listed Wildlife Species That Are Aquatic Or Wetland Dependent

And That Use Upland Habitats For Nesting Or Denning
Fishes

Species of special concern

Rivulus marmoratus (mangrove rivulus; rivulus)

Reptiles

Endangered

Chelonia mydas mydas (Atlantic green turtle)

Crocodylus acutus (American crocodile)

Dermochelys coriacea (leatherback turtle; leathery turtle)

Eretmochelys imbricata imbricata (Atlantic hawksbill turtle)

Kinosternon bauri (striped mud turtle) THIS SPECIES LISTED ONLY IN LOWER KEYS

Lepidochelys kempi (Atlantic ridley turtle)

Threatened

Caretta caretta caretta (Atlantic loggerhead turtle)

Thamnophis sauritus sackeni (Florida (Keys) ribbon snake) THIS SPECIES LISTED ONLY IN LOWER KEYS

Species of special concern

Alligator mississippiensis (American alligator)

Graptemys barbouri (Barbour’s map turtle; Barbour’s sawback turtle)

Macrolemys temmincki (alligator snapping turtle)

Pseudemys concinna suwanniensis (Suwannee cooter)

Birds

Endangered

Ammodramus maritimus mirabilis (Cape Sable seaside sparrow)

Mycteria americana (wood stork)

Rostrhamus sociabilis (snail kite)

Threatened

Charadrius alexandrinus tenuirostris (southeastern snowy plover)

Charadrius melodus (piping plover)

Columba leucocephalus (white-crowned pigeon)

Grus canadensis pratensis (Florida sandhill crane)

~~Haliaeetus leucocephala (bald eagle)~~

Picoides borealis (red-cockaded woodpecker) THIS SPECIES ONLY WETLAND DEPENDENT IN LEE, COLLIER, AND CHARLOTTE COUNTIES

Polyborus plancus audubonii (Audubon's crested caracara)

Sterna antillarum (least tern)

Sterna dougallii (roseate tern)

Species of special concern

Ajaia ajaia (roseate spoonbill)

Ammodramus maritimus juncicolus (Wakulla seaside sparrow)

Ammodramus maritimus peninsulae (Scott's seaside sparrow)

Aramus guarana (limpkin)

Cistothorus palustris griseus (Worthington's marsh wren)

Cistothorus palustris marianae (Marian's marsh wren)

Egretta caerulea (little blue heron)

Egretta rufescens (reddish egret)

Egretta thula (snowy egret)

Egretta tricolor (tricolored heron; Louisiana heron)

Eudocimus albus (white ibis)

Haematopus palliatus (American oystercatcher)

Pandion haliaetus (osprey) THIS SPECIES LISTED ONLY IN MONROE COUNTY

Pelecanus occidentalis (brown pelican)

Rhynchops niger (black skimmer)

Other

Haliaeetus leucocephalus (bald eagle)

Mammals

Endangered

Felis concolor coryi (Florida panther)

Microtus pennsylvanicus dukecampbelli (Duke's saltmarsh vole; Florida saltmarsh vole)

Myotis grisescens (gray bat)

Myotis sodalis (Indiana bat)

Odocoileus virginianus clavium (Key deer; toy deer)

Oryzomys argentatus (silver rice rat)

Sylvilagus palustris hefneri (Lower Keys marsh rabbit)

Threatened

Mustela vison evergladensis (Everglades mink)

Sciurus niger avicennia (Big Cypress fox squirrel; mangrove fox squirrel)

Ursus americanus floridanus (Florida black bear) THIS SPECIES NOT LISTED IN BAKER AND COLUMBIA COUNTIES AND THE APALACHICOLA NATIONAL FOREST

Species of Special Concern

Oryzomys palustris sanibeli (Sanibel Island rice rat)

Sorex longirostris eionis (Homosassa shrew)

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: RULE TITLE:

61G14-11.007 Documents Issued

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

SUBJECT AREA TO BE ADDRESSED: Documents Issued.

SPECIFIC AUTHORITY: 310.185 FS., Chapter 94-119, Laws of Florida.

LAW IMPLEMENTED: 310.071(3) FS., Chapter 94-119, 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: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-3.003 Renewal Fees

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address the renewal fees for physicians.

SUBJECT AREA TO BE ADDRESSED: Renewal fees for online and mail renewals.

SPECIFIC AUTHORITY: 456.025, 458.309(1), 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.319, 458.345 FS.

LAW IMPLEMENTED: 456.025(1), 456.036(3), 458.319(1), 458.345(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-3.003 Renewal Fees.

(1) No change.

(2) The following renewal fees are prescribed by the Board:

(a) Biennial renewal fee for physicians licensed pursuant to Sections 458.311, 458.3115, 458.3124, and 458.313, F.S., for physicians holding a limited license; and for physicians holding a medical faculty certificate as a distinguished medical scholar, a temporary certificate for practice in areas of critical need, a public psychiatry certificate, or a public health certificate shall be \$360.00, for those who choose online renewal. For those who choose to renew by mail, the biennial renewal fee shall be \$385.00. However the following exceptions shall apply:

1. through 2. No change.

3. If the licensee is either a resident physician, assistant resident physician, fellow, or intern in an approved postgraduate training program, the biennial renewal fee shall be \$ 220.00, for those who choose online renewal. For those who choose to renew by mail, the biennial renewal fee shall be \$245.00.

4. If the licensee whose license is on inactive status chooses to renew the license in an inactive status, the biennial renewal fee shall be \$121.00, for those who choose online renewal. For those who choose to renew by mail, the biennial renewal fee shall be \$146.00.

(b) Biennial renewal fee for a person registered as a house physician pursuant to Section 458.345, F.S., shall be \$220.00, for those who choose online renewal. For those who choose to renew by mail, the biennial renewal fee shall be \$245.00.

Specific Authority 456.025, 458.309(1), 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.319, 458.345 FS. Law Implemented 456.025(1), 456.036(3), 458.319(1), 458.345(4) FS. History--New 12-5-79, Amended 10-24-85, Formerly 21M-19.03, Amended 12-4-86, 11-3-87, 5-24-88, 11-15-88, 11-12-89, 1-9-92, Formerly 21M-19.003, Amended 9-21-93, 4-14-94, Formerly 61F6-19.003, Amended 10-10-95, 6-24-96, 1-26-97, Formerly 59R-3.003, Amended 6-7-98, 8-11-98, 12-14-99, 10-30-01, 3-25-02, 10-19-03, 12-2-03, 7-2-07,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.:	RULE TITLE:
64B8-45.004	Continuing Education Requirements for Reactivation of an Inactive or Delinquent License

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify continuing education credit for college courses.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements for Reactivation of an Inactive, Retired or Delinquent License.

SPECIFIC AUTHORITY: 456.036, 468.507, 468.515(3) FS.

LAW IMPLEMENTED: 456.036, 468.515 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: Allen Hall, 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 NO.:	RULE TITLE:
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64E-16.012	Fees
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PURPOSE AND EFFECT: The purpose is to increase biomedical waste program fees within the statutory limits. The effect will be to reduce the program's operating deficit.

SUBJECT AREA TO BE ADDRESSED: Biomedical waste program fees.

SPECIFIC AUTHORITY: 381.006, 381.0098(4) FS.

LAW IMPLEMENTED: 381.0098 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.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Gina Vallone-Hood, Environmental Manager, Bureau of Community

Environmental Health, Department of Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1712, (850)245-4277

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64E-16.012 Fees.

(1) ~~When the facility will be in operation six (6) months or less before the annual renewal date, the annual fee shall be prorated on a quarterly basis. Public sharps collection programs, as defined in subsection 64E-16.002(19), F.A.C., and sState-owned and operated biomedical waste facilities are exempt from the permit fee.~~

(2) Fee schedule.

Generator Permit:

(application received by October 1)	\$85.00 \$55.00
(application received after October 1)	\$105.00 \$75.00

Treatment Permit:

(application received by October 1)	\$85.00 \$55.00
(application received after October 1)	\$105.00 \$75.00

Storage Permit:

(application received by October 1)	\$85.00 \$55.00
(application received after October 1)	\$105.00 \$75.00

Transporter Registration (one vehicle):

(application received by October 1)	\$85.00 \$55.00
(application received after October 1)	\$105.00 \$75.00

Additional Vehicle	\$10.00
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No fee or combination of fees shall exceed the maximum amount established by the statute.

(3) All fees collected pursuant to this section shall be placed in a specially designated account within the individual county health department trust fund to be used to meet the cost of administering the biomedical waste program described in this chapter.

Specific Authority 381.006, 381.0098(4) FS. Law Implemented 381.006, 381.0098 FS. History—New 12-14-92, Amended 1-23-94, 6-3-97, Formerly 10D-104.0078, Amended.

FINANCIAL SERVICES COMMISSION

FSC – Financial Institution Regulation

RULE NOS.:	RULE TITLES:
69U-100.100	Authority, Purpose, and Scope
69U-100.101	Definitions Concerning Debt Cancellation Products
69U-100.102	Prohibited Practices
69U-100.103	Refunds
69U-100.104	Method of Payment or Fees
69U-100.105	Disclosures
69U-100.106	Affirmative Election to Purchase and Acknowledgement of Receipt of Disclosures Required

PURPOSE AND EFFECT: Currently, financial institutions may offer debt cancellation products pursuant to an Order of General Application that was issued by the Office of Financial Regulation on February 1, 2006. During the 2008 regular session, the Florida Legislature passed HB 347, which, among other things, codifies this authority in statute. HB 347 was signed into law (Chapter 2008-75, Laws of Florida) on May 28, 2008, and will take effect on October 1, 2008. The new law provides authority for financial institutions and their subsidiaries to offer debt cancellation products, and charge fees for such products, in connection with the loans, leases, and similar extensions of credit made by the financial institutions and their subsidiaries pursuant to Sections 655.947 and 655.954, F.S., and the rules and orders of the Commission and the Office of Financial Regulation. The proposed rules implement the new law by setting forth standards that will apply to debt cancellation products offered by financial institutions and their subsidiaries. The purpose of these standards is to ensure that financial institutions and their subsidiaries offer debt cancellation products consistent with safe and sound financial institution practices, and subject to appropriate consumer protection. The proposed rules apply to all contracts and agreements for debt cancellation products entered into by financial institutions and their subsidiaries in connection with extensions of credit they make, purchase, or assume. The proposed rules are based on and consistent with federal regulations set forth in 12 C.F.R. Part 37.

SUBJECT AREA TO BE ADDRESSED: Financial Institutions/Debt Cancellation Products.

SPECIFIC AUTHORITY: 655.012(2), 655.947(3) FS.

LAW IMPLEMENTED: 655.947, 655.954 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: Bruce Kuhse, Chief Counsel, Division of Financial Institutions, Office of Financial Regulation, The Fletcher Building, 200 East Gaines Street, Tallahassee, Florida 32399, (850)410-9896, Bruce.Kuhse@flofr.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69U-100.100 Authority, Purpose, and Scope.

(1) Financial institutions and their subsidiaries may offer debt cancellation products, and charge fees for such products, in connection with the loans, leases, and similar extensions of credit made by the financial institutions and their subsidiaries, pursuant to Sections 655.947 and 655.954, F.S., and the rules and orders of the Commission and the Office.

(2) Rules 69U-100.100 – 69U-100.106, F.A.C., set forth the standards that apply to debt cancellation products offered by financial institutions and their subsidiaries. The purpose of these standards is to ensure that financial institutions and their subsidiaries offer debt cancellation products consistent with safe and sound financial institution practices, and subject to appropriate consumer protection.

(3) Rules 69U-100.100 – 69U-100.106, F.A.C., apply to all contracts and agreements for debt cancellation products entered into by financial institutions and their subsidiaries in connection with extensions of credit they make, purchase, or assume.

Specific Authority 655.012(2), 655.947(3) FS. Law Implemented 655.947, 655.954 FS. History–New _____.

69U-100.101 Definitions Concerning Debt Cancellation Products.

For the purposes of Rules 69U-100.100 – 69U-100.106, F.A.C., the following definitions apply:

(1) “Actuarial method” means the system of allocating payments made on a debt between the amount financed and the finance charge pursuant to which a payment is applied first to the accumulated finance charge and any remainder is subtracted from, or any deficiency is added to, the unpaid balance of the amount financed.

(2) “Closed-end credit” means consumer credit other than open-end credit as defined in these rules.

(3) “Customer” means an individual who obtains an extension of credit from a financial institution primarily for personal, family, or household purposes.

(4) “Debt cancellation products” shall have same meaning as defined in Section 655.005(1), F.S.

(5) “Debt suspension agreement” means a loan or lease term, or other contractual arrangement modifying loan or lease terms, under which a financial institution agrees to suspend all or part of a customer’s obligation to repay an extension of credit from that financial institution upon the occurrence of a specified event. The agreement may be separate from, or a part of, other loan or lease documents. The term debt suspension agreement does not include loan or lease payment deferral arrangements in which the triggering event is the borrower’s unilateral election to defer repayment, or the financial institution’s unilateral decision to allow a deferral of repayment.

(6) “Financial institution” shall have the same meaning as defined in Section 655.005(1), F.S., and includes insured depository institutions as defined in 12 U. S. C. § 1813, and subsidiaries of each such institution.

(7) “Open-end credit” means consumer credit extended by a financial institution under a plan in which:

(a) The financial institution reasonably contemplates repeated transactions;

(b) The financial institution may impose a finance charge from time to time on an outstanding unpaid balance; and

(c) The amount of the credit that may be extended to the customer during the term of the plan (up to any limit set by the financial institution) is generally made available to the extent that any outstanding balance is repaid.

(8) “Residential mortgage loan” means a loan secured by 1-to-4 family residential real property.

Specific Authority 655.012(2), 655.947(3) FS. Law Implemented 655.947, 655.954 FS. History–New _____.

69U-100.102 Prohibited Practices.

(1) A financial institution may not extend credit nor alter the terms or conditions of an extension of credit conditioned upon the customer entering into a debt cancellation product with the financial institution.

(2) A financial institution may not engage in any practice or use an advertisement that could mislead or otherwise cause a reasonable person to reach an erroneous belief with respect to information that must be disclosed under Rules 69U-100.101 – 69U-100.106, F.A.C.

(3) A financial institution may not offer debt cancellation products that contain terms:

(a) Giving the financial institution the right unilaterally to modify the debt cancellation product unless:

1. The modification is more favorable to the customer and made without additional charge to the customer; or

2. The customer is notified of any proposed change and is provided a reasonable opportunity to cancel the debt cancellation product without penalty before the change goes into effect; or

(b) Requiring a lump sum, single payment for the debt cancellation agreement payable at the outset of the debt cancellation agreement, where the debt subject to the debt cancellation agreement is a residential mortgage loan.

Specific Authority 655.012(2), 655.947(3) FS. Law Implemented 655.947, 655.954 FS. History–New _____.

69U-100.103 Refunds.

(1) If a debt cancellation product is terminated (including, for example, when the customer prepays the covered loan), the financial institution shall refund to the customer any unearned fees paid for the debt cancellation product unless the debt cancellation product provides otherwise. A financial institution may offer a customer a debt cancellation product that does not provide for a refund only if the financial institution also offers that customer a bona fide option to purchase a comparable debt cancellation product that provides for a refund.

(2) The financial institution shall calculate the amount of a refund using a method at least as favorable to the customer as the actuarial method.

Specific Authority 655.012(2), 655.947(3) FS. Law Implemented 655.947, 655.954 FS. History–New _____.

69U-100.104 Method of Payment or Fees.

Except as provided in paragraph 69U-100.102(3)(b), F.A.C., a financial institution may offer a customer the option of paying the fee for a debt cancellation product in a single fee, provided the financial institution also offers the customer a bona fide option of paying the fee for that debt cancellation product in monthly or other periodic payments. The option of monthly or periodic payments need not be offered for any debt cancellation product designed to protect a customer against a deficiency between the outstanding loan or lease amount and the value of the motor vehicle that is used as collateral for the loan. If the financial institution offers the customer the option to finance the single payment by adding it to the amount the customer is borrowing, the financial institution must also disclose to the customer, in accordance with Rule 69U-100.105, F.A.C., whether and, if so, the time period during which, the customer may cancel the agreement and receive a refund.

Specific Authority 655.012(2), 655.947(3) FS. Law Implemented 655.947, 655.954 FS. History—New _____.

69U-100.105 Disclosures.

(1) The short form of disclosures required by these rules must include the information described in Form OFR-U-XX, “Debt Cancellation Products – Short Form Disclosures”, effective XX-XX-2008, which is hereby incorporated by reference, that is appropriate to the product offered. Short form disclosures made in a form that is substantially similar to the disclosures in Form OFR-U-XX will satisfy the short form disclosure requirements of this rule.

(2) The long form of disclosures required by these rules must include the information described in Form OFR-U-YY, “Debt Cancellation Products – Long Form Disclosures”, effective XX-XX-2008, which is hereby incorporated by reference, that is appropriate to the product offered. Long form disclosures made in a form that is substantially similar to the disclosures in Form OFR-U-YY will satisfy the long form disclosure requirements of this rule.

(3) The financial institution shall make the short form disclosures orally or in writing at the time the financial institution first solicits the purchase of a debt cancellation product.

(4) The financial institution shall make the long form disclosures in writing before the customer completes the purchase of the debt cancellation product. If the initial solicitation occurs in person, then the financial institution shall provide the long form disclosures at that time.

(5) If the debt cancellation product is solicited by telephone, the financial institution shall provide the short form disclosures orally and shall mail the long form disclosures, and, if appropriate, a copy of the debt cancellation product

contract or agreement to the customer within 3 business days, beginning on the first business day after the telephone solicitation.

(6) If the debt cancellation product is solicited through written materials such as mail inserts or “take one” applications, the financial institution may provide only the short form disclosures in the written materials if the financial institution mails the long form disclosures to the customer within 3 business days, beginning on the first business day after the customer contacts the financial institution to respond to the solicitation, subject to the requirements of subsection 69U-100.106(3), F.A.C.

(7) The disclosures provided in this rule may be provided through electronic media in a manner consistent with the requirements of the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. §§ 7001, et seq., and Ch. 668, F.S.

(8) The disclosures required by this rule must be conspicuous, simple, direct, readily understandable, and designed to call attention to the nature and significance of the information provided.

(9) The disclosures required by this rule must be in a meaningful form. Examples of methods that could call attention to the nature and significance of the information provided include:

(a) A plain-language heading to call attention to the disclosures;

(b) A typeface and type size that are easy to read;

(c) Wide margins and ample line spacing;

(d) Boldface or italics for key words; and

(e) Distinctive type style, and graphic devices, such as shading or sidebars, when the disclosures are combined with other information.

(10) The short form disclosures are required in advertisements and promotional materials for debt cancellation products unless the advertisements and promotional materials are of a general nature describing or listing the services or products offered by the financial institution.

(11) All forms referenced in this rule may be obtained from the Office of Financial Regulation’s website (www.flofr.com), or by mail by submitting a request to the Office of Financial Regulation, Division of Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0371.

Specific Authority 655.012(2), 655.947(3) FS. Law Implemented 655.947, 655.954 FS. History—New _____.

69U-100.106 Affirmative Election to Purchase and Acknowledgment of Receipt of Disclosures Required.

(1) Before entering into a debt cancellation product, the financial institution must obtain a customer’s written affirmative election to purchase a debt cancellation product and written acknowledgment of receipt of the disclosures

required by subsection 69U-100.105(2), F.A.C. The election and acknowledgment information must be conspicuous, simple, direct, readily understandable, and designed to call attention to their significance. The election and acknowledgment satisfy these standards if they conform with the requirements of subsection 69U-100.105(2), F.A.C.

(2) If the sale of a debt cancellation product occurs by telephone, the customer’s affirmative election to purchase may be made orally, provided the financial institution:

(a) Maintains sufficient documentation to show that the customer received the short form disclosures and then affirmatively elected to purchase the debt cancellation product;

(b) Mails the affirmative written election and written acknowledgment, together with the long form disclosures required Rule 69U-100.105, F.A.C., to the customer within 3 business days after the telephone solicitation, and maintains sufficient documentation to show it made reasonable efforts to obtain the documents from the customer; and

(c) Permits the customer to cancel the purchase of the debt cancellation product without penalty within 30 days after the financial institution has mailed the long form disclosures to the customer.

(3) If the contract is solicited through written mail inserts or “take one” applications and the financial institution provides only the short form disclosures in the written materials, then the financial institution shall mail acknowledgment of the receipt of disclosures, together with the long form disclosures required by Rule 69U-100.105, F.A.C., to the customer within 3 business days, beginning on the first business day after customer contacts the financial institution or otherwise responds to the solicitation. The financial institution may not obligate the customer to pay for the debt cancellation product until after the financial institution has received the customer’s written acknowledgment of receipt of disclosures unless the financial institution:

(a) Maintains sufficient documentation to show that the financial institution provided the acknowledgment of receipt of disclosures to the customer as required by this rule;

(b) Maintains sufficient documentation to show that the financial institution made reasonable efforts to obtain from the customer a written acknowledgment of receipt of the long form disclosures; and

(c) Permits the customer to cancel the purchase of the debt cancellation product without penalty within 30 days after the financial institution has mailed the long form disclosures to the customer.

(4) The affirmative election and acknowledgment may be made electronically in a manner consistent with the requirements of the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. §§ 7001 et seq., and Ch. 668, F.S.

Specific Authority 655.012(2), 655.947(3) FS. Law Implemented 655.947, 655.954 FS. History—New _____.

FINANCIAL SERVICES COMMISSION

Securities

RULE NOS.:
69W-600.013

RULE TITLES:

Prohibited Business Practices for Dealers and Their Associated Persons

69W-600.0131

Prohibited Business Practices for Investment Advisers and Their Associated Persons

69W-600.0133

Use of Senior-Specific Certifications and Professional Designations by Associated Persons and Investment Advisers

PURPOSE AND EFFECT: Rule 69W-600.0133, F.A.C., is being proposed to prohibit the use of a senior specific certification or designation in connection with the offer, sale or purchase of securities or the provision of advice as the advisability of investing in, purchasing or selling securities, either directly or indirectly or through publications or writings, or by issuing or promulgating analyses or reports relating to securities, that indicates or implies that the user has special certification or training in advising or servicing senior citizens or retirees, in such a way as to mislead any person shall be a dishonest and unethical practice in the securities business in violation of Section 517.161(1)(d) or 517.161(1)(h), Florida Statutes. The Rule provides examples of misleading designations, including use of certifications unearned, nonexistent or self-conferred titles and use of titles that imply a certification or designation the person does not have. Also included in paragraph (1)(d) of the Rule with this category are use of certifications or designations from an organizations that: 1) is primarily engaged in the business of instruction in sales and /or marketing; 2) does not have reasonable standards or procedures for assuring the competency of its designees or certificants; 3) does not have reasonable standards or procedures for monitoring and disciplining its designees or certificants for improper or unethical conduct; or 4) does not have reasonable continuing education requirements for its designees or certificants in order to maintain the designation or certification. In subsection (2) of the Proposed Rule, a rebuttable presumption is created that organizations accredited by the American National Standards Institute, National Commission for Certifying Agencies or any Organization on the U.S. Department of Education list entitled “Accrediting Agencies Recognized for Title IX Purposes” will not be disqualified under the terms of subparagraphs (1)(d)1. through 4. In determining whether words constitute a certification or professional designation indicating or implying a special expertise in advising or servicing senior citizens, use of the words such as “senior,” “elder,” “retirement,” combined with such words such as “certified,” “registered,” “chartered,” and like words will be considered. See text of Rule for complete index. Job titles within an organization are excluded. This Rule is based on the National Association of Securities

Administrators Association (NASAA) Model Rule adopted March 20, 2008. Rule 69W-600.013 and Rule 69W-600.0131, F.A.C., are amended to add conforming amendments that provide that any unethical practice pursuant to Rule 69W-600.0133, F.A.C., shall constitute a demonstration of unworthiness by the dealers and their associated persons per Rule 69W-600.013, F.A.C., and investment advisers and their associated persons per Rule 69W-600.0131, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Securities Regulation/Senior Designations.

SPECIFIC AUTHORITY: 517.03(1), 517.1215(2), 517.1217 FS.

LAW IMPLEMENTED: 517.081, 517.12, 517.1215, 517.1217, 517.161 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Bill Reilly, Chief, Securities Regulation, Office of Financial Regulation, The Fletcher Building, 200 East Gaines Street, Tallahassee, Florida 32399, (850)410-9783

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69W-600.013 Prohibited Business Practices for Dealers and Their Associated Persons.

(1) The following are deemed demonstrations of unworthiness by a dealer under Section 517.161(1)(h), F.S., without limiting that term to the practices specified herein:

(a) through (n) No change.

(o) Any unethical practice pursuant to Rule 69W-600.0133, F.A.C.

(2) The following are deemed demonstrations of unworthiness by an associated person of a dealer under Section 517.161(1)(h), F.S., without limiting that term to the practices specified herein:

(a) through (g) No change.

(h) Engaging in any of the practices specified in paragraph (1)(a), (b), (e), (f), (g), (h), (i), (k), (l), (m), ~~or~~ (n) or (o).

(3) No change.

Specific Authority 517.03(1), 517.1217 FS. Law Implemented 517.081, 517.1217, 517.161(1) FS. History—New 12-5-79, Amended 9-20-82, Formerly 3E-600.13, Amended 8-1-91, 6-16-92, 1-11-93, 11-7-93, 5-5-94, 9-9-96, 10-20-97, 1-25-00, 10-30-03, Formerly 3E-600.013, Amended 10-23-06,_____.

69W-600.0131 Prohibited Business Practices for Investment Advisers and Their Associated Persons.

(1) The following are deemed demonstrations of unworthiness by an investment adviser or an associated person of an investment adviser under Section 517.161(1)(h), F.S., without limiting that term to the practices specified herein:

(a) through (t) No change.

(u) Any unethical practice pursuant to Rule 69W-600.0133, F.A.C.

(2) through (3) No change.

Specific Authority 517.03(1), 517.1215 FS. Law Implemented 517.12(4), 517.1215, 517.161(1) FS. History—New 1-25-00, Amended 410-30-03, Formerly 3E-600.0131, Amended 10-23-06,_____.

69W-600.0133 Use of Senior-Specific Certifications and Professional Designations by Associated Persons and Investment Advisers.

(1) The use of a senior specific certification or designation by any person in connection with the offer, sale, or purchase of securities, or the provision of advice as to the value of or the advisability of investing in, purchasing, or selling securities, either directly or indirectly or through publications or writings, or by issuing or promulgating analyses or reports relating to securities, that indicates or implies that the user has special certification or training in advising or servicing senior citizens or retirees, in such a way as to mislead any person shall be a dishonest and unethical business practice in the securities industry in violation of Section 517.161(1)(d) or 517.161(1)(h), F.S., by an associated person of a dealer or investment adviser. The prohibited use of such certifications or professional designation includes, but is not limited to, the following:

(a) Use of a certification or professional designation by a person who has not actually earned or is otherwise ineligible to use such certification or designation;

(b) Use of a nonexistent or self-conferred certification or professional designation;

(c) Use of a certification or professional designation that indicates or implies a level of occupational qualifications obtained through education, training, or experience that the person using the certification or professional designation does not have; and

(d) Use of a certification or professional designation that was obtained from a designating or certifying organization that:

1. Is primarily engaged in the business of instruction in sales and/or marketing;

2. Does not have reasonable standards or procedures for assuring the competency of its designees or certifiants;

3. Does not have reasonable standards or procedures for monitoring and disciplining its designees or certifiants for improper or unethical conduct; or

4. Does not have reasonable continuing education requirements for its designees or certificants in order to maintain the designation or certificate.

(2) There is a rebuttable presumption that a designating or certifying organization is not disqualified solely for purposes of paragraph (1)(d) above when the organization has been accredited by:

(a) The American National Standards Institute; or

(b) The National Commission for Certifying Agencies; or

(c) An organization that is on the United States Department of Education's list entitled "Accrediting Agencies Recognized for Title IV Purposes" and the designation or credential issued therefrom does not primarily apply to sales and/or marketing.

(3) In determining whether a combination of words (or an acronym standing for a combination of words) constitutes a certification or professional designation indicating or implying that a person has special certification or training in advising or servicing senior citizens or retirees, factors to be considered shall include:

(a) Use of one or more words such as "senior," "retirement," "elder," or like words, combined with one or more words such as "certified," "registered," "chartered," "adviser," "specialist," "consultant," "planner," or like words, in the name of the certification or professional designation; and

(b) The manner in which those words are combined.

(4) For purposes of this rule, a certification or professional designation does not include a job title within an organization that is licensed or registered by a state or federal financial services regulatory agency, when that job title:

(a) Indicates seniority or standing within the organization; or

(b) Specifies an individual's area of specialization within the organization.

For purposes of this subsection, financial services regulatory agency includes, but is not limited to, an agency that regulates broker-dealers, investment advisers, or investment companies as defined under the Investment Company Act of 1940, 15 U.S.C. s. 80a-1 et seq.

(5) Nothing in this rule shall limit the Office of Financial Regulation's authority to enforce existing law.

Specific Authority 517.03(1), 517.1215(2), 517.1217 FS. Law Implemented 517.1215(2), 517.1217, 517.161 FS. History--New _____.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE NOS.:	RULE TITLES:
5C-29.001	Definitions
5C-29.002	General Requirements for Movement of Sheep and Goats
5C-29.003	Recordkeeping Requirements for Identification of Sheep and Goats
5C-29.004	Scrapie Free Flock/Herd Certification Programs
5C-29.005	Scrapie Monitoring and Surveillance
5C-29.006	Scrapie Flock/Herd Clean-up Plans
5C-29.007	Florida Scrapie Certification Board
5C-29.008	Materials

PURPOSE AND EFFECT: The purpose and effect of this proposed new rule is to specify, detail, and clarify a Scrapie Control and Eradication Program in Florida. The proposed new rule adopts standards established by USDA, APHIS, under its Scrapie Eradication Uniform Methods and Rules (APHIS 91-55-079, June, 2005) and Voluntary Scrapie Flock Certification Program Standards (APHIS 91-55-091, June 2007). Implementation of this proposed new rule will establish Florida in a Consistent State Status regarding the control and eradication of Scrapie in the U.S.

SUMMARY: This proposed new rule establishes general requirements, definitions, record keeping, tests and documentation for establishing and maintaining Scrapie – Free Flocks/Herds and handling infected flocks/herds in the state.

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

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

SPECIFIC AUTHORITY: 570.07(23), 570.36(2), 570.07(15), 585.002(4), 585.007 FS.

LAW IMPLEMENTED: 585.003, 585.08(1), 585.11(1), 585.14, 585.145(1),(2), 585.15, 585.16, 585.17, 585.18, 585.23, 585.40 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Dr. William Jeter, Chief, Bureau of Animal Disease Control, Division of Animal Industry, Room 332, 407 S. Calhoun Street, Tallahassee, FL 32399-0800; Phone: (850)410-0900; Fax: (850)410-0957

THE FULL TEXT OF THE PROPOSED RULES IS:

5C-29.001 Definitions.

For the purpose of this chapter the following words shall have the meaning indicated:

(1) Accredited Veterinarian. A veterinarian licensed in the state of origin and approved by the United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA, APHIS) to perform certain functions of federal and cooperative state-federal programs in accordance with the provisions of 9 C.F.R. §§ 160–162 (2007).

(2) Administrator. The Administrator of USDA, APHIS or any person authorized to act for the Administrator.

(3) APHIS. Animal and Plant Health Inspection Service; part of the United States Department of Agriculture; responsible for protecting and promoting U.S. agricultural health and ecosystems vulnerable to invasive pests and pathogens, administering the Animal Welfare Act, and carrying out wildlife damage management activities.

(4) Authorized Representative. An employee of the state or federal government, or a licensed veterinarian accredited by the USDA, who is authorized to conduct animal disease control and eradication activities.

(5) Certified Flock/Herd. A complete monitored category flock/herd that has been continuously participating in the USDA Voluntary Scrapie Flock Certification Program Standards (APHIS 91-55-091, June 30, 2007) and has met the provisions for 5 years or more.

(6) Commingled, commingling. Animals grouped together having physical contact with each other, including contact through a fence line or sharing the same section in a transportation unit where physical contact can occur.

(7) Division. The Division of Animal Industry of the Florida Department of Agriculture and Consumer Services.

(8) Flock or Herd. All animals maintained on a single premises and all animals under common ownership or supervision on two or more premises with animal interchange between the premises.

(9) Flock/Herd of origin. The flock/herd in which an animal most recently resided in which it either was born, gave birth, or resided during lambing or kidding.

(10) Goat. Any ruminant of the genus *Capra*.

(11) Intrastate. Existing or occurring within the boundaries of the state.

(12) Official Certificate of Veterinary Inspection (OCVI). A legible certificate made on an official form from the state of origin or from the USDA, issued by an authorized representative, and approved by the chief animal health official of the state of origin.

(13) Official Individual Identification. A form of unique individual animal identification, as follows:

(a) Official Eartags. A tamper-evident eartag, approved by APHIS, capable of providing a unique identification number for each animal, and capable of being recorded in a central repository. Such eartags must conform to one of the following number systems:

1. National Uniform Eartagging System;
2. Animal Identification Number (AIN);
3. Premises-based numbering system; or
4. Any other numbering system approved by APHIS.

(b) Ear, tail-web or flank tattoos, using the National Uniform Tag Code number assigned by APHIS to the state of origin; breed registration tattoos when accompanied by breed registration papers; or an official brand when accompanied by a brand registration certificate:

(c) Implanted electronic chips that conform to ISO standards with a unique number that is recorded in a single, central database.

(14) Owner. A person, partnership, company, corporation, or any legal entity that has legal or rightful title to animals.

(15) Premises. A geographically distinct place or location where livestock are housed, maintained, congregated, or kept.

(16) Premises identification number. A unique number used on official eartags and tattoos to identify the premises of origin of an animal.

(17) Recognized slaughter establishment. A slaughtering establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), or equivalent state meat inspection program.

(18) Scrapie. A non-febrile, transmissible, degenerative, disease of the central nervous system in sheep and goats.

(19) Scrapie Flock/Herd Certification Program (SFCP). A voluntary State-Federal-Industry cooperative effort as defined in the USDA Voluntary Scrapie Flock Certification Program Standards, APHIS 91-55-091, June 30, 2007.

(20) Scrapie-positive animal. An animal for which an approved test has been conducted with positive results by NVSL or another laboratory authorized by the Administrator to conduct tests. The animal must meet the criteria of a Scrapie-positive animal as defined in 9 C.F.R. § 54.1 (2007).

(21) Sheep. Any ruminant of the genus *Ovis*.

(22) Source Flock/Herd. A flock/herd in which an authorized representative has determined that at least one animal was born that was diagnosed as Scrapie positive at an age of 72 months or less or in which a positive animal has resided throughout its life.

(23) Suspect animal. An animal that exhibits any clinical signs of Scrapie and that has been determined to be suspicious for Scrapie by an accredited veterinarian or by an authorized representative; an animal that has tested positive on a live animal screening test; or, an animal whose official test yielded inconclusive results.

(24) USDA. United States Department of Agriculture.

Specific Authority 570.07(23), 570.36(2), 585.002(4), 585.007 FS. Law Implemented 585.003, 585.08, 585.11(1), 585.14, 585.145(1),(2), 585.15, 585.16 FS. History—New _____.

5C-29.002 General Requirements for Movement of Sheep and Goats.

(1) Identification Requirements.

(a) All sheep and goats moved intrastate or interstate for any purpose must be officially identified to their flock/herd of birth. All sheep and goats that change ownership for any purpose must be officially identified to their flock/herd of birth as required by 9 C.F.R. § 79.2 (2007). In cases where the flock/herd of birth can not be determined, the sheep and goats must be officially identified to the flock/herd of origin.

(b) Official Identification Methods: Only APHIS approved identification methods of sheep and goats as required by the USDA Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-079, June 1, 2005, may be used. Such identification methods must be permanent or tamper evident, secure, carry a unique premises and individual animal number and traceable to flock/herd of birth or flock/herd of origin. Approved methods of identification include:

1. Official USDA-APHIS-VS eartags.

2. Premises identification tattoos (must be legible and contain the flock/herd number and unique animal number).

3. Official registry tattoos (must be accompanied by either official breed registration certificate or an OCVI that includes the corresponding official registration number), or

4. Electronic microchip/implant (must be accompanied by owner statement of ID numbers and chip manufacturer, and agent should have a chip reader for verification of placement).

(2) Responsibility for Identification of Sheep and Goats.

(a) Primary Responsibility. The owner of the flock/herd of origin has the primary responsibility for identification of all sheep and goats before moving their animals and involving them in intrastate commerce and before they are commingled with animals from different flocks/herds of origin. If official identification has not been placed on the sheep or goats by the owner before leaving the flock/herd of origin and moving them for the purpose of involving them in intrastate commerce, the owner must assure that the sheep or goats are officially identified before the animals are commingled with sheep and goats from different flocks/herds of origin and before change of ownership.

(b) Secondary Responsibility. Persons with secondary responsibility to identify sheep or goats include:

1. A person who delivers any sheep or goats to a place where they will be commingled must ensure that the sheep or goats are officially identified to their premises of origin before allowing contact with sheep or goats from different flocks/herds or before change of ownership.

2. A person who receives any sheep or goats that are required to be identified to their premises of origin must ensure that the sheep or goats are officially identified to their premises of origin before commingling with sheep or goats from different flocks/herds or before change of ownership.

(3) Retagging Sheep and Goats with Lost Identification.

(a) If a sheep or goat loses its identification to its flock/herd of birth or origin while in intrastate or interstate commerce the person that has control or possession of the sheep or goat is responsible for identifying the animal before commingling with sheep or goats of different flocks/herds of origin.

(b) The person retagging the sheep or goat shall record the identification number and the flock/herd of origin of the animal. If the flock/herd or origin can not be determined all possible flocks/herds of origin shall be listed in the records.

(4) Removal of Official Identification Prohibition.

(a) No person shall remove or tamper with any official identification device.

(b) Official identification devices which are damaged and are no longer functional may be replaced provided all possible flocks/herds of origin are listed in the record associated with the application of the new official identification.

(5) Violations. Sheep and goats entering the state, moving within the state, or changing ownership in violation of the provisions of this chapter may be stopped by an agent, or employee of the Division or by any FDACS law enforcement officer of the state of Florida or any subdivision of the state. Any person, firm, or association having charge, custody, or control of animals imported or moved in violation of this rule will return the animals to the state or flock/herd of origin as directed by the Division.

Specific Authority 570.07(23), 570.36(2), 585.002(4), 585.007 FS. Law Implemented 585.003, 585.14, 585.145(1),(2), 585.15, 585.16 FS. History—New _____.

5C-29.003 Recordkeeping Requirements for Identification of Sheep and Goats.

(1) Any individual authorized to apply official identification, under the provisions of the USDA Scrapie Eradication Uniform Methods and Rules APHIS 91-55-079, June 1, 2005, must keep records of sales of all sheep and goats.

(2) Each person required to keep records under the provisions of the USDA Scrapie Eradication Uniform Methods and Rules APHIS 91-55-079, June 1, 2005, must keep records for five years even if the animal is no longer on the premises. Such records shall be available for inspection by any authorized representative of the department during ordinary business hours upon request.

Specific Authority 570.07(23), 570.36(2), 585.002(4), 585.007 FS. Law Implemented 585.003, 585.11(1), 585.14, 585.145(1), (2) FS. History—New _____.

5C-29.004 Scrapie Free Flock/Herd Certification Programs.

(1) Complete Monitored – Producers have the opportunity to enroll their flock/herd in the APHIS sponsored program to certify their flock/herd free of Scrapie as determined by the USDA Voluntary Scrapie Flock Certification Program Standards, APHIS 91-55-091, June 30, 2007. This program requires 5 years of active participation in the SFCP with annual records review.

(2) Export Monitored – Producers have the opportunity to enroll their flock/herd in the APHIS sponsored program to certify their flock/herd free of and eligible to be exported as determined by the USDA Voluntary Scrapie Flock Certification Program Standards, APHIS 91-55-091, June 30, 2007. This program requires 7 years of participation in the SFCP and specified testing within herd or flock.

(3) Selective Monitored – Slaughter lamb/kid producers who wish to have an additional method of surveillance in large production flocks/herds have the opportunity to enroll their flock/herd in the APHIS sponsored program as determined by the USDA Voluntary Scrapie Flock Certification Program Standards, APHIS 91-55-091, June 30, 2007.

Specific Authority 570.07(23), 570.36(2), 585.002(4), 585.007 FS. Law Implemented 585.003, 585.11(1), 585.14, 585.145(1) FS. History–New _____.

5C-29.005 Scrapie Monitoring and Surveillance.

(1) Clinical suspects and test-positive animals will be handled in accordance to the USDA Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-079, June 1, 2005.

(2) Mature traceable animals that are dead or down at market will be sampled and tested when practical to do so in accordance to the USDA Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-079, June 1, 2005.

(3) Sampling and testing of mature traceable sheep at slaughter will be handled by APHIS in accordance to the USDA Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-079, June 1, 2005.

Specific Authority 570.07(23), 570.36(2), 585.002(4), 585.007 FS. Law Implemented 585.03, 585.11(1), 585.14, 585.145(1), 585.16 FS. History–New _____.

5C-29.006 Scrapie Flock/Herd Clean-up Plans.

(1) All flocks/herds determined to be infected with Scrapie shall be placed under quarantine and handled in accordance with the USDA Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-079, June 1, 2005.

(2) All flocks/herds containing animals suspicious for, and source flocks/herds, will be placed under quarantine and investigated in accordance with the USDA Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-079, June 1, 2005.

Specific Authority 570.07(23), 570.36(2), 585.002(4), 585.007(15), 585.002(4), 585.007 FS. Law Implemented 585.003, 585.08(1), 585.11(1), 585.145(1), 585.16, 585.17, 585.18, 585.23, 585.40 FS. History–New _____.

5C-29.007 Florida Scrapie Certification Board.

In accordance with the USDA Voluntary Scrapie Flock Certification Program Standards, APHIS 91-55-091, June 30, 2007, APHIS is authorized to establish a State Certification Board. The board shall administer the USDA Voluntary Scrapie Flock Certification Program Standards, APHIS 91-55-091, June 30, 2007; review program enrollment and status advancement; review situations that may result in reduction of certification status or dismissal from the program; and educate producers regarding Scrapie.

Specific Authority 570.07(23), 570.36(2), 585.002(4), 585.007 FS. Law Implemented 585.11(1), 585.14 FS. History–New _____.

5C-29.008 Materials.

(1) 9 C.F.R. § 54.1 (2007), 9 C.F.R. §§ 79.2-79.6 (2007) and 9 C.F.R. §§ 160-162 (2007) are hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

(2) USDA Scrapie Eradication Uniform Methods and Rules, June 1, 2005, APHIS 91-55-079, is hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

(3) USDA Voluntary Scrapie Flock Certification Program Standards, June 30, 2007, APHIS 91-55-091 is hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

(4) Federal Meat Inspection Act (21 U.S.C. § 601 et seq. (2007)) is hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

Specific Authority 570.07(23), 570.36(2), 585.002(4), 585.007 FS. Law Implemented 585.08, 585.11(1), 585.15, 585.16 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. William Jeter, Chief, Bureau of Animal Disease Control, Division of Animal Industry, Room 332, 407 S. Calhoun Street, Tallahassee, FL 32399-0800; Phone: (850)410-0900; Fax: (850)410-0957

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Thomas Holt, Director, Division of Animal Industry/State Veterinarian, 407 S. Calhoun Street, Tallahassee, FL 32399-0800; Phone: (850)410-0900; Fax: (850)410-0957

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 18, 2008

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-40
 RULE CHAPTER TITLE: Highway Beautification and Landscape Management
 RULE NOS.: 14-40.003, 14-40.020, 14-40.022, 14-40.023, 14-40.030
 RULE TITLES: Highway Landscape Projects, Grant Application Process, Florida Highway Beautification Council Grant Award Process, Funding, Construction, and Maintenance of Beautification Projects, Application and Permit Issuance

PURPOSE AND EFFECT: Rule Chapter 14-40, F.A.C., is being amended for clarification of language, including changing “vegetation management” zones to “view” zones, a term that is defined in Section 479.106, Florida Statutes. Also, revised figures 2 and 3 replace the existing figures 2 and 3, and a revised Application to Permit Vegetation Management at Outdoor Advertising Sign, Form 650-050-06, is incorporated by reference. References to the Florida Highway Beautification Council are changed from “FHBC” to “Council.”

SUMMARY: Rule Chapter 14-40, F.A.C., is being amended and a revised application form is incorporated by reference.

SPECIFIC AUTHORITY: 334.044(2), 337.2505, 339.2405 FS.
 LAW IMPLEMENTED: 334.044(25), 335.167, 337.2505, 337.405, 339.24, 339.2405, 479.106 FS.

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

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

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

DATE AND TIME: July 22, 2008, 1:00 p.m.

PLACE: Department of Transportation, Haydon Burns Building, 605 Suwannee Street, Room 250 (Suwannee Room), Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULES IS:

14-40.003 Highway Landscape Projects.

(1) Department Authorization Required. No landscaping may be altered, removed, or installed on the Department’s right of way by any person without written authorization by the Department pursuant to this Rule Chapter. All requirements for restoring the Department’s right of way and highway landscape projects, where such restoration is made necessary by the construction or maintenance of utilities, are specified in the *Utility Accommodation Manual*, incorporated by reference under Rule 14-46.001, F.A.C. Requests to remove, cut, or trim, vegetation that screens outdoor advertising signs for which outdoor advertising sign permits have been issued pursuant to Chapter 479, F.S., must be made in accordance with Part III of this Rule Chapter.

(2) Definitions.

(a) “Abutting Private Property Owner” means any person or entity having lawful control of land which adjoins, or is contiguous to, Department non limited access right of way.

(b) “Department” means the Florida Department of Transportation.

(c) “Highway Landscape Project” means any planned or actual landscape or landscaping on Department right of way, including construction or installation, planning, beautification, and maintenance thereof, by a local government entity, non governmental entity, or abutting private property owner.

(d) “Landscape” or “Landscaping” means any vegetation, mulches, irrigation systems, and any site amenities, such as, street furniture, decorative paving, fences, and lighting (excluding public utility street and area lighting).

(e) “Local Governmental Entity” means as defined in Section 11.45(1)(e), F.S.

(f) “Non Governmental Entity” means any person or organization, other than a governmental entity, who seeks approval of a highway landscape project.

(g) “Screen” or “Screening” means the planting or installation of any vegetation or other landscape material which will reach a height greater than the height of the bottom of the lowest sign face, as viewed from a height of 3.5 feet above the roadway surface at the edge of the travel lane closest to the outdoor advertising sign.

(h) “View Zone” means as defined in Section 479.106(6), F.S.

(3) Approval Criteria.

(a) Approval is based on review of a complete set of landscape plans. The District Landscape ~~Architect Manager~~ can be consulted during preparation of landscape plans. The following plan preparation guidelines must be used:

1. Project data must be included on sheet 1 of the plans, and must include a location map with beginning and end of project mile posts, index of plans included in the set, state road number, local government and contact information, and name and address of the person and firm who prepared the plans.

2. Plans must be drawn to scale, exhibiting an accurate and legible representation of existing conditions (above and below ground), and all proposed work. Plans must show all dimensions necessary to demonstrate compliance with this rule. If there is a baseline survey or centerline of construction, station points must be used. If there is no baseline survey or centerline, dimensioning must be from a fixed point. All dimensions must be noted in English system measurements (inches, feet, yards, miles, etc.). Plans must be drawn at no less than 100 scale (1 inch =100 feet) on 24 inch by 36 inch or smaller sheets (folded, not rolled). Computer generated plans must use 11 inch by 17 inch sheets. Plans must contain a graphic scale and north arrow with standard orientation on each plan sheet, and reference the state road number, section number, milepost, and local street names. Plans must also include curbs, edge of pavement, edge of travel lanes, guardrails, right of way fence and/or right of way lines, sidewalks, intersections, median breaks, driveways, bike lanes, transit facilities, surveying monuments, signs, ~~view vegetation management~~ zones of permitted outdoor advertising signs, lighting, traffic signals, other traffic control devices, drainage features, limits of clear sight, set backs and clear zone limits, existing off site features and conditions which affect or are affected by the project, easements, above and below ground utilities, and all existing vegetation. Details and text must be large enough to be legible on all plan sheets.

3. ~~Only B~~blackline, blueline, or xerographic reproductions will be accepted for the review process. Electronic files will be accepted when requested by the Department.

4. All proposed landscaping must be identified on the plans. For all plants, give the following information in tabular form:

Common Name
Botanical Name, including variety or cultivar
Quantity
Size when installed (height, caliper, spread, container size, clear trunk, multi-trunk, or any other descriptive aspect of the desired plants)
Maximum maintained or typical mature height, spread, and trunk diameter of normal mature plant specimens measured 6 inches above the ground.
Specifications (written and/or graphic)

5. The approval of landscape plans requires a work zone traffic control plan in accordance with FDOT Design Standard 600, and the Manual on Uniform Traffic Control Devices as incorporated by reference under Rule 14-15.010, F.A.C.

~~6.5.~~ A comprehensive maintenance plan for all proposed landscaping must accompany the plans. This may be on a separate set of plans or documents. Special maintenance requirements for the plant establishment period must be noted. The intent of design elements, such as to screen a view, maintain a clear sight distance, or assist with water retention,

must be included in a description of the project, accompanied by a written or graphic guide describing the performance requirements of the entity responsible for maintaining the project as to the maintenance which will be provided to the plants and other areas within the project limits. The maintenance plan must include requirements necessary to maintain and manage sight distance, horizontal and vertical clearance, accessibility, plant health, form, height and spread, mulch thickness and cover, edges, weeds and litter, irrigation system(s), hardscape, lighting, benches, and site amenities, and any other requirements necessary for the design intent to be fulfilled. The maintenance plan must include a work zone traffic control plan, and define the limits of the mowing and litter control that will be performed as part of the landscape project. When the landscape project is to be maintained by the Department, a maintenance cost estimate based on anticipated scheduled maintenance activities must be an attachment to the plans. ~~Maintenance details and specifications must include the following:~~

[Editorial Note: Delete entire table.]

Mowing schedule and height of grass, along with physical depiction of the limits of the mowing that will be performed as part of the landscape project.
Fertilizing schedules, formulas, rates, and methods of application.
Weeding/edging schedule and method: chemical, mechanical, or manual.
Herbicide schedules, formulas, rates, methods of application, special instructions, and precautions.
Pruning schedule and methods. In order to have safe, healthy, and aesthetic plants, and to maintain limits of clear sight, special attention must be given to changes in the schedule due to the maturity and size as trees and shrubs grow.
Mulch materials, thickness, and replacement frequency.
Irrigation schedule, supply source, and method of application.
Special care required for any hardscape materials, lighting, signage, benches, or other site amenities.
Litter pick up and removal schedule (prior to mowing cycle or as needed).
A work zone traffic control plan (if necessary) for installation and maintenance of the project.
An estimate of manpower and equipment required to achieve an acceptable level of maintenance.

6. As-built plans, or a summary of changes, are required for all landscape projects.

7. Plans prepared by or for Department highway landscape projects must be signed and sealed by a registered landscape architect.

(b) No planting or installation of vegetation or other landscape material for landscape projects, or issuance of permits for such planting or installation, including construction and beautification projects, is allowed on Department right of way which screens or which, when mature, will screen an outdoor advertising sign permitted under Chapter 479, F.S. This prohibition applies to outdoor advertising signs exempt from Department permitting requirements that are on the state highway system and located within incorporated municipalities. This prohibition applies to all landscape, construction, and beautification projects on Department right of way regardless of the source of funds for the project, except for landscape projects approved by the Department prior to the date of the original, state sign permit for the sign. For purposes of this rule, a landscape, construction, or beautification project is approved when it is specifically identified in the Department's five year work program, is a permitted landscape project, is part of an executed agreement between the Department and a local government, or has been approved in writing by the Department for installation at a later date by a local government.

1. Screening is prohibited within a view permitted vegetation management zone, as defined in paragraph 14-40.030(1)(d).

2. When a landscape project is proposed within 1,000 feet approaching a permitted outdoor advertising sign which does not have an approved application for vegetation management, the landscape architect of record will notify the sign permittee at the address provided in accordance with subsection 14-10.011(2), F.A.C., that the view zone. The sign permittee has will have 30 days to submit an Application to Permit for Vegetation Management at Outdoor Advertising Sign, Form 650-050-06, Rev. 08/07, incorporated herein, in accordance with Part III of this rule chapter, that proposes the specific location of a view vegetation management zone (See Part III). The screening prohibition in 1. above will apply upon approval of the Permit for Vegetation Management at Outdoor Advertising Sign. If an Application for Vegetation Management is has not been submitted by the sign permittee within 30 days of notification, screening will be prohibited as described in paragraph 479.106(6)(b), F.S., wherever the sign face is not screened within the view zone, beginning at Terminus A and extending along the outside travel lane edge in advance of the sign until the sign face is not screened for a total of 500 feet. Contact information for any permitted sign may be obtained by contacting the State Outdoor Advertising Administrator, Florida Department of Transportation, 605 Suwannee Street, MS 22, Tallahassee, Florida 32399-0450.

3. The limits of the screening prohibition may be adjusted pursuant to a written agreement between the sign permittee and a local governmental entity.

(c) A local governmental entity may request approval to alter, remove, or install landscaping on the Department's right of way through submission of a landscape plan. After review by the Department, and the making of any necessary revisions by the local governmental entity, the Department will prepare a written agreement requiring the local governmental entity to properly construct and maintain the landscape project. The landscape plan will become Exhibit A to the agreement. If separate, the maintenance plan as described in subparagraph ~~(3)(2)(a)6-7~~ will become Exhibit B of the agreement. When the agreement is executed, and a Notice to Proceed is issued by the Department, the local governmental entity may proceed with the project.

(d) Non-governmental entities may seek approval to alter, remove, or install landscaping on the Department's right of way through submission of a landscape plan, and a resolution from the appropriate local government that commits the local government to execution of an agreement to properly construct and maintain the landscape project as described in paragraph (c) above.

(e) An abutting private property owner is not required to comply with paragraph (3)(d) of this rule and may apply for a permit to alter or install landscape materials on the Department's non limited access right of way directly abutting the owner's property between the right of way line and the nearest edge of pavement through submission of a Permit for Landscaping on State Road Right of Way, Form 650-050-09, Rev. 01/06, which is incorporated herein by reference and is available at any Department Office or on the Department website at: www.dot.state.fl.us/emo. When public safety, operation of the transportation system, or the quality of the environment is jeopardized, the District Landscape Architect will require a abutting private property owners to must submit for approval a landscape plan, maintenance plan, and work zone traffic control plan.

(f) Non-governmental entities or abutting private property owners seeking approval to install landscaping on the Turnpike right of way shall submit a completed Form 650-050-09 to the District Landscape Architect Manager, Florida's Turnpike Operations Center, P. O. Box 9828, Fort Lauderdale, Florida 33310, ~~telephone (954)975-4855~~. The application must be accompanied by a landscape plan, maintenance plan, and work zone traffic control plan.

(g) Approval will only be granted when it is determined that all plans meet the requirements of this rule. No permit will be issued to an abutting private property owner to provide visibility of such property through the cutting, trimming, or removal of trees, shrubs, or herbaceous plants.

(4) Government Approvals. If the proposed highway landscape project is to be located on an Interstate Highway facility, Federal Highway Administration (FHWA) review is required. Approval pursuant to this Part does not relieve the local governmental entity, non governmental entity, or abutting property owner of local or other jurisdictional requirements.

(5) Installation and Maintenance.

(a) All landscape installation or maintenance activities performed by a local governmental entity, non governmental entity, or abutting property owner on the Department's right of way must be performed in conformity with the *Manual on Uniform Traffic Control Devices* (incorporated by reference under Rule 14-15.010, F.A.C.), *Standard Specifications for Road and Bridge Construction*, (incorporated by reference and available at any Department Office or on the Department website at: <http://www.dot.state.fl.us/officeofdesign/> ~~under Rule 14-85.004, F.A.C.~~), and the *Roadway and Traffic Design Standards* (incorporated by reference and available at any Department Office or on the Department website at: <http://www.dot.state.fl.us/officeofdesign/> ~~under Rule 14-85.004, F.A.C.~~).

(b) If an agreement exists between the Department and a local governmental entity for the maintenance of an existing median and grassed areas for the section of roadway for which a landscape project is proposed, and if the Department determines that such agreement obligates the local governmental entity to maintain the proposed project in accordance with the approved maintenance plan, the agreement will be applied to the maintenance of the landscape project. If the Department has previously agreed to provide funds for such maintenance, no increased compensation will be provided by the Department for maintenance of the landscape project.

(6) As-built plans, or a summary of changes are required for all landscape projects, and must be submitted to the District Office within 30 days of the project completion.

~~(7)(6)~~ Donation of Landscape Projects. The Department will accept donations of plants, materials, installation, and maintenance for landscape projects on the State Highway System that meet the requirements of this rule. The donated

landscape projects must substantially improve the appearance or manageability of the median or roadside. The agreement must stipulate that the sign and the landscape project may be removed by the Department for failure to meet the requirements of this Rule Chapter or the agreement. An agreement must be on file with the Department for the area in question before placement of the sign. Signs acknowledging donated landscape projects by an individual or entity may be erected on the right of way, when the donation includes installation and maintenance pursuant to an executed agreement. Such signs will remain in place for a term of five years, unless otherwise specified in the agreement. The sign must not contain commercial logos or trademarks. Signs will be placed at each end of the landscape project.

(a) Interstate Highways: The sign acknowledging donation of landscape projects on the Interstate Highway System will be provided by the Department. This sign will be similar to the Adopt-a-Highway Program sign used by the Department, except that the word "landscaping" will be substituted for the words "litter control" and the colors will be green lettering on white background. The signs shall be installed and maintained by the Department.

(b) Arterial Highways: The approved sign design for arterial highways is depicted in Figure 1. The sign panel will be 18 inches tall and 24 inches wide with white background and green lettering, using lettering shown in Figure 1 and fabricated with non-reflective materials. The sign must be mounted on 4 inch by 4 inch pressure treated posts, or break away posts that meet or exceed the requirements of the *Roadway and Traffic Design Standards* (~~incorporated by reference under Rule 14-85.004, F.A.C.~~). The top of signs will be a maximum of no more than two feet above grade. Installation of signs is contingent upon an agreement with the appropriate local governmental entity. The approved sign panel(s) must be provided and replaced by the local governmental entity. Signs will be placed according to the approved landscape plan.

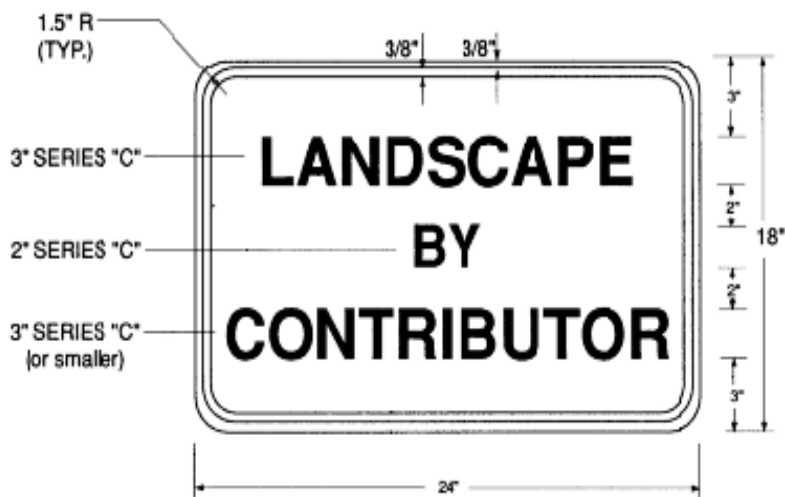


Figure 1 Arterial and Limited Access Landscape Roadway Sign

Specific Authority 334.044(2), 337.2505 FS. Law Implemented 334.044(2)(25), 335.167, 337.2505, 337.405, 339.24, 339.2405, 479.106 FS. History–New 9-22-92, Amended 1-19-99, 4-2-02, 5-22-05, 2-8-06,_____.

PART II FLORIDA HIGHWAY BEAUTIFICATION COUNCIL GRANTS

14-40.020 Grant Application Process.

(1) Purpose. The Department may provide grant assistance for highway beautification projects in accordance with Section 339.2405, F.S., to a local governmental entity or a local highway beautification council.

(2)(4) Definitions.

(a) “Agreement” means the contract between the Applicant and the Department setting forth the terms of the grant.

(b) “Applicant” means a local governmental entity, as defined in Section 11.45(1)(d), F.S., or a local highway beautification council as established in accordance with Section 339.2405(9), F.S.

(c) “Council” means the Florida Highway Beautification Council.

(d)(e) “Department” means the Florida Department of Transportation.

(d) “FHBC” means the Florida Highway Beautification Council.

(e) “Grant” means funds provided by the Department to Applicants, pursuant to this Rule Chapter.

(f) “Grant Application” means the Florida Highway Beautification Council Grant Application, Form 650-050-10, Rev. 01/04, incorporated herein by reference. Copies of the grant application form and instructions for completing the grant application may be obtained from any Department Office or on the Department webbiest at: www.dot.state.fl.us/emo.

(g) “Grant Coordinator” means the Department District employee responsible for the FHBC grant program.

(3)(2) Grant Application.

(a) ~~Grant applications for highway beautification grants from the FHBC must be filed and processed in accordance with this Rule Chapter. When preparing a grant application, applicants should meet and work with the Grant Coordinator on or about July 1, to give adequate time for review and revisions before the October 1, application deadline.~~

(b) ~~Previous recipients of grants are eligible to submit a grant application if their previous FHBC grant projects are maintained according to the terms of previous agreements.~~

(a)(e) Applicants must submit ~~grant requests on a completed~~ grant application to the Grant Coordinator having jurisdiction over the state highway on which the beautification project is proposed. Grant applications must be accompanied by the following supporting documents: location map, photographs of existing conditions, one page written project narrative, written or graphic conceptual plan (in accordance

with Part I of this Rule Chapter), one paragraph descriptions of each evaluation attribute, photographs or sketches of examples of proposed improvements, list of proposed plant species (scientific and botanical names) and anticipated quantities, anticipated maintenance schedule, proposed means of providing supplemental water, project schedule, and resolutions required in section (e)(g) below.

(b) The grant application deadline is October 1 for the next fiscal year which begins on July 1. When preparing a grant application, applicants should meet and work with the Grant coordinator on beginning three months or more in advance of the deadline, to give adequate time for review and revisions. Any incomplete or late filed applications will not be accepted. Grant applications for highway beautification grants from the Council must be filed and processed in accordance with this rule chapter.

(c)(d) In order for the Council FHBC to consider a grant application for the following any Department fiscal year, ten paper copies or electronic file copies of the completed grant application and supporting documents must be received by the Grant Coordinator by October 1 ~~of the Department fiscal year~~. When requested by the Grant Coordinator, additional copies will be provided. Incomplete grant applications, or grant applications that do not comply with state or federal regulations, will be returned to the applicant. An applicant may amend and resubmit any returned grant application by the October 1 deadline.

(e) ~~In accordance with Section 215.01, F.S., the Department’s fiscal year begins on July 1 and ends on June 30.~~

(d)(f) Applicants may submit an unlimited number of grant applications, for any number of project sites. The Grant Coordinator will note on the application if the applicant previously received Council grants and if previous projects were maintained in accordance with the terms of prior agreements.

(e)(g) The applicant’s governing body must have passed a resolution approving the grant application and authorizing the individual who signs the grant application for the applicant to execute agreements and documents associated with the grant. A copy of such resolution must be included with the application.

(f) Applicants are encouraged to submit grant applications for projects supported with equal (50 percent) matching funds or in kind contributions from other sources. Design fees up to 10 percent of the grant amount may be considered towards the applicant’s match.

Specific Authority 339.2405 FS. Law Implemented 339.2405 FS. History–New 1-19-99, Amended 11-22-01, 3-20-03, 8-10-03, 12-23-03, 2-8-06,_____.

14-40.022 Florida Highway Beautification Council Grant Award Process.

(1) The Council shall meet semiannually, or more often if needed to consider all grant applications submitted by each Grant Coordinator.

~~(2)(4)~~ The Council FHBC will consider all grant applications submitted by each Grant Coordinator.

(a) The Council FHBC will evaluate the applications based on the following attributes:

1. Aesthetic value and imaginative conceptual design.
2. Level of local support and community involvement.
3. Cost effectiveness.
4. Feasibility of installation and maintenance.
5. Contribution to improvement of environmental conditions, including litter prevention, erosion control, visual screening, and noise abatement.
6. Use of Florida native wildflowers, and diversity of other desirable native, hybrid native, or noninvasive plant species.
7. Emphasis on low maintenance and water conservation.
8. Use of recycled materials such as mulch, reuse water, or solid yard waste compost.
9. Contribution to an area wide or regional beautification plan.
10. Value to the community.

(b) The Council FHBC will assign a numerical score to each application by:

1. Reviewing each grant application and assigning a numerical score using the established range of 0 to 10 points for each attribute for a total possible score of 100 points.
2. Totaling all the attribute scores for a total application numerical score.

(c) Grant applications will be ranked in priority by numerical score, the highest numerical score being ranked the highest priority.

~~(3)(2)~~ The Council FHBC will provide the Department Secretary with a list of prioritized grant applications, with recommended funding levels, and conditions for grant awards.

Specific Authority 339.2405 FS. Law Implemented 339.2405 FS. History—New 3-9-99, Amended 11-22-01, 3-20-03, 8-10-03, 12-23-03,_____.

14-40.023 Funding, Construction, and Maintenance of Beautification Projects.

(1) Award of Grants.

(a) The Secretary will award grants in the order they appear on the Council's prioritized list and in accordance with available funding. Each grant will be limited to a maximum of 10% of the total Department's beautification FHBC grants budget. ~~Applicants are encouraged to submit grant applications for projects supported with equal (50%) matching funds from other sources. Other match percentages will be considered.~~

(b) Official notice of each grant award will be made by the Department by certified mail to the applicant named in the grant application.

(c) To accept a grant, an applicant must send a letter of acceptance by certified mail to the Grant Coordinator within 15 days from the date of receipt of the offer of the award.

(d) Funds will be released by the Department when agreements are executed, the project is constructed as per plans approved by the Department (see Part I of this Rule Chapter), there is written final acceptance by the Department, and receipts for grant expenses are reviewed and approved by the Department.

(e) All funding of grants is contingent upon legislative appropriations.

(2) Execution of Agreements.

(a) Agreements associated with the grant must be executed within one year from date of the letter of acceptance, and meet the requirements of paragraph 14-40.003(3)(c), F.A.C. Failure to execute the required agreements will result in the grant award being withdrawn. Future grant applications from an applicant who fails to comply with this subsection will not be accepted for a period of two fiscal years.

(b) The agreement(s) between the applicant and the Department must state:

1. The intended use of the grant, as described in the grant application.
2. The payment terms for the grant (e.g., lump sum reimbursement or progress payments for long term work).
3. Any actions which the Department will take in the event of noncompliance by the applicant.
4. The methods to be used by the Department to determine compliance with the terms of the agreement.

(c) The individual(s) who sign the agreements on behalf of the grant applicant, or the grant applicant's designee, shall certify that the project is implemented as specified in the agreements, and shall provide a certification of completion before the final invoices are submitted for the project.

Specific Authority 339.2405 FS. Law Implemented 339.2405 FS. History—New 3-20-03, Amended 8-10-03,_____.

PART III VEGETATION MANAGEMENT AT OUTDOOR ADVERTISING SIGNS

14-40.030 Application and Permit Issuance.

(1) Permit Required.

(a) No person or entity may remove, cut, or trim, trees, shrubs, or herbaceous plants on the Department's right of way to make visible or to ensure future visibility of off-premise outdoor advertising signs without Department approval of an Application to obtain a Permit for Vegetation Management at Outdoor Advertising Sign, Form 650-050-08, Rev. 08/07/97, (Application) which is incorporated herein by reference, pursuant to this Rule Chapter. For purposes of this rule, the use

~~application~~ of chemical control constitutes removing, cutting, or trimming, depending on the impact on the tree, shrub, or herbaceous plant. ~~Department approval is A Permit for Vegetation Management at Outdoor Advertising Sign~~ may be requested by submitting a completed Application ~~for Vegetation Management at Outdoor Advertising Sign, Form 650-050-06, Rev. 01/02, which is incorporated herein by reference,~~ to the Department District Maintenance Engineer or designee with responsibility for the segment of state road to which the subject sign is permitted. Alternatively, the ~~Application for Vegetation Management at Outdoor Advertising Sign~~ may be submitted to the State Outdoor Advertising Administrator, with an application for a new sign permit. Form 650-050-06 is available at any Department Office or on the Department website at: www.dot.state.fl.us/emo. This rule does not apply to requests to trim or remove vegetation that screens on-premise signs.

(b) An Application ~~for Vegetation Management at Outdoor Advertising Sign~~ must be submitted by the outdoor advertising sign permit holder. A separate ~~A~~ application is required for each sign facing. The vegetation management plan and appraisal, described in paragraph (c), shall both be prepared by ~~a qualified individual. Qualified individuals shall be one of the following:~~ ~~1. a~~ An International Society of Arboriculture (ISA) Certified Arborist with Advanced Training in Roadside Vegetation, or an individual with equivalent credentials from a nationally recognized arboricultural organization, or ~~a~~ ~~2. A~~ landscape architect registered pursuant to Chapter 481, Part II, F.S.

(c) The ~~A~~ application shall contain:

1. The name, address, telephone number, facsimile number, and E-Mail address if available, of the applicant; the Department's current outdoor advertising sign tag number; the sign permit holder's sign face number; and the notarized signature of the applicant's authorized representative.

2. The applicant's vegetation management plan (plan)-~~The plan~~ shall be for a period of not less than two years and not greater than five years. The plan shall include a plan for removing vegetation within the ~~view~~ ~~vegetation management~~ zone, cutting (removing or altering more than one quarter of any plant's height, spread, or density of branches), or trimming (the shaping or pruning of less than one quarter of any plant's height, spread, or density of branches). The ~~vegetation management~~ plan shall be a graphic and written document that describes the removal, cutting, trimming, planting, fertilizing, mulching, irrigation, and desired condition and appearance of existing and proposed vegetation, including a plan for disposal of debris, and a schedule and description of the intended vegetation management method(s) ~~within the vegetation management zone~~. All vegetation management proposed in the plan shall be in accordance with this rule and Rule 14-40.003, ~~F.A.C. A vegetation management plan will not be required for~~

~~applications submitted exclusively to establish the location of a view zone or to cut, trim, or remove vegetation that would be removed as part of the Department's routine maintenance.~~

3. Color photographs of the sign and entire view zone taken within six weeks prior to the application being made to the Department. The photographs and accompanying drawings must depict a clear representative overview of the vegetation to be removed, cut, or trimmed.

4. A photocopy of the qualifying credentials of the person preparing the vegetation management plan, and appraisal for mitigation, if mitigation is required. If herbicides will be used, the application must include a photocopy of the applicator's license in three categories (core curriculum, right of way, and aquatic) by the Florida Department of Agriculture and Consumer Services.

5. An itemized appraisal of the mitigation value of vegetation to be removed, cut, or trimmed, if mitigation is required.

6. A non-refundable application fee of \$25.00. The non-refundable ~~A~~ application fee shall be a total of \$200.00 for more than eight applications submitted simultaneously, providing that they are within the same Department District. If payment is by check, the fee submitted with an Application ~~for Vegetation Management at Outdoor Advertising Sign~~ must be paid separately from fees for other types of permits. ~~The approved application, including any conditions stated therein, and the approved vegetation management plan, shall become part of the permit. The permit, issued by the Department, shall allow vegetation management within the vegetation management zone for the duration of the approved vegetation management plan. After approval, the permittee must give the Local Maintenance Engineer a minimum of two working days notification prior to all permitted vegetation management activity on the Department's right of way, unless otherwise stipulated as a special provision of the permit.~~

(d) An approved Application will serve as a permit, and ~~Permit for Vegetation Management at Outdoor Advertising Sign~~ authorizes the permittee to remove, cut, or trim trees, shrubs, or herbaceous plants only as provided in the ~~approved plan permit~~, and only within an approved ~~view~~ ~~vegetation management~~ zone, which will be determined as follows:

1. The approved ~~view~~ ~~vegetation management~~ zone shall ~~meet the requirements of Subsection 479.107(6)(b), F.S. be based on a continuous or cumulative 500 foot linear distance along the edge of the travel lane within the 1,000 foot linear view zone (as described below), all within the Department's right of way (see Figures 2 and 3).~~

2. A sign facing shall have only one view zone, and only within the Department's right of way of the roadway to which the sign is permitted.

a. The view zone for a right-view sign (see Figure 2) is a ~~four sided~~ ~~nearly triangular~~ area ~~with the critical dimensions of 350 feet for posted speed limits of 35 miles per hour or less, or~~

~~500 feet for posted speed limits over 35 miles per hour measured along the right edge of the nearest travel lane on the same side of the highway to which the sign is permitted, which has:~~

~~(I) Terminus A, the point on the edge of the travel lane immediately opposite the edge of the outdoor advertising sign face closest to the highway;~~

~~(II) As terminus B, the point measured along the edge of pavement 1,000 feet in the direction from which the sign is viewed; and~~

~~(III) As a terminus C, the point on the edge of the sign face which is furthest from the road.~~

b. The view zone for a left-view sign (see Figure 3) is a four sided area with the critical dimension of 350 feet for posted speed limits of 35 miles per hour or less or 500 feet for posted speed limits over 35 miles per hour ~~is shall be measured as above, except that terminus A and terminus B shall be measured along the left edge of the nearest travel lane on the other side of the highway centerline.~~

[Editorial Note: New Figures 2 and 3 replace the existing Figures 2 and 3 in the Florida Administrative Code.]

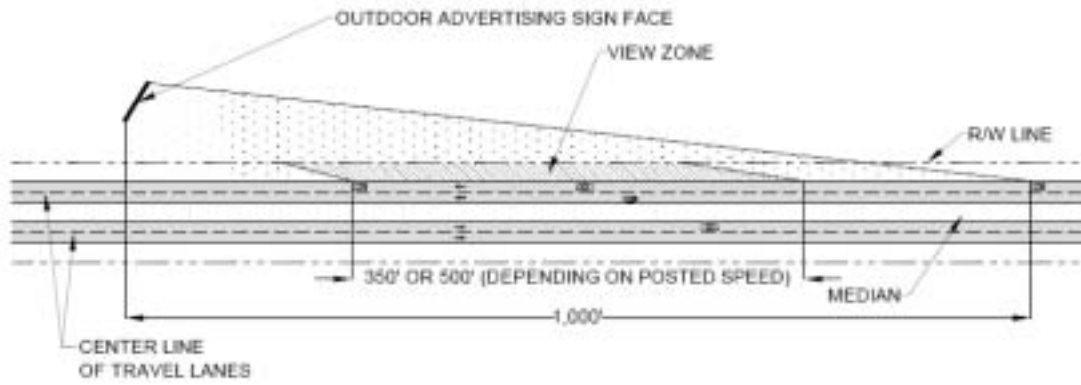


FIGURE 2
VIEW ZONE

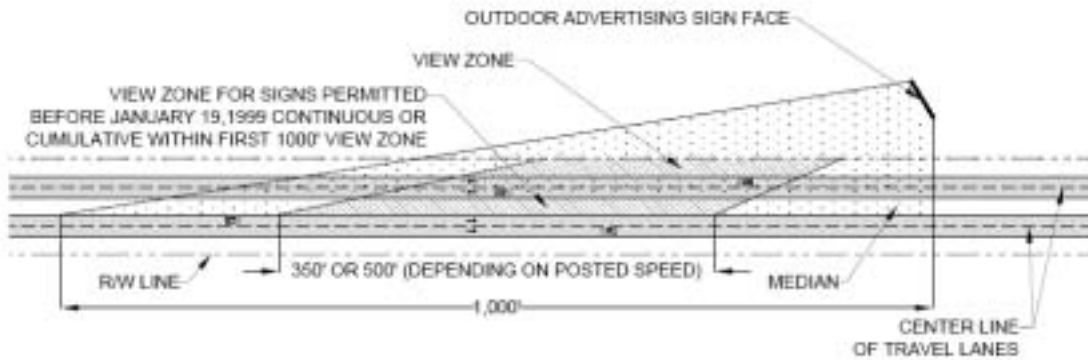


FIGURE 3
VIEW ZONE

c. ~~Areas within the median area will be included in an approved for~~ vegetation management zone only for left-read signs legally erected before January 19, 1999, and only as necessary to maintain the view of that sign across the median as it existed before January 19, 1999. ~~Vegetation within the pre-existing view zone that could not be managed prior to the adoption of this rule may be managed to restore visibility in accordance with this rule.~~

(e) ~~An Application will not be approved. No Permit for Vegetation Management at Outdoor Advertising Sign will be issued:~~

1. For applications that are incomplete;
2. For vegetation control to enhance the view of an outdoor advertising sign which does not have a currently valid state permit.
3. For mowing (nonselective mechanical or chemical control of vegetation) of grass or other vegetation. Mechanical mowing, to a minimum height of 6 inches, will be permitted when no other means of vegetation management is practicable to control vegetation that screens or is likely to screen a sign face.
4. To make a sign visible for more than the distance allowed by Section 479.106(6), F.S. ~~500 feet within a view zone.~~
5. To remove, cut, or trim, vegetation that has established historic, cultural, economic, environmental, or aesthetic significance. Such vegetation would:
 - a. Form an important part of the setting or landscaping for an historic structure;
 - b. Possess historic significance through a direct association with an event or person important in history;
 - c. Contribute strongly to the historic character as well as visual appeal of an historic structure or district;
 - d. Screen historic structures or residential property from traffic congestion;
 - e. Serve as memorials;
 - f. Be directly descended from historically significant trees or plants;
 - g. Be listed on the National Register of Historic Places, the State Register of Historic Sites, or local historical registries;
 - h. Be the only vegetation in the immediate vicinity, such that removal would leave the area barren of any substantial trees;
 - i. Have reached an age, size, or shape that it is known to be a local landmark; or
 - j. Be in the immediate vicinity of a roadway that has been lined with trees for a lengthy period of time where removal of such vegetation would significantly diminish the "tree lined" character of the roadway;
6. To remove, cut, or trim, trees, shrubs, or herbaceous plants that are protected by state law.

~~7. To remove, cut, or trim trees, shrubs, or herbaceous plants in violation of provisions of Section 479.106(5), F.S.~~

~~7.8. To remove, cut, or trim trees, shrubs, or herbaceous plants, when the Department has determined that the proposed vegetation management will significantly disrupt natural systems, roadside aesthetics, or have other negative impacts on the operation of the highway.~~

~~8.9. To create a new view zone by removing, cutting, or trimming existing vegetation for any sign originally permitted after July 1, 1996, unless the applicant removes at least two approximate comparable size nonconforming signs under valid permits issued pursuant to Section 479.07, F.S., and surrender the permits to the Department.~~

~~9.40. To remove, cut, or trim trees that have a circumference, measured at 42 feet above grade, equal to or greater than 70% of the circumference of the Florida Champion of the same species as listed in the Big Trees, The Florida Register, Florida Native Plant Society, 1997, which is incorporated herein by reference, and available at many public libraries in Florida, and at on-line bookstores.~~

~~10.44. To remove, cut, or trim trees, shrubs, or herbaceous plants in violation of provisions of Section 479.106(5), F.S. This applies to~~ vegetation that is part of a beautification project, when the project was approved prior to the permitting of any sign originally permitted after July 1, 1996. For the purpose of this rule, beautification projects include landscape projects, mitigation projects, and restoration projects. For the purpose of this rule, a beautification project is approved when it is specifically identified in the Department's five-year work program, or is a permitted landscape project, or is part of an executed agreement between the Department and a local government, or has been approved in writing by the Department for installation at a later date by a local government.

(f) Applications will be reviewed and approved or denied within 90 days of receipt of a completed application. The Department will notify the applicant of any apparent errors or omissions and request any additional information within 30 days of the receipt of an application. When an application is denied, no application fee will be charged for a revised application submitted within 90 days after the date shown on the notice of denial.

(g) ~~An approved Application (permit) is Permit for Vegetation Management at Outdoor Advertising Sign~~ is valid for the term of the proposed vegetation management plan (two to five years); as represented in on the plan unless Application of Vegetation Management at Outdoor Advertising Sign and the permit.) ~~The Department establishes a different will determine the expiration date on the of any pPermit for Vegetation Management at Outdoor Advertising Sign,~~ based on the safety of all users of the Department's right of way, and the need to avoid conflict with other permitted activities on the Department's right of way, or changes in roadside conditions.

(h) After approval, the permittee must give the Local Maintenance Engineer a minimum of two working days notification prior to all permitted vegetation management activity on the Department's right of way, unless a different time period is listed as a special condition of the permit.

(i)(h) Permit holders are responsible to track the expiration date of the permit. When a permit has expired for over 30 calendar days, changes are proposed, or previous permit conditions were not met, for Vegetation Management at Outdoor Advertising Sign expires, a new permit may be requested by submitting a new complete Application for Vegetation Management at Outdoor Advertising Sign in accordance with this rule. When a permit is about to expire, or has expired within 30 calendar days of an application for a new permit at the same location, the conditions of the previous permit have been met, and there are no proposed changes to the previously approved vegetation plan; only the following will be required from the applicant:

1. Cover letter to the District Maintenance Engineer in the Department District Office where existing permit was secured. The cover letter must include a statement that the applicant will adhere to the conditions of the original permit and vegetation management plan.

2. Completed application.

3. Copy of the previous application that shows the District's approval.

4. Application fee.

(i) A permit placard (FDOT Form 650-050-08) must be displayed within the vegetation management zone in clear view from the main traveled way when vegetation management is in progress.

(2) Vegetation Management on the Right of Way.

(a) A copy of the entire approved Application and vegetation management plan must be on site and available for review by the Department when vegetation management is in progress.

(b)(a) All work performed pursuant to a Permit for Vegetation Management at Outdoor Advertising Sign shall follow the approved vegetation management plan.

(c)(b) Chemical control of vegetation is limited to the use of United States Environmental Protection Agency approved selective herbicides. Foliar application of herbicides is limited to the control of invasive exotic plants.

(d)(e) Within 10 working days after completion of the removal, cutting, or trimming of vegetation, a qualified individual, as described in paragraph (1)(b) above, must inspect the view vegetation management zone and adjoining right of way, and submit written notification to the District Maintenance Engineer or designee that the work is complete. The correspondence must indicate the extent and nature of any unauthorized removal, cutting, or trimming.

(3) Mitigation. An applicant shall mitigate in accordance with this Rule Chapter for the impact to vegetation from removal, cutting, trimming, or accidental damage of vegetation on the Department's right of way.

(a) Mitigation is required:

1. Where cutting or trimming of, or damage to vegetation permanently detracts from the appearance or health of trees (including palm trees), shrubs, or herbaceous plants, or where cutting and trimming of trees or shrubs is not done in accordance with the standards set forth in the following documents: American National Standards Institute Tree Shrub and Other Woody Plant Maintenance-Standard Practices, 1995, and Fertilization, 1998, Publication #A300 (Part 2), and Tree-Pruning Guidelines authored and published by the International Society of Arboriculture, 1995, which are hereby incorporated by reference. Copies of these publications are available for purchase from the International Society of Arboriculture, Post Office Box GG, Savoy, Illinois 61874-9902, phone (217)355-9411, Fax (217)355-9516, or on the Internet at www.flaisa.org. This requirement does not apply to the cutting or trimming of, or damage to invasive exotic plants (plants listed by the Florida Department of Environmental Protection Rule Chapter 62C-52, F.A.C., Aquatic Plant Importation, Transportation, Non-Nursery Cultivation, Possession, and Collection, and plants listed by the Florida Department of Agriculture and Consumer Services, Rule Chapter 5B-57, F.A.C., Introduction or Release of Plant Pests, Noxious Weeds, Arthropods, and Biological Control Agents, or other plant species determined by the Department to be a nuisance to natural habitats or agriculture, or to have an adverse effect on the maintenance or safety of the Department's right of way).

2. Where trees taller than the surrounding shrubs and herbaceous plants are permanently damaged or removed.

3. Where trees or shrubs of a species that are not likely to grow to interfere with the visibility of displays are damaged or removed.

4. Where trees or shrubs of a species that are likely to grow to interfere with the visibility of displays are trimmed improperly, permanently damaged, or removed.

5. Where herbaceous plants are permanently damaged.

(b) Where mitigation is necessary, the applicant will provide with the Application for Vegetation Management an appraisal prepared by a qualified individual as defined in paragraph (1)(b) using the appropriate appraisal method found in Determining the Mitigation Value of Roadside Vegetation, Florida Chapter of the International Society of Arboriculture, 2000, which is incorporated herein by reference. Copies of this document can be obtained by contacting the International Society of Arboriculture as listed in subparagraph (3)(a)1., above. Pending approval by the Department, the appraised

value of the vegetation to be cut and removed will be the required mitigation. Approval is based on completeness and accuracy of mitigation calculations.

1. The mitigation may be paid as a fee (Option 1) equal to the amount of the mitigation appraisal prepared in accordance with paragraph (b) of this rule. Mitigation fees must be paid to the Department prior to approval of an Application issuance of a Permit for Vegetation Management at Outdoor Advertising Sign.

2. The permittee may design and build a mitigation project equal to the appraised value, at an approved location within the right of way (Option 2). Applicants must contact the District Landscape Architect Manager when preparing to develop a mitigation plan. For mitigation projects, the applicant must submit a mitigation plan which, in addition to the requirements of this rule, meets the requirements for landscape plans in Rule 14-40.003, F.A.C., to the Department for approval. Mitigation projects must be designed to avoid additional maintenance costs by the Department. The mitigation plan shall include a landscape plan, maintenance plan (including watering for establishment for a period of one year from the date of planting), and an estimated budget of all expenses to install, establish, and maintain the replacement vegetation. The value of the completed mitigation project must be equal to or greater than the appraised value of the cut and removed vegetation. When a mitigation project does not meet the required mitigation value, the balance is due to the Department as a mitigation fee. When the mitigation plan is approved, the applicant may proceed to construct the mitigation project. Failure to complete the mitigation project within six months after the vegetation is cut or removed will result in a penalty for unauthorized removal, cutting, or trimming as described in subsection (4) of this rule. The permittee is required, at the permittee's expense, to remove and replace any mitigation materials that have not survived in a healthy condition for the first full year after planting. The replacement materials shall be of like size and variety as the replaced material, or may be other material proposed by the permittee, and determined by the Department, to be more likely to survive. If the mitigation project is not restored to meet the permit requirements, the permittee is subject to enforcement of required mitigation and the penalty for unauthorized removal, cutting, or trimming.

(c) Mitigation is not required when trimming maintains a plant's natural habit of growth, and is performed in accordance with professionally accepted arboricultural standards, cited in the documents previously referenced in subparagraph (3)(a)1. of this rule. Young trees (immature trees that are no taller than the surrounding shrubs and herbaceous plants) of species that upon their maturity are likely to interfere with the visibility of displays may be removed without mitigation. Invasive exotic plants may be removed without mitigation. Where the Department has determined that vegetation is diseased, or

structurally damaged through no fault of the applicant, beyond a point where restoration is practicable, the vegetation may be removed without mitigation.

(d) Special Conditions Affecting Mitigation. The following additional provisions apply only to vegetation management pursuant to a permit issued under this rule:

1. Mitigation is not required for vegetation that the Department normally cuts or removes pursuant to its regular maintenance of the Department's right of way.

2. Mitigation is not required for vegetation when the Department's roadway plans explicitly show that the vegetation will be removed as part of the clearing and grubbing for a construction project designed and included in the Department's five-year work program.

3. Mitigation is not required for vegetation that was installed within the approved view zone after July 1, 1996, so long as the sign was permitted prior to the installation of the vegetation.

(4) Unauthorized Removal, Cutting, or Trimming of Vegetation. Any person engaged in unauthorized removal, cutting, or trimming of vegetation in violation of Section 479.106, F.S., or who benefits from such action, is subject to a penalty of \$1,000 per incident per sign facing and shall provide mitigation as required by subsection (3). For purposes of this subsection, the application of any chemical compound that kills or injures a tree, shrub, or herbaceous plant constitutes removal, cutting, or trimming.

Specific Authority 334.044(2), 337.2505(1) FS. Law Implemented 334.044(26)(25), 335.167, 337.405, 479.106 FS. History--New 1-19-99, Amended 2-7-02, 2-8-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeff Caster, State Transportation Landscape Architect, Environmental Management Office

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary

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

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

PURPOSE AND EFFECT: The purpose of this rulemaking is to adopt by reference two forms to be used by the District in the review of applications for water well construction permits. A form requesting additional information for permits to construct a public supply well will be adopted. An existing form used for wells to be constructed within the Most Impacted Area of the former Eastern Tampa Bay Water Use Caution Area is renamed to reference the Southern Water Use Caution Area. The effect of this rulemaking will be to incorporate these forms into District rules.

SUMMARY: The District proposes to adopt by reference two forms used in the water well construction permit application process. The proposed Public Supply Well Information and Classification Form is used to obtain additional information relating to the construction of public supply wells and public supply water use. The formerly titled "Well Verification for All Non-domestic Wells Located in the Most Impacted Area of the Eastern Tampa Bay Water Use Caution Area" form will now be titled as the "Well Verification for All Non-domestic Wells Located in the Most Impacted Area of the Southern Water Use Caution Area," as the Eastern Tampa Bay Water Use Caution Area is now part of the Southern Water Use Caution Area. Minor wording changes are also made to the form.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.044, 373.113, 373.149, 373.171, 373.337 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: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this chapter. Copies of these forms may be obtained from the District.

GROUND WATER

(1) through (6) No change.

(7) WELL VERIFICATION FOR ALL NON-DOMESTIC USE WELLS LOCATED IN THE MOST IMPACTED AREA OF THE SOUTHERN EASTERN TAMPA BAY WATER USE CAUTION AREA, FORM NO. LEGR-016.00 () 42.10.005 (10/95)

(8) through (25) No change.

(26) PUBLIC SUPPLY WELL INFORMATION AND CLASSIFICATION FORM, FORM NO. LEG-R.015.00 ()

SURFACE WATER

(1) through (15) No change.

OTHER

(1) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 FS. History—New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00,10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05, 2-6-07, 2-26-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08, 4-7-08, 5-12-08, 5-20-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 22, 2008

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-3.021	Definitions
40D-3.037	Rules and Publications Incorporated by Reference
40D-3.038	Violations of Contractor Licensing Requirements
40D-3.101	Content of Application
40D-3.301	Conditions for Issuance of Permits
40D-3.411	Well Completion Report
40D-3.531	Abandoned Well Plugging

PURPOSE AND EFFECT: The purpose of this rulemaking is to make minor corrections to District rules regulating the construction of water wells and to incorporate related amendments recently adopted by the Department of Environmental Protection for water well construction licensing. The effect of this rulemaking will be to make the District's well construction permitting rules more accurate and up to date.

SUMMARY: As part of the District's biennial review of existing rules and regulations for correctness and continued compliance with statutory requirements, the District is proposing amendments to several rules within Chapter 40D-3, F.A.C., pertaining to the regulation of water wells. Rule 40D-3.021, F.A.C., is amended to correct typographical errors; Rule 40D-3.037, F.A.C., is amended to reference updated DEP rules and the District's website; Rule 40D-3.038, F.A.C., is revised to conform the District's rule to the related DEP rule; Rule 40D-3.101, F.A.C., is amended to incorporate revisions made to other District rules cited therein; subsection 40D-3.301(3), F.A.C., is deleted as it is no longer required; and minor clarifying edits are made to Rules 40D-3.411 and 40D-3.531, F.A.C.

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

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.309, 373.323(8), 373.337 FS.

LAW IMPLEMENTED: 373.046, 373.106, 373.109, 373.206, 373.207, 373.209, 373.306, 373.308, 373.309, 373.313, 373.316, 373.319, 373.323, 373.324, 373.333, 373.336 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-3.021 Definitions.

When used in this Chapter:

(1) No change.

(2) "Annulus" or "annular space" means any artificially created void existing between a well casing or liner pipe and a borehole wall, or between two casings or between tubing and the casing ~~or~~ for liner pipe.

(3) through (34) No change.

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.106, 373.306, 373.308, 373.309, 373.313, 373.316, 373.319, 373.323 FS. History—Readopted 10-5-74, Formerly 16J-3.02, Amended 7-1-90, 9-30-91, 12-31-92, _____.

40D-3.037 Rules and Publications Incorporated by Reference.

(1) The regulations promulgated by the Department governing the construction of water wells as set forth in Chapter 62-532, F.A.C. (3-28-02), the construction of water wells in delineated areas as set forth in Chapter 62-524, F.A.C. (6-27-00), the licensing requirements for Water Well Contractors as set forth in Chapter 62-531, F.A.C. (11-25-07) (~~7-17-03~~), and the construction of public supply water wells as set forth in Chapter 62-555, F.A.C. (1-17-05) (~~4-10-03~~), are hereby incorporated by reference and made a part of this rule and shall apply to all water wells constructed, repaired, modified or abandoned in the District.

(2) No change.

(3) Well Construction Forms are incorporated by reference into Rule 40D-1.659, F.A.C., and are available from the District upon request and from the District's website at www.watermatters.org.

Specific Authority 373.044, 373.113, 373.309 FS. Law Implemented 373.046, 373.308, 373.309, 373.323, 373.324, 373.333 FS. History—New 7-1-90, Amended 12-31-92, 4-11-94, 6-27-94, 9-22-94, 7-5-95, 10-19-95, 7-15-99, 6-23-03, 1-8-04, _____.

40D-3.038 Violations of Contractor Licensing Requirements.

(1) No change.

(2) A contractor is requested ~~required~~ to inform the District within 15 days of any change in the contractor's mailing address.

(3) through (4) No change.

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.323(8), 373.337 FS. Law Implemented 373.323, 373.324, 373.333, 373.336 FS. History—New 7-1-90, Amended 12-31-92, 2-1-05, _____.

40D-3.101 Content of Application.

(1) Applications for permits required by this chapter shall be submitted to the District. All permit applicants shall submit the form entitled "State of Florida Permit Application to Construct, Repair, Modify or Abandon a Well", adopted by reference in Rule ~~subsection~~ 40D-1.659(4), F.A.C. Except for replacement and domestic use wells, all applications to construct a well within the Most Impacted Area of the Southern Eastern Tampa Bay Water Use Caution Area, as set forth in subparagraph 40D-2.801(3)(b)2., and Figure 2.1, Section 7.2.8.A and Figure 7.2-2, of the Basis of Review for Water Use Permit Applications, adopted by reference in Rule 40D-2.091, F.A.C., shall include the form entitled "Well Verification For All Non-Domestic Use Wells Located in the

Most Impacted Area of the ~~Southern Eastern Tampa Bay~~ Water Use Caution Area”, adopted by reference in ~~Rule subsection 40D-1.659(7)~~, F.A.C.

(2) A permit applicant seeking to drill a public supply well shall submit:

(a) No change.

(b) A completed Southwest Florida Water Management District “Public Supply Well Information and Classification Form”, ~~adopted by reference in Rule 40D-1.659, F.A.C. form number 42.10-001, revised August 1992;~~ and

(c) Four sets of site plans signed, sealed and dated prepared by a licensed professional registered engineer. Applicants for permits on existing projects may submit pre-existing site plans or detailed legal plats.

(3) No change.

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.109, 373.308, 373.309, 373.313, 373.316 FS. History–Readopted 10-5-74, Formerly 16J-3.07, Amended 7-1-90, 9-30-91, 12-31-92, 4-11-94, 10-19-95, 2-26-07,_____.

40D-3.301 Conditions for Issuance of Permits.

(1) through (2) No change.

~~(3) All non government (privately) owned public supply applicants in Florida Public Service Commission (FPSC) jurisdictional counties, and applicants otherwise regulated by the FPSC, must submit with their application, either an FPSC certificate of authorization to provide water service, or an order of exemption from the FPSC.~~

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.109, 373.306, 373.308, 373.309, 373.313 FS. History–Readopted 10-5-74, Formerly 16J-3.11(1)-(3), Amended 1-8-87, 7-1-90, 12-31-92, 7-2-98,_____.

40D-3.411 Well Completion Report.

(1) Well completion reports are required for the construction, repair, modification or abandonment of all wells. The District’s receipt of a well completion report raises the rebuttable presumption that all work under the permit has been completed or has ceased.

(a) The water well contractor or any individual permittee shall submit to the District the form entitled “Well Completion Report”, adopted by reference in ~~Rule subsection 40D-1.659(5)~~, F.A.C., within 30 days of the expiration of the permit.

(b) No change.

(c) The District shall require a record of the well construction at any time prior to the submittal of the completion report if any drilling problems are encountered during well construction. The District may request a record either orally or in writing. The water well contractor or individual permittee shall provide the record within seven days of receipt of the District’s request.

(d) No change.

(2) No change.

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.308, 373.309, 373.313 FS. History–Readopted 10-5-74, Amended 10-24-76, Formerly 16J-3.09, 16J-3.14, Amended 7-1-90, 9-30-91, 12-31-92, 10-19-95, 1-1-01, 2-26-07,_____.

40D-3.531 Abandoned Well Plugging.

(1) The form entitled “State of Florida Permit Application to Construct, Repair, Modify or Abandon a Well”, adopted by reference in ~~Rule subsection 40D-1.659(4)~~, F.A.C., shall be submitted to the District prior to the abandonment of any well, including an incomplete well.

(2) No change.

(3) All abandoned and incomplete wells shall be plugged by filling them from bottom to top with grout. The work shall be performed by a licensed water well contractor except for wells exempted under subsection 40D-3.051(1) and wells permitted to be constructed or abandoned pursuant to paragraph 40D-3.301(1)(a), F.A.C.

(a) through (b) No change.

(4) No change.

(5) The “Well Grouting/Abandonment Form”, adopted by reference in ~~Rule subsection 40D-1.659(6)~~, F.A.C., will be used to document the well abandonment.

Specific Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.206, 373.207, 373.209, 373.306, 373.308, 373.309 FS. History–New 7-1-90, Amended 9-30-91, 12-31-92, 7-2-98, 9-26-02, 2-26-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 22, 2008

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.070

RULE TITLE: Durable Medical Equipment and Medical Supplies

PURPOSE AND EFFECT: The purpose of the rule amendment to Rule 59G-4.070, F.A.C., is to incorporate by reference the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2008. The revised handbook includes the policy and procedure code changes mandated by the federal Health Insurance Portability and Accountability Act (HIPAA), revised policies

mandated by CS/HB 7083ER, and updated service requirements. The handbook also contains the policies for certain products that were transferred from the Medicaid Prescribed Drug Program to the Medicaid Durable Medical Equipment and Medical Supplies Program in 2005. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2008.

SUMMARY: The rule amendment to Rule 59G-4.070, F.A.C., will incorporate by reference the revised Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2008.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: Monday, July 14, 2008, 11:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Gabric, Medicaid Services Office, 2727 Mahan Drive, MS #20, Tallahassee, Florida 32308-5403, (850)922-73069, gabricd@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.070 Durable Medical Equipment and Medical Supplies.

(1) No change.

(2) All durable medical equipment and medical supply providers enrolled in the Medicaid program must be in compliance ~~comply~~ with the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2008 ~~April 1998~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS HCFA-1500 and EPSDT 221, which is incorporated by reference in Rule 59G-4.001 ~~5.020~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-Florida.com> ~~agent~~. Click on Provider Support, and then on Provider

Handbooks. Paper copies of the handbooks may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting Option 7.

~~(3) Medicaid durable medical equipment and medical supply providers are required to use the following form, which is incorporated by reference: the Custom Wheelchair Evaluation form, AHCA-Med Serv Form, 015, July 2007, five pages. This form is available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-Florida.com>. Click on Provider Support, and then on Forms. The form may also be photocopied from Appendix A in the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook. All DME providers and their billing agents must comply with the provisions of the Florida Medicaid Provider Reimbursement Handbook, Non-Institutional 081, November 1996, which is incorporated by reference and available from the Medicaid fiscal agent.~~

~~(4) Durable Medical Equipment and Supplies. All DME/Medical Supply providers must comply with the provisions of the Florida Medicaid DME/Medical Supply Services Coverage and Limitations Handbook January 2000, which is incorporated by reference and available from the Medicaid fiscal agent.~~

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907~~(7)~~, 409.908, 409.912, 409.913 FS. History--New 8-26-92, Formerly 10C-7.070, Amended 5-23-94, 1-7-96, 3-4-99, 10-18-00, 4-30-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dan Gabric

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Holly Benson, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3, 2008

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.320 RULE TITLE: Therapy Services

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to incorporate by reference update July 2008 to the Florida Medicaid Therapy Services Coverage and Limitations Handbook. The handbook was updated to include the Prepaid Therapy Program, which was authorized by Section 409.912(42), F.S., and the General Appropriations Act for fiscal year 2005-2006. Certain eligibility categories of recipients under the age of 21 who are not enrolled in a managed care program, except for MediPass and the Children's Medical Services Network, will be enrolled in the Prepaid Therapy Program for the provision of their therapy services. Recipients who are otherwise excluded from managed care

will not be enrolled. The Agency for Health Care Administration, Division of Medicaid will contract with vendors to administer the provision of therapy services to Medicaid recipients who are enrolled in the Prepaid Therapy Program. The effect of the rule amendment to Rule 59G-4.320, F.A.C., will be to incorporate by reference in rule update July 2008 to the Florida Medicaid Therapy Services Coverage and Limitations Handbook.

SUMMARY: The purpose of this proposed rule amendment is to incorporate by reference update July 2008 to the Florida Medicaid Therapy Services Coverage and Limitations Handbook. The effect of the rule amendment to Rule 59G-4.320, F.A.C., will be to incorporate by reference in rule update July 2008 to the Florida Medicaid Therapy Services Coverage and Limitations Handbook.

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

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.912 FS.

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

DATE AND TIME: Monday, July 14, 2008, 2:00 p.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room A, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Spencer Moore, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7315, moores@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.320 Therapy Services.

(1) No change.

(2) All therapy providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Therapy Services Coverage and Limitations Handbook, October 2003, updated July 2008, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-Florida.com>. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent at (800)289-7799 and selecting Option 4.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.912 FS. History–New 5-24-92, Amended 4-12-93, Formerly 10C-7.068, Amended 5-4-94, 12-26-95, 3-9-99, 12-2-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Spencer Moore

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Holly Benson, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 7, 2007

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:

61J2-1.011 License Fees and Examination Fees

PURPOSE AND EFFECT: The Commission will no longer conduct license seminars or publish and sell those documents pertaining to the course syllabus.

SUMMARY: The Commission will no longer conduct license seminars or publish and sell those documents pertaining to the course syllabus.

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

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

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 68.065(2), 455.217, 455.2281, 475.04, 475.125, 475.15, 475.182, 475.24, 475.451 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-1.011 License Fees and Examination Fees.

(1) through (5) No change.

~~(6) The Commission may conduct seminars and publish and sell the following documents at cost, which may or may not vary with each class or printing:~~

~~Wall Certificate of License Course syllabus~~

~~(6)(7) The license fee for school related categories shall be as follows:~~

(a) Application for School Instructor \$20.00

(b) The biennial Permit Fees shall be:

School Permitholder	\$130.00
Additional Location for Permitholder	\$45.00
Chief Administrative Person	\$80.00
School Instructor	\$80.00

~~(7)(8)~~ Entity, sponsor, organization and individual equivalent education course offering:

For each application for approval of education offering	\$80.00
For each biennial education course offering renewal	\$80.00

~~(8)(9)~~ The initial application for registration of a corporation, partnership, limited liability company or limited liability partnership is:

Corporation, partnership, limited liability company or limited liability partnership	\$90.00
Branch office for a corporation, partnership, limited liability company or limited liability partnership	\$80.00

~~(9)(10)~~ The biennial renewal of a corporation, partnership, limited liability company or limited liability partnership registration fee shall be:

Corporation, partnership, limited liability company or limited liability partnership	\$90.00
Branch office for a corporation, partnership, limited liability company or limited liability partnership	\$80.00

~~(10)(11)~~ The fee for request for a change of examination date, which must be in writing, shall be:

(a) Requests received by the examination vendor 3 or more days prior to the scheduled date	no fee
(b) Requests received by the examination vendor less than 3 days prior to the scheduled date	\$45.00

Specific Authority 475.05 FS. Law Implemented 68.065(2), 455.217, 455.2281, 475.04, 475.125, 475.15, 475.182, 475.24, 475.451 FS. History—New 10-10-79, Amended 1-1-80, 4-14-81, 9-13-82, 10-19-83, 8-12-84, 10-13-85, Formerly 21V-1.11, Amended 2-1-87, 1-1-88, 5-5-88, 10-13-88, 9-10-89, 1-4-90, 2-13-90, 3-27-90, 8-21-90, 10-9-90, 1-13-91, 8-19-91, 7-1-93, Formerly 21V-1.011, Amended 7-18-94, 12-17-95, 12-30-97, 1-19-99, 4-18-99, 2-24-00, 11-17-03, 3-8-05, 12-6-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 15, 2008

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-1.014
RULE TITLE: Inactive Renewal

PURPOSE AND EFFECT: The proposed rule amendment will require the Commission to forward a licensee's renewal notification to his/her address of record.

SUMMARY: The proposed rule amendment will require the Commission to forward a licensee's renewal notification to his/her address of record.

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

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

SPECIFIC AUTHORITY: 120.53, 475.05, 475.183 FS.

LAW IMPLEMENTED: 120.53, 475.05, 475.183 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-1.014 Inactive Renewal.

(1) No change.

(2) A renewal notice will be sent to the licensee's last known address of record ~~the licensee~~. If a licensee does not elect to renew, the status automatically shall revert to involuntarily inactive.

(3) No change.

Specific Authority 120.53, 475.05, 475.183 FS. Law Implemented 475.183 FS. History—New 11-12-81, Formerly 21V-1.14, Amended 10-13-88, 6-28-93, Formerly 21V-1.014, Amended 10-25-98, 8-8-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 15, 2008

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-2.027
 RULE TITLE: Character Inquiry into Individual Applicants

PURPOSE AND EFFECT: The rule amendment deletes language that is in the statute and modifies other language to improve its clarity.

SUMMARY: The rule amendment deletes language that is in the statute and modifies other language to improve its clarity.

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

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

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.17, 475.175, 475.451 FS., Georgia Association of Realtors, Inc., et al. v. Florida Real Estate Commission, et al., Civil Case No. 87-15-Orl-Civ-18 (M.D. Fla. 1987).

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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-2.027 Character Inquiry into Individual Applicants Applications by Individuals.

~~An individual applicant The application of a natural person for active licensure, whether the applicant expects to operate alone, or as a partner, or with a corporation, or as a sales associate, is governed by substantially the same rules and forms.~~

~~(1) The applicant must meet necessary personal qualifications as follows:~~

~~(a) Is 18 years of age or older.~~

~~(b) If the application is for broker:~~

~~1. Has been registered as an active sales associate for at least 12 months during the preceding 5 years under one or more brokers;~~

~~2. Has held a current and valid real estate sales associate's license for at least 12 months during the preceding 5 years in the employ of a governmental agency for a salary and performing the duties authorized in Chapter 475, F.S.; or~~

~~3. Has held a current and valid real estate broker's license for at least 12 months during the preceding 5 years in any other state, territory, or jurisdiction of the United States, or in any foreign national jurisdiction.~~

~~(e) Hold a high school diploma or its equivalent.~~

~~(2) The applicant must make it possible to immediately begin the inquiry as to whether the applicant is honest, truthful, trustworthy, of good character, and bears a good reputation for fair dealings, and will likely make transactions and conduct negotiations with safety to the public investors and to those with whom the applicant may undertake a relation of trust and confidence. The applicant must fully is required to disclose and explain whether the applicant has ever:~~

~~(1) Entered a plea of nolo contendere (no contest), or guilty to, or been convicted of, any crime in any jurisdiction;~~

~~(a) If ever convicted of a crime, or if~~

~~(2) Had any judgment or decree has been rendered against the applicant for fraud or dishonesty dealings; or~~

~~(3) Been (b) If now a patient of a mental health facility or similar institution; for the treatment of mental disabilities; or~~

~~(4) Used or transacted (e) If ever called by, or done business in under any other name, or alias, than the name signed on his or her the application; with the Department sufficient information to enable the Commission to investigate the circumstances; or;~~

~~(d) If ever had a broker's or sales associate's license~~

~~(3) Each application shall be accompanied by a completed FBI fingerprint card for processing; and~~

~~(4) All applicants for permits to instruct or be a permitholder for a real estate school must comply with Sections 475.451(2)(a) and (e), F.S.~~

~~(5) Had any application for occupational or professional licensure, in any jurisdiction, denied; and~~

~~(6) Had any occupational or professional license revoked, suspended, or otherwise acted against, in any jurisdiction or had an application for such licensure denied, by the real estate licensing agency of another state, territory, or country.~~

Specific Authority 475.05 FS. Law Implemented 475.17, 475.175, 475.451 FS., Georgia Association of Realtors, Inc., et al. v. Florida Real Estate Commission, et al., Civil Case No. 87-15-Orl-Civ-18 (M.D. Fla. 1987). History—New 1-1-80, Formerly 21V-2.27, Amended 4-10-88, 5-20-90, 1-13-91, 7-15-92, 7-20-93, Formerly 21V-2.027, Amended 11-10-97, 1-18-00, 11-26-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 15, 2008

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-2.029 RULE TITLE: Examination Areas of Competency

PURPOSE AND EFFECT: The proposed rule amendment deletes language that allows a successful applicant to practice in real estate if his/her employment information is on file.

SUMMARY: The proposed rule amendment deletes language that allows a successful applicant to practice in real estate if his/her employment information is on file.

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

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

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 455.217(1)(b) 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-2.029 Examination Areas of Competency.

(4) The answers to the Broker, Sales Associate, and Instructor examination shall be graded on the basis of 100 points for a perfect examination. An applicant who receives a grade of 75 points or higher shall be deemed to have successfully completed the licensure examination. The sales associate examination shall be based upon a knowledge, understanding and application of real estate principles and practices, real estate law and real estate mathematics as contained in the Commission prescribed prerequisite education course syllabus for licensure as a real estate sales associate. To the extent these subject areas can reasonably be separated, 45 points shall be based on law, 45 points on principles and practices and 10 points on real estate mathematics. The broker and instructor examinations shall be based upon a knowledge, understanding and application of real estate law, real estate principles and practices including appraising, finance, investment and brokerage management and real estate mathematics. To the extent these subject areas can reasonably be separated, 45 points shall be based on law, 40 points on principles and practices and 15 points on real estate mathematics.

~~(2) A successful applicant may lawfully practice the services of real estate provided employment information is on file with the DBPR.~~

Specific Authority 475.05 FS. Law Implemented 455.217(1)(b) FS. History—New 1-1-80, Amended 4-13-81, Formerly 21V-2.29, Amended 6-28-93, Formerly 21V-2.029, Amended 1-18-00, 2-4-04,

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 15, 2008

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

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

PURPOSE AND EFFECT: The proposed rule amendment deletes the exemption from reactivation education requirements for active members in good standing with the Florida Bar, and who are otherwise qualified under the real estate law.

SUMMARY: The proposed rule amendment deletes the exemption from reactivation education requirements for active members in good standing with the Florida Bar, and who are otherwise qualified under the real estate law.

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

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

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.182, 475.183, 475.451 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-3.010 License Reactivation Education for Brokers and Sales Associates.

(1) through (6) No change.

~~(7) Any active member in good standing with The Florida Bar, who is otherwise qualified under the real estate license law, is exempt from the reactivation education requirements of this rule.~~

Specific Authority 475.05 FS. Law Implemented 475.04, 475.17, 475.182, 475.183, 475.451 FS. History–New 1-1-80, Amended 8-24-80, 9-16-84, Formerly 21V-3.10, Amended 10-13-88, 6-28-93, Formerly 21V-3.010, Amended 12-30-97, 10-25-98, 1-18-00, 3-15-04, 11-8-06, 12-25-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Commission

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 15, 2008

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-204.200	Definitions
62-204.400	Public Notice and Hearing Requirements for State Implementation Plan Revisions
62-204.800	Federal Regulations Adopted by Reference

PURPOSE AND EFFECT: The proposed rule amendments to Chapter 62-204, F.A.C., revise the definition of “PM10” to correct an erroneous reference to EPA rules; update the State Implementation Plan (SIP) processing rule to simply reference the provisions of 40 CFR Part 51, Subpart F; and add clarifying language to the adoption by reference of EPA emissions test method 23.

SUMMARY: The proposed rule amendments make corrective and clarifying changes to the department’s general provisions for air pollution control and EPA test methods adopted by reference.

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

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

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061 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, July 22, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Division of Air Resource Management, 111 South Magnolia Drive, Suite 23, Director’s Conference Room, 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: Ms. Lynn Scarce at (850)921-9551. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-204.200 Definitions.

The following words and phrases when used in this chapter, unless content clearly indicates otherwise, have the following meanings:

(1) through (26) No change.

(27) “PM₁₀”.

(a) No change.

(b) With respect to emissions, PM₁₀ means finely divided solid or liquid material, with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers emitted to the atmosphere as measured by an applicable reference method or by an equivalent or alternative method specified in 40 C.F.R. Part 51, Appendix M ~~60~~, adopted and incorporated by reference in Rule 62-204.800, F.A.C.

(28) through (30) No change.

Specific Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.8055 FS. History–New 11-30-94, Amended 3-13-96, 2-12-06,_____.

62-204.400 Public Notice and Hearing Requirements for State Implementation Plan Revisions.

(4) The Department shall comply with the public notice and hearing requirements of 40 CFR Part 51, Subpart F, adopted and incorporated by reference at Rule 62-204.800.

~~F.A.C., hold a public hearing prior to submission and adoption of any proposed revision to the Florida State Implementation Plan (SIP) to the U.S. Environmental Protection Agency.~~

~~(a) In addition to the notice required by Section 120.54, F.S., for rulemaking, the Department shall publish notice of the hearing by prominent advertisement in a newspaper of general circulation in each air quality control region affected at least 30 days prior to the hearing. The notice shall specify the date, time, and place of the hearing and state that a copy of the proposed SIP revision is available for public inspection in each affected region.~~

~~(b) The Department shall also furnish a copy of the notice and proposed SIP revision to:~~

- ~~1. The Region IV office of the EPA;~~
- ~~2. Each local air pollution control agency in an affected region; and~~
- ~~3. In the case of an interstate air quality control region, each other state included in whole or in part in the region.~~

~~(2) A record of the public hearing, including a list of witnesses together with the text of each presentation, shall be made available by the Department to the Administrator upon his/her request.~~

~~(3) The Department shall include with each proposed SIP revision submitted to the EPA a certification that the hearing was held in accordance with the notice required by paragraph 62-204.400(1)(a), F.A.C.~~

Specific Authority 403.061, 403.8055 FS. Law Implemented ~~403.021,~~ 403.031, 403.061, 403.8055 FS. History--New 11-30-94, Amended

62-204.800 Federal Regulations Adopted by Reference.

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

(1) through (7) No change.

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

(a) through (d) No change.

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

1. through 6. No change.

7. 40 C.F.R. ~~CFR~~ 60, Appendix A-7, Test Methods 19 through 25E; amended May 15, 2006, at 71 FR 28081; amended September 21, 2006, at 71 FR 55119; amended September 7, 2007, at 72 FR 51365, except that in Method 23, the toluene rinse concentrate may be added to the acetone and methylene chloride concentrate, the filter, and the resin in the

Soxhlet apparatus specified at section 5.1.4 of the method prior to analysis, in lieu of separate analysis of the toluene rinse extract pursuant to section 5.1.6 of the method.

8. through 12. No change

(9) through (26) No change.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Joseph Kahn, Director, Division of Air Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ms. Mimi Drew, Deputy Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 4, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-210.200	Definitions
62-210.300	Permits Required
62-210.310	Air General Permits
62-210.350	Public Notice and Comment
62-210.900	Forms and Instructions

PURPOSE AND EFFECT: The proposed rule amendments to Chapter 62-210, F.A.C., correct errors in the definitions of "PM10," "Major Modification" and "Net Emissions Increase"; clarify the definitions of "Best Available Control Technology," "Permit Revision," "Regulated Air Pollutant" and "Volatile Organic Compounds"; and add a definition of "Nitrogen Oxides" in Rule 62-210.200, F.A.C. The amendments also clarify language in the printing operation exemption and general permit to include "inks" and "fountain solutions" in material usage, and to provide that "all VOC-containing" material must be accounted for. The amendments correct a typographical error in Rule 62-210.300, F.A.C., and an erroneous cross-reference in Rule 62-210.350, F.A.C., and revise the Transfer of Air Permit Form to allow out-of-state notarization.

SUMMARY: The proposed rule amendments make clarifying and corrective changes to the department's general requirements for stationary sources of air pollutant emissions.

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

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

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.814, 403.815 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, July 22, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Division of Air Resource Management, 111 South Magnolia Drive, Suite 23, Director's Conference Room, 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: Ms. Lynn Scarce at (850)921-9551. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-210.200 Definitions.

The following words and phrases when used in this chapter and in Chapters 62-212, 62-213, 62-214, 62-296, and 62-297, F.A.C., shall, unless content clearly indicates otherwise, have the following meanings:

(1) through (39) No change.

(40) "Best Available Control Technology" or "BACT" –

(a) An emission limitation, including a visible emissions standard, based on the maximum degree of reduction of each pollutant emitted which the Department, on a case by case basis, determines is achievable through application of production processes and available methods, systems and techniques (including fuel cleaning or treatment or innovative fuel combustion techniques) for control of each such pollutant, taking into account:

1. Energy, environmental and economic impacts, and other costs;
2. All scientific, engineering, and technical material and other information available to the Department; and
3. The emission limiting standards or BACT determinations of Florida and any other state; ~~determines is achievable through application of production processes and~~

~~available methods, systems and techniques (including fuel cleaning or treatment or innovative fuel combustion techniques) for control of each such pollutant.~~

(b) through (d) No change.

(41) through (191) No change.

(192) "Major Modification"

(a) No change.

(b) Any significant emissions increase from any emissions units or net emissions increase at a major stationary source that is significant for volatile organic compounds or nitrogen oxides shall be considered significant for ozone.

(c) through (d) No change.

(193) through (209) No change.

(210) "Net Emissions Increase"

(a) through (b) No change.

(c) An increase or decrease in actual emissions is creditable only if the Department has not relied on it in issuing a permit for the source pursuant to Rule 62-212.400, F.A.C. or Rule 62-212.500, F.A.C., which permit is in effect when the increase in actual emissions from the particular change occurs.

(d) through (h) No change.

(211) through (216) No change.

(217) "Nitrogen Oxides" – All oxides of nitrogen, except nitrous oxide, as measured by test methods set forth in 40 C.F.R. Part 60, adopted and incorporated by reference at Rule 62-204.800, F.A.C., and expressed as nitrogen dioxide.

(217) through (235) renumbered (218) through (236) No change.

~~(237)(236)~~ "Permit Revision" or "Permit Modification" – Any alteration to a permit term or condition ~~an the aAdministrative pPermit cCorrection or amendment~~ described at Rule 62-210.360, F.A.C.

(237) through (239) renumbered (238) through (240) No change.

~~(241)(240)~~ "PM₁₀" –

(a) No change.

(b) With respect to emissions, PM₁₀ means finely divided solid or liquid material, with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers emitted to the atmosphere as measured by an applicable reference method or by an equivalent or alternative method specified in 40 C.F.R. Part ~~51, Subpart M 60~~, adopted and incorporated by reference in Rule 62-204.800, F.A.C.

(241) through (259) renumbered (242) through (260) No change.

~~(261)(260)~~ "Regulated Air Pollutant" –

(a) Nitrogen oxides or ~~any~~ volatile organic compounds;

(b) Any pollutant regulated under 42 U.S.C. s. 7411 – Standards of Performance for New Stationary Sources, or 42 U.S.C. s. 7412 – Hazardous Air Pollutants; or

(c) Any pollutant for which a national primary ambient air quality standard has been specified at 40 C.F.R. Part 50, adopted and incorporated by reference in Rule 62-204.800, F.A.C.

(261) through (330) renumbered (262) through (331) No change.

~~(332)~~~~(334)~~ “Volatile Organic Compounds (VOC)” – Any one or more A volatile organic compounds as defined at 40 C.F.R. 51.100, adopted and incorporated by reference at Rule 62-204.800, F.A.C.

(332) through (335) renumbered (333) through (336) No change.

Specific Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.8055 FS. History—Formerly 17-2.100, Amended 2-9-93, 11-28-93, Formerly 17-210.200, Amended 11-23-94, 4-18-95, 1-2-96, 3-13-96, 3-21-96, 8-15-96, 10-7-96, 10-15-96, 5-20-97, 11-13-97, 2-5-98, 2-11-99, 4-16-01, 2-19-03, 4-1-05, 7-6-05, 2-2-06, 4-1-06, 9-4-06, 9-6-06, 1-10-07, 5-9-07, 7-16-07, 3-16-08,_____.

62-210.300 Permits Required.

Unless exempted from permitting pursuant to this rule or Rule 62-4.040, F.A.C., the owner or operator of any facility or emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain appropriate authorization from the Department prior to undertaking any activity at the facility or emissions unit for which such authorization is required. The Department grants authorization to conduct such activities by individual air permit or by air general permit. Activities requiring authorization by individual air construction permit are addressed at subsection 62-210.300(1), F.A.C., and activities requiring authorization by individual air operation permit are addressed at subsection 62-210.300(2), F.A.C. Authorization by air general permit is addressed at subsection 62-210.300(4), F.A.C. All emission ~~emissions~~ limitations, controls, and other requirements imposed by any individual air permit shall be at least as stringent as any applicable limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or that are otherwise federally enforceable. Except as provided at Rule 62-213.460, F.A.C., being authorized to construct, operate, or undertake any other activity by individual air permit or air general permit does not relieve the owner or operator of a facility or emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.

(1) through (3) No change.

(a) Categorical and Conditional Exemptions. Except as otherwise provided at subsection 62-210.300(3), F.A.C., above, the following facilities, emissions units, and pollutant-emitting activities shall be exempt from any requirement to obtain an air construction permit or non-Title V air operation permit, or to use an air general permit pursuant to

Rule 62-210.310, F.A.C. The exemptions listed at subparagraphs 62-210.300(3)(a)23. through ~~37. 36.~~, F.A.C., are valid only if the owner or operator ensures that the conditions of exemption are met.

1. through 36. No change.

37. Printing operations, provided:

a. The facility is not subject to any unit-specific applicable requirement;

b. The facility shall use less than 667 gallons of materials containing any hazardous air pollutants in any consecutive twelve (12) months; and

c. The facility shall:

(I) Operate only heatset offset lithographic printing lines and use less than 20,000 pounds of any single or any combination of VOC-containing materials, combined, such as of inks, cleaning solvents, fountain solutions and fountain solution additives in any consecutive twelve (12) months;

(II) Operate only non-heatset offset lithographic printing lines and use less than 2,850 gallons of any single or any combination of VOC-containing materials, combined, such as of inks, cleaning solvents, fountain solutions and fountain solution additives in any consecutive twelve (12) months;

(III) Operate only digital printing lines and use less than 2,425 gallons of any single or any combination of VOC-containing materials, combined, such as of solvent based inks, and clean-up solutions, and other solvent containing materials in any consecutive twelve (12) months;

(IV) Operate only screen or letterpress printing lines and use less than 2,850 gallons of any single or any combination of VOC-containing materials, such as combined, of solvent based inks, and clean-up solutions, and other solvent containing materials in any consecutive twelve (12) months;

(V) Operate only water-based or ultraviolet-cured-material flexographic or rotogravure printing lines and use less than 80,000 pounds of any single or any combination of VOC-containing materials, combined, such as of water-based inks, coatings, and adhesives in any consecutive twelve (12) months; or

(VI) Operate only solvent-based material flexographic or rotogravure printing lines and use less than 20,000 pounds of any single or any combination of VOC-containing materials such as, combined, of inks, dilution solvents, coatings, cleaning solutions, and adhesives in any consecutive twelve (12) months.

(b) through (c) No change.

(4) through (7) No change.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087, 403.814 FS. History—Formerly 17-2.210, Amended 11-28-93, Formerly 17-210.300, Amended 11-23-94, 4-2-95, 4-18-95, 10-16-95, 1-2-96, 3-13-96, 3-21-96, 5-13-96, 8-15-96, 10-7-96, 5-20-97, 11-13-97, 2-5-98, 2-11-99, 4-16-01, 6-21-01, 7-6-05, 2-2-06, 1-10-07, 5-9-07, 3-16-08,_____.

62-210.310 Air General Permits.

(1) through (3) No change.

(a) through (e) No change.

(f) Air General Permit for Facilities Comprising Printing Operations.

1. through 2.a. No change.

b. The facility shall use less than 1,333 gallons of materials containing any hazardous air pollutants and not exceed the following material usage limitations in any consecutive twelve (12) months. The owner or operator shall keep records of material usage for each calendar month and each consecutive twelve (12) months to demonstrate compliance with such limitations. The owner or operator shall retain these records, available for Department inspection, for a period of at least five (5) years. Specifically, the facility shall:

(I) Operate only heatset offset lithographic printing lines and use less than 100,000 pounds of any single or any combination of VOC-containing materials such as inks, cleaning solvents, fountain solution and fountain solution additives ~~combined~~;

(II) Operate only non-heatset offset lithographic printing lines and use less than 14,250 gallons of any single or any combination of VOC-containing materials such as cleaning solvents, fountain solutions and fountain solution additives ~~combined~~;

(III) Operate only digital printing lines and use less than 12,100 gallons of any single or any combination of VOC-containing materials such as solvent based inks, and clean-up solutions and other solvent-containing materials ~~combined~~;

(IV) Operate only screen or letterpress printing lines and use less than 14,250 gallons of any single or any combination of VOC-containing materials such as solvent based inks, and clean-up solutions and other solvent-containing materials ~~combined~~;

(V) Operate only water-based or ultraviolet-cured material flexographic or rotogravure printing lines and use less than 400,000 pounds of any single or any combination of VOC-containing materials such as water-based inks, coatings and adhesives, ~~combined~~;

(VI) Operate only solvent-based material flexographic or rotogravure printing lines and use less than 100,000 pounds of any single or any combination of VOC-containing materials such as inks, dilution solvents, coatings, cleaning solutions and adhesives, ~~combined~~; or

(VII) Operate any combination of heatset lithographic, non-heatset lithographic, digital, screen or letterpress, rotogravure or flexographic printing lines and use no more than the most stringent of the material usage limitations contained in sub-sub-paragraphs 62-210.310(4)(f)2.b.(I) through (VI), F.A.C., for the type of printing lines at the facility. For purposes of determining which limit is the most stringent, the pounds of materials used for heatset offset lithographic lines

and flexographic lines shall be converted to the equivalent gallons by dividing by 8.5 pounds per gallon and shall be compared with the limits for non-heatset offset lithographic, digital, screen and letterpress lines, as applicable, for the type of printing lines at the facility. The most stringent limit shall apply to the total of all VOC ~~solvent~~-containing material used.

c. No change.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087, 403.814 FS. History—New 1-10-07, Amended 5-9-07, _____.

62-210.350 Public Notice and Comment.

(1) through (4) No change.

(5) Additional Public Notice Requirements for Emissions Units Subject to the Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act section 112(g).

(a) Before taking final agency action on any air construction permit application for a proposed new or reconstructed facility or emissions unit subject to the preconstruction review requirements of subparagraph 62-204.800(11)(4)(d)2., F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include at a minimum the following:

1. through 3. No change.

(b) through (f) No change.

(6) No change.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087, 403.815 FS. History—Formerly 17-2.220, Amended 11-28-93, Formerly 17-210.350, Amended 11-23-94, 1-2-96, 11-13-97, 2-11-99, 2-2-06, _____.

62-210.900 Forms and Instructions.

The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, with the subject, title and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by accessing the Division's website at www.dep.state.fl.us/air. The requirement of subsection 62-4.050(2), F.A.C., to file application forms in quadruplicate is waived if an air permit application is submitted using the Department's electronic application form.

(1) through (6) No change.

(7) Application for Transfer of Air Permit – Title V and Non-Title V Source (DEP Form No. 62-210.900(7), Effective _____ ~~4-16-04~~).

Specific Authority 403.061 FS. Law Implemented 403.061, 403.087, 403.815 FS. History—New 2-9-93, Amended 7-20-94, Formerly 17-210.900, Amended 11-23-94, 7-6-95, 3-21-96, 1-6-98, 2-11-99, 4-16-01, 6-21-01, 6-16-03, 2-2-06, 3-16-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Joseph Kahn, Director, Division of Air Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ms. Mimi Drew, Deputy Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 4, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-212.300	General Preconstruction Review Requirements
62-212.400	Prevention of Significant Deterioration (PSD)
62-212.720	Actuals Plantwide Applicability Limits (PALs)

PURPOSE AND EFFECT: The proposed rule amendments to Chapter 62-212, F.A.C., correct an erroneous cross reference in Rule 62-212.300, F.A.C.; remove an unused reference to 40 CFR 52.21(q) in Rule 62-212.400, F.A.C.; and remove a reference to a non-existent definition in Rule 62-212.720, F.A.C.

SUMMARY: The proposed rule amendments make corrective changes to the department’s rule for preconstruction review of stationary sources of air pollutant emissions.

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

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

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087 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, July 22, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Division of Air Resource Management, 111 South Magnolia Drive, Suite 23, Director’s Conference Room, 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: Ms. Lynn Scarce at (850)921-9551. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-212.300 General Preconstruction Review Requirements.

This rule shall apply to the proposed construction or modification of all emissions units and facilities for which an air construction permit is required pursuant to subsection 62-210.300(1), F.A.C.

(1) No change.

(2) Applicability. The requirements of subparagraph ~~62-204.800(11)(d)2~~, ~~62-212.300(11)(d)2~~, and Rules 62-212.400, 62-212.500, and 62-212.600, F.A.C., shall apply in addition to any other preconstruction review requirements under Rule ~~62-212.300~~ ~~62-204.300~~, F.A.C.

(3) No change.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History—Formerly 17-2.520, 17-212.300, Amended 11-23-94, 1-1-96, 10-28-97, 2-2-06, _____.

62-212.400 Prevention of Significant Deterioration (PSD).

The provisions of this rule generally apply to the construction or modification of air pollutant emitting facilities in those parts of the state in which the state ambient air quality standards are being met. The provisions of this rule also establish various requirements for existing emissions units and facilities in such areas, including specific construction/operation permit requirements.

(1) through (10) No change.

(11) Public Participation. No permit shall be issued until the applicant and Department have complied with all applicable public notice and participation provisions of ~~40 C.F.R. 52.21(q)~~, ~~adopted by reference at Rule 62-204.800~~, and Rules 62-210.350 and 62-110.106, F.A.C. ~~In complying with the requirements of 40 C.F.R. 52.21(q), the Department shall follow the procedures of Rules 62-210.350 and 62-110.106, F.A.C., in lieu of the procedures of 40 C.F.R. Part 124.~~

(12) No change.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History—Formerly 17-2.500, Amended 2-2-93, Formerly 17-212.400, Amended 11-23-94, 1-1-96, 3-13-96, 2-5-98, 8-15-99, 2-2-06, 7-16-07, _____.

62-212.720 Actuals Plantwide Applicability Limits (PALs).

(1) PAL Permits. Any existing facility intending to use any Plantwide Applicability Limit (PAL), ~~as defined at Rule 62-210.200, F.A.C.~~, shall first obtain a PAL permit issued in accordance with the requirements of this section. For purposes of this rule an existing facility shall mean a facility that contains one or more existing emissions units, as defined at

Rule 62-210.200, F.A.C. PAL permits shall be based on "actuals PAL" emissions as that term is described at 40 CFR 52.21(aa)(2), adopted by reference in Rule 62-204.800, F.A.C. PAL permits shall be considered construction permits for purposes of Rule Chapters 62-4, 62-210, 62-212, 62-213 and 62-110, F.A.C., but PAL permits shall not authorize any physical change that constitutes a modification under Rule 62-210.200 F.A.C., or any modification or reconstruction under 40 C.F.R. Part 60, 61 or 63, adopted by reference at Rule 62-204.800, F.A.C., to any existing emissions unit, or any addition of any new emissions unit to the facility with the PAL permit. The Department shall authorize such modification or addition through separate normal construction permit processes. If the addition or modification will likely cause an increase in emissions above that authorized in the PAL permit, the Department shall authorize such an increase only through the PAL permit revision requirements of this rule, but the applicant may submit a single application for the construction permit and for any necessary PAL permit revision and, if practicable, the Department shall require a single public notice for both permitting actions. Each PAL shall be pollutant-specific but a single PAL permit may include multiple PALs. All PAL permit applications shall include information regarding all emissions which the facility has the potential to emit, including startup, shut down and malfunction emissions, for each pollutant for which a PAL is sought, and all PAL permits shall include in the limitation(s) all PAL pollutant emissions which the facility has the potential to emit, including emissions from startup, shut down and malfunctions. Fugitive emissions shall be included in the application and in the PAL to the extent quantifiable.

(2) through (7) No change.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History—New 2-2-06, Amended 7-16-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Joseph Kahn, Director, Division of Air Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ms. Mimi Drew, Deputy Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 4, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-213.900
 RULE TITLE: Forms and Instructions

PURPOSE AND EFFECT: The proposed rule amendment revises DEP Form No. 62-213.900(1), to clarify that the form must be postmarked by March 1 every year.

SUMMARY: The proposed rule amendment makes a clarifying change to the department's Title V air permitting program.

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

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

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.0872 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, July 22, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Division of Air Resource Management, 111 South Magnolia Drive, Suite 23, Director's Conference Room, 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: Ms. Lynn Scarce at (850)921-9551. 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: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-213.900 Forms and Instructions.

The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(1) Major Air Pollution Source Annual Emissions Fee Form (DEP Form No. 62-213.900(1), Effective _____ ~~1-3-01~~).

(2) through (9) No change.

Specific Authority 403.061 FS. Law Implemented 403.0872, 403.814 FS. History—New 12-21-92, Amended 11-25-93, Formerly 17-213.900, Amended 11-23-94, 1-1-96, 3-13-96, 6-25-96, 2-11-99, 2-24-99, 1-3-01, 6-2-02, 4-14-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Joseph Kahn, Director, Division of Air Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ms. Mimi Drew, Deputy Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 4, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: RULE TITLES:
62-256.300 Prohibitions
62-256.700 Open Burning Allowed

PURPOSE AND EFFECT: The proposed rule amendments to Chapter 62-256, F.A.C., involve changing the terms "polyethylene black plastic mulch" and "polyethylene plastic mulch" to the term "polyethylene agricultural plastic" to be consistent with Section 403.707, F.S.

SUMMARY: The proposed rule amendments make corrections to the department's open burning rules.

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

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

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061 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, July 22, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Division of Air Resource Management, 111 South Magnolia Drive, Suite 23, Director's Conference Room, 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: Ms. Lynn Scarce at (850)921-9551. 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: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

- 62-256.300 Prohibitions.
- (1) No change.
- (2) Prohibition on the Open Burning of Certain Materials.

- (a) No change.
- (b) Notwithstanding the provisions of paragraph 62-256.300(2)(a), F.A.C., certain otherwise prohibited materials may be burned for the training of firefighters in accordance with subsection 62-256.700(4), F.A.C.; waste pesticide containers may be burned in accordance with subsection 62-256.700(5), F.A.C.; animal carcasses may be burned in accordance with subsection 62-256.700(6), F.A.C.; and polyethylene agricultural ~~black plastic mulch~~, untreated wood pallets, and packing material used in agriculture may be burned in accordance with subsection 62-256.700(7), F.A.C.

- (c) No change.
- (3) through (4) No change.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061 FS. History--New 7-1-71, Amended 1-11-82, 10-10-82, 7-30-85, 10-20-86, 8-26-87, Formerly 7-5.03, Transferred From 17-5.030, Formerly 17-256.300, Amended 11-30-94, 7-6-05,_____.

- 62-256.700 Open Burning Allowed.
- (1) through (6) No change.
- (7) Open Burning Related to Agricultural Operations.

(a) Open burning of the following materials used in agricultural operations related to the growing, harvesting or maintenance of crops is allowed provided such burning is conducted in accordance with the provisions of Section 403.707(2)(e), F.S.

- 1. Polyethylene agricultural plastic ~~mulch~~;
- 2. through 3. No change.
- (b) No change.
- (8) through (10) No change.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.707 FS. History--New 7-1-71, Amended 1-11-82, 10-10-82, 7-30-85, 10-20-86, 8-26-87, 11-23-88; Formerly 17-5.09, Previously numbered as 17-5.090, Formerly 17-256.700, Amended 11-30-94, 7-6-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Joseph Kahn, Director, Division of Air Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ms. Mimi Drew, Deputy Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 4, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: RULE TITLES:
62-257.301 Notification Procedure and Fee
62-257.900 Form

PURPOSE AND EFFECT: The proposed rule amendments to Chapter 62-257, F.A.C., includes correction of an erroneous statutory reference. The amendments also revise DEP Form No. 62-257.900(1) to include information required to be listed on the notification pursuant to 40 CFR Part 61, Subpart M.

SUMMARY: The proposed rule amendments make corrective and clarifying changes to the department’s asbestos notification and fee program.

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

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

SPECIFIC AUTHORITY: 376.60, 403.061 FS.

LAW IMPLEMENTED: 376.60, 403.061 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, July 22, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Division of Air Resource Management, 111 South Magnolia Drive, Suite 23, Director’s Conference Room, 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: Ms. Lynn Scarce at (850)921-9551. 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: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-257.301 Notification Procedure and Fee.

(1) No change.

(2) If a notice is required per subsection 62-257.301(1), F.A.C., the timely submittal of a completed “Notice of Demolition or Asbestos Renovation or Demolition” form, as promulgated under Rule 62-257.900(1), F.A.C., or an electronically generated facsimile thereof, is required.

(3) through (5) No change.

(6) Except in the following situations, the owner or operator of an asbestos removal project shall pay a fee calculated pursuant to Rule 62-257.400, F.A.C., Fee Schedule.

(a) The Department’s fee requirements are not applicable to ~~when the asbestos removal project is in a schools, colleges, universities university,~~ or to a residential dwelling; as residential dwelling is defined in Rule 62-257.200, F.A.C.

(b) The Department’s fee requirements are not applicable to those persons otherwise exempted from licensure under Section ~~469.002(4) 469.004(7),~~ F.S.

(c) through (d) No change.

Specific Authority 376.60, 403.061 FS. Law Implemented 376.60, 403.061 FS. History–New 3-31-94, Formerly 17-257.301, Amended 3-24-96, 2-9-99,_____.

62-257.900 Form.

The form ~~with and~~ instructions used by the Department in the asbestos air regulatory program ~~is are~~ adopted and incorporated herein by reference. Copies of the form and instructions may be obtained by writing to the State Asbestos Coordinator, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The form is also available on the internet at www.dep.state.fl.us/air or at the Department’s District Offices or at Local Air Program offices.

(1) “Notice of Demolition or Asbestos Renovation or Demolition”, DEP Form Number 62-257.900(1), effective _____ ~~2-9-99.~~

Specific Authority 376.60, 403.061 FS. Law Implemented 376.60, 403.061 FS. History–New 3-31-94, Formerly 17-257.900, Amended 11-23-94, 2-9-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Joseph Kahn, Director, Division of Air Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ms. Mimi Drew, Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 4, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-296.100	Purpose and Scope
62-296.320	General Pollutant Emission Limiting Standards
62-296.470	Implementation of Federal Clean Air Interstate Rule
62-296.508	Petroleum Liquid Storage

PURPOSE AND EFFECT: The proposed rule amendments to Chapter 62-296, F.A.C., clarify that stationary sources of air pollutant emissions must comply with any applicable EPA regulations at 40 CFR 60, 61, 63, and 65 that have been adopted by reference; revise language for consistency with open burning rule language in Chapter 62-256, F.A.C.; correct

the process weight table equation to clearly show exponents; revise language in Rule 62-296.470, F.A.C., to clarify how state and federal definitions are used in the rule; and revise the rule for internal floating roof petroleum liquid storage tanks to remove an erroneous test method reference.

SUMMARY: The proposed rule amendments make corrective and clarifying changes to air emission standards for stationary sources.

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

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

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.0872 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, July 22, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Division of Air Resource Management, 111 South Magnolia Drive, Suite 23, Director's Conference Room, 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: Ms. Lynn Scarce at (850)921-9551. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-296.100 Purpose and Scope.

(1) The Department of Environmental Protection adopts this chapter to establish emission limiting standards and compliance requirements for stationary sources of air pollutant emissions ~~pollution~~.

(2) The chapter includes emission limitations for specific categories of facilities and emissions units, and it establishes reasonably available control technology requirements. Where work practice standards, including requirements for specific types of pollution control equipment, are provided for in this chapter, such standards shall be of the same force and effect as emission limiting standards. The emission limiting and work

practice standards of Rule 62-296.320, F.A.C., and Rules 62-296.401 through ~~62-296.480~~ ~~62-296.417~~, F.A.C., are applicable statewide. The reasonably available control technology requirements are established for specific areas of the state as set forth in Rules 62-296.500, 62-296.600, and 62-296.700, F.A.C.

~~(3) A facility or emissions unit subject to any standard or requirement of 40 C.F.R. Part 60, 61, 63 or 65, adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall comply with such standard or requirement. Nothing in this chapter shall relieve a facility or emissions unit from complying with such standard or requirement, provided, however, that where a facility or emissions unit is subject to a standard established in this chapter, such standard shall also apply. Standards and requirements for any "new" facility or emissions unit shall be the federal standards of performance for new stationary sources adopted by reference at Rule 62-204.800(7), F.A.C., unless a different and more stringent standard is established in Rules 62-296.401 through 62-296.417, F.A.C. In addition, reasonably available control technology requirements are established for specific areas of the state as set forth in Rules 62-296.500, .600, and .700, F.A.C.~~

(4) Words and phrases used in this chapter, unless clearly indicated otherwise, are defined at Rule 62-210.200, F.A.C.

Specific Authority 403.061 FS. Law Implemented ~~403.024~~, 403.031, 403.061, 403.087 FS. History—New 11-23-94, Amended 3-13-96,_____.

62-296.320 General Pollutant Emission Limiting Standards.

(1) through (2) No change.

(3) ~~Permitted Industrial, Commercial, and Municipal Open Burning Prohibited.~~ Open burning in connection with industrial, commercial, institutional, or governmental municipal operations is allowed only as provided at Chapter 62-256, F.A.C. or prohibited, except when:

(a) Open burning is determined by the Department to be the only available method of disposal ~~feasible method of operation~~ and is authorized by an air permit issued pursuant to ~~Chapter 62-210 or 62-213, F.A.C.; and or~~

(b) Such open burning does not involve any material prohibited from being burned at Rule 62-256.300, F.A.C. ~~An emergency exists which requires immediate action to protect human health and safety; or~~

(c) ~~A county or municipality would use a portable air curtain incinerator to burn yard trash generated by a hurricane, tornado, fire or other disaster and the air curtain incinerator would otherwise be operated in accordance with the permitting exemption criteria of Rule 62-210.300(3), F.A.C.~~

(4) General Particulate Emission Limiting Standards. The following emission limiting standards shall apply to emissions units of particulate matter not subject to a particulate emission limit or opacity limit set forth in or established elsewhere in this chapter.

(a) Process Weight Table.

1. No change.

2. Particulate Matter Emissions Standard – No person shall cause, let, permit, suffer or allow the emission of particulate matter through a stack or vent, from any emissions unit subject to this rule in total quantities in excess of the amount shown in Table 296.320-1. Interpolation of the data in Table 296.320-1 for the process weight rates up to 30 tons per hour shall be accomplished by use of the equation: $E = 3.59P^{0.62}$ ~~0.62~~, where P is less than or equal to 30 tons per hour. Interpolation and extrapolation of the data for process weight rates in excess of 30 tons per hour shall be accomplished by use of the equation: $E = 17.31P^{0.16}$ ~~0.16~~, where P is greater than 30 tons per hour. In both equations: E = emissions in pounds per hour and P = process weight rate in tons per hour.

Table 296.320-1 No change.

3. No change.

(b) through (c) No change.

Specific Authority 403.061 FS. Law Implemented ~~403.021~~, 403.031, 403.061, 403.087 FS. History–Formerly 17-2.620, 17-296.320, Amended 1-1-96, Amended 3-13-96,_____.

62-296.470 Implementation of Federal Clean Air Interstate Rule.

(1) Definitions and Provisions Adopted by Reference.

(a) All provisions of 40 C.F.R. Part 96 cited within this rule are adopted and incorporated by reference in Rule 62-204.800, F.A.C.

(b) For purposes of subsection 62-296.470(2), F.A.C. this rule, the terms “CAIR,” “CAIR NO_x allowance,” “CAIR NO_x Annual Trading Program,” “CAIR NO_x Ozone Season allowance,” “CAIR NO_x Ozone Season Trading Program,” “CAIR NO_x Ozone Season unit,” “CAIR NO_x unit,” “CAIR SO₂ allowance,” “CAIR SO₂ Trading Program,” and “CAIR source,” and “CAIR unit,” shall have the meanings given at Rule 62-210.200, F.A.C. All provisions of 40 C.F.R. Part 96 cited within this rule are adopted and incorporated by reference in Rule 62-204.800, F.A.C.

(c) Notwithstanding the first sentence of this paragraph, for purposes of the verbatim application of the cited subparts of 40 C.F.R. Part 96, as modified by the substitute language set forth in this rule, the definitions contained within 40 C.F.R. Part 96, Subparts AA, AAA, and AAAA, shall apply, with the understanding that, where context dictates, the term “permitting authority” shall mean the Department, the term

“State” shall mean the State of Florida, and the phrase “permitting authority’s title V operating permits regulations” shall mean Chapter 62-213, F.A.C. When used in the 40 C.F.R. Part 96 substitute language set forth in this rule, and the terms “best available control technology (BACT)” and “biomass” shall have the meanings given at Rule 62-210.200, F.A.C.

(2) Orders.

(a) Prior to submitting any CAIR NO_x allowance allocations to the Administrator pursuant to 40 C.F.R. 96.141(a), (b), or (c), or 40 C.F.R. 96.143, the Department shall issue an administrative order pursuant to Chapter 120, F.S., to all CAIR NO_x sources giving notice and opportunity for hearing with regard to the amount of CAIR NO_x allowances the Department intends to submit to the Administrator for each CAIR NO_x unit.

(b) Prior to submitting any CAIR NO_x Ozone Season allowance allocations to the Administrator pursuant to 40 C.F.R. 96.341(a), (b), or (c), the Department shall issue an administrative order to all CAIR NO_x sources giving notice and opportunity for hearing with regard to the amount of CAIR NO_x Ozone Season allowances the Department intends to submit to the Administrator for each CAIR NO_x Ozone Season unit.

(3) through (5) No change.

Specific Authority 403.061, 403.087 FS. Law Implemented 403.031, 403.061, 403.087 FS. History–New 9-4-06, Amended 4-1-07,_____.

62-296.508 Petroleum Liquid Storage.

(1) through (2) No change.

(3) Test Methods and Procedures. All emissions tests performed pursuant to the requirements of this rule shall comply with the following requirements.

(a) Internal Floating Roof and Roof Seals. The test method for volatile organic compounds shall be ~~EPA Method 21~~ and p. 6-2 of EPA 450/2-77-036, incorporated and adopted by reference in Chapter 62-297, F.A.C.

(b) through (c) No change.

Specific Authority 403.061 FS. Law Implemented ~~403.021~~, 403.031, 403.061, 403.087 FS. History–Formerly 17-2.650(1)(f)8., 17-296.508, Amended 11-23-94, 1-1-96,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Joseph Kahn, Director, Division of Air Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mimi Drew, Deputy Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 4, 2008

DEPARTMENT OF JUVENILE JUSTICE

Detention Services

RULE NOS.:	RULE TITLES:
63G-1.001	Scope
63G-1.002	Definitions
63G-1.003	Determining Residence
63G-1.004	Calculating Estimated Costs
63G-1.005	Fiscally Constrained Counties
63G-1.006	Receipt of Payment
63G-1.007	Quarterly Reporting
63G-1.008	Monthly/Annual Reconciliation and Dispute Resolution
63G-1.009	Billing

PURPOSE AND EFFECT: The amendments are intended to clarify the process by which the costs of detention care are shared by state and county government. Specifically, the rule clarifies the distinction between pre- and post-disposition so that post-disposition will only include days in secure detention following disposition during which a child is awaiting residential placement. The amendments also modify the reporting and reconciliation provisions so that monthly reporting and reconciliation will take place. A per diem rate for detention care will be derived according to a specified formula, and the rate will be used to make monthly adjustments in actual utilization. Dates for reporting and reconciliation are adjusted, and definitions are amended to reflect these changes.

SUMMARY: The amendments clarify the distinction between pre- and post-disposition, modify the estimation, reporting and reconciliation process, and make corresponding changes to definitions.

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

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

SPECIFIC AUTHORITY: 985.686(10) FS.

LAW IMPLEMENTED: 985.686 FS.

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

DATE AND TIME: Friday, July 11, 2008, 10:00 a.m.

PLACE: DJJ Headquarters, Knight Building, General Counsel's Conference Room 3223, Tallahassee, Florida

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

THE FULL TEXT OF THE PROPOSED RULES IS:

63G-1.001 Scope.

This rule establishes the process by which the cost of pre-disposition detention care is costs are shared by state and county government.

Specific Authority 985.686(10) ~~985.2155(10)~~ FS. Law Implemented 985.686 ~~985.2155(4)~~ FS. History--New 7-16-06, Amended _____.

63G-1.002 Definitions.

(1) "Cost of detention care" means the cost of providing detention care as determined by the General Appropriations Act, including appropriations listed in Contingency and Supplemental bills.

(2) "~~County~~ Estimated cost per day of detention care" means a projected cost estimate based upon the most recently reconciled previous fiscal year utilization data and the upcoming General Appropriations Act a county's prior annual usage.

(3) "~~Final court disposition~~" means the date the court enters a disposition for the subject referral.

(3)(4) "~~County~~ Fiscally constrained county" means a county with a rural area of critical economic concern as designated by the Governor pursuant to Section 288.0656, F.S., or each county for which the value of a mil will raise no more than \$5 million in revenue, based on the school taxable value certified pursuant to Section 1011.62(4)(a)1.a., F.S., from the previous July, as defined in Section 985.2155, F.S., which is not required to pay the full costs of its resident juveniles' predisposition detention care.

(4) "Juvenile Probation Officer" (JPO) means an employee of the department responsible for the intake of youth upon arrest and the supervision of youth on court ordered supervision in the community.

(5) "Juvenile Justice Information System" (JJIS) means the department's electronic information system used to gather and store information on youth having contact with the department.

(6) "Post-disposition days" means those days after court ordered commitment where the youth is awaiting residential placement.

(7) "Pre-disposition days" means all days in secure detention that do not qualify as post-disposition.

(8)(5) "Residence" means the county where, at the time of referral, a child resides, as determined by a DJJ intake officer pursuant to Rule 63G-1.003, F.A.C., and entered in the Juvenile Justice Information System.

(9)(6) "Secure detention" means a physically restricting facility for the temporary care of children, pending adjudication, disposition, or placement or ordered into secure detention by the execution of a court order.

(10) "Service day" means any day or part of a day spent by a youth in secure detention.

(11) "Utilization" means a summary of service days.

Specific Authority 985.686(10) ~~985.2155(10)~~ FS. Law Implemented 985.686 ~~985.2155~~ FS. History--New 7-16-06, Amended.

63G-1.003 Determining Residence.

(1) DJJ Juvenile Probation Officers and contracted providers responsible for intake shall utilize the following procedure to determine a referred child's county of residence:

(a) The address provided by the child at intake will initially be checked against the address included in the arrest affidavit police report and against any existing address for the child already in the Juvenile Justice Information System.

(b) In all cases, an effort will be made to verify the address with the child's parent or guardian.

(c) All attempts to contact the parent or guardian, and the results of those attempts, will be noted in the chronological record in the child's case file.

(2) County of residence for cChildren in substitute care placements, such as foster care, will be the home county for the youth. Address information recorded in the Juvenile Justice Information System will be that of ~~deemed to reside in the county where the Department of Children and Family Services or its contracted agency has a district office or service center for confidentiality purposes that arranged the temporary placement.~~

(3) Address verification procedures are to be included in the annual refresher training on the Juvenile Justice Information System given to dDepartmental Juvenile Probation Officers and its contracted providers responsible for intake.

Specific Authority 985.686(10) ~~985.2155(10)~~ FS. Law Implemented 985.686(5) ~~985.2155(5)~~ FS. History--New 7-16-06, Amended.

63G-1.004 Calculating Estimated Costs.

(1) ~~Each county's share of predisposition detention costs is based upon usage during the previous fiscal year, with the first year's estimates based upon usage during fiscal year 2004-05. Estimates will be calculated as follows:~~

(a) All youth served in secure detention during the relevant fiscal year as reflected in the Juvenile Justice Information System will be identified;

(b) Each secure detention placement ~~record~~ will be matched to the appropriate referral in JJIS based upon the referral identification code. Placements associated with administrative handling, such as pick-up orders and violations of probation, will be matched to a disposition date for their corresponding statutory charge;

(c) Placements associated with administrative handling, such as pick-up orders and violations of probation, that cannot be matched to a disposition date for a corresponding statutory

charge will be presented as a "court order" and no disposition date will be available or listed unless the youth is awaiting placement in a residential facility;

(d)(e) The total number of service days in secure detention is computed by including all days up to and including the date of admission and the date of release from the detention center final disposition for the subject referral.

(2) The total number of service days for each county, including out of state youth and youth with unknown residences, from the most recently reconciled previous fiscal year utilization data will be divided into the total service days for all counties for that same time period, to arrive at each county's percentage of the total. That percentage will be multiplied by the total estimated annual budget for the cost of detention care for the upcoming fiscal year to determine each county's share of the total budget. The resulting estimated annual amount for each county will be billed to the county in equal monthly installments. Each county will receive a percentage computed by dividing the number of days used during the previous year by the total number of days used by all counties. The resulting percentage, when multiplied by the cost of detention care as fixed by the legislature, constitutes the county's estimated annual cost.

(3) In addition, an estimated cost per day for the upcoming fiscal year will be calculated. That cost per day is calculated by taking the total service days for all counties, including out of state youth and youth with unknown residences, from the most recently reconciled previous fiscal year utilization data and dividing into the total estimated annual budget for the cost of detention care for the upcoming fiscal year. The estimated cost per day will be used when adjusting the counties' invoices for actual utilization each month of the upcoming fiscal year. The estimated cost will be billed to the counties in monthly installments.

(4) Invoices are to be mailed at the beginning on the first day of the second month after prior to the service period, so that an invoice for the July August service period will be mailed in September on July 1.

Specific Authority 985.686(10) ~~985.2155(10)~~ FS. Law Implemented 985.686(3) ~~985.2155(3)~~ FS. History--New 7-16-06, Amended.

63G-1.005 Fiscally Constrained Counties.

(1) Each fiscally constrained county's estimated costs are determined in the same manner as those for non-fiscally constrained counties will be assigned a percentage computed by dividing its previous year's number of predisposition detention days by the total number of predisposition detention days used by all fiscally constrained counties during the previous year.

(2) ~~Each county's percentage is multiplied by the amount appropriated by the legislature to pay the costs of detention care. For informational purposes, fiscally constrained counties will be invoiced for their estimated prorated monthly costs even though they will not be expected to remit payment share.~~

(3) ~~Prior to the beginning of each fiscal year the department will calculate an estimated annual cost for each fiscally constrained county. The estimate will be based on the cost per day amount calculated in subsection 63G-1.004(2), F.A.C., and the fiscally constrained counties' prior year reconciled utilization information. The total estimated costs for all fiscally constrained counties will be compared to the General Appropriations Act amount allotted to the department for fiscally constrained counties. If the total estimated annual cost for utilization exceeds the appropriated amount, if the total number of predisposition service days actually used by all fiscally constrained counties combined exceeds the previous year's usage for which appropriation was made by the legislature, matching funds will be required to make up the shortfall. Fiscally constrained counties will be assessed for the amount of the shortfall under the following methodology:~~

(a) ~~Each fiscally constrained county's utilization will be compared to the total for all fiscally constrained counties to determine a percentage of the total. The total number of service days will be translated into a dollar figure based upon the percentage of increase over the original budgeted amount.~~

(b) ~~The county's percentage will be multiplied by the shortfall amount computed in subsection (3) above to determine the individual county's amount due. Each fiscally constrained county will be responsible for a share of the shortfall computed by multiplying its assigned percentage calculated in subsection (1) by the total shortfall computed in paragraph (3)(a).~~

(4) The department shall determine whether an estimated shortfall is likely by July 31. If a shortfall is expected, the department shall provide fiscally constrained counties information on an estimate of their share of the expected shortfall on or before August 15.

(5) Fiscally constrained counties will be billed for their share of the shortfall in equal monthly installments beginning November 1 through May 1.

(6) If after the annual reconciliation is complete it is found that there was in fact no shortfall or that the shortfall was overestimated, the fiscally constrained counties will receive a refund. If the shortfall was underestimated, the department may seek matching funds from the counties to make up the difference.

Specific Authority 985.686(10) 985.2155(10) FS. Law Implemented 985.696(4) 985.2155(4) FS. History—New 7-16-06, Amended 3-19-07, _____.

63G-1.006 Receipt of Payment.

(1) Payment is to be made by check or by pre-arranged wire transfer, which is due the first day of the third month after the monthly service period, such that the July service period payment is due October 1.

(2) Payment will be deemed in arrears on the second day of the monthly service period the payment was due.

Specific Authority 985.686(10) 985.2155(10) FS. Law Implemented 985.686(5)-(6) 985.2155(5)-(6) FS. History—New 7-16-06, Amended _____.

63G-1.007 Quarterly Reporting.

(1) ~~Each month quarter, the dDepartment shall generate prepare a web based on-line utilization report that provides to determine the extent of each county's actual usage for the previous service month. The report is to be used by the assist counties to validate utilization in fiscal planning and budgeting, and is not a substitute for the annual reconciliation or grounds for adjusting or withholding payment.~~

(2) The report shall contain the following information:

- (a) Youth's name;
- (b) Youth's address at the time of the referral;
- (c) Sex;
- (d) Date of birth;
- (e) Name of parent or guardian, if available;
- (f) Phone contact, ~~and~~;
- (g) Non-law violation flag; Number of detention days;
- (h) Disposition date, if available; and
- (i) Number of detention days.

(3) The report will be available provided to counties electronically for the first day of each month for the previous month's utilization 45 days after the end of each quarter.

(4) The limited release of juvenile identifying information contained in each county's ~~quarterly~~ report is confidential. The release will not include treatment or charging information, is limited to the county official(s) designated to receive the report, and is not to be used for any purpose other than that of verifying the provision of detention services.

Specific Authority 985.686(10) 985.2155(10) FS. Law Implemented 985.686(7) 985.2155(7) FS. History—New 7-16-06, Amended _____.

63G-1.008 Monthly/Annual Reconciliation and Dispute Resolution.

(1) ~~On the first day of each month or before January 31 of each year, the dDepartment shall make available to each county provide a utilization report described in Rule 63G-1.007, F.A.C., reconciliation statement to each paying county. The statement shall reflect the difference between the estimated costs paid by the county during the past fiscal year and the actual cost of the county's usage during that period.~~

(2) The county shall have from the 1st to the 14th of the month to review the on-line utilization information reported for the previous month. If the county takes issue with any of the utilization data, it shall mark the record for dispute on-line and provide a reason for the dispute. Disputes involving a detained youth's county of residence or disposition must include one or more of the following indicia of specificity: If a county's actual usage is found to have exceeded the amount paid during the fiscal year, the county will be invoiced for the excess usage. The invoice will accompany the reconciliation statement, and shall be payable on or before April 1.

- (a) Address invalid – not in county;
- (b) Address invalid – street number not valid;
- (c) Address invalid – not residence of youth;
- (d) Address invalid – see text (must enter text);
- (e) Detention stay invalid – post-disposition;
- (f) Detention stay invalid – see text (must enter text).

(3) The department will have from the 15th to the 24th of each month to review all disputes for the previous month filed by the county. The department's response, provided on-line, constitutes final agency action and may be challenged through the process available in Chapter 120, F.S. Any dispute not resolved by the department within the above specified timeframe will be removed from the county's billing until a final resolution can be determined. The department will make every effort to resolve any one month's outstanding disputes within 60 days after the end of the initial reconciliation period. As pending disputes are resolved by the department, they will be included in the subsequent month's invoice. Any pending disputes not resolved by the department within 60 days will be considered the responsibility of the state and will not be billed to the county. If a county's actual usage was less than the estimated amounts paid during the fiscal year, the county will be credited for its excess payments. Credit will be reflected in the April billing, which is mailed on March 1, and will carry forward as necessary.

(4) At the end of any month, on records listed in a county's monthly report for which there is no disposition to commitment date indicated, all service days for that month will be considered pre-dispositional. At such time that a commitment disposition date is entered, the department will credit the county for any days charged as pre-dispositional that should have been categorized as post-dispositional and therefore the obligation of the department. As these records are updated, the credit will be included on the subsequent month's invoice.

(5) In October of each year, the department will perform a final reconciliation of actual detention costs for the prior fiscal year. At that time an actual cost per day will be calculated using final department expenditure information. The actual cost per day will be used to assess each county's actual cost based on the actual utilization for that prior fiscal year.

(6) In November of each year, the department will provide each county a final reconciliation statement for the previous fiscal year. The statement shall reflect the difference between the costs paid by the counties based on the estimated cost per day amount and the actual cost per day amount reconciled in subsection (5) above.

(7) If the total amount paid by a county falls short of the actual costs associated with their utilization, the county will be invoiced for that additional cost. The amount due will be applied to the county's account. An invoice will accompany the reconciliation statement, and shall be payable on or before January 1. If the amount paid by a county exceeds the actual costs associated with their utilization, the county will receive a credit. The credit will be applied to the county's account and be included on the invoice sent in November.

Specific Authority ~~985.686(10)~~ ~~985.2155(10)~~ FS. Law Implemented ~~985.686(5)~~ ~~985.2155(5)~~ FS. History–New 7-16-06, Amended 3-19-07, _____.

63G-1.009 Billing Dispute Resolution and Collection.

(1) By the end of each month the department will generate invoices for counties based on the reconciliation performed that month for the prior month's services. Invoices for fiscally constrained counties will be clearly marked "do not pay." Fiscally constrained counties are only responsible for payment when conditions as described in Rule 63G-1.005, F.A.C., exist. Invoices for fiscally constrained counties resulting from anticipated funding shortfall will be billed separately. The quarterly reporting marks the point at which a county may take issue with the charges referenced in the report, but it cannot be the basis for withholding payment. Adjustments, including those necessitated by dispute resolution, cannot be made until the annual reconciliation.

(2) Invoices will include the following information:

- (a) Invoice date;
- (b) Invoice number;
- (c) Remittance address;
- (d) Payment due date;
- (e) Billing service period;
- (f) Total amount billed; and

(g) Department contact information. Disputes based upon a quarterly report, such as those relating to the residence of served youth or the number of chargeable service days, must be brought within 90 days of receipt of the quarterly report to which the dispute pertains.

(3) General objections, such as those seeking confirmation of a youth's county of residence, will be summarily denied. Disputes involving a detained youth's county of residence must include one or more of the following indicia of specificity:

- (a) An alternative address asserted to be correct;
- (b) Supporting documentation, and;
- (c) An explanation of the basis for the dispute on form 63G-1-1.

~~(4) Disputes must be raised by means of form 63G-1-1, and sent by certified mail to the Department's Bureau of Finance and Accounting at 2737 Centerview Drive, Suite 212, Tallahassee, Florida 32399-3100. Accompanying documentation in support of the county's position may be included.~~

~~(5) Form 63G-1-1 (May 2006), "Notice of Disputed Detention Charge," is incorporated by reference and is available from the Bureau of Finance and Accounting in Tallahassee.~~

~~(6) The Department's response constitutes final agency action and may be challenged through the process available in Chapter 120, F.S.~~

Specific Authority ~~985.686(10)~~ 985.2155(10) FS. Law Implemented ~~985.686(6)-(7)~~ 985.2155(5)-(8) FS. History-New 7-16-06, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Chris Craig, DJJ Bureau of Finance and Accounting
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Beth Davis, DJJ Director of Administration
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 23, 2008

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NOS.:	RULE TITLES:
64B33-2.001	Licensure Requirements
64B33-2.003	Requirements for Continuing Education

PURPOSE AND EFFECT: The proposed rule amendments are intended to address approved entities for certification in resuscitation and the level of training required.

SUMMARY: The proposed rule amendments set forth additional approved entities for certification in resuscitation and the level of training provided.

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

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

SPECIFIC AUTHORITY: 456.013, 468.705, 468.707, 468.711 FS.

LAW IMPLEMENTED: 456.013, 468.707, 468.711 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Susan Foster, Executive Director, Board of Athletic Training, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULES IS:

64B33-2.001 Licensure Requirements.

All candidates for licensure shall pay the application fee and shall submit a completed DOH form DOH-AT-001 entitled "STATE OF FLORIDA EXAMINATION APPLICATION FOR LICENSURE AS AN ATHLETIC TRAINER" incorporated herein by reference and effective 1/19/96, to the Department. The application can be obtained by writing the Department of Health, Board of Athletic Training, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

(1) Each applicant for licensure shall meet the following requirements:

(a) through (b) No change.

(c) The applicant shall submit proof of current certification in cardiovascular pulmonary resuscitation at the professional rescue level from the American Heart Association, the American Red Cross, American Safety and Health Institute, the National Safety Council, or an entity approved by the Board as equivalent.

(2) No change.

Specific Authority 456.013(7), (9), 468.705, 468.707 FS. Law Implemented 456.013(7), 468.707 FS. History-New 5-29-96, Formerly 61-25.002, 64B30-25.002, Amended 8-22-00, 5-9-02, 3-6-07,_____.

64B33-2.003 Requirements for Continuing Education.

(1) In the 24 months preceding each biennial renewal period, every athletic trainer licensed pursuant to Chapter 468, Part XIII, Florida Statutes, shall be required to complete 24 hours of continuing education in courses approved by the Board. However, athletic trainers who receive an initial license during the second half of the biennium shall be required to complete only 12 hours of continuing education in courses approved by the Board prior to renewal. The continuing education requirement includes current certification in cardiovascular pulmonary resuscitation at the professional rescue level from the American Red Cross, the American Heart Association, American Safety and Health Institute, the National Safety Council, or an entity approved by the Board as equivalent. Athletic trainers who receive an initial license during the 90 days preceding a renewal period shall not be required to complete any continuing education for that renewal period.

(2) through (6) No change.

Specific Authority 456.013, 468.705, 468.711(2), (3) FS. Law Implemented 468.711(2) FS. History-New 8-4-98, Formerly 64B30-25.0031, Amended 8-22-00, 3-6-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Athletic Training
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Athletic Training
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 25, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: May 23, 2008

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NO.: RULE TITLE:
64B33-3.001 Fees

PURPOSE AND EFFECT: The proposed rule amendment is intended to implement a fee for a retired status license.

SUMMARY: The proposed rule amendment implements a fee for retired status in the amount of \$50.00.

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

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

SPECIFIC AUTHORITY: 456.013, 468.705, 468.707, 468.711 FS.

LAW IMPLEMENTED: 456.013, 468.707, 468.711 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B33-3.001 Fees.

The following fees are prescribed for athletic trainers:

(1) through (9) No change.

(10) The retired status fee shall be \$50.00.

Specific Authority 456.025, 468.705, 468.709 FS. Law Implemented 456.025, 456.036, 468.709 FS. History—New 7-12-95, Amended 5-29-96, Formerly 61-25.001, 64B30-25.001, Amended 8-22-00, 9-19-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Athletic Training
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Athletic Training
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 25, 2008

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.: RULE TITLE:
69J-7.006 Grants: Eligibility, Application and
Award (Non-Low Income)

PURPOSE AND EFFECT: Section 215.5586, F.S., created the MySafeFlorida Home (MSFH) Program. This program provides grants to certain homeowners for hurricane damage mitigation work to their homes. This rule establishes procedures for application and award of grants to non-low income grant applicants in the MSFH program; sets forth Department interpretation of certain grant eligibility criteria that are specified only in general by Section 215.5586 F.S.; and sets forth the Department’s interpretation as to the intended effect of changes made by the Legislature to Section 215.5586, F.S., in its 2007 regular session, concerning homeowners previously issued grants or previously advised by the Department that they were eligible for a grant. Both low income and non-low income persons may receive grants, but low-income applicants are subject to different requirements. This rule applies only to non low-income applicants. Subsection (6) of 215.5586, F.S., provides rulemaking authority to adopt rules to implement Section 215.5586, F.S., and carry out the duties of the Department pursuant to the Section 215.5586, F.S.

SUMMARY: Non-low income MySafeFlorida Home grant applicants submit applications through the website at mysafefloridahome.com or by calling 1(866)513-6734. The applicants are required to provide information necessary to determine statutory eligibility for a grant. After a grant is authorized and the work is performed and verified, payment is made.

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

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

SPECIFIC AUTHORITY: 215.5586(6) FS.

LAW IMPLEMENTED: 215.5586 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: Wednesday, July 16, 2008, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ellen Simon, (850)413-4270 or Ellen.Simon@myfloridacfo.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: Ellen Simon, Chief Counsel, Department of Financial Services 200 East Gaines Street, Tallahassee, Florida 32399, (850)413-4270

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-7.006 Grants: Eligibility, Application and Award (Non-Low Income).

(1) Applicability. This rule applies to grants to homeowners under Section 215.5586(2), Florida Statutes, except that this rule does not apply to grants to low-income persons under Section 215.5586(2)(g), Florida Statutes, or to grants by or through non-profit entities or local governments under Section 215.5586(2)(d), Florida Statutes.

(2) Definitions. For the purposes of this rule and implementation of Section 215.5586(2), Florida Statutes, the following definitions apply:

(a) "Completed Inspection" refers to an inspection wherein an inspector has performed a visual examination of a Florida home, and has submitted an inspection report to the Department.

(b) "Department" standing alone refers to the Department of Financial Services.

(c) "Grant" refers to a grant under Section 215.5586(2), Florida Statutes.

(d) "Home" refers to the residence on which the retrofit improvement work would be performed.

(e) "Matching grant" is, for purposes of Section 215.5586(2), Florida Statutes, a grant under which the homeowner will be reimbursed for half of the actual costs to make the improvement, up to \$5,000 for any and all improvements. This is contrasted with a low-income homeowner grant recipient who is not required to match the pay 50% of the actual cost up to \$5,000, and will be reimbursed the actual cost to make the improvement(s), up to \$5,000 for improvements.

(f) Opening Protection.

1. "Standard" opening protection refers to metal panels that are manually installed when a storm approaches, and are removed and stored when the storm has past.

2. "Permanently attached" opening protection refers to accordion shutters, roll-down shutters, and other opening protection devices that are permanently attached to the building

and are deployed across the opening when a storm approaches, and retracted back to their permanent attachment point when the storm has past.

3. "Permanently deployed" opening protection refers to windows and doors that are pressure and impact rated for hurricane conditions and that are installed in accordance with current Florida Building Code requirements for new construction.

(g) "Program" and "MSFH Program" and "My Safe Florida Home Program" refer to the program created under the authority of Section 215.5586, Florida Statutes.

(h) "Site-built" means a home built at its permanent and final location. This is contrasted with manufactured housing, including mobile homes and modular homes of which all or entire major sections of the home are built off-site, and the sections are assembled on site, which are not eligible for a grant pursuant to Section 215.5586, Florida Statutes.

(i) "The year in which the home was built" means the year in which application for the building permit for initial construction was made with the applicable building department.

(j) "You" or "your" refers to a homeowner applying for or awarded a grant under Section 215.5586, Florida Statutes.

(3) Eligibility for Grants.

(a) "Acceptable hurricane mitigation inspection."

An "acceptable hurricane mitigation inspection" as required by Section 215.5586(2)(a)3., Florida Statutes, is:

1. An inspection by a Wind Certification Entity under Section 215.5586(1), Florida Statutes, concerning which the homeowner has received a report of inspection from the Department;

2. An inspection conducted by a non-profit entity or a local government entity pursuant to agreement between the Department and that non-profit entity or a local government entity, or

3. An inspection conducted by a third party who has a contract with the Department under Section 215.5586(10), Florida Statutes, to conduct inspections for the Department.

(b) "Wind-borne debris region."

1. Section 215.5586(2)(a)4., Florida Statutes (2007), limits grants to "Wind-borne debris region as that term is defined in Section 1609.2, International Building Code (2006)." The preceding phrase, as implemented by the Department under Section 215.5586(2)(a)4., Florida Statutes, is the geographic area determined by the Florida Building Commission to be the State of Florida's Wind-Borne Debris Region, depicted in figure 1609 and figure R301.2(4) of the Florida Building Code (2007 Supplement). Figure 1609 and figure R302.2(4) of the Florida Building Code (2007 supplement) are hereby adopted and incorporated by reference into this rule. The Florida Building Code, including the cited figures, is available online at the website of the Florida Building Commission, at http://www2.iccsafe.org/states/2004_florida_codes.

2. Consistent with paragraph (b)1. above, the entire area of the following counties is within the wind-borne debris region: Broward, Escambia, Franklin, Gulf, Martin, Miami-Dade, Monroe, Pinellas, St. Lucie, and Sarasota.

3. Consistent with paragraph (b)1. above, no part of the following counties is within the wind-borne debris region: Alachua, Baker, Bradford, Calhoun, Clay, Columbia, Gadsden, Gilchrist, Glades, Hamilton, Hardee, Highlands, Holmes, Jackson, Lafayette, Lake, Leon, Madison, Marion, Okeechobee, Osceola, Polk, Putnam, Seminole, Sumter, Suwannee, and Union.

4. Consistent with paragraph (b)1. above, part but not all of the following counties is within the wind-borne debris region: Bay, Brevard, Charlotte, Citrus, Collier, DeSoto, Dixie, Duval, Flagler, Hendry, Hernando, Hillsborough, Indian River, Jefferson, Lee, Levy, Liberty, Manatee, Nassau, Okaloosa, Orange, Palm Beach, Pasco, Santa Rosa, St. Johns, Taylor, Volusia, Wakulla, Walton, and Washington. The extent of the wind-borne debris region within these counties is determined by the county building official, and the Department's determination as to whether a particular home in these counties is within the wind-borne debris region is based upon information provided to the Department by the county building official's office.

(c) "Insured value" requirement.

1. The "insured value" criteria specified at Section 215.5586(2)(a)2., Florida Statutes, refers to the insured value of the dwelling structure under a homeowner's property insurance policy, at Section 1, Coverage A – Dwelling, of the policy.

2. To be eligible for a grant under Section 215.5586(2), Florida Statutes, there must be homeowner's insurance coverage in force on the Home at the time of grant application; it is not necessary that the homeowner's insurance that is in force include hurricane wind coverage.

3. Insured value under a flood insurance policy issued under the national flood insurance program is not acceptable as proof of compliance with the insured value requirement under Section 215.5586(2)(a)2., Florida Statutes.

(d) Multi-family structures excluded. Only residences that are detached, single family, site built dwellings are eligible for grants. Residences within a multi-family structure are not eligible for grants. Residences within a multi-family structure are those that to any degree share a wall or roof with any other residence. Examples of residences within multi-family structures that are not eligible for a grant include, but are not limited to, townhouses or patio homes, or residences within a duplex or a triplex.

(e) Homestead exemption requirement. To be eligible for a grant, the home must have been actually granted a homestead exemption that is in effect as of the date of grant application. It is not sufficient that an application for homestead exemption has been filed or that the home qualifies for a homestead

exemption and will be issued a homestead exemption for the following tax year. The homestead exemption offered to show compliance with Section 215.5586(2)(a)1., Florida Statutes, must show the grant applicant as property owner.

(f) "Owner-occupied."

The phrase "owner-occupied" as used in Section 215.5586(2), Florida Statutes, requires that the owner of the home must actually be residing in the home at time of the application for grant, in order to be eligible for a grant.

(4) Application for Grant.

(a) How to apply.

1. Homeowners shall apply for a grant by supplying the required information to the Department through the Department's My Safe Florida Home online system, located at <http://www.mysafefloridahome.com/>. Once at that webpage, select "For Homeowners," then select "Matching Grants;" or the homeowner can click on "I want to apply for a grant"

2. Homeowners who cannot apply online may call the Department at (866)513-6734, and the Department staff will take the required information by phone and enter it into the Department's computer system for the homeowner.

(b) Information required to be provided by homeowner in an application for a grant.

(c) The following information must be supplied to the Department by a grant applicant:

1. Wind inspection report number for the home, as appearing on the upper left corner of the inspection report issued to the homeowner by the Department under Section 215.5586(1)(a)1., Florida Statutes. This number is also referred to as the "application number."

2. The applicant's last name and zip code. Applications will not be accepted unless this information entered by the applicant matches the data in the Department's records relating to the inspection report issued to the homeowner by the Department under Section 215.5586(1)(a)1., Florida Statutes.

3. Information to confirm the Department's online system:

a. When the Department's online system matches the application number, last name, and zip code, the Department's online system will display the following information concerning the home, as such information exists in the Department's records as a result of the previous inspection of the home under Section 215.5586(1), Florida Statutes, and the applicant will be required to indicate whether the information displayed is correct according to the applicant's records and recollection:

(I) The address of the Home.

(II) Whether the Home is in a wind-borne debris region.

(III) The mitigation improvements recommended in the MSFH inspection report issued to the homeowner.

(IV) The year the home was built.

b. If applicant indicates that any displayed information is not correct, the online system will instruct the applicant to call the My Safe Florida Home program staff at its toll free phone number, as published on the My Safe Florida Home website, and the online application session will terminate. Upon contacting My Safe Florida Home staff, that staff will assist the applicant to determine the reason for the discrepancy. When the discrepancy is resolved, the applicant can commence a new online grant application.

4. If the building permit for initial construction was applied for in 2002, the applicant will be required to provide the Department with evidence that the building permit was applied for before March 1, 2002, as required by Section 215.5586(2)(a)5., Florida Statutes. Satisfactory evidence shall include: a copy of records of the building department showing the permit application date; a written, signed statement from the building department stating the permit application date; or a written, signed statement of the contractor who applied for the permit, stating the date of application.

5. Whether the applicant is applying as a low income homeowner. If the applicant indicates that they are applying as a low income homeowner, additional information is required, as specified by a different rule of the Department.

6. The applicant must indicate whether their home is a site-built, detached single family dwelling. If the applicant indicates that the home is not a site-built, detached single family dwelling, the online system will advise them that they are not eligible for a grant, and that they should contact the My Safe Florida Home staff if they believe an error has been made or otherwise have questions regarding the matter; the online application session will then terminate.

7. The applicant must provide the homestead exemption number for the home, as assigned by the county property appraiser for the county where the home is located. Applicant must provide the insured value of the home.

8. The applicant must indicate assent to the following statement: "I, the applicant, under penalty of perjury, do hereby state that this application is the only application for grant I have submitted. Additionally, I understand that pursuant to Section 837.06, Florida Statutes, knowingly making a false statement in writing with the intent to mislead a public servant in the performance of their official duty is a crime punishable as provided in Section 775.082 or 775.083, Florida Statutes."

(d) Documentary materials required to be submitted by applicant for a grant.

1. As more fully specified below, every applicant for a grant subject to this rule shall submit to the Department documentary evidence of homestead exemption and insured value, in applying for a grant.

a. The required documentary evidence shall be submitted by mail or as electronic attachments to the application for grant. The electronic attachments shall be in one of the following formats: jpg, gif, tif, doc, or pdf. The Department's

online system will prompt the applicant to indicate whether they will submit by mail, or by electronic attachment. Where the applicant selects electronic attachment, the Department's system will provide a field into which the electronic document may be copied by the applicant.

b. Documentary materials must be fully legible. Documentary materials showing indication of alternation or forgery will be rejected with notice to the applicant by the Department.

2. Proof of homestead exemption. The following items will be accepted by the Department as documentary proof of current homestead exemption:

a. A copy of the annual application for renewal of homestead exemption provided to the homeowner by the county property appraiser's office, issued within the 24 months preceding the date on which grant application is made, showing the address and homestead exemption number of the home which is the subject of the grant application, and naming the grant applicant as property owner;

b. A copy of a receipt showing renewal of homestead exemption, issued by the county property appraiser's office within the 24 months preceding the date on which grant application is made, showing the address and homestead exemption number of the home which is the subject of the grant application, and naming the grant applicant as property owner; or

c. Other document issued by the county property appraiser's office, or available and printed from the county property appraiser's online website, if any, establishing that the home currently has a homestead exemption.

3. Proof of insurance coverage. Applicant shall submit a copy of the declarations page of the homeowner property insurance policy covering the property at the time of the grant application, as issued by the insurer, showing the coverage period, the named insured, the address of the insured property, and the limit of liability for the coverage under Section 1, Coverage A – Dwelling.

4. Proof of permit date. If the building permit for initial construction was applied for in 2002, the applicant will be required to provide the Department with evidence that the building permit was applied for before March 1, 2002, as required by Section 215.5586(2)(a)5., Florida Statutes. Satisfactory evidence shall include: a copy of records of the building department showing the permit application date; a written, signed statement from the building department stating the permit application date; or a written, signed statement of the contractor who applied for the permit, stating the date of application.

(5) Processing of Grant Applications.

(a) Grant applications that are determined by the Department to be incomplete or irregular shall be held in abeyance by the Department. Notice will be provided to the applicant as set forth in this rule. A grant application is

incomplete if it lacks any information required by the application, or if the Department has not received all documentation regarding homestead exemption and insured value, as required by this rule. A grant application is considered by the Department to be irregular if it contains information that is internally inconsistent or which is inconsistent with other information known or received by the Department, is apparently duplicative of another application on the same residence or by the same homeowner, contains nonsensical or illogical information, or if the Department has reason to believe that the application may be fraudulent.

(b) Within 45 days of receiving the application, the Department will notify the grant applicant concerning the status of the grant application. Grant applicants are responsible for ensuring that their grant application is complete and regular. No notice will be provided concerning the status of a grant application if the Department has or is referring the application to law enforcement or other investigatory authorities for investigation or other action with regard to suspected fraud or other illegal activity in connection with the application.

(6) Award of Grants.

(a) A grant is awarded when the Department prepares and sends the grant applicant a form DFS-I4-1806 (Matching Grant Award Packet). No grant is considered awarded until the Department actually places form DFS-14-1806 in the U.S. mail to the applicant.

(b) Grants awarded by the Department are conditioned on all the terms, conditions, and other provisions set forth by the Department in form DFS-I4-1806. By accepting the grant, the applicant agrees to all the said terms, conditions, and provisions.

(c) No change to the terms, conditions, and provisions of a grant shall be effective against the Department unless agreed to in writing and signed by the My Safe Florida Home program manager.

(7) The applicant must use a contractor who is participating in the program in accordance with Rule 69J-2.004, Florida Administrative Code. A current, updated list of participating contractor's can be found at <http://www.mysafefloridahome.com/ParticipatingContractorsLists.asp>.

(8) In order receive grant funds, the Participating Contractor must use products that meet impact, wind pressure, and pressure cycle testing requirements of, and be tested and approved under, the Florida Building Code Product Approval System, as established by Rule Chapter 9B-72, Florida Administrative Code, which is adopted pursuant to Section 553.73(1)(a), Florida Statutes. Products must meet one of following building code standards for 9 pound missile impact, wind pressure, and pressure cycling:

(a) Miami-Dade County Building Code using TAS 201, 202 and 203, as adopted therein, for homes in Miami-Dade County, to the extent applicable under that code; or

(b) Florida Building Code Product Approval using SSTD 12-93/97, ASTM E 1886 and E-1996, or TAS 201, 202 and 203, as adopted therein, to the extent applicable under that code.

(9) In order to receive grant funds for improvements, a particular improvement category needs to be completed:

(a) If the Homeowner chooses to protect windows in the home, all windows must be protected to receive grant funds for any window improvements. This includes gable vents.

(b) If the Homeowner chooses to protect exterior doors in the home all doors, including sliding glass doors, must be protected in order to receive grant funds for any door improvements.

(c) If the Homeowner chooses to brace the gable ends in a home, all gable ends four feet or more in height must be braced in order to receive grant funds for this improvement.

(d) Replacing a garage door with an impact-resistant door or bracing an already hurricane-rated garage door to make it impact-resistant can be performed without other improvements being made.

(e) Replacing skylights with an impact-rated skylight can be performed without other improvements being made.

(10) If bracing of gable ends is not identified by the department's wind inspection, but is identified as necessary by a participating contractor, the department will disburse funds for bracing gable ends with evidence in the form of photographs or video, a copy of the building permit when required by the building code applicable to do this improvement and upon re-inspection by the department.

(11) Improvements on a home pursuant to Section 215.5586(2), Florida Statutes, must be completed within twelve months of grant approval in order to be eligible for grant funds.

(12) After approval and the work is completed, an applicant must complete, sign, and return the reimbursement forms sent along with the grant approval letter. The reimbursement forms include a homeowner reimbursement form and a contractor verification form.

(a) The homeowner reimbursement form shall be completed out by the homeowner, and the following information must be included on the form:

1. Amount charged by the contractor;
2. Amount homeowner paid the contractor;
3. Homeowner's signature;
4. Homeowner's Social Security number.

(b) The contractor verification form shall be filled out by the participating contractor. The Contractor must complete the form, including a breakdown of labor and material costs. The following information must be included on the form:

1. Total job cost charged to the homeowner (for each type of improvement), including rebates or discounts offered to the homeowner;

- 2. Participating Contractor's name;
- 3. Business Name;
- 4. Participating Contractor's Signature;
- 5. Participating Contractor Number;
- 6. Date Work Completed;
- 7. Building permit number, if applicable.
- 8. For Opening and Door Protections;
 - a. The Florida Building Code (FBC) or Notice of Approval (NOA) product approval number;
 - b. Number of windows or doors and square footage protected;
 - c. Number of labor hours;
 - d. Labor Costs
 - e. Material Costs;
 - f. Other Costs (such as permit costs).
 - g. A Diagram or Cut Sheet completed by the contractor detailing what was protected;
- 9. For Bracing Gable Ends;
 - a. Material type;
 - b. Number of labor hours;
 - c. Labor costs;
 - d. Material costs;
 - e. Other costs (such as permit costs).

(c) Once the required forms are completed, the homeowner must submit the forms and any receipts to: My Safe Florida Home, Reimbursement Request, P. O. Box 8200, Tallahassee, Florida 32314-8200.

(13) A Homeowner will only be reimbursed one time for any or all improvements authorized by Section 215.5586(2)(e), Florida Statutes, up to \$5,000.

(14) When the My Safe Florida Home Program is in receipt of a completed reimbursement request, either an email confirmation or a mailing will be sent confirming the request has been received.

(a) If the forms that are submitted are complete, the homeowner should expect to receive a reimbursement check in approximately 6 to 8 weeks.

(b) If the forms are incomplete, the Program will contact the Homeowner to let them know what information is missing and will do one or more of the following:

- 1. Request that the Homeowner email, fax or mail the additional documentation;
- 2. Request the Homeowner to provide photos of the work completed on the home;
- 3. Incomplete reimbursement requests will remain pending until all necessary documentation is received.

(15) Each home that receives grants under this Program shall be subject to random inspection to comply with Florida law, Section 215.5586(2)(c), Florida Statutes, which requires the Program to re-inspect at least 5 percent of all homes retrofitted with grant funds.

(16) The My Safe Florida Home helpline, (866)513-6734, is available for questions concerning this rule.

(17) Implementation of Legislative Changes to Section 215.5586, Florida Statutes.

(a) Change in grant eligibility requirements. By operation of Chapter 2007-126, Laws of Florida, amending Section 215.5586(2)(a), Florida Statutes, effective June 12, 2007, the Legislature changed the grant eligibility requirements for persons receiving a completed home inspection after May 1, 2007. The Department interprets this legislation to be prospective only, and that homeowners who received a completed inspection under Section 215.5586(1), Florida Statutes, on or prior to May 1, 2007, remain eligible for a grant after May 1, 2007.

(b) Change in eligible types of retrofit improvement work. By operation of Chapter 2007-126, Laws of Florida, amending Section 215.5586(2)(e), Florida Statutes, effective June 12, 2007, the Legislature reduced the types of retrofit improvement work eligible for grant subsidy from seven categories to three categories. Prior to June 12, 2007, the Department had issued numerous notices or letters to homeowners advising those homeowners that they were eligible to apply for grant assistance for some or all of the four types of retrofit improvement work that were deleted from Section 215.5586, Florida Statutes, by operation of Ch. 2007-126, L.O.F. The Department interprets the Legislative intent in this matter to be as reflected in the following two sub-subparagraphs, and will implement Section 215.5586, Florida Statutes, accordingly.

1. Grants approved by the Department in writing prior to June 12, 2007, remain in force as to any and all of the seven types of retrofit improvement work specified and approved in the grant for the particular house in question.

2. Homeowners who received a notice or letter from the Department dated prior to June 12, 2007, advising those homeowners that they were eligible to apply for grant assistance for some or all of the four types of retrofit improvement work that have subsequently been deleted from Section 215.5586, Florida Statutes, by operation of Ch. 2007-126, L.O.F., but which homeowners were not approved for a grant prior to June 12, 2007, are not eligible for a grant to accomplish any of the four types of retrofit improvement work deleted by the Legislature effective June 12, 2007, notwithstanding that the inspection report or other papers provided to them by the Department prior to June 12, 2007, which recommended, advised, or indicated that the homeowner was eligible to apply for a grant for one or more of the four types of deleted retrofit improvement work.

Specific Authority 215.5586(6) FS. Law Implemented 215.5586 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ellen Simon, Chief Counsel, Division of Legal Services,
Department of Financial Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Karen Chandler, Deputy Chief
Financial Officer, Division of Consumer Services, Department
of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: April 9, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: May 9, 2008

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.: RULE TITLE:
 69J-7.007 Grants – Medical Condition
 Exception

PURPOSE AND EFFECT: Section 215.5586, F.S., establishes the MyFloridaSafe Home Program to provide grants to encourage residential property owners meeting specified criteria to improve the structural integrity of their residential structures to make them less vulnerable to hurricane damage. In most cases, replacing one set of code compliant hurricane shutters with another set does not meet the statutory mandate that improvements funded by MySafeFlorida Home grant be used to make structures less vulnerable to hurricane damage. However, if a medical condition makes an existing shutter system too difficult to deploy, its replacement with a more easily deployed system may reduce hurricane damage vulnerability. The proposed rule provides a procedure for homeowners with a medical condition which impairs shutter deployment to obtain a grant to replace shutters.

SUMMARY: A MySafeFlorida Home grant applicant is permitted to use grant funds to replace existing window protection if justified by medical need.

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

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

SPECIFIC AUTHORITY: 215.5586(6) FS.

LAW IMPLEMENTED: 215.5586 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: Wednesday, July 16, 2008, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ellen Simon, (850)413-4270 or Ellen.Simon@myfloridacfo.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: Ellen Simon, Chief Counsel, Department of Financial Services 200 East Gaines Street, Tallahassee, Florida 32399, (850)413-4270

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-7.007 Grants – Medical Condition Exception.

(1) Definitions.

(a) “Grant” refers to a grant under Section 215.5586(2), Florida Statutes.

(b) “Department” refers to the Florida Department of Financial Services.

(c) “MSFH” refers to the My Safe Florida Home program.

(2) General Provision. A grant shall only be used to mitigate the risk of hurricane damage. Subject to the exception below, the Department will not approve a grant to replace opening protection on a home, where the home already has existing opening protection that complies with Florida Building Code requirements for new construction at the location designated by the grant application.

(3) Exception. If an existing and compliant opening protection system is unlikely to be deployed due to medical limitations on the Homeowner, a replacement system that is more likely to be deployed because such medical limitations do not impede deployment of the system shall nonetheless qualify for a grant, subject to the requirements of this section. In such instances, the Homeowner must establish by written medical opinion as required herein that the applicant is, for medical reasons, deemed incapable of, or is advised against, engaging in the actions necessary to deploy and install the existing opening protection devices, or establish by official letter from the Department of Veteran Affairs or Disabled American Veterans that the applicant is permanently or totally disabled, the Department will waive the prohibition set forth in subsection (2).

(4) Required Medical Opinion. In order to establish that an applicant is, for medical reasons, deemed incapable of, or has been advised against, engaging in actions necessary to deploy and install existing opening protection devices, the applicant must submit:

(a) A written medical opinion, on a physician’s letterhead which:

1. Bears the original signature of a physician as defined by Chapter 458, 459, 460, 461, or 463, Florida Statutes;

2. Bears the physician’s license number assigned by the Department of Health;

3. Is dated within 6 months of the date of application for grant; and

4. Contains a statement that in the physician’s opinion the applicant, due to age, physical stature, physical handicap, or medical condition, is deemed by the physician to be physically incapable of manually installing, removing, or deploying the

existing opening protection devices, or is advised by the physician not to attempt to manually install, remove, or deploy the existing opening protection devices due to risk of serious injury or exacerbation of an existing injury or medical condition or:

(b) An official letter from the Department of Veteran Affairs or Disabled American Veterans which:

1. Provides that the Homeowner is permanently or totally disabled; and

2. Is dated within 3-5 years of the date of application for grant.

(5) Procedures.

(a) A Homeowner desiring to apply for a grant to replace opening protection under this rule shall provide the Department with the documentation required in paragraph (4)(a) or (b).

(b) The Homeowner shall provide the Department with the original of the required written and signed medical opinion or statement as specified in this rule.

(c) The request for Medical Condition and accompanying documentation shall be filed by the Homeowner with the Department by mailing same to the Department at: MSFH, Grant Application Review, P. O. Box 7300, Tallahassee, FL 32314-7300.

(d) The Department will review the request and accompanying documentation and within 30-45 days of receipt advise the applicant of the status of the application.

1. If the request for medical condition exception is denied, the applicant will be advised by the Department in writing, sent to the mailing address provided by the applicant.

2. If the request for medical condition exception is approved by the Department, the Department will notify the applicant in writing; no approval will be deemed to have been given unless such a notification is issued by the Department. Any grant issued under the approved medical exception will be subject to the requirements of the "Grant Award Letter," "Grant Agreement, Terms and Conditions" document, and the "Reimbursement Request Packet," as those forms are adopted under Department Rule 69J-7.005, Florida Administrative Code. Grants awarded by the Department are conditioned upon compliance with all the terms, conditions, and other provisions set forth by the Department in the three Department forms identified in the preceding sentence. By accepting the grant, the applicant agrees to all of the above-referenced terms, conditions, and provisions. No change to the terms, conditions, and provisions of a grant shall be effective against the Department unless agreed to in writing and signed by My Safe Florida Home program management.

(6) Grants under this rule are subject to all the requirements, restrictions, and limitations otherwise applicable to grants under Section 215.5586, Florida Statutes, and rules implementing that section.

Specific Authority 215.5586(6) FS. Law Implemented 215.5586 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ellen Simon, Chief Counsel, Division of Legal Services, Department of Financial Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Karen Chandler, Deputy Chief Financial Officer, Division of Consumer Services, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 9, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 9, 2008

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.: 69J-123.002 RULE TITLE: Procedure

PURPOSE AND EFFECT: The proposed rule adopts a new electronic form for filing a notice of intent to file a civil remedy action as provided in Section 642.155, F.S.

SUMMARY: Form DFS-I0-363, "Civil Remedy Notice of Insurer Violation" is adopted as the means to comply with the notice requirement imposed by Section 624.155, F.S.

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

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

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 624.307, 624.155(3)(b) 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: Wednesday, July 23, 2008, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Greg Thomas, (850)413-3130 or Greg.Thomas@myfloridacfo.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: Greg Thomas, Chief of Education, Advocacy & Research, Division of Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0320; (850)413-3130

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-123.002 Procedure.

The civil remedy notice required by Section 624.155, F.S., shall be electronically submitted on Form DFS-I0-363, "Civil Remedy Notice of Insurer Violation," (Effective: _____), which is hereby adopted and incorporated by reference. The form shall be submitted to the Department of Financial Services, Bureau of Consumer Assistance, through the website at <https://apps.fldfs.com/civilremedy>. No fee is required.

Specific Authority 624.308(1) FS. Law Implemented 624.307, 624.155(3)(b) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Greg Thomas, Chief of Education, Advocacy & Research, Division of Consumer Services, Department of Financial Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Karen Chandler, Deputy Chief Financial Officer, Division of Consumer Services, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 21, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 4, 2008

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-149.041	Marketing Communication Material and Marketing Guidelines

PURPOSE AND EFFECT: These amendments change the current practice of small group carriers using two different underwriting application approaches, based on group size. This rule requires one type of application for all small employer groups, indifferent of group size.

SUMMARY: This rule creates an unfair trade practice pursuant to Section 626.9611, F.S., by prohibiting an insurer from treating certain sized small groups differently than it treats other sized small groups. Under the rule, all small groups must be treated the same, unless Section 627.6699, F.S., specifically otherwise provides.

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

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

SPECIFIC AUTHORITY: 626.9611, 627.6699(13)(i), (17) FS. LAW IMPLEMENTED: 626.9541(1)(b), (g)2., (x)3., 627.6699(3)(g), (v), (5)(a), (7), (12), (12)(c), (13), (13)(b) FS.

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

DATE AND TIME: July 23, 2008, 9:30 a.m.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gerry Smith, Life and Health Product Review, Office of Insurance Regulation, E-mail gerry.smith@fldfs.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-149.041 Marketing Communication Material and Marketing Guidelines.

(1) Any marketing communication shall comply with the requirements of Rule Chapter 69O-150, Part III, F.A.C.

(2) Any insurer marketing small group health plans shall comply with the following guidelines:

(a) The small group health history or size shall not be used to direct the small group to a particular small group plan except as permitted by the provisions of Section 627.6699, F.S.

(b)1. In determining eligibility for small group coverage an employer/employee income may not be used.

2. A carrier may request information and documentation to determine whether an individual qualifies as an active business that is eligible for coverage.

3. The following information, records, or documents may be requested or considered in determining whether an employer meets the definition of small employer pursuant to Section 627.6699(3)(v), F.S. If the employer was required by applicable law to maintain the information, record or documents or to file the document with a local, state or federal governmental agency or authority; maintains the information

in the normal course of business; or was issued the information, records, or documents by a local, state, or deferral agency or authority:

- a. IRS form 1040, Schedule C or F.
- b. IRS 941 (quarterly wage and tax form).
- c. IRS 1065 (for partnership income).
- d. IRS 1120 (corporate income).
- e. IRS 1099 (which may include payments to independent contractors).
- f. IRS 2106 (employee business expenses).
- g. IRS 990 (for non-profits with annual receipts over \$25,000).
- h. Occupational Licenses.
- i. State Licenses.
- j. Florida UT 6 (unemployment compensation tax form).
- k. Articles of incorporation.
- l. Partnership agreements.
- m. Affidavits from the customers or suppliers of the small employer.
- n. Auditable personal records of receipts, expenditures, invoices.
- o. Leases and other contracts.
- 4.a. Refusal to insure an eligible small employer because of the employer's refusal or unwillingness to provide information, records or documents which are not necessary to reasonably establish that the employer meets the definition of Section 627.6699(3)(v), F.S., violates Section 627.6699(5)(a), F.S.
- b. Any statement that requires information not necessary for determining eligibility be provided for coverage to be issued shall constitute an unfair method of competition in violation of Section 626.9541(1)(b), F.S.
- (c) In the instance where a company splits to become two or more corporations, with each corporation employing less than 50 employees, they are considered an eligible small employer if:
 - 1. The group is not splitting solely with the intent of providing health insurance coverage to a separate class of employees;
 - 2. The new company can produce signed documentation (i.e., articles of incorporation) that substantiates that there is a legitimate business with business activity;
 - 3. All eligible employees are working 25 hours or more per week.
- (d) New and renewal policies for the Basic and Standard policies issued on or after May 1, 1995, must include the 1995 Basic and Standard Health Benefit Plans (OIR-B2-95) pursuant to Section 627.6699(12), F.S., which is incorporated herein by reference and can be obtained from the Bureau of Life and Health Forms and Rates.

(e)1. Pursuant to Section 626.9611, F.S., the Office identifies the following as being prohibited by Section 626.9541(1)(b) or 626.9541(1)(g), F.S., for a small employer carrier in reflecting any of the permitted rate adjustments in subsection 69O-149.037(6), F.A.C.:

- a. To quote a rate which does not reflect the actual characteristics of the individual group; ~~or~~
- b. Where necessary underwriting information has not been analyzed, to quote a rate other than the approved community rate. Any such quote of the community rate shall include a disclosure that the rate will be affected by the results of underwriting by up to 15 percent up or down for new groups, or up to a 10 percent increase for renewal groups; or.
- c. To use a different application form, underwriting method, medical questionnaire form, or any other method of collecting information that varies by case size to quote a group rate, such as an individual application or underwriting methodology for groups with less than a certain number of employees and a group application for larger groups, or any other way of separating the entire small group market from being one actuarially supportable class into subgroups within the small group market unless specifically prescribed by Section 627.6699, F.S.

2. This does not restrict carriers from quoting rates to groups based on estimated enrollment or demographics provided by the employer.

(f) Any practice that results in the declination of an application from an eligible small employer, other than for statutorily permitted reasons, constitutes a failure to comply with the guaranteed-issue requirements of Section 627.6699(5), F.S.; for example, imposing standards for eligibility that are not required by law, such as:

- 1. Requiring the small employer to be a domestic entity; or
- 2. Requiring the group to have prior group coverage; or
- 3. Requiring payment of premiums with business checks instead of personal checks.

Specific Authority 626.9611, 627.6699(13)(i), (17) FS. Law Implemented 626.9541(1)(b), (g)2., (x)3., 627.6699(3)(g), (v), (5)(a), (7), (12), (12)(c), (13), (13)(b) FS. History—New 3-1-93, Amended 11-7-93, 4-23-95, 8-4-02, 6-19-03, Formerly 4-149.041, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gerry Smith, Life and Health Product Review, Office of Insurance Regulation, E-mail gerry.smith@fldfs.com
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mary Beth Senkewicz
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 14, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 7, 2008

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

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

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

SUMMARY: Section 627.6675(3)(c), F.S., requires the Office to annually determine standard risk rates, using reasonable actuarial techniques and standards. According to the statute, the standard risk rates must be determined as follows:

- Standard risk rates for individual coverage must be determined separately for indemnity policies, preferred provider/exclusive provider policies, and health maintenance organization contracts.
- The office shall survey insurers and health maintenance organizations representing at least an 80 percent market share, based on premiums earned in the state for the most recent calendar year, for each of the categories specified in # 1.
- Standard risk rate schedules must be determined, computed as the average rates charged by the carriers surveyed, giving appropriate weight to each carrier’s statewide market share of earned premiums.
- The rate schedule shall be determined from analysis of the one county with the largest market share in the state of all such carriers.
- The rate for other counties must be determined by using the weighted average of each carrier’s county factor relationship to the county determined in # 4.
- The rate schedule must be determined for different age brackets and family size brackets.

In compliance with this statutory mandate the Office conducted a survey, calculated the rate schedules, and by this rule amendment publishes the results.

The standard risk rates are used by the health insurers in setting their conversion rates, because pursuant to Section 627.6675(3)(a), F.S., the maximum a health insurer can charge for a conversion policy is 200% of the standard risk rate.

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

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

SPECIFIC AUTHORITY: 624.308, 627.6675(3)(c) FS.

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

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

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gerry Smith, Office of Insurance Regulation, E-mail gerry.smith@fldfs.com

THE FULL TEXT OF THE PROPOSED RULE IS:

- 690-149.205 Indemnity Standard Risk Rate.
- (1) through (3) No change.

STANDARD HEALTH BENEFIT PLAN				
Age	Male	Female	County	Area Factor
0-17	\$1,382.09	\$1,382.09	Alachua	0.70
18	\$2,321.95	\$2,825.51	Baker	0.78
19	\$2,321.95	\$2,825.51	Bay	0.80
20	\$2,321.95	\$2,825.51	Bradford	0.82
21	\$2,321.95	\$2,825.51	Brevard	0.93
22	\$2,321.95	\$2,825.51	Broward	1.41
23	\$2,321.95	\$2,825.51	Calhoun	0.75
24	\$2,321.95	\$2,825.51	Charlotte	0.95
25	\$2,321.95	\$2,825.51	Citrus	0.72
26	\$2,402.43	\$2,939.73	Clay	0.80
27	\$2,485.69	\$3,058.57	Collier	0.93
28	\$2,571.85	\$3,182.21	Columbia	0.80
29	\$2,660.98	\$3,310.85	Dade	1.30
30	\$2,753.21	\$3,444.68	De Soto	0.74
31	\$2,848.63	\$3,583.93	Dixie	0.69
32	\$2,947.37	\$3,728.81	Duval	0.94
33	\$3,049.52	\$3,879.55	Escambia	0.77
34	\$3,155.21	\$4,036.38	Flagler	0.86
35	\$3,264.57	\$4,199.55	Franklin	0.75
36	\$3,384.66	\$4,340.95	Gadsden	0.75
37	\$3,509.17	\$4,487.12	Gilchrist	0.75
38	\$3,638.25	\$4,638.21	Glades	0.98
39	\$3,772.09	\$4,794.39	Gulf	0.76
40	\$3,910.85	\$4,955.83	Hamilton	0.77
41	\$4,054.71	\$5,122.70	Hardee	0.80
42	\$4,203.87	\$5,295.20	Hendry	0.97
43	\$4,358.51	\$5,473.50	Hernando	0.85
44	\$4,518.84	\$5,657.80	Highlands	0.71
45	\$4,685.07	\$5,848.31	Hillsborough	0.82
46	\$4,902.63	\$5,999.73	Holmes	0.75
47	\$5,130.30	\$6,155.08	Indian River	0.92
48	\$5,368.54	\$6,314.45	Jackson	0.77
49	\$5,617.84	\$6,477.94	Jefferson	0.75
50	\$5,878.72	\$6,645.67	Lafayette	0.78
51	\$6,151.72	\$6,817.74	Lake	0.90
52	\$6,437.39	\$6,994.26	Lee	0.97
53	\$6,736.33	\$7,175.36	Leon	0.79
54	\$7,049.15	\$7,361.14	Levy	0.80
55	\$7,376.49	\$7,551.74	Liberty	0.75
56	\$7,719.54	\$7,747.08	Madison	0.79
57	\$7,888.18	\$7,893.00	Manatee	0.91
58	\$8,002.56	\$8,069.37	Marion	0.77
59	\$8,222.84	\$8,249.69	Martin	0.94
60	\$8,449.19	\$8,434.03	Monroe	1.30

61	\$8,681.76	\$8,622.49	Nassau	0.85
62	\$8,920.74	\$8,815.16	Okaloosa	0.76
63	\$9,166.29	\$9,012.14	Okeechobee	0.97
64	\$9,418.61	\$9,213.52	Orange	0.90
65	\$9,677.87	\$9,419.40	Osceola	0.91
66	\$9,677.87	\$9,419.40	Palm Beach	1.00
67	\$9,677.87	\$9,419.40	Pasco	0.90
68	\$9,677.87	\$9,419.40	Pinellas	0.87
69	\$9,677.87	\$9,419.40	Polk	0.84
70	\$9,677.87	\$9,419.40	Putnam	0.81
71	\$9,677.87	\$9,419.40	St. Johns	0.77
72	\$9,677.87	\$9,419.40	St. Lucie	0.99
73	\$9,677.87	\$9,419.40	Santa Rosa	0.77
74	\$9,677.87	\$9,419.40	Sarasota	0.76
75	\$9,677.87	\$9,419.40	Seminole	0.92
76	\$9,677.87	\$9,419.40	Sumter	0.81
77	\$9,677.87	\$9,419.40	Suwannee	0.82
78	\$9,677.87	\$9,419.40	Taylor	0.79
79	\$9,677.87	\$9,419.40	Union	0.79
			Volusia	0.92
			Wakulla	0.75
			Walton	0.76
			Washington	0.76

73	\$7,366.63	\$7,140.13
74	\$7,366.63	\$7,140.13
75	\$7,366.63	\$7,140.13
76	\$7,366.63	\$7,140.13
77	\$7,366.63	\$7,140.13
78	\$7,366.63	\$7,140.13
79	\$7,366.63	\$7,140.13

Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.80
Suwannee	0.82
Taylor	0.79
Union	0.79
Volusia	0.88
Wakulla	0.75
Walton	0.76
Washington	0.76

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History—New 3-2-00, Amended 4-2-01, 4-17-02, 1-20-03, Formerly 4-149.205, Amended 5-18-04, 5-22-05, 6-1-06, 8-23-07, _____.

690-149.206 Preferred Provider/Exclusive Provider Standard Risk Rates.

(1) through (4) No change.

0-17	\$1,224.24	\$1,224.24
18	\$1,741.39	\$2,182.58
19	\$1,741.39	\$2,182.58
20	\$1,741.39	\$2,182.58
21	\$1,741.39	\$2,182.58
22	\$1,741.39	\$2,182.58
23	\$1,741.39	\$2,182.58
24	\$1,741.39	\$2,182.58
25	\$1,741.39	\$2,182.58
26	\$1,809.30	\$2,274.25
27	\$1,879.86	\$2,369.77
28	\$1,953.18	\$2,469.30
29	\$2,029.35	\$2,573.01
30	\$2,108.50	\$2,681.07
31	\$2,190.73	\$2,793.68
32	\$2,276.17	\$2,911.01
33	\$2,364.94	\$3,033.27
34	\$2,425.93	\$3,160.67
35	\$2,486.93	\$3,277.77
36	\$2,577.45	\$3,390.52
37	\$2,671.27	\$3,507.15
38	\$2,768.51	\$3,627.80
39	\$2,869.28	\$3,752.60
40	\$2,973.72	\$3,881.69
41	\$3,081.97	\$4,015.22
42	\$3,194.15	\$4,153.34
43	\$3,310.42	\$4,296.22
44	\$3,430.92	\$4,444.01
45	\$3,524.12	\$4,543.38
46	\$3,692.58	\$4,657.42
47	\$3,869.08	\$4,774.32
48	\$4,054.02	\$4,894.16
49	\$4,247.81	\$5,017.00
50	\$4,450.85	\$5,142.93
51	\$4,663.60	\$5,272.01
52	\$4,886.52	\$5,404.34
53	\$5,120.10	\$5,539.99
54	\$5,364.84	\$5,647.53
55	\$5,567.49	\$5,755.06
56	\$5,743.43	\$5,897.79
57	\$5,924.92	\$6,044.05
58	\$6,112.14	\$6,193.95
59	\$6,305.29	\$6,347.56
60	\$6,504.54	\$6,504.98
61	\$6,710.08	\$6,666.30
62	\$6,922.12	\$6,831.62
63	\$7,140.86	\$7,001.05
64	\$7,366.51	\$7,174.67
65	\$7,366.63	\$7,140.13
66	\$7,366.63	\$7,140.13
67	\$7,366.63	\$7,140.13
68	\$7,366.63	\$7,140.13
69	\$7,366.63	\$7,140.13
70	\$7,366.63	\$7,140.13
71	\$7,366.63	\$7,140.13
72	\$7,366.63	\$7,140.13

Alachua	0.72
Baker	0.78
Bay	0.77
Bradford	0.82
Brevard	0.95
Broward	1.40
Calhoun	0.75
Charlotte	1.00
Citrus	0.69
Clay	0.81
Collier	0.93
Columbia	0.81
Dade	1.37
De Soto	0.74
Dixie	0.73
Duval	0.99
Escambia	0.77
Flagler	0.82
Franklin	0.75
Gadsden	0.75
Gilchrist	0.75
Glades	0.98
Gulf	0.76
Hamilton	0.77
Hardee	0.80
Hendry	1.01
Hernando	0.85
Highlands	0.75
Hillsborough	0.86
Holmes	0.75
Indian River	0.97
Jackson	0.76
Jefferson	0.75
Lafayette	0.78
Lake	0.90
Lee	0.99
Leon	0.79
Levy	0.80
Liberty	0.75
Madison	0.79
Manatee	0.90
Marion	0.77
Martin	0.95
Monroe	1.37
Nassau	0.85
Okaloosa	0.72
Okeechobee	0.97
Orange	0.95
Osceola	0.92
Palm Beach	1.00
Pasco	0.90
Pinellas	0.87
Polk	0.84
Putnam	0.79
St. Johns	0.77
St. Lucie	0.99

STANDARD HEALTH BENEFIT PLAN				
Age	Male	Female	County	Area Factor
0	\$2,269.71	\$2,205.88	Alachua	0.70
1	\$2,269.71	\$2,205.88	Baker	0.78
2	\$1,862.25	\$1,831.86	Bay	0.80
3	\$1,646.48	\$1,616.10	Bradford	0.82
4	\$1,524.94	\$1,464.16	Brevard	0.93
5	\$1,464.16	\$1,339.66	Broward	1.41
6	\$1,400.43	\$1,218.11	Calhoun	0.75
7	\$1,339.66	\$1,126.95	Charlotte	0.95
8	\$1,278.88	\$1,032.73	Citrus	0.72
9	\$1,248.50	\$1,032.73	Clay	0.80
10	\$1,278.88	\$1,063.12	Collier	0.93
11	\$1,309.27	\$1,126.95	Columbia	0.80
12	\$1,339.66	\$1,218.11	Dade	1.30
13	\$1,445.38	\$1,401.89	De Soto	0.74
14	\$1,569.89	\$1,526.40	Dixie	0.69
15	\$1,661.05	\$1,647.95	Duval	0.94
16	\$1,782.60	\$1,769.49	Escambia	0.77
17	\$1,846.43	\$1,868.63	Flagler	0.86
18	\$1,677.62	\$1,731.60	Franklin	0.75
19	\$1,729.06	\$1,833.53	Gadsden	0.75
20	\$1,779.55	\$1,938.77	Gilchrist	0.75
21	\$1,856.45	\$2,067.93	Glades	0.98
22	\$1,911.43	\$2,205.39	Gulf	0.76
23	\$1,963.55	\$2,315.98	Hamilton	0.77
24	\$2,015.45	\$2,431.51	Hardee	0.80
25	\$2,067.34	\$2,528.50	Hendry	0.97
26	\$2,119.01	\$2,592.34	Hernando	0.85
27	\$2,176.62	\$2,653.36	Highlands	0.71
28	\$2,257.50	\$2,718.82	Hillsborough	0.82
29	\$2,316.80	\$2,786.17	Holmes	0.75
30	\$2,372.69	\$2,833.44	Indian River	0.92
31	\$2,436.98	\$2,879.75	Jackson	0.77
32	\$2,506.76	\$2,954.83	Jefferson	0.75
33	\$2,578.54	\$3,031.05	Lafayette	0.78
34	\$2,649.40	\$3,082.98	Lake	0.90
35	\$2,741.76	\$3,134.92	Lee	0.97
36	\$2,816.34	\$3,188.48	Leon	0.79
37	\$2,898.23	\$3,246.48	Levy	0.80
38	\$2,974.23	\$3,279.60	Liberty	0.75
39	\$3,052.37	\$3,329.10	Madison	0.79
40	\$3,129.28	\$3,390.47	Manatee	0.91
41	\$3,201.52	\$3,480.97	Marion	0.77
42	\$3,307.34	\$3,602.71	Martin	0.94
43	\$3,405.57	\$3,738.45	Monroe	1.30
44	\$3,504.04	\$3,875.01	Nassau	0.85
45	\$3,620.45	\$4,027.23	Okaloosa	0.76
46	\$3,743.36	\$4,186.98	Okeechobee	0.97
47	\$3,867.57	\$4,332.64	Orange	0.90

48	\$4,044.14	\$4,487.03
49	\$4,254.26	\$4,647.82
50	\$4,484.29	\$4,817.80
51	\$4,712.62	\$4,964.22
52	\$4,992.07	\$5,108.97
53	\$5,243.22	\$5,219.95
54	\$5,532.82	\$5,375.90
55	\$5,798.51	\$5,533.46
56	\$6,114.18	\$5,718.08
57	\$6,471.97	\$5,933.22
58	\$6,819.70	\$6,156.54
59	\$7,192.79	\$6,400.67
60	\$7,454.79	\$6,678.58
61	\$7,701.77	\$6,911.27
62	\$7,900.57	\$7,143.56
63	\$8,070.52	\$7,316.73
64	\$8,206.71	\$7,426.21
65	\$8,758.12	\$7,836.62
66	\$8,793.24	\$7,867.77
67	\$8,851.33	\$7,900.07
68	\$8,929.30	\$7,940.58
69	\$9,007.04	\$7,983.68
70	\$9,085.01	\$8,023.71
71	\$9,162.51	\$8,064.69
72	\$9,244.24	\$8,109.88
73	\$9,318.22	\$8,145.70
74	\$9,388.96	\$8,183.89
75	\$9,463.41	\$8,224.62
76	\$9,537.41	\$8,257.64
77	\$9,611.39	\$8,296.75
78	\$9,648.63	\$8,348.73
79	\$9,685.87	\$8,400.24

Osceola	0.91
Palm Beach	1.00
Pasco	0.90
Pinellas	0.87
Polk	0.84
Putnam	0.81
St. Johns	0.77
St. Lucie	0.99
Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.81
Suwannee	0.82
Taylor	0.79
Union	0.79
Volusia	0.92
Wakulla	0.75
Walton	0.76
Washington	0.76

44	\$3,173.17	\$3,498.34
45	\$3,271.10	\$3,632.92
46	\$3,374.26	\$3,771.39
47	\$3,475.57	\$3,898.07
48	\$3,626.99	\$4,032.97
49	\$3,810.31	\$4,174.28
50	\$4,012.82	\$4,321.61
51	\$4,214.32	\$4,450.89
52	\$4,465.09	\$4,578.17
53	\$4,688.76	\$4,677.00
54	\$4,947.13	\$4,816.24
55	\$5,184.67	\$4,955.53
56	\$5,463.95	\$5,120.27
57	\$5,785.99	\$5,311.64
58	\$6,098.51	\$5,514.89
59	\$6,427.77	\$5,736.18
60	\$6,647.42	\$5,983.42
61	\$6,856.36	\$6,196.74
62	\$7,020.01	\$6,407.38
63	\$7,156.05	\$6,561.01
64	\$7,252.08	\$6,650.07
65	\$7,658.43	\$6,942.77
66	\$7,684.51	\$6,965.97
67	\$7,727.50	\$6,989.85
68	\$7,785.23	\$7,019.80
69	\$7,842.79	\$7,051.80
70	\$7,900.53	\$7,081.44
71	\$7,957.91	\$7,111.74
72	\$8,018.35	\$7,145.25
73	\$8,073.20	\$7,171.83
74	\$8,125.51	\$7,200.10
75	\$8,180.54	\$7,230.24
76	\$8,235.39	\$7,254.79
77	\$8,290.24	\$7,283.73
78	\$8,347.67	\$7,322.17
79	\$8,345.26	\$7,360.43

Nassau	0.85
Okaloosa	0.72
Okeechobee	0.97
Orange	0.95
Osceola	0.92
Palm Beach	1.00
Pasco	0.90
Pinellas	0.87
Polk	0.84
Putnam	0.79
St. Johns	0.77
St. Lucie	0.99
Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.80
Suwannee	0.82
Taylor	0.79
Union	0.79
Volusia	0.88
Wakulla	0.75
Walton	0.76
Washington	0.76

0	\$2,084.83	\$2,020.10
1	\$2,084.83	\$2,020.10
2	\$1,732.86	\$1,723.43
3	\$1,543.96	\$1,514.54
4	\$1,426.28	\$1,367.43
5	\$1,367.43	\$1,246.80
6	\$1,305.65	\$1,129.12
7	\$1,280.33	\$1,074.38
8	\$1,221.49	\$983.17
9	\$1,192.07	\$983.17
10	\$1,221.49	\$1,012.59
11	\$1,250.91	\$1,074.38
12	\$1,280.33	\$1,162.64
13	\$1,309.75	\$1,280.33
14	\$1,430.38	\$1,400.96
15	\$1,518.65	\$1,518.65
16	\$1,636.33	\$1,636.33
17	\$1,698.12	\$1,727.54
18	\$1,513.96	\$1,572.92
19	\$1,563.23	\$1,670.62
20	\$1,611.67	\$1,771.19
21	\$1,685.62	\$1,890.53
22	\$1,738.40	\$2,015.25
23	\$1,788.50	\$2,120.27
24	\$1,838.42	\$2,227.33
25	\$1,885.49	\$2,318.90
26	\$1,938.08	\$2,376.03
27	\$1,990.35	\$2,433.67
28	\$2,067.67	\$2,491.99
29	\$2,121.11	\$2,551.82
30	\$2,171.54	\$2,591.84
31	\$2,231.85	\$2,633.19
32	\$2,294.05	\$2,699.25
33	\$2,357.57	\$2,766.00
34	\$2,420.26	\$2,809.21
35	\$2,506.99	\$2,852.42
36	\$2,572.55	\$2,896.81
37	\$2,644.50	\$2,945.07
38	\$2,713.92	\$2,972.14
39	\$2,782.66	\$3,012.49
40	\$2,847.37	\$3,061.91
41	\$2,913.62	\$3,145.27
42	\$3,008.46	\$3,252.93
43	\$3,090.64	\$3,374.95

Alachua	0.72
Baker	0.78
Bay	0.77
Bradford	0.82
Brevard	0.95
Broward	1.40
Calhoun	0.75
Charlotte	1.00
Citrus	0.69
Clay	0.81
Collier	0.93
Columbia	0.81
Dade	1.37
De Soto	0.74
Dixie	0.73
Duval	0.99
Escambia	0.77
Flagler	0.82
Franklin	0.75
Gadsden	0.75
Gilchrist	0.75
Glades	0.98
Gulf	0.76
Hamilton	0.77
Hardee	0.80
Hendry	1.01
Hernando	0.85
Highlands	0.75
Hillsborough	0.86
Holmes	0.75
Indian River	0.97
Jackson	0.76
Jefferson	0.75
Lafayette	0.78
Lake	0.90
Lee	0.99
Leon	0.79
Levy	0.80
Liberty	0.75
Madison	0.79
Manatee	0.90
Marion	0.77
Martin	0.95
Monroe	1.37

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History—New 3-2-00, Amended 4-2-01, 4-17-02, 1-20-03, Formerly 4-149.205, Amended 5-18-04, 5-22-05, 6-1-06, 8-23-07, _____.

690-149.207 Health Maintenance Organization Standard Risk Rates.

(1) through (3) No change.

STANDARD HEALTH BENEFIT PLAN				
Age	Male	Female	County	Area Factor
0	\$5,258.45	\$5,250.04	Alachua	1.04
1	\$2,968.48	\$2,960.07	Baker	1.06
2-6	\$2,909.90	\$2,901.49	Bay	0.90
7-12	\$2,822.45	\$2,814.04	Bradford	1.04
13-17	\$2,972.73	\$2,964.3	Brevard	0.94
18	\$2,549.95	\$4,120.85	Broward	1.00
19	\$2,570.16	\$4,301.90	Calhoun	0.90
20	\$2,610.13	\$4,382.36	Charlotte	0.99
21	\$2,630.36	\$4,472.30	Citrus	0.92
22	\$2,670.38	\$4,539.11	Clay	1.06
23	\$2,729.45	\$4,663.20	Collier	0.90
24	\$2,776.56	\$4,759.79	Columbia	1.04
25	\$2,819.35	\$4,883.42	Dade	1.00
26	\$2,899.75	\$5,051.05	De Soto	0.90
27	\$2,983.75	\$5,227.91	Dixie	1.04
28	\$3,047.19	\$5,290.86	Duval	1.06
29	\$3,150.59	\$5,242.98	Escambia	1.08
30	\$3,236.87	\$5,247.52	Flagler	0.90
31	\$3,279.13	\$5,177.31	Franklin	0.90
32	\$3,340.11	\$5,172.07	Gadsden	0.90
33	\$3,402.20	\$5,136.91	Gilchrist	1.05
34	\$3,444.91	\$5,106.34	Glades	0.90
35	\$3,532.78	\$5,128.20	Gulf	0.90
36	\$3,580.77	\$5,108.61	Hamilton	0.90
37	\$3,649.52	\$5,085.24	Hardee	0.84
38	\$3,748.38	\$5,099.53	Hendry	0.96

39	\$3,815.47	\$5,111.88
40	\$3,923.62	\$5,139.24
41	\$4,003.19	\$5,186.08
42	\$4,102.20	\$5,276.71
43	\$4,235.88	\$5,400.47
44	\$4,359.59	\$5,523.74
45	\$4,486.17	\$5,621.99
46	\$4,682.63	\$5,747.05
47	\$4,872.08	\$5,874.81
48	\$5,109.97	\$5,986.94
49	\$5,341.56	\$6,117.55
50	\$5,598.42	\$6,278.89
51	\$5,909.83	\$6,447.58
52	\$6,253.14	\$6,612.37
53	\$6,590.04	\$6,778.15
54	\$6,966.54	\$6,965.19
55	\$7,360.26	\$7,102.09
56	\$7,730.02	\$7,258.77
57	\$8,099.29	\$7,390.68
58	\$8,615.15	\$7,721.59
59	\$9,149.91	\$8,070.04
60	\$9,714.17	\$8,467.78
61	\$10,192.09	\$8,914.29
62	\$10,667.92	\$9,373.20
63	\$11,239.30	\$9,927.57
64	\$11,819.57	\$10,475.54
65	\$14,318.73	\$12,839.86
66	\$14,377.66	\$12,885.56
67	\$14,436.21	\$12,930.98
68	\$14,494.23	\$12,975.97
69	\$14,551.64	\$13,020.50
70	\$14,608.25	\$13,064.41
71	\$14,663.96	\$13,107.62
72	\$14,718.64	\$13,150.03
73	\$14,772.15	\$13,191.51
74	\$14,824.35	\$13,232.00
75	\$14,875.09	\$13,271.34
76	\$14,924.27	\$13,309.50
77	\$14,971.75	\$13,346.31
78	\$15,017.41	\$13,381.72
79	\$15,061.10	\$13,415.60

Hernando	1.03
Highlands	0.84
Hillsborough	1.01
Holmes	0.90
Indian River	0.90
Jackson	0.90
Jefferson	0.90
Lafayette	0.90
Lake	0.94
Lee	1.01
Leon	0.90
Levy	1.04
Liberty	0.90
Madison	0.90
Manatee	1.06
Marion	0.97
Martin	1.02
Monroe	0.90
Nassau	1.06
Okaloosa	1.05
Okeechobee	0.94
Orange	0.94
Osceola	0.96
Palm Beach	1.06
Pasco	1.01
Pinellas	1.01
Polk	1.15
Putnam	1.01
St. Johns	1.06
St. Lucie	1.01
Santa Rosa	1.08
Sarasota	1.07
Seminole	0.97
Sumter	0.97
Suwannee	0.94
Taylor	0.90
Union	0.90
Volusia	1.00
Wakulla	0.90
Walton	1.07
Washington	0.90

44	\$4,068.78	\$5,190.95
45	\$4,205.16	\$5,284.01
46	\$4,370.20	\$5,396.17
47	\$4,555.28	\$5,517.31
48	\$4,769.26	\$5,626.02
49	\$4,978.66	\$5,737.04
50	\$5,231.67	\$5,895.35
51	\$5,520.59	\$6,063.06
52	\$5,838.89	\$6,209.12
53	\$6,137.94	\$6,373.60
54	\$6,515.14	\$6,536.05
55	\$6,907.68	\$6,669.55
56	\$7,237.73	\$6,783.55
57	\$7,622.33	\$6,946.80
58	\$8,065.46	\$7,219.43
59	\$8,563.34	\$7,528.10
60	\$9,071.45	\$7,848.00
61	\$9,484.04	\$8,252.49
62	\$9,894.47	\$8,650.37
63	\$10,399.58	\$9,142.07
64	\$10,893.65	\$9,606.52
65	\$12,936.81	\$11,527.6
66	\$12,999.71	\$11,576.46
67	\$13,062.20	\$11,624.93
68	\$13,124.13	\$11,672.96
69	\$13,185.41	\$11,720.48
70	\$13,245.82	\$11,767.35
71	\$13,305.29	\$11,813.46
72	\$13,363.66	\$11,858.73
73	\$13,420.76	\$11,903.01
74	\$13,476.48	\$11,946.23
75	\$13,530.64	\$11,988.22
76	\$13,583.13	\$12,028.95
77	\$13,633.80	\$12,068.24
78	\$13,682.54	\$12,106.03
79	\$13,729.17	\$12,142.19

Jackson	0.90
Jefferson	0.90
Lafayette	0.90
Lake	0.94
Lee	1.01
Leon	0.90
Levy	1.04
Liberty	0.90
Madison	0.90
Manatee	1.04
Marion	0.94
Martin	1.03
Monroe	0.90
Nassau	1.08
Okaloosa	1.00
Okeechobee	0.94
Orange	0.94
Osceola	0.97
Palm Beach	1.05
Pasco	1.01
Pinellas	1.01
Polk	1.10
Putnam	1.01
St. Johns	1.06
St. Lucie	0.99
Santa Rosa	1.07
Sarasota	1.05
Seminole	0.99
Sumter	0.99
Suwannee	0.90
Taylor	0.90
Union	0.90
Volusia	1.03
Wakulla	0.90
Walton	1.05
Washington	0.90

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History—New 3-2-00, Amended 4-2-01, 4-17-02, 1-20-03, Formerly 4-149.205, Amended 5-18-04, 5-22-05, 6-1-06, 8-23-07.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 6, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 28, 2008

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."

0	\$4,549.06	\$4,540.08
1	\$2,844.95	\$2,835.97
2-6	\$2,795.78	\$2,786.81
7-12	\$2,722.34	\$2,713.36
13-17	\$2,853.04	\$3,396.75
18	\$2,432.62	\$3,953.57
19	\$2,467.46	\$4,161.38
20	\$2,484.87	\$4,309.58
21	\$2,519.74	\$4,452.46
22	\$2,537.83	\$4,586.82
23	\$2,555.92	\$4,720.44
24	\$2,636.28	\$4,824.84
25	\$2,657.34	\$4,916.66
26	\$2,750.27	\$5,051.52
27	\$2,814.76	\$5,178.03
28	\$2,893.63	\$5,185.92
29	\$2,957.60	\$5,199.76
30	\$3,057.35	\$5,207.63
31	\$3,097.50	\$5,198.32
32	\$3,154.83	\$5,195.85
33	\$3,195.81	\$5,114.57
34	\$3,253.97	\$5,056.36
35	\$3,302.10	\$4,975.57
36	\$3,382.08	\$4,973.32
37	\$3,465.24	\$4,900.54
38	\$3,542.63	\$4,897.93
39	\$3,623.88	\$4,910.68
40	\$3,690.05	\$4,905.22
41	\$3,767.50	\$4,954.19
42	\$3,861.40	\$4,991.64
43	\$3,968.29	\$5,109.03

Alachua	1.04
Baker	1.08
Bay	0.90
Bradford	1.04
Brevard	0.94
Broward	1.00
Calhoun	0.90
Charlotte	0.98
Citrus	0.88
Clay	1.08
Collier	0.90
Columbia	1.04
Dade	1.00
De Soto	0.90
Dixie	1.04
Duval	1.08
Escambia	1.07
Flagler	0.90
Franklin	0.90
Gadsden	0.90
Gilchrist	1.05
Glades	0.90
Gulf	0.90
Hamilton	0.90
Hardee	0.84
Hendry	0.94
Hernando	1.04
Highlands	0.84
Hillsborough	1.01
Holmes	0.90
Indian River	0.90

DEPARTMENT OF ELDER AFFAIRS**Federal Aging Programs**

RULE NOS.:	RULE TITLES:
58A-2.005	Administration of the Hospice
58A-2.012	Program Reporting Requirements
58A-2.0232	Advance Directives and Do Not Resuscitate Orders (DNRO)

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. 48, November 30, 2007 issue of the Florida Administrative Weekly.

This is the second notice of change. The first notice of change was published in Vol. 34, No. 13, March 28, 2008 issue of the Florida Administrative Weekly.

58A-2.005 Administration of the Hospice.

(1) through (3) No change.

(4) Outcome Measures.

(a) Effective with the report due by March 31, 2009, hospices must annually report the outcome measures outlined in this subsection on DOE form H-002, State of Florida Department of Elder Affairs Hospice Demographic and Outcome Measures Report, _____ 2008.

1. The form is hereby incorporated by reference and may be obtained from the following address: Department of Elder Affairs, Planning and Evaluation Unit, 4040 Esplanade Way, Tallahassee, Florida 32399-7000. The form may be also obtained from the department's Web site at: <http://elderaffairs.state.fl.us/english/hospice/DOEAformH002.xls.pdf>.

2. The reporting time frame is January 1 through December 31, with the exception of the 2008 report, which only needs to include outcome measure data from the rule effective date through December 31, 2008.

3. No change.

(b) No change

(5) No change.

Specific Authority 400.605, 400.60501 FS. Law Implemented 400.605(1)(c), 400.60501 FS. History--New 5-6-82, Formerly 10A-12.05, 10A-12.005, Amended 4-27-94, Formerly 59A-2.005, Amended 6-5-97, 8-6-02, 8-10-03,_____.

58A-2.012 Program Reporting Requirements.

(1) through (2) No change.

(3) The 2008 report due by March 31, 2009 need only include the collection of data from the rule effective date July 1, 2008 through December 31, 2008.

(4) The report must be submitted in accordance with subparagraph 58A-2.005(4)(a)3., F.A.C. electronically to the following e-mail address: hospicereport@elderaffairs.org. ~~The report may alternately be submitted to the following address: Department of Elder Affairs, Planning and Evaluation Unit, 4040 Esplanade Way, Tallahassee, FL 32399-7000.~~

(5) No change.

Specific Authority 400.605 FS. Law Implemented 400.605 FS. History--New 5-6-82, Formerly 10A-12.12, 10A-12.012, Amended 4-27-94, Formerly 59A-2.012, Amended 6-5-97,_____.

58A-2.0232 Advance Directives and Do Not Resuscitate Orders (DNRO).

(1) No change.

(2) The hospice's policies and procedures must include:

(a) At the time of admission, providing each patient, or the patient's surrogate, ~~or proxy or other legal representative,~~ with a copy of Form SCHS-4-2006, "Health Care Advance Directives – The Patient's Right to Decide," effective April 2006, or with a copy of some other substantially similar document which incorporates information regarding advance directives included in Chapter 765, F.S. Form SCHS-4-2006 is hereby incorporated by reference and is available from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 34, Tallahassee, FL 32308, or the agency's Web site at: http://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/HC_Advance_Directives/docs/adv_dir.pdf.

(b) At the time of admission ~~to a hospice program,~~ providing each patient, or the patient's surrogate, ~~or proxy or other legal representative,~~ with written information concerning the hospice's policies regarding resuscitation and advance directives, including information concerning DH Form 1896, Florida Do Not Resuscitate Order Form, incorporated by reference in Rule 64E-2.031, F.A.C.

(c) No change.

(3) Pursuant to Section 400.6095(8), F.S., a hospice may withhold or withdraw cardiopulmonary resuscitation from a patient if a valid ~~honor~~ a Do Not Resuscitate Order (DNRO) is presented and executed pursuant to Section 401.45, F.S. as follows:

(a) An absence of an order not to resuscitate Cardiopulmonary resuscitation may be withheld or withdrawn from a patient only if a valid DNRO is present, executed pursuant to Section 401.45, F.S., does not preclude a physician from withholding or withdrawing cardiopulmonary resuscitation as otherwise permitted by law.

(b) No change.

(4) Pursuant to Section 765.110, F.S., a hospice health care provider or facility shall be subject to ~~professional discipline and revocation of license or certification, and a fine,~~ if the healthcare provider or facility requires an individual to execute or waive an advance directive as a condition of treatment or admission.

Specific Authority 765.110, 400.605, 400.6095(8) FS. Law Implemented 400.605, 400.6095(8), Ch. 765 FS. History--New 1-11-93, Formerly 59A-2.025, Amended 4-27-94, Formerly 58A-2.0232, Amended 6-5-97,_____.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NOS.:	RULE TITLES:
60BB-3.013	Filing Claims and Providing Documentation
60BB-3.016	Monetary Determinations
60BB-3.017	Nonmonetary Determinations
60BB-3.029	Public Use Forms

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. 50, December 15, 2006 issue of the Florida Administrative Weekly.

60BB-3.013 Filing Claims and Providing Documentation.

(1) Approved Methods and Forms for Filing Florida Claims. Initial, additional, and reopened claims may be filed:

(a) On the Internet at www.fluidnow.com. Select "Internet Unemployment Compensation Claim Application (Initial Claim)";

(b) On the Agency's Interactive Voice Response System, (Call 1(800)204-2418 toll-free to obtain filing information); ~~or~~

(c) By mailing or faxing a completed claim application, which may be obtained by contacting the Agency toll-free at 1(800)204-2418. These applications are:

1. AWI Form UC-310, "Unemployment Compensation Application for Services" (Rev. 10/07 ~~05~~), incorporated by reference in Rule 60BB-3.029, F.A.C., is to be used by Florida residents who file by mail or fax;

2. Form IB-1, "Initial Interstate Claim" (10/07 ~~08/03~~), incorporated by reference in Rule 60BB-3.029, F.A.C., is to be used by non-Florida residents who file by mail or fax; ~~or~~

(d) At a location which may be designated by the Agency when unemployment results from mass separation, labor dispute, declared disaster or emergency, or the claimant needs special assistance or accommodation.

(2) Required Documentation.

(a) The claimant's valid social security number and one other approved form of secondary identification must be provided at the time of filing. Approved secondary identifiers include:

1. Driver's license issued by a state, possession of the United States, or a Canadian government authority, provided it contains a photograph or identifying information such as name, date of birth, sex, height, and address;

2. Documentation issued by a federal, state, or local government agency that contains a photograph or identifying information such as name, date of birth, sex, height, and address;

3. School identification (ID) card with photograph;

4. United States (U.S.) military ID card, dependent's ID card, or U.S. Coast Guard Merchant Mariner card;

5. Native American tribal document;

6. U.S. Passport (unexpired or expired); or

7. Certificate of U.S. Citizenship or Certificate of Naturalization;

(b) Proof will be required if a claimant's employment, social security number, or identity is in question. Circumstances requiring such documentation include, for example:

1. The Social Security Administration does not confirm the validity of the social security number;

2. A previous claim was filed using the same social security number by a person with another name;

3. The Agency receives information indicating fraudulent use of the social security number in question; or

4. Reasonable evidence, such as an unemployment compensation fraud detection crossmatch, that places in question the identity of the claimant or the validity of the claim.

(c) Documentation from the Immigration and Naturalization Service verifying authorization to work in the United States will be required from any alien whose work authorization cannot be identified using the Systematic Alien Verification for Entitlement (SAVE) system. Benefits will be delayed or denied only when neither primary nor secondary verification procedures verify the claimant's authorization to work in the United States. A determination denying benefits due to the absence of authorization to work will be reconsidered when the claimant furnishes the required documentation.

(d) A military veteran filing a military claim will be required to furnish a copy of the Form DD-214 issued to the claimant by the military service at the time of discharge to establish service dates and nature of discharge when the branch of the military in which the claimant served does not promptly respond to the Agency's request.

(e) An individual filing a claim based on federal civilian employment will be required to furnish a copy of Standard Form 50, Form W-2, or paystubs and Standard Form 8, received at the time of separation when the federal employer does not promptly respond to the Agency's request.

(3) Registration for Work. The filing of an unemployment compensation claim also constitutes registration for job search and reemployment assistance with the One-Stop Career Center nearest the claimant's address of record.

(4) Disclosure of Support Obligations. Each individual filing a new or additional claim for unemployment compensation must disclose at the time of filing whether he or she owes support obligations which are being enforced by the Florida Department of Revenue pursuant to 42 USC 503(e)(2)(A)(i) and 42 USC 654.

(5) Effective Date of Claim. Unless otherwise provided by Section 443.036(9), F.S., the effective date of an initial, additional or reopened claim will be the Sunday immediately preceding the filing date, with the following exceptions:

(a) Change of Calendar Quarter. When an initial claim is filed during a week in which a change of calendar quarter occurs, the claimant will have the option of filing the claim effective the beginning of the new calendar quarter.

(b) Group Filing. When arrangements for group filing are made, generally due to mass separation, labor dispute or implementation of a Short Time Compensation Plan, initial and additional claims will be backdated to the Sunday immediately preceding the date on which the unemployment began, provided the claimant reports in accordance with the group filing arrangements.

(c) Sunday Filing. Claims filed on a Sunday will be effective on the date of filing.

Specific Authority 443.1317(1)(b) FS. Law Implemented 443.036, 443.091, 443.101, 443.1116 FS. History—New 8-25-92, Amended_____.

60BB-3.016 Monetary Determinations.

(1) Computation of Wages.

(a) All employment in the base period reported by an employer or determined by the Agency from available information shall be considered in computing the monetary eligibility of a claimant.

(b) Assignment of Wages to Calendar Quarters. Wages will generally be counted as reported by the employer. Upon request by the claimant or employer and for the purpose of determining the claimant's weekly benefit amount and maximum available credits, wages may be assigned to the calendar quarter in which the wages were earned, but can be used in only one base period.

(2) Notices to Employers.

(a) The Agency will use AWI Form UCB-412, "Determination Notice of Unemployment Compensation Claim Filed," (Rev. 04/07), incorporated by reference in Rule 60BB-3.029, F.A.C., to notify the claimant's most recent employing unit and each employer in the claimant's base period of each claim for benefits filed, pursuant to Section 443.151(3)(a), F.S.

(b) The Agency will use AWI Form UCB-9 (Rev. 04/01), incorporated by reference in Rule 60BB-3.029, F.A.C., to request wage information regarding a specific claimant. If a timely response is not received, the claimant's monetary eligibility will be based on other evidence, including but not limited to an affidavit from the claimant.

(3) Notices to Claimants. The Agency will issue a determination of monetary eligibility to each claimant on AWI Form UCB-11, "Wage Transcript and Determination," (Rev. 01/08 04), incorporated by reference in Rule 60BB-3.029, F.A.C., which will serve as notice to the claimant pursuant to Section 443.151(3)(a), F.S.

Specific Authority 443.1317(1)(b) FS. Law Implemented 443.036, 443.091, 443.101, 443.151(3) FS. History—New 8-25-92, Amended_____.

60BB-3.017 Nonmonetary Determinations.

(1) Investigation of Issues. The Agency will investigate all issues that may affect a claimant's benefits. The Agency will make a reasonable attempt to contact all parties and obtain facts necessary to resolve nonmonetary issues. Contact methods include, but are not limited to, telephone, mail, e-mail and facsimile transmission. If it is determined that the claimant has satisfied the terms of a potential disqualification that would otherwise be imposed, no investigation need be conducted. However, a determination will be made pursuant to Rule 60BB-3.018, F.A.C., regarding charges to the employer's account.

(2) Parties Entitled to Notice of Determination. Determinations will be issued to all parties entitled to notice on AWI Form UCB-45, "Notice of Determination", (Rev. 02/08 05), incorporated by reference in Rule 60BB-3.029, F.A.C.

(a) Claimants. A claimant is entitled to notice of any determination affecting his or her benefits.

(b) Employers. Pursuant to Section 443.151(3), F.S., an employer entitled to notice is the employer:

1. From which the separation occurred, when job separation is the issue;
2. That offered work to the claimant; when failure to accept work is the issue;
3. Directly involved in the dispute, at whose factory, establishment or other premises the claimant is or was employed, when labor dispute is the issue;
4. By or on behalf of which such remuneration was paid, when wages in lieu of notice, retirement income, workers' compensation or other remuneration is the issue;
5. Directly involved, when false or fraudulent representation to obtain or to increase benefits is the issue; or
6. Directly involved, when employment status, fraud, or overpayment resulting from improperly reported work or earnings is the issue.

Specific Authority 443.1317(1)(b) FS. Law Implemented 443.091, 443.101, 443.151(3) FS. History—New 8-25-92, Amended_____.

60BB-3.029 Public Use Forms.

(1) The following forms and instructions are used by the Agency for Workforce Innovation in its dealings with the public in the administration of the unemployment compensation program, and are incorporated by reference:

(a) AWI Form ERWC – "Employee's or Employer's Authorization and Request for Wage Records" (New 02/06), which is available at the Agency's Internet site at http://www.floridajobs.org/unemployment/uc_emp_forms.html, or as provided in subsection (2) of this rule.

(b) AWI Form AWA-01 – “Notarized Authorization for Release of Records” (Rev. 03/05), which is available at the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_emp_forms.html, ~~or as provided in subsection (2) of this rule.~~

(c) IB-1 – “Initial Interstate Claim” (Rev. ~~10/07 08/03~~), which may be found by going to ~~is available at~~ the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the “Florida Unemployment Compensation Claims Services/Claim Book ~~Your Weeks~~” link.

(d) IB-1(S) – “Initial Interstate Claim” (Spanish version) (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Haga clic aqui para acceder”.

(e) IB-1(C) – “Initial Interstate Claim” (Creole version) (Rev. 10/07), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Chwazi sa a pou”.

(f)(~~+~~) AWI Form UC-310 – “Unemployment Compensation Application for Services” (Rev. ~~10/07 05~~) which ~~This form~~ may also be found by going to ~~in the Florida Unemployment Compensation Claims Book, which is available~~ at the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the “Florida Unemployment Compensation Claims Services/Claim Book ~~Your Weeks~~” link.

(g) AWI Form UC-310(S) – “Unemployment Compensation Application for Services” (Spanish version) (Rev. 10/07) which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Haga clic aqui para acceder”.

(h) AWI Form UC-310(C) – “Unemployment Compensation Application for Services” (Creole version) (Rev. 10/07) which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Chwazi sa a pou”.

(i)(~~e~~) AWI Form UC-310 Supplement (Rev. ~~10/07 08/03~~) which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the “Florida Unemployment Compensation Claims Services/Claim Book” link.

(j) AWI Form UC-310(S) Supplement (Rev. 10/07) which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Haga clic aqui para acceder”.

(k) AWI Form UC-310(C) Supplement (Rev. 10/07) which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase “Chwazi sa a pou”.

(l)(~~f~~) AWI Form UCB/STC-3 – “Short Time Compensation Plan Application” (Rev. 11/01)

(m)(~~g~~) AWI Form UCB-9 (04/01)

(n)(~~h~~) AWI Form UCB-11 – “Wage Transcript and Determination” (Rev. 01/~~08 04~~)

(o) AWI Form UCB-34 (09/01).

(p)(~~i~~) AWI Form UCB-45 – “Notice of Determination” (Rev. 02/~~08 05~~)

(q) AWI Form UCB-60 – “Weekly Claim Certification” (Rev. 02/03)

(r)(~~j~~) AWI Form UCB-60V (Rev. 06/04)

(s) AWI Form UCB-121E (01/07)

(t) Employer Notification Letter (01/07)

(u) AWI Form UCB-200 “Unemployment Compensation Fact-Finding Statement” (09/01)

(v) AWI Form UCB-200LD “Labor Dispute” (03/00)

(w) AWI Form UCB-201 (09/01)

(x) AWI Form UCB-202 (09/01)

(y) AWI Form UCB-204 (09/01)

(z) AWI Form UCB-205 (09/01)

(aa) AWI Form UCB-205SIF (01/04)

(bb) AWI Form UCB-206 “Reporting Requirements” (09/01)

(cc) AWI Form UCB-207 “Unemployment Compensation Fact-Finding Statement” (09/01)

(dd) AWI Form UCB-208 “Voluntary Leaving” (09/01)

(ee) AWI Form UCB-209 “Employment Status” (09/01)

(ff) AWI Form UCB-209L (09/01)

(gg) AWI Form UCB-209S “Suspension” (09/01)

(hh) AWI Form UCB-211 “School Attendance/Training” (09/01)

(ii) AWI Form UCB-219 “Reemployment Services Eligibility Issues” (03/03)

(jj) AWI Form UCB-221 “Worker Profiling and Reemployment Services Assessment” (06/01)

(kk) AWI Form UCB-231 “Claimant’s Eligibility Review Questionnaire” (09/03)

(ll)(~~k~~) AWI Form UCB-412 – “Determination Notice of Unemployment Claim Filed” (Rev. 04/07)

(mm)(~~+~~) Form AWI-UCW4VT (Rev. ~~10/07 11/06~~), which may be found by going to the Agency’s Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the “Florida Unemployment Compensation Claims Services/Claim Book” link.

~~(nn)(m)~~ Form AWI-UCW4VFL (S) (Rev. 10/07 11/06), which may be found by going to the Agency's Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase "Haga clic aqui para acceder".

~~(oo)(n)~~ Form AWI-UCW4VFL (C) (Rev. 10/07 11/06), which may be found by going to the Agency's Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase "Chwazi sa a pou".

~~(pp)(e)~~ Form AWI-UC20A (Rev. 10/07 11/06), which may be found by going to the Agency's Internet site at http://www.floridajobs.org/unemployment/uc_bri.html and clicking on the "Florida Unemployment Compensation Program/Benefit Rights" link.

~~(qq)(p)~~ Form AWI-UC20A (S) (Rev. 10/07 11/06), which may be found by going to the Agency's Internet site at http://www.floridajobs.org/unemployment/uc_bri.html and clicking on the link beginning with the phrase "Oprima aqui para recibir".

~~(rr)(q)~~ Form AWI-UC20A (C) (Rev. 10/07 11/06), which may be found by going to the Agency's Internet site at http://www.floridajobs.org/unemployment/uc_bri.html and clicking on the link beginning with the phrase "Pou ou ka itilize".

~~(ss)(r)~~ UC Bulletin 1E (Rev. 10/07 04/05), which may be found by going to the Agency's Internet site at http://www.floridajobs.org/unemployment/uc_bri.html and clicking on the "Florida Unemployment Compensation Program/Benefit Rights" link.

~~(tt)~~ UC Bulletin 1S (Rev. 10/07), which may be found by going to the Agency's Internet site at http://www.floridajobs.org/unemployment/uc_bri.html and clicking on the link beginning with the phrase "Oprima aqui para recibir".

~~(uu)~~ UC Bulletin 1C (Rev. 10/07), which may be found by going to the Agency's Internet site at http://www.floridajobs.org/unemployment/uc_bri.html and clicking on the link beginning with the phrase "Pou ou ka itilize".

~~(vv)~~ UC100T (Rev. 10/07), which may be found by going to the Agency's Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the "Unemployment Compensation Claims Services/Claim Book" link.

~~(ww)~~ UC100FL(S) (Rev. 10/07), which may be found by going to the Agency's Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase "Haga clic aqui para acceder".

~~(xx)~~ UC100FL(C) (Rev. 10/07), which may be found by going to the Agency's Internet site at http://www.floridajobs.org/unemployment/uc_claimbooklet.html and clicking on the link beginning with the phrase "Chwazi sa a pou".

~~(yy)(s)~~ Online Internet Unemployment Compensation Claim Application (11/07 ~~November 2000~~), which is available at www.fluidnow.com.

~~(zz)~~ Online Internet Unemployment Compensation Claim Application (Spanish version) (11/07), which is available at www.fluidnow.com.

~~(aaa)(t)~~ Detailed System Design, Appendix B (Interactive Voice Response Script) (January 23, 2008 ~~August 12, 2002~~)

~~(bbb)(m)~~ Continued Claims Detailed System Design, Appendix C: IVR Script (Interactive Voice Response Script) (January 23, 2008 ~~June 12, 2007~~)

~~(ccc)~~ AWI Form UCS-6061 "Independent Contractor Analysis" (Rev. 11/05)

(2) These forms may also be obtained by:

(a) Writing to the Agency for Workforce Innovation, Unemployment Compensation Records Unit, P. O. Drawer 5750, Tallahassee, FL 32314-5750;

(b) Faxing a request to the Agency's UC Records Unit at ~~(850)921-9327~~ or (850)921-3912;

(c) Calling the UC Records Unit at (850)921-3470.

Specific Authority 443.1317(1)(b) FS. Law Implemented 443.171(5), 443.1715(1), (2)(b)1. FS. History--New 6-4-06. Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.008
 RULE TITLE: License Fees

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule development, as noticed in Vol. 33, No. 36, September 7, 2007 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-16.001	Definitions
65C-16.002	Adoptive Family Selection
65C-16.003	Case Reviews
65C-16.004	Recruitment, Screening and Application Process/Adoptive Applicants
65C-16.005	Evaluation of Applicants

65C-16.007	Abuse Hotline and Registry and Criminal Records Checks
65C-16.008	Dispute Resolutions and Appeals
65C-16.009	Adoption Placement
65C-16.010	Adoption Placement – Post-Placement Services
65C-16.011	Confidentiality – Human Immunodeficiency Virus (HIV) Infected Clients
65C-16.012	Types of Adoption Assistance
65C-16.013	Determination of Maintenance Subsidy Payments
65C-16.014	Determination of Medical Subsidy
65C-16.015	Non-Recurring Adoption Expenses
65C-16.016	Access to Closed Adoption Records
65C-16.017	Florida Adoption Reunion Registry
65C-16.018	Adoption Benefits for Qualifying Employees of State Agencies

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 24, June 13, 2008 issue of the Florida Administrative Weekly.

The correction has been made to the Notice of Proposed Rulemaking published in the June 6, 2008 issue of the Florida Administrative Weekly in Vol. 34, No. 23 whereas “DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 18, 2008, Vol. 34, No. 16” should have read the following: “DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 28, 2008, Vol. 33, No. 52”

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NOS.:	RULE TITLES:
65E-9.002	Definitions
65E-9.003	Licensure
65E-9.005	Operating Standards
65E-9.006	Program Standards
65E-9.011	Discharge and Discharge Planning

NOTICE OF PUBLIC HEARING

The Department of Children and Families, Mental Health announces regarding the above rule, as noticed in Vol. 34, No. 24, June 13, 2008 Florida Administrative Weekly.

DATE AND TIME: July 14, 2008, 9:00 a.m.

PLACE: Department of Children and Families, Mental Health Program, 1317 Winewood Blvd., Building 6, Conference Room A, 2nd floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Minor modifications to sections related to definitions, licensure, operating and program standards, and discharge and discharge planning.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NOS.:	RULE TITLES:
65E-9.002	Definitions
65E-9.003	Licensure
65E-9.005	Operating Standards
65E-9.006	Program Standards
65E-9.011	Discharge and Discharge Planning

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 16, April 18, 2008 issue of the Florida Administrative Weekly.

THE FULL TEXT OF THE PROPOSED RULE IS:

65E-9.002 Definitions.

~~(28) “Residential treatment center” means a 24 hour residential program, including a therapeutic group home which provides mental health treatment and services to children as defined in Section 394.492(2) or (6), F.S., and which is a private for-profit or not-for-profit corporation, under contract with the department or the agency. This rule does not change the Chapter 419, F.S., designation of a program as a “community residential home.”~~

(29) “Residential treatment center” means a 24-hour residential program, including a therapeutic group home which provides mental health treatment and services to children as defined in Section 394.492(2) or (6), F.S., and which is a private for-profit or not-for-profit corporation, under contract with the department or the agency. This rule does not change the Chapter 419, F.S., designation of a program as a “community residential home.”

Specific Authority ~~39.407, 394.875(8)(10)~~ FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended_____.

65E-9.003 Licensure.

(5) through (7)(a) No change.

(b) All applicants shall submit an application ~~on the most current version~~ AHCA Form 3180-5004, dated 1/2008 of June 2004, “Residential Treatment Centers for Children and Adolescents Application”, which is incorporated by reference, which is provided by ~~the~~ AHCA. The application is available on the agency’s web site at [http://www.ahca.achemyflorida.com/MCHQ/Health_Facility_Regulation/Hospital_Outpatient/ index.shtml](http://www.ahca.achemyflorida.com/MCHQ/Health_Facility_Regulation/Hospital_Outpatient/index.shtml). The application shall include: all information required by Sections 394.875 and 394.876, F.S., and any other information.

Specific Authority ~~39.407, 394.875(8)(10)~~ FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended_____.

65E-9.005 Operating Standards.

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

(e) Fees. ~~A For children placed by the department and funded in full or in part by state, Medicaid, or local matching funds,~~ a sliding fee schedule shall be developed consistent with the provisions of Rule ~~65E-14.018, F.A.C. Section 394.674(4), F.S.~~ If fees are charged, the provider shall have a written policy describing the relationships between fees and services provided and the conditions under which fees are charged or waived. This policy shall be available to any person upon request.

Specific Authority ~~39.407, 394.875(8)(40)~~ FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended_____.

65E-9.006 Program Standards.

(5) Education. The provider shall arrange for or provide an educational program for children, that complies with the State Board of Education, Rule 6A-6.0361.F.A.C., effective date 2-18-93 hereby incorporated by reference Chapter 65A-15, F.A.C.

Specific Authority ~~39.407, 394.875(8)(40)~~ FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended_____.

65E-9.011 Discharge and Discharge Planning.

(1) through (10) No change.

(11) Within 10 business days of the physical departure of a child placed from out-of-state, the provider shall complete, date, and sign an ~~ICPC-100B~~ Interstate Compact Report on Child's Placement Status, (ICPC-100B), Form CF 795, 10/05, Oct-06, which is hereby incorporated by reference, place a copy of the form in the child's record, and mail the original and two copies of the form to: Office of the Interstate Compact on the Placement of Children, Child Welfare Program Office, Florida Department of Children and Family Services, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700. A copy of the form may be obtained at the department's website, www.dcf.state.fl.us/publications/eforms/0795.pdf.

Specific Authority ~~39.407, 394.875(8)(40)~~ FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended_____.

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 ENVIRONMENTAL PROTECTION

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

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on June 6, 2008, the South Florida Water Management District (District), received a petition for waiver from the Florida Department of Transportation, Application No. 07-0824-2M, for utilization of Works or Lands of the District known as the C-18E Canal, Palm Beach County for the installation of guardrail associated with the Florida Turnpike bridge within the C-18E right of way, Palm Beach County, Section 04, Township 41 South, Range 42 East. The petition seeks relief from paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs placement of permanent and semi-permanent above-ground structures within designated equipment staging areas within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: 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.

NOTICE IS HEREBY GIVEN THAT on June 6, 2008, the South Florida Water Management District, received a petition for waiver from Miami-Dade County Public Works Department, Application No. 08-0522-2, Permit (MOD) Number 7051 for utilization of Works or Lands of the District known as the C-2 Canal to allow existing light poles, pull boxes and conduit located within the District's easterly right of way between Bird Road and Coral Way along C-2 to remain, Snapper Creek Canal, Miami-Dade County, Section 12/13, Township 54S, Range 40E. The petition seeks relief from Rule

40E-6.011 and subsections 40E-6.011(4), (6), Florida Administrative Code, which govern the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of the canal bank within Works and Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: 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.

NOTICE IS HEREBY GIVEN THAT on June 4, 2008, the South Florida Water Management District, received a petition for waiver from Collier County Board of County Commissioners, Application No. 07-0723-2, for utilization of Works or Lands of the District known as the Cocohatchee Canal, Collier County for the proposed placement of bicycle picket railings and bollards; Sections 20, 21, 22, Township 48 South, Range 26 East, Collier County. The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which governs the placement of permanent and semi-permanent above-ground structures (bicycle picket railings and bollards) within 40 feet of top of the canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting 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.

NOTICE IS HEREBY GIVEN that on June 11, 2008, The South Florida Water Management District (SFWMD) received a Petition for Variance (Application 080611-1) from the United States Southern Command and the State of Florida for a project known as US Southern Command Headquarters Facility, located in Miami-Dade County, Section 28, Township 53 South, Range 40 East. The petition seeks relief from paragraph 40E-4.301(1)(d), F.A.C., pertaining to the conditions for issuance of permits. The petitioner is requesting approval to commence construction operations prior to the purchase from the FPL Everglades Mitigation Bank/acquisition of mitigation credits for 90% of the required mitigation. The release of credits has been delayed but is expected to be available within 180 days of permit issuance. The additional 10% of the required mitigation will be provided in the basin in which the project is located. A contract will be entered into with the FPL Everglades Mitigation Bank that will commit FPL to sell

mitigation credits for this project once credits become available. In addition, there will be a deposit of funds in the amount of 200% of the dollar amount required for the purchase of the mitigation bank credits to offset the proposed wetland impacts associated with the project, required access road and any additional time lag associated with the delay in purchase of credits and submittal of an alternative mitigation plan. A copy of the petition may be obtained from Beth Colavecchio at (561)682-6905 or e-mail at bcolavec@sfwmd.gov. The SFWMD 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 from the date of publication at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33041, Attn: District Clerk. For additional information, contact Anita Bain at (561)682-6866 or e-mail at abain@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on May 27, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Chef John's Dockside Inn located in Kissimmee. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees... They are requesting a variance to use public bathrooms located in a common area and have seating for thirty-five.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on May 21, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(6), Florida Administrative Code, from Mellow Mushroom located in Delray Beach. The above referenced F.A.C. states...the physical facilities at public food service establishments shall be subject to the provisions of Chapter 6, Food Code....Specifically, the Petitioner requests to have exposed joists in the ceiling of the bar area.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on May 29, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on March 14, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from On the Go Cafe located in Lake

Wales. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to share bathroom facilities with an adjacent establishment and have no seating.

This variance request was approved and is contingent upon the Petitioner ensuring the bathrooms located inside of Jasmine's retail store are functional, has running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within/or outside the establishment clearly stating the location of the bathrooms. Petitioner will have no seats. 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.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on May 29, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on May 8, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Reggae Cafe located in Fort Myers. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of thirty-six (36).

This variance request was approved 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 (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.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on May 29, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on April 22, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from St. George Street Eatery located in St. Augustine. The above referenced F.A.C. states that all

bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to use public bathrooms located in a common area and have seating.

This variance request was approved and is contingent upon the Petitioner ensuring the centrally located bathrooms have running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within/or outside the establishment clearly stating the location of the bathrooms. Petitioner will have no more than forty (40) seats which include 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.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on May 23, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code from Taste of Argentina located in Cape Coral. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of forty-two (42).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on May 29, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on May 14, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Taste of Argentina located in Cape Coral. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of twenty (20).

This variance request was approved 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 (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.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on May 29, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on May 19, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Yoasis Frozen Yogurt located in Brandon. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to use public bathrooms located in a common area and have seating for seven.

This variance request was approved and is contingent upon the Petitioner ensuring the centrally located bathrooms have hot and cold running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within/or outside the establishment clearly stating the location of the bathrooms. Petitioner will have no more than seven (7) seats which include 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.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on May 30, 2008, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, received a petition for waiver from PROGRESSIVE GAMING INTERNATIONAL CORPORATION, Petitioner, in DBPR Case No. 2008031478 (VW 2008-171). The Petition lists Rule 61D-14.009, Florida Administrative Code (F.A.C.) from which it seeks a waiver. The Petition requests that the Division grant the Petitioner a slot machine occupational license after considering all factors involved in the Petitioner's relinquishing of its gaming license in another gaming jurisdiction. Any person whose substantial interests may be affected by a waiver and variance on the subject matter of the Petition may file a petition to intervene within 14 days of the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT on May 8, 2008, the Bureau of Beaches and Coastal Systems, received a petition for variance, pursuant to Section 120.542, Florida Statutes, and Chapter 28-104, F.A.C., of subsections 62B-33.002(18), (19), F.A.C., which defines "eligible structures" and "emergency protection", and from Rule 62B-33.0051, F.A.C., which provides the conditions where construction of armoring shall be authorized. The petition was received from John H. Elamand, on behalf of Margaret L. Petersen, James B. Martin, Richard Maddox, David Rees, and The Jones Group, regarding WL-876 AR V. The properties are located at 787, 791, 797, 815 and 825, respectfully, Sc. Hwy, 98, in Walton County.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rosaline Beckham at (850)488-7815 or by e-mail at: rosaline.beckham@dep.state.fl.us. Any comments should be filed in writing with the Department at 3900 Commonwealth Blvd., M.S. 300, Tallahassee, Florida 32399-3000, and should be submitted within 14 days of the date of this publication.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on June 03, 2008, the Board of Pharmacy, received a petition for Sayeda A. Masruh, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on June 11, 2008, the Florida Department of Health, Division of Environmental Health, Bureau of Onsite Sewage Programs, received a petition for Applicable rule: subsection 64E-6.021(5), F.A.C. Approval of continuing education courses and course providers will be in accordance with the department policy on requirements for continuing education courses and course providers, September 2006, herein incorporated by reference.

POLICY ON REQUIREMENTS FOR CONTINUING EDUCATION COURSES AND COURSE PROVIDERS, SEPTEMBER 2006, 2. Section 3(B) An approved course provider shall submit the application at least 60 days prior to the earliest date of the proposed course.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Susan Polangin, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, by phone at (850)245-4070 or by e-mail at Susan_Polangin@doh.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on May 22, 2008, the Florida Department of Health, Bureau of Emergency Medical Services (EMS) has issued an order.

A petition was filed by Air Ambulance Worldwide, Inc. ("AAWF"), on behalf of Arnold J. Moss, M.D., with the Department of Health on February 6, 2008 and published on March 7, 2008 in the Florida Administrative Weekly (F.A.W.), requesting a variance from paragraph 64E-2.004(3)(c), F.A.C., Medical Direction, which requires Medical Directors of an EMS provider or EMS training center to be board certified.

The Department of Health, Bureau of EMS has granted the request for variance. The general basis for this decision was that the Petitioner met the general requirements for variance:

- (a) The Petitioner has demonstrated that the purpose of the underlying statute has been achieved by other means through the Petitioner's competence in the practice of emergency medicine.
- (b) A substantial economic hardship would be placed upon the Petitioner.
- (c) A substantial hardship would be placed upon "AAWF".

Wherefore, based on the Findings of Fact and Conclusions of Law, the Petition has been granted and allows Arnold J. Moss, M.D., to continue serving as the Medical Director for "AAWF". A copy of the Order may be obtained by contacting: Lisa Walker, Government Analyst II, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin C-18, Tallahassee, FL 32399, Lisa_Walker2@doh.state.fl.us or (850)245-4440, ext. 2733.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on June 6, 2008, the Florida Housing Finance Corporation, received a petition for Waiver of subsections 67-58.005(2) and 67-58.070(6), Florida Administrative Code, from Westshore Community Development Corporation ("Petition"). The Petition is seeking a waiver of the extension fee of one (1) percent required by the rule.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street,

Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at www.floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on June 9, 2008, the Florida Housing Finance Corporation, received a petition for Waiver of subsection 67-58.020(6), Florida Administrative Code, from Midtown Delray, LLC and Ascot Development, LLC., ("Petition"). The Petition is seeking a waiver of the extension fee of one (1) percent required by the rule.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at www.floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on June 9, 2008, the Florida Housing Finance Corporation, received a petition for Waiver of subsection 67-58.020(6), Florida Administrative Code, from Village of Quillen Partnership and Ascot Development, LLC., ("Petition"). The Petition is seeking a waiver of the extension fee of one (1) percent required by the rule.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at www.floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN THAT on June 6, 2008, the Florida Housing Finance Corporation, received a petition for Waiver or Variance of subsections 67-58.020(6) and 67-58.070(6), Florida Administrative Code, from Walton

County Workforce Housing Corporation, ("Petition"). The Petition is seeking a waiver of the extension fee of one (1) percent required by the rule.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at www.floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Friends of the Museums of Florida History, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 20, 2008, 9:00 a.m. – 12:00 Noon

PLACE: TBA. Contact Elyse Cornelison at the Museum of Florida History at (850)245-6400 for further information

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Elyse Cornelison, Museum of Florida History at (850)245-6400.

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: Elyse Cornelison, Museum of Florida History at (850)245-6400. 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: Elyse Cornelison, Museum of Florida History at (850)245-6400.

The **Southeast Florida Preservation Advisory Board** announces a public meeting to which all persons are invited.

DATE AND TIME: June 27, 2008, 11:00 a.m.

PLACE: Preservation Foundation of Palm Beach, 311 Peruvian Avenue, Palm Beach, FL 33480

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southeast Florida Preservation Advisory Board.

Should any person wish to appeal any decision made with respect to the above referenced meeting, s/he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review. Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance at (561)416-2115.

A copy of the agenda may be obtained by contacting: South Florida Regional Preservation Office, Florida Division of Historical Resources, FDOS, 71 N. W. Federal Hwy., Boca Raton, Florida 33432.

The **Division of Historical Resources, Bureau of Historic Preservation** and the **Florida Folklife Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 3, 2008, 11:00 a.m.

PLACE: College of Arts and Humanities Annex, University of Central Florida Campus, Orlando, Florida 32816

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of applications for the 2008-2009 Florida Folklife Apprenticeship Program.

A copy of the agenda may be obtained by contacting: Tina Bucuvalas, Florida Folklife Program, Bureau of Historic Preservation, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6333 or email: tbucuvalas@dos.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Bureau of Historic Preservation by telephone (850)245-6333 or by Fax (850)245-6437. 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: Tina Bucuvalas at (850)245-6333 or email: tbucuvalas@dos.state.fl.us.

The **Department of State, Division of Cultural Affairs** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday June 30, 2008, 9:00 a.m. – conclusion

PLACE: *This meeting will be held via conference call. See instructions below.

Instructions for Conference Call Participation

1. Join the teleconference by dialing the ReadyTalk phone number: 1(866)740-1260. This is a toll-free call.
2. Enter the 7-digit access code: 2456470 (You will be placed on hold until the Chairperson starts the meeting)

*If you have problems joining the conference or if you need technical assistance, please contact: ReadyTalk Customer Care Line: 1(800)843-9166 or you may contact: Division of Cultural Affairs at (850)245-6470.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To approve panel recommendations for the Media Arts panel.

A copy of the agenda may be obtained by contacting: Sarah Stage at (850)245-6459.

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: Morgan Lewis at (850)245-6356. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399 or (850)245-6470.

DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs** announces a public meeting to which all persons are invited.

DATES AND TIME: July 17-18, 2008, 8:30 a.m.

PLACE: Hilton St. Petersburg Bayfront Hotel, 333 First Street South, St. Petersburg, FL 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida New Motor Vehicle Arbitration Board 2008 Arbitrator Training.

A copy of the agenda may be obtained by contacting: Carol Howell at (850)414-3500, ext. 4494.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least three days before the workshop/meeting by contacting: Carol Howell at (850)414-3500, ext. 4494. If you

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Honey Bee Technical Council** announces a workshop to which all persons are invited.

DATE AND TIME: July 29, 2008, 10:00 a.m.

PLACE: Division of Plant Industry, Doyle Conner Building, Auditorium, 1911 Southwest 34th Street, Gainesville, Florida 32608

GENERAL SUBJECT MATTER TO BE CONSIDERED: Research Funds.

A copy of the agenda may be obtained by contacting: Jerry Hayes, Assistant Chief, Apiary Inspection, Division of Plant Industry, 1911 Southwest 34th Street, Gainesville, Florida 32608.

For more information, you may contact: Jerry Hayes, Assistant Chief, Apiary Inspection, Division of Plant Industry, 1911 Southwest 34th Street, Gainesville, Florida 32608.

The **Pesticide Registration Evaluation Committee (PREC)** announces a public meeting to which all persons are invited.

DATE AND TIME: July 3, 2008, 9:00 a.m.

PLACE: Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Building 6, Room 606, Tallahassee, Florida 32399-1650

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health, safety and the environment.

A copy of the agenda may be obtained by contacting: The Pesticide Registration Section at (850)487-2130 or from the PREC website: <http://www.flaes.org/pesticide/pesticideregistration.html>.

For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida 32399-1650, (850)487-2130.

The **Commercial Feed Technical Council** announces a public meeting to which all persons are invited.

DATE AND TIME: July 10, 2008, 10:00 a.m. – 12:30 p.m.

PLACE: Longboat Key Club Resort, 301 Gulf of Mexico Drive, Longboat Key, Florida 34228, (941)383-8821

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the business of the Council.

For more information, you may contact: Mr. Bruce Nicely, Chief of Bureau of Compliance Monitoring, 3125 Conner Boulevard, Building 8, L-29, Tallahassee, Florida 32399-1650, (850)488-8731.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs**, Housing and Community Development, Community Assistance Section announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, July 15, 2008, 9:00 a.m. – 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain input and recommendations from the public and interested parties concerning the LIHEAP State Administrative Plan for FFY 2009. This plan will be submitted to the United States Department of Health and Human Services. The plan is required annually in order for the state to receive LIHEAP funds.

A copy of the agenda may be obtained by contacting: Department of Community Affairs, Susan Lawrence, Planner IV, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, by Fax (850)488-2488 or by appearing in person at the agency headquarters.

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: Community Assistance Section at (850)488-7541. 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: Susan Lawrence at (850)488-7541.

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

The Florida **Public Service Commission** announces a public customer meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 8, 2008, 6:00 p.m.

PLACE: County Commission Chambers, Martin County Administrative Center, 2104 S. E. Monterey Road, Stuart, Florida 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 070695-WS – Application for increase in water and wastewater rates in Martin County by Miles Grant Water and Sewer Company.

PURPOSE: The purpose of this customer meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the meeting.

EMERGENCY CANCELLATION OF CUSTOMER MEETING: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199. A copy of the agenda may be obtained by contacting: Jared Deason at (850)413-6844.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 9, 2008, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 070699-TP – Petition by Intrado Communications, Inc. for arbitration of certain rates, terms, and conditions for interconnection and related arrangements with Embarq Florida, Inc., pursuant to Section 252(b) of the Communications Act of 1934, as amended, and Section 364.162, F.S. The purpose of this hearing is to permit parties to present testimony and

exhibits relative to this proceeding. If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

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 Blvd., Tallahassee, FL 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 Blvd., 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: Thursday, July 10, 2008, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 070736-TP – Petition by Intrado Communications, Inc. for arbitration of certain rates, terms, and conditions for interconnection and related arrangements with BellSouth Telecommunications, Inc. d/b/a AT&T Florida, pursuant to Section 252(b) of the Communications Act of 1934, as amended, and Sections 120.80(13), 120.57(1), 364.15, 364.16, 364.161, and 364.162, F.S., and Rule 28-106.201, F.A.C. The purpose of this hearing is to permit parties to present testimony and exhibits relative to this proceeding. If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

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 Blvd., Tallahassee, FL 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 Blvd., Tallahassee, FL 32399-0850, (850)413-6770.

The Florida **Public Service Commission** announces a public service hearing to which all persons are invited.

DATE AND TIME: Wednesday, July 16, 2008, 6:00 p.m.

PLACE: Mount Dora Community Center, 520 Baker Street, Mount Dora, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 080121-WS – Application for increase in water and wastewater rates in Alachua, Brevard, DeSoto, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

PURPOSE: The purpose of the service hearing is 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 witness 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, Commission staff 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: Office of 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 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: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The Florida **Public Service Commission** announces public service hearings to which all persons are invited.

DATE AND TIMES: Wednesday, July 17, 2008, 10:00 a.m. and 6:00 p.m.

PLACE: Canterbury Retreat and Conference Center, 1601 Alafaya Trail, Oviedo, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 080121-WS – Application for increase in water and wastewater rates in Alachua, Brevard, DeSoto, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

PURPOSE: The purpose of the service hearings are 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 witness 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, Commission staff 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 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 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: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Commission on Volunteerism and Community Service** (Volunteer Florida) announces a telephone conference call to which all persons are invited.

DATES AND TIMES: June 30, 2008, 8:00 a.m. – 5:00 p.m.

PLACE: Conference Call: (888)808-6959 pass code 9215144

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Commission Business.

A copy of the agenda may be obtained by contacting: Kristin Mullikin at (850)414-0092 or kristin@volunteerflorida.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours in advance. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Governor's Commission on Volunteerism and Community Service** (Volunteer Florida) announces a public meeting to which all persons are invited.

DATES AND TIMES: Sunday, July 13, 2008, 7:00 p.m.; Tuesday, July 15, 2008, – until 2:00 p.m.

PLACE: West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Meeting, Committee Meetings and Strategic Planning.

A copy of the agenda may be obtained by contacting: Kristin Mullikin at (850)414-0092 or kristin@volunteerflorida.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Kristin Mullikin. 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).

REGIONAL PLANNING COUNCILS

The **Central Florida Regional Planning Council** announces a workshop to which all persons are invited.

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

PLACE: Sebring Civic Center, 355 West Center Avenue, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: Heartland 2060 Leadership Team Meeting.

A copy of the agenda may be obtained by contacting: Patricia M. Steed, Executive Director.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Patricia M. Steed, Executive Director, 555 East Church Street, Bartow, FL 33830 (863)534-7130, ext. 130.

The **Tampa Bay Regional Planning Council**, Executive/Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 11, 2008, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by

contacting: Wren Krahl at (727)570-5151, ext. 22. 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: Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 11, 2008, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. 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: Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council**, Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 11, 2008, 11:30 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. 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: Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council**, Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 14, 2008, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Suzanne Cooper at (727)570-5151, ext. 32. 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: Suzanne Cooper at (727)570-5151, ext. 32.

The **Tampa Bay Regional Planning Council**, Clearinghouse Review Committee announces a public meeting to which all persons are invited.

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

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. 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: Wren Krahl at (727)570-5151, ext. 22.

WATER MANAGEMENT DISTRICTS

The **R. O. Ranch Inc.**, a Florida non-profit corporation announces a public meeting to which all persons are invited.

DATE AND TIME: July 3, 2008, 6:30 p.m.

PLACE: R. O. Ranch, Cooks Hammock, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Development of equestrian facilities on Suwannee River Water Management District properties.

A copy of the agenda may be obtained by contacting: Pennie Flickinger, Administrative Assistant at (386)362-1001 or pff@srwmd.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Pennie Flickinger, Administrative Assistant at (386)362-1001 or pff@srwmd.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Brian Kauffman, Facilities Director at (386)362-1001 or bck@srwmd.org.

The **St. Johns River Water Management District**, Projects and Land Committee announces a public meeting to which all persons are invited.

Projects and Land Committee Business Meeting

DATE AND TIME: Monday, July 7, 2008, 5:00 p.m.

PLACE: District Headquarters, Room 162, Executive Building, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Projects and Land Committee will discuss agenda items, followed by committee recommendations to be approved by the full Governing Board.

NOTE: In the event a quorum of the Committee is not available for the business meeting at the date, time, and place set forth above, the Committee shall meet on Tuesday, July 8, 2008, 8:00 a.m. at District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Missy McDermont, 4049 Reid Street, Palatka, FL 32177 or by phone at (386)329-4347 or by visiting the District's website at www.sjrwmd.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 48 days before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIMES: Tuesday, July 8, 2008:

8:15 a.m. Chair's Meeting

8:45 a.m. Finance, Administration and Audit Committee

10:00 a.m. Regulatory Committee

1:00 p.m. Governing Board Meeting and Public Hearing on Land Acquisition followed by discussion of budget information and consideration of a tentative millage rate and tentative budget for Fiscal Year October 1, 2008 through September 30, 2009

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Marji Hightower, 4049 Reid Street, Palatka, FL 32177 or by phone at (386)329-4214 or by visiting the District's website at www.sjrwmd.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 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 **South Florida Water Management District** announces a public meeting to which all persons are invited.

Governing Board Special Meeting

DATE AND TIME: June 30, 2008, 10:00 a.m.

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406. All or part of the meeting may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the Special Meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters, and may include an amendment to the District's Fiscal Year 2008 budget to revise revenues and expenditures.

A copy of the agenda may be obtained by contacting: Jacki McGorty at (561)682-2087 or https://my.sfwmd.gov/portal/page?_pageid=2574,13014318&_dad=portal&_schema=PORTAL.

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: June 30, 2008, 10:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2007), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in Natural Resources Defense Council, Inc., et al. v. Van Antwerp, et al., United States District Court, Southern District of Florida, Case No. 07-80444-CIV-Middlebrooks. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, P. Huck, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District Attorneys S. Wood, S. Echemendia, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: June 30, 2008, 10:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2007), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 02-80309-CV-Altonaga/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, P. Huck, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: District Clerk's Office at (561)682-2087.

The **Water Resources Advisory Commission (WRAC)** announces a public meeting to which all persons are invited.

DATE AND TIME: July 3, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

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's Clerk Office, Jacki McGorty 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).

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, Communities for a Lifetime Bureau announces a public meeting to which all persons are invited.

DATE AND TIME: July 31, 2008, 6:00 p.m. – 8:30 p.m. (EDST)

PLACE: Boynton Beach Civic Center, Boynton Beach, Florida 33435

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to provide technical assistance to communities across the state of Florida that will address the benefits and challenges of an increasing elder population. In addition, the forum will enlighten individuals on methods for improving networking collaborations among local, state and governmental agencies, including civic, business, faith-based and grassroots efforts. The forum will present the opportunity to showcase best practices identified in participating communities.

A copy of the agenda may be obtained by contacting: Janine R. Rogers-Harris, Department of Elder Affairs, 4040 Esplanade Way, Suite 250E, Tallahassee, Florida 32399-7000, (850)414-2373, email address: rogersj@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Janine R. Rogers-Harris, Department of Elder Affairs, 4040 Esplanade Way, Suite 250E, Tallahassee, Florida 32399-7000, (850)414-2373, email address: rogersj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janine R. Rogers-Harris, Department of Elder Affairs, 4040 Esplanade Way, Suite 250E, Tallahassee, Florida 32399-7000, (850)414-2373, email address: rogersj@elderaffairs.org.

The **Department of Elder Affairs** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 25, 2008, 2:00 p.m.

PLACE: Please dial the conference call telephone number: 1(888)808-6959 to connect to the call

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Long-Term Care Ombudsman Program, Data & Information Committee Business.

A copy of the agenda may be obtained by contacting: Martie Daemy at (813)558-5590.

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: Martie Daemy at (813)558-5590. 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: Martie Daemy at (813)558-5590.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE OF CHANGE – The **Department of Management Services**, Communications and Technology Services, E911 Board announces the following meeting schedule information to which all interested persons are invited.

Update:

DATES AND TIMES: July 15, 2008, 2:00 p.m. – until conclusion of business; July 16-17, 2008, 9:00 a.m. – until conclusion of business

PLACE: Rosen Centre Hotel, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: E911 Board Meeting.

July 16, 2008 designated for Wireless Service Provider Cost Recovery Proposals

If accommodation due to disability is needed in order to participate, please notify the DMS, Communications and Information Technology Services Office, E911 Board in writing at least five (5) days in advance at 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

The **Department of Management Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 30, 2008, 9:00 a.m. – 12:00 Noon

PLACE: 4050 Esplanade Way, Conference Room 235K, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Wrap-up of determinations for undesignated funds for 2007 campaign year.
2. Brief update of plans for FSECC rule revision.

A copy of the agenda may be obtained by contacting: Erin Thoresen at Erin.Thoresen@dms.myflorida.com or (850)922-1274.

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: Erin Thoresen at Erin.Thoresen@dms.myflorida.com or (850)922-1274. 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: Erin Thoresen at Erin.Thoresen@dms.myflorida.com or (850)922-1274.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATE AND TIME: June 27, 2008, 10:00 a.m.

PLACE: Smith, Thompson, Shaw & Manausa, P. A., 2075 Centre Pointe Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public.

The following cases are open to the public:

Henri Almanzar and Concepts & Designs, Case No. 2007-066641

Architropolis Corporation and Michael Czysz, Case No. 2008-016090 Roland K. Baker and Nitromik Architectural & Engineering Drafting, Case No. 2007-068201

Blue Sky Environmental, Inc. and Barbara L. Murtagh-Nash, Case No. 2008-003534

Design Center of the Americas, LLC. And Mark Bailey, Case No. 2008-016729

Drapes 2 NV, Inc. and Jose W. Castaneda, Case No. 2007-064996

Fabric Design Center II, Inc. and David Kramer, Case No. 2007-064818

Ramon A. Gaviria, Case No. 2008-007891

Greenwood Design Group, Inc. and Charles Greenwood, Case No. 2008-009779

International Design Center, LLC. and Mark W. Geschwendt, Case No. 2007-058249

KMH Design, Inc. and Kathleen Hines Franza, Case No. 2008-001760

Montero Design, Inc. and Carlos Montero, Case No. 2008-011707

Rebekah Pariz and Rebekah Pariz Interior/Architecture Design, Inc., Case No. 2008-006592

Servex-US, Inc. and Nicolas Fernandez, Case No. 2008-011432

Ronald W. Sivitz and Sivitz Innovative Designs, PA, Case No. 2007-066734

Ronald G. Trebbi, Case No. 2007-060123

Tina Webb ASID Interior Design and Elissa C. Webb, Case No. 2008-010029

A&M Architectural Design, P.A. and Ana M. Mashraghi, Case No. 2008-009674

A.D.S. Designs, LLC. and Amy D. Steedley, Case No. 2008-021405

Antoine Testard Design and Antoine Testard, Case No. 2008-011166

Architectural Art of N.W. Florida, Inc. and Rod Dent, Case No. 2008-009186

Boca Grande Design, Inc. and Daniel P. Magill, Case No. 2008-003474

Cherry Hill Custom Public Interiors and Cherry L. Hill, Case No. 2008-020482

Colette Design Studio and Jurgen Muller, Case No. 2008-009436

Crawford Hill Interior Design, Inc. and Retha Crawford, Case No. 2007-065760

Mark Dalton, Case No. 2008-021052

Eco-Spaces, LLC. and Robyn Rocco, Case No. 2008-003736

Kristi Lei Interiors, Inc. and Kristi Lei Bryan, Case No. 2008-007531

K. Salowe & Co. and Kenneth A. Salowe, Case No. 2008-006580

LJQ Design and Lisa J. Querheim, Case No. 2008-011202

Palm Coast Development of Vero Beach, Inc. and Robert C. McNally, Case No. 2008-009741

Place Vendome Design and Eric L. Salama, Case No. 2008-010080

Ronald A. Popkin and New Horizons, Case No. 2008-020932

Suzanne K. Shay, Case No. 2008-020429

Silver Sea Homes, Inc. and Horacio Gonzalez, Case No. 2008-009724

Twenty First Century Engineering Corporation and John M. Carroll, Case No. 2008-010545

Weber Design Group, Inc. and William Weber, Case No. 2008-009994

Bob Coward and CADS, Inc., Case No. 2006-012855

Creative, Inc., Case No. 2007-050324

Michael McWilliams, Case No. 2007-008065

New Age Design, Ltd. and Anthony Mella, Case No. 2007-056584

Tricia H. Otto and Tricia Lee Designs, Case No. 2007-067217

Ingrid H. Triplett, Case No. 2007-041917

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Smith, Thompson, Shaw & Manausa, P.A., 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Smith, Thompson, Shaw & Manausa, P.A., (850)402-1570 at least five calendar days prior to the meeting. If you are hearing

or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Electrical Contractors' Licensing Board** announces a public meeting to which all persons are invited.

DATES AND TIMES: July 23, 2008, 4:00 p.m.; July 24-25, 2008, 8:30 a.m.

PLACE: Hyatt Regency Sarasota on Sarasota Bay, 100 Blvd. of the Arts, Sarasota, FL 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: July 23, 2008, 4:00 p.m. – Probable Cause Panel (portions may be closed to the public). July 24, 2008, 8:30 a.m. – General Business and July 25, 2008, 8:30 a.m. – General Business.

A copy of the agenda may be obtained by contacting: Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)922-5012.

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: Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)922-5012. 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: Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)922-5012.

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**, Office of Coastal and Aquatic Managed Areas announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 30, 2008, 10:00 a.m. – 12:00 Noon or until business is completed

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2452095

GENERAL SUBJECT MATTER TO BE CONSIDERED: Previously noticed as a working group teleconference, this meeting will be expanded to a full meeting in which The Florida Oceans and Coastal Council will meet to further its duties under the Oceans and Coastal Resources Act.

A copy of the agenda may be obtained by contacting: Nicole Love at Nicole.m.love@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Nicole Love at Nicole.m.love@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, July 9, 2008, 1:30 p.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, Room 609, 2600 Blair Stone Road, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Notice of a public workshop and public comment period on draft total maximum daily loads (TMDLs) for the St. Marks/Ochlockonee Basins. The TMDLs to be presented at the public workshop are for the Black Creek (fecal coliform), Juniper Creek (fecal coliform), Juniper Creek (dissolved oxygen), Swamp Creek (fecal coliform), and Munson Slough (fecal coliform), and Munson Slough/Lake Munson (nutrients, dissolved oxygen, and turbidity).

The public workshop is being held pursuant to Section 403.067(6)(d), Florida Statutes, which requires the Department to hold at least one public workshop in the vicinity of the waterbody or waterbody segment for which a TMDL is being developed. TMDL calculations and allocations for each waterbody or waterbody segment will be adopted by rule, by the Secretary of the Department, pursuant to Sections 120.536(1), 120.54 and 403.805, Florida Statutes. The public workshop is part of the TMDL development and adoption process, as authorized by Section 403.067, Florida Statutes, and anyone wishing to comment as to the development and adoption of the TMDLs is encouraged to attend.

The draft TMDL document(s) for the St. Marks/Ochlockonee Basins will be placed on the Department's TMDL website (<http://www.dep.state.fl.us/water/tmdl>) by June 20, 2008, and will be provided upon request to interested parties by mail or via e-mail distribution. To request a copy of any of the draft TMDL documents, contact: Jan Mandrup-Poulsen at the mailing address below or call (850)245-8448. The Department will accept written comments on the draft TMDLs through July

20, 2008, or for 30 days after they are posted, whichever date is later. The purpose of the comment period is to provide an opportunity for public participation in lieu of, or in addition to, participation in the public workshop on the draft TMDLs. Any and all written comments should be directed to: Jan Mandrup-Poulsen, Environmental Administrator, Watershed Assessment Section, Florida Department of Environmental Protection, Mail Station 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Written comments may also be provided by e-mail directed to: jan.mandrup-poulsen@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, MS 3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by calling (850)245-8449. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Pat Waters at (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, July 10, 2008, 9:30 a.m.

PLACE: Florida Department of Transportation, Chiefland Maintenance Facility's Conference Room, 1820 S. Young Blvd. Chiefland, Florida 32626

DATE AND TIME: Thursday, July 10, 2008, 2:30 p.m.

PLACE: High Springs Civic Center, 330 N. W. Santa Fe Blvd., High Springs, FL 32643

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Notice of a public workshop and public comment period on draft total maximum daily loads (TMDLs) for the Suwannee and Santa Fe Basins. The TMDLs to be presented at the public workshop are for the Suwannee River, Lower (nutrients); Manatee Springs (nutrients); Fanning Springs (nutrients); Lower Suwannee Estuary (nutrients); Branford Spring (nutrients); Ruth Spring (nutrients); Troy Spring (nutrients); Royal Spring (nutrients); Falmouth Spring (nutrients); Peacock Slough (nutrients); Lafayette Blue Springs (nutrients); New River (dissolved oxygen and fecal coliform); and the Santa Fe River (dissolved oxygen and nutrients).

The public workshop is being held pursuant to Section 403.067(6)(d), Florida Statutes, which requires the Department to hold at least one public workshop in the vicinity of the waterbody or waterbody segment for which a TMDL is being developed. TMDL calculations and allocations for each waterbody or waterbody segment will be adopted by rule, by

the Secretary of the Department, pursuant to Sections 120.536(1), 120.54 and 403.805, Florida Statutes. The public workshop is part of the TMDL development and adoption process, as authorized by Section 403.067, Florida Statutes, and anyone wishing to comment as to the development and adoption of the TMDLs is encouraged to attend.

The draft TMDL documents for the Suwannee/Santa Fe Basins will be placed on the Department's TMDL website (<http://www.dep.state.fl.us/water/tmdl>) by June 20, 2008, and will be provided upon request to interested parties by mail or via e-mail distribution. To request a copy of any of the draft TMDL documents, contact: Jan Mandrup-Poulsen at the mailing address below or call (850)245-8448. The Department will accept written comments on the draft TMDLs through July 20, 2008, or for 30 days after they are posted, whichever date is later. The purpose of the comment period is to provide an opportunity for public participation in lieu of, or in addition to, participation in the public workshop on the draft TMDLs. Any and all written comments should be directed to: Jan Mandrup-Poulsen, Environmental Administrator, Watershed Assessment Section, Florida Department of Environmental Protection, Mail Station 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Written comments may also be provided by e-mail directed to: jan.mandrup-poulsen@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, MS 3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by calling (850)245-8449. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a workshop to which all persons are invited.

DATE AND TIME: Friday, July 11, 2008, 9:30 a.m.

PLACE: SFWMD Lower West Coast Regional Service Center, Conference Room, 2301 McGregor Boulevard Fort Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notice of a public workshop and public comment period on draft total maximum daily loads (TMDLs) for the Everglades West Coast. The TMDLs to be presented at the public workshop are for: Hendry Creek Freshwater and Marine (dissolved oxygen), Hendry Creek Marine (fecal coliform), Lake Trafford (nutrients, dissolved oxygen, un-ionized

ammonia), Gordon River Extension (dissolved oxygen), Imperial River Freshwater (dissolved oxygen), and the Cocohatchee River (fecal coliform).

The public workshop is being held pursuant to Section 403.067(6)(d), Florida Statutes, which requires the Department to hold at least one public workshop in the vicinity of the waterbody or waterbody segment for which a TMDL is being developed. TMDL calculations and allocations for each waterbody or waterbody segment will be adopted by rule, by the Secretary of the Department, pursuant to Sections 120.536(1), 120.54 and 403.805, Florida Statutes. The public workshop is part of the TMDL development and adoption process, as authorized by Section 403.067, Florida Statutes, and anyone wishing to comment as to the development and adoption of the TMDLs is encouraged to attend.

The draft TMDL document(s) for the Everglades West Coast will be placed on the Department's TMDL website (<http://www.dep.state.fl.us/water/tmdl>) by June 20, 2008, and will be provided upon request to interested parties by mail or via e-mail distribution. To request a copy of any of the draft TMDL documents, contact: Jan Mandrup-Poulsen at the mailing address below or call (850)245-8448. The Department will accept written comments on the draft TMDLs through July 20, 2008, or for 30 days after they are posted, whichever date is later. The purpose of the comment period is to provide an opportunity for public participation in lieu of, or in addition to, participation in the public workshop on the draft TMDLs. Any and all written comments should be directed to: Jan Mandrup-Poulsen, Environmental Administrator, Watershed Assessment Section, Florida Department of Environmental Protection, Mail Station 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Written comments may also be provided by e-mail directed to: jan.mandrup-poulsen@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, MS 3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by calling (850)245-8449. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Board of Clinical Laboratory Personnel** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 10, 2008, 9:00 a.m.

PLACE: Embassy Suites, 10450 Corkscrew Commons Drive, Estero (Ft. Myers), Florida, (239)949-4222

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/clinlabs/index.html.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Optometry**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 8, 2008, 4:00 p.m.

PLACE: Naples Grande Beach Resort, 475 Seagate Drive, Naples, Florida, (239)597-3232

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

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 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Optometry** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 9, 2008, 9:00 a.m.

PLACE: Naples Grande Beach Resort, 475 Seagate Drive, Naples, Florida, (239)597-3232

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/optometry/index.html.

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Council of Licensed Midwifery** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, July 11, 2008, 9:00 a.m. or soon thereafter

PLACE: Conference Call Number: 1(888)808-6959, Conference Code: 2454587

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Council.

A copy of the agenda may be obtained by contacting: Council of Licensed Midwifery, 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: Council of Licensed Midwifery, (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).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, Circuit 20 Community Based Care Alliance, announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 11, 2008, 3:00 p.m. – 4:00 p.m.

PLACE: Lee County Human Service, 2440 Thompson Street, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lee County Alliance Subcommittee Meeting for Objective 1, communication.

A copy of the agenda may be obtained by contacting: Eileen Wickeri at (239)338-1251.

For additional information or pursuant to Section 286.26, F.S., if you are a qualified individual with a disability and need special accommodations to participate in this meeting, contact: Eileen Wickeri, with the Department of Children and Family Services at least 48 hours in advance of the meeting.

For more information, you may contact: Eileen Wickeri at (239)338-1251.

The **Department of Children and Family Services**, Circuit 20 Community Based Care Alliance, announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 24, 2008, 1:00 p.m.

PLACE: 2295 Victoria Avenue, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lee County Alliance Subcommittee Meeting for Objective 2, Children aging out.

A copy of the agenda may be obtained by contacting: Eileen Wickeri at (239)338-1251.

For additional information or pursuant to Section 286.26, F.S., if you are a qualified individual with a disability and need special accommodations to participate in this meeting, contact: Eileen Wickeri, with the Department of Children and Family Services at least 48 hours in advance of the meeting.

For more information, you may contact: Eileen Wickeri at (239)338-1251.

NOTICE OF CHANGE – The **Department of Children and Family Services**, Circuit 20 Community Based Care Alliance, announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 18, 2008, 8:30 a.m.

PLACE: 2440 Thompson Street, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lee County Community Alliance Meeting for July has been changed, from July 25, 2008 to July 18, 2008.

A copy of the agenda may be obtained by contacting: Eileen Wickeri at (239)338-1251.

For additional information or pursuant to Section 286.26, F.S., if you are a qualified individual with a disability and need special accommodations to participate in this meeting, contact: Eileen Wickeri, with the Department of Children and Family Services at least 48 hours in advance of the meeting.

For more information, you may contact: Eileen Wickeri at (239)338-1251.

The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATES AND TIME: Friday, August 8, 2008; Friday, November 14, 2008, 10:00 a.m.

PLACE: LaBelle Department of Children and Family Services, 485 Cowboy Way, LaBelle, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Hendry-Glades Counties Community Alliance Meetings. The Florida Department of Children and Families Services announces the following Circuit 20 Community Based Care Alliance Meetings to which all interested persons are invited.

A copy of the agenda may be obtained by contacting: Elizabeth Marrero at (239)338-1431.

For additional information or pursuant to Section 286.26, F.S., if you are a qualified individual with a disability and need special accommodations to participate in this meeting, contact: Elizabeth Marrero, Department of Children and Family Services at least 48 hours in advance of the meeting.

For more information, you may contact: Elizabeth Marrero at (239)338-1431.

The **Department of Children and Family Services** announces a hearing to which all persons are invited.

DATE AND TIME: July 2, 2008, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The public hearing is to discuss the Notice of Change on Rule 65A-1.900, F.A.C.: Overpayment and Benefit Recovery, published in the June 6, 2008, Vol. 34, No. 23, issue of the Florida Administrative Weekly.

A copy of the agenda may be obtained by contacting: Pat Whitford, Economic Self-Sufficiency at (850)410-3479.

The **Council on Homelessness** announces a series of conference call meetings of its committees to which all interested parties are invited to participate. The committees are the Executive, Continuum of Care Capacity, Supportive Housing, Education, and Discharge Planning.

Committee: Executive

DATE AND TIME: Monday, July 7, 2008, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call 1(888)808-6959, Code 9229760

Committee: Continuum of Care Capacity

DATES AND TIME: Tuesday, July 1, 2008; Tuesday, August 5, 2008, 2:00p.m. – 3:00 p.m.

PLACE: Conference Call 1(888)808-6959, Code 9229760

Committee: Supportive Housing

DATES AND TIME: Wednesday, July 16, 2008; Wednesday, August 20, 2008, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call 1(888)808-6959, Code 9229760

Committee: Education

DATES AND TIME: Thursday, July 17, 2008; Thursday, August 21, 2008, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call 1(888)808-6959, Code 9229760

Committee: Discharge Planning

DATE AND TIME: Friday, August 22, 2008, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call 1(888)808-6959, Code 9229760

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees' continued development of policy recommendations and work tasks to address the Council's Strategic Plan to reduce homelessness in Florida.

A copy of the agenda for any of the conference calls may be obtained by contacting: Tom Pierce, Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691 or email Tom_Pierce@dcf.state.fl.us.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who may be in need of special assistance should contact: Office on Homelessness, (850)922-4691 at least 48 hours in advance of the meeting.

The **Department of Children and Family Services** announces a meeting of the statewide Council on Homelessness to which all interested persons are invited.

DATE AND TIME: Friday, August 1, 2008, 9:00 a.m. – 3:00 p.m.

PLACE: VA Health Care for Homeless Veterans, 620 N. W. 16th Avenue, Gainesville, Florida 32601. The meeting can also be accessed by conference call 1(888)808-6959, Code 9229760.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will receive reports and recommendations from its committees to begin to approve proposals for inclusion in the Council's report to the Governor and Legislature for 2008. The Council will also accept public comments on the issues related to homelessness.

A copy of the agenda for the meeting can be attained from the Office on Homelessness by calling (850)922-4691.

Pursuant to Section 286.26, Florida Statutes, any person with a disability wishing to access the meeting who may be in need of special assistance should contact: Office on Homelessness at least 48 hours in advance of the meeting.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 27, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor, Seltzer Room, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive comments and suggestions from interested persons relative to the provisions included in the 2008 Universal Application Instructions, incorporated by reference in Rule 67-21.003, F.A.C., governing returned awards of funding.

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: Jean Salmonsens 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).

For more information, you may contact: Deborah Dozier Blinderman, Deputy Development Officer.

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 27, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor, Seltzer Room, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive comments and suggestions from interested persons relative to the provisions included in the 2008 Universal Application Instructions, incorporated by reference in paragraph 67-48.003(1)(a), F.A.C., governing returned awards of funding.

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: Jean Salmonsens 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).

For more information, you may contact: Wayne Conner, Deputy Development Officer for Multifamily Bonds.

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATES AND TIME: Wednesday, July 9, 2008; Wednesday, July 16, 2008, 10:00 a.m. (Eastern Time)

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida, 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluations of the Proposals submitted for Florida Housing Finance Corporation's Request for Qualifications #2008-02 for Trustee Services.

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: Robin Grantham at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a workshop to which all persons are invited.

DATE AND TIME: July 1, 2008, 6:00 p.m. – 8:00 p.m. (EST)

PLACE: Florida Fish and Wildlife Conservation Commission, Northeast Regional Office, 1239 S. W. 10th Street, Ocala, FL 34474, (352)732-1225

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (FWC) is holding a workshop to seek public input on the issuance of hunting permits for Ocklawaha Prairie Public Small Game Hunting Area. The FWC strives to allocate hunting opportunity in as fair and equitable a manner as possible and public input is important to achieving this.

A copy of the agenda may be obtained by contacting: Jen Williams, 1239 S. W. 10th St., Ocala, Florida 34484, (352)732-1225.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator 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: Jen Williams, 1239 S. W. 10th St., Ocala, Florida 34484, (352)732-1225.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The **Center for Independent Living in Central Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: June 24, 2008, 5:30 p.m.

PLACE: 720 North Denning Drive, Winter Park FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: Luana Kutz at (407)623-1070 or lkutz@cilorlando.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Luana Kutz at (407)623-1070 or lkutz@cilorlando.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: Luana Kutz at (407)623-1070 or lkutz@cilorlando.org.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority** (TRDA) announces a public meeting to which all persons are invited.

DATE AND TIME: June 26, 2008, 3:00 p.m.

PLACE: TRDA Business Innovation Center, 1050 West NASA Boulevard, Melbourne, FL 32901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special Meeting of the Board of Directors.

A copy of the agenda may be obtained by contacting: Dave Kershaw, Deputy Director/TRDA at (321)872-1050, ext.102 or dkershaw@trda.org.

FLORIDA COMPREHENSIVE HEALTH ASSOCIATION

NOTICE OF CHANGE – The **Florida Comprehensive Health Association** announces a public meeting to which all persons are invited.

DATE AND TIME: June 27, 2008, 1:00 p.m.

PLACE: 820 E. Park Avenue, D-200, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of The Board of Directors.

A copy of the agenda may be obtained by contacting: Brenda DeYounks, Florida Comprehensive Health Association, 820 E. Park Ave., D-200, Tallahassee, FL 32301, (850)309-1200 or by Fax (850)309-1222.

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.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: July 10, 2008, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace at (407)282-3944.

FLORIDA SURPLUS LINES SERVICE OFFICE

The **Florida Surplus Lines Service Office**, Board of Governors' announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 6, 2008, 11:00 a.m.
 PLACE: Ritz Carlton Golf Resort, 2600 Tiburon Drive, Naples, FL 34109
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget Committee Meeting. To conduct the regular business of the Executive/Budget Committee.
 A copy of the agenda may be obtained by contacting: Georgie Barrett at gbarrett@fslso.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: Georgie Barrett at gbarrett@fslso.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 **Florida Surplus Lines Service Office**, Board of Governors' announces a public meeting to which all persons are invited.
 DATE AND TIME: Wednesday, August 6, 2008, 1:00 p.m.
 PLACE: Ritz-Carlton Golf Resort, 2600 Tiburon Drive, Naples, FL 34109
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board of Governors' meeting to discuss the general business matters of the FLSLO.
 A copy of the agenda may be obtained by contacting: Georgie Barrett at gbarrett@fslso.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. 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).

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN THAT the Florida Public Service Commission has issued an order disposing of the petition for declaratory statement filed by Intrado Communications, Inc. on March 14, 2008. The following is a summary of the agency's disposition of the petition:
 The agency found, among other things, that the requested declaration was unnecessary because the law is clear that telecommunications companies may not charge for services they do not provide. Docket No. 080089-TP.
 A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Marie M. Dahm, Petitioner, In RE: Sun Island Association, Inc., Docket No. 2008022375 on April 11, 2008. The following is a summary of the agency's declination of the petition:
 The Division declined to issue an order because Petitioner's petition raised the same issue and involved the same parties as the first petition, which had not been appealed. The Division is without authority to interpret ambiguous provisions in the declaration, so it must deny this petition as well.
 A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.
 Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Sheldon D. Kangas and Anna T. Kangas, Unit Owners, In RE: Hatchett Creek Mobile Home Park Condominium Association, Inc., Docket No. 2008032450. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, as it applies to the petitioner.

Whether Hatchett Creek Mobile Home Park Condominium Association, Inc. may propose a completely amended and restated declaration of condominium and bylaws by stating on the facing page: "substantial rewording, see current text" under Sections 718.110(1)(b) and 718.112(2)(h)2., Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Sharon L. Piergeorge, Petitioner, In RE: Jupiter Ocean Grande One Association, Inc., Docket No. 2008021081 on April 7, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because the petitioner withdrew her petition.

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.

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 Pari-Mutuel Wagering, Department of Business and Professional Regulation, (hereinafter "Division") has received the petition for declaratory statement from Boyd Gaming Corporation (hereinafter "Petitioner"), on June 5, 2008, in DBPR Case No. 2008031438 (DS 2008-036). The petition seeks the agency's opinion as to the applicability of Sections 551.105 and 551.106, Florida Statutes, and Chapter 61D-14, F.A.C., as it applies to the petitioner.

The Petition lists Sections 551.105 and 551.106, Florida Statutes, as the statutory provisions upon which a Declaratory Statement is being sought. The Petition also lists Chapter 61D-14, F.A.C., relevant to slot machine licensure as the Florida Administrative Code provisions upon which a Declaratory Statement is being sought. The Petition specifically asks what the effect of an organization's elective

non-renewal of their active slot machine license will have upon that organization's subsequent reapplication for a slot machine license at some future date.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399.

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 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:

National Certification Board for Therapeutic Massage and Bodywork, Inc. vs. Department of Health, Board of Massage Therapy; Case No.: 08-2604RP; Rule No.: 64B7-25.001

Gloria Marshall, Lois Astern, Wendy Beresoff, Maxine Boggy, Linda Eferstein, Germaine Poisson, Elizabeth Manich, Ellen Glanzberg, Joan Bromante, Mary Roach, Ellen Savitch, Beverly Hutton, John Harris, John O'Neill, Tanya Tweeton ET AL. vs. Department of Mangement Services, Division of Retirement; Case No.: 08-2605RX; Rule No.: 60S-1.0004(5)(d),(3)

Samuel T. Adams vs. Florida Fish and Wildlife Conservation Commission; Case No.: 08-2646RX; Rule Nos.: 68A-1.004(5), 68A-15.063, 68A-17.005

FM Liquors, Inc. vs. Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco; Case No.: 08-2623RU

Orange County, Florida vs. South Florida Water Management District; Case No.: 08-2624RU

The Lee Charter Foundation, Inc. vs. Department of Education; Case No.: 08-2673RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

William R. Muldrow vs. Department of Community Affairs, Division of Housing and Florida Building Commission; Case No.: 07-4070RX; Rule No.: 9B-3.0475; Dismissed

Peter B. Dolinger vs. Department of Corrections; Case No.: 08-2039RX; Rule Nos.: 33-601.502(1)(d), 33-601.502(2); Dismissed

Hartman and Tyner, Inc., d/b/a/ Mardi Gras Gaming vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 08-1310RP; Rule No.: 61D-11.012(5)(d); Invalid

Palm Lake Mobile Home Park, Inc., and Miami Terrace Mobile Home Park, Inc., vs. Department of Environmental Protection; Case No.: 07-4420RX; Rule No.: 62-600.120; Dismissed

City of Jacksonville vs. St. Johns River Water Management District and Seminole County and City of Sanford; Case No.: 08-2203RU; Voluntarily Dismissed

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

NOTICE TO DESIGN/BUILDER:

The University of Florida Board of Trustees announces that Design/Build services will be required for the project listed below:

Project: UF-310, East Campus Office Building (Gainesville, FL)

The project consists of constructing a 3 to 5 story office building that will include approximately 80,000 gross square feet of office space. This facility will house various office and administrative functions of the university. Some functions will relocate from the main campus to help increase on-campus space for academic needs. Other functions will move to the facility from office space currently leased in other buildings. This building will serve as a significant cornerstone in the development of the East Campus as well as east Gainesville.

The building will be designed as a typical office building according to Florida Building Code. The UF Campus Design and Construction Standards will not be utilized for this building. The construction budget is estimated at \$12,000,000.00, including, but not limited to, site improvements and utilities. Construction shall be “fast-tracked” with final completion no later than December 2009.

The contract for design/build services will consist of two parts. Part one services include design, construction administration, value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) proposal based on 60% Construction Documents, for which the design/building will be paid a fixed fee.

If the GMP is accepted, part two, the construction phase, will be implemented. In part two of the contract, the design/building becomes the single point of responsibility for completion of the construction documents, performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for part one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the design/building’s contract.

Blanket design professional liability insurance will be required for this project in the amount of \$2,000,000, and will be provided as a part of Basic Services. Plans and specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Applicants will be evaluated on the basis of their past performance, experience, personnel, location, design and construction ability, references, bonding capacity, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant must be licensed to practice as a general contractor in the State of Florida and the applicant or its architectural, landscape architectural, and engineering consultants must possess current design licenses from the appropriate governing board and be properly registered to practice its profession in the State of Florida.

Applicants desiring to provide design/build services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be limited to 30 double-sided, consecutively-numbered pages and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. Company information and signed certification.
3. A completed, project-specific "Design/Builder Qualifications Supplement" (DBQS) proposal. Applications on any other form will not be considered.
4. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff (applicant and consultants).
5. Proof of the applicant's corporate status in Florida (if applicable) and copies of current licenses for all construction, architectural, landscape architectural, and engineering entities (applicant and consultants) from the appropriate governing board.
6. Proof of bonding capacity and proof of all design entities' or consultants' (architecture and engineering) ability to be insured for the level of professional liability coverage demanded for this project.

If the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected design/builders must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Unsigned proposals or proposals containing expired or invalid licenses will be disqualified. Submittal materials will not be returned.

The project-specific DBQS forms, instructions, Project Fact Sheet, Facilities Program, UF Design Services Guide, standard University of Florida Owner-Design/Builder agreement, and other project and process information can be found on the Facilities Planning and Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning and Construction office by 3:00 p.m. (Local Time), Monday,

July 21, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction
 232 Stadium / P. O. Box 115050
 Gainesville, FL 32611-5050
 Telephone: (352)392-1256, Fax: (352)392-6378
 Internet: www.facilities.ufl.edu

NOTICE TO PROFESSIONAL CONSULTANTS

FLORIDA ATLANTIC UNIVERSITY, on behalf of its Board of Trustees, announces that professional services are required in the following discipline(s):

ENGINEERING

Project(s): Campus Service for Minor Projects
 Project(s) Location: Florida Atlantic University, All Campuses.

Projects included in the scope of this agreement will be specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$50,000 or less. Campus Service contracts for minor projects provide that the consultant will be available on an as-needed basis for the upcoming year. The consultants receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional campus service professionals under contract during the same time period. The initial term of agreement is for one year with the option to extend the agreement for two additional one year terms, to be evaluated annually, for a total of three years. Three firms will be selected for these services.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm. Design ability will be considered as a selection category.

Attach to each letter of application:

1. A completed Florida Atlantic University "Professional Qualifications Supplement" (FAUPQS revised January, 2004) completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application material will not be returned.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Sole Point of Contact: The FAU Professional Qualifications Supplement, and the Project Fact Sheet are available online at <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php> or by contacting the University's Sole Point of Contact for this project, Ms. Jill Rosen, Department of Facilities Planning, Telephone (561)297-4110, Fax (561)297-2260 or e-mail jrosen58@fau.edu.

From the date of issuance of this Notice until a final selection of a consultant is made or a notice of cancellation is posted, the consultant must not make available or discuss its proposal, or any part thereof, with any member of the Selection Committee, unless permitted by the Sole Point of Contact, in writing, for purposes of clarification only, as set forth herein.

Any individual associated with a consultant who contacts members of the Selection Committee, regarding any aspect of this project, whether such contact be in person, telephone, or through electronic or written correspondence, may be determined to have violated the terms and conditions of this solicitation. If that determination is made, any proposal received from such an individual OR their company may be rejected as non-responsive and not subject to evaluation. If there are any changes or additions to the Sole Point of Contact information at any time in the process, participating consultants will be notified via an addendum to the Notice.

Questions regarding the Notice and/or process should be submitted via fax or email to the Sole Point of Contact. No oral communications shall be considered as a change to the Notice. FAU may respond to questions deemed by the University to be material in nature via a written addendum to the Notice. Interpretation of the wording of this document shall be the responsibility of the FAU and that interpretation shall be final. All postings referred to in this Notice will be posted electronically on the FAU Facilities website: <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php>. At all times it shall remain the responsibility of the consultants participating in this solicitation to check the website for postings of addenda, short lists, and award decisions. No further notice will be given.

Submittals must be received in the Facilities Planning Department, Florida Atlantic University, Attention: Jill Rosen, 777 Glades Road, Bldg. CO-69, Room #107, Boca Raton, Florida 33431, by 5:00 p.m. (Local Time), July 21, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered.

PROJECT FACT SHEET

Engineering Continuing Services Contract
Florida Atlantic University
All Campuses

PROJECT DESCRIPTION

Projects included in the scope of this agreement will be specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000.00 or less, or studies for which the fee for professional services is \$50,000.00 or less.

SELECTION CRITERIA

Firms will be evaluated in the following areas: current workload, location, past performance, volume of state work, design ability, and experience and ability. Experience and ability scores will be based on the following criteria:

1. Experience of firm and individual members of the design team with project of similar size and program.
2. Experience of firm and individual members of the design team in working with the State University System.
3. Evidence of efficient contract administration of projects.

SELECTION COMMITTEE:

1. Robert Richman, Interim Director, Facilities Planning
2. Robert Thompson, Project Coordinator, Engineering and Utilities
3. Jim Baker, Director, Engineering and Utilities
4. Al Friedland, Project Coordinator, Engineering and Utilities

SELECTION SCHEDULE:

The anticipated schedule for selection, award, and negotiation is as follows:

Submittal Due:	July 21, 2008
Shortlist Meeting:	TBD
Final Interviews:	TBD
Contract Negotiation:	TBD

GENERAL INFORMATION

1. The University is not liable for any costs incurred by the Applicants prior to the issuance of an executed contract.
2. In order to minimize the possibility of unethical pressures or influences on the recommendation of the Selection Committee, no verbal or written communication is permitted between the applicants and the members of the Selection Committee. Any questions or requests for project information must be in writing to Jill Rosen, Department of Facilities Planning, Telephone (561)297-4110, Fax (561)297-2260 or e-mail jrosen58@fau.edu.

3. All applicants will be notified of the results of the shortlist in writing. Finalists will be informed of the interview date and time and will be provided with additional project information, if available.
4. The Selection Committee will make a recommendation to the President of the University. All finalists will be notified in writing of the President's action. Upon approval by the President, negotiations will be conducted in accordance with Section 287.055, Florida Statutes.

NOTICE TO PROFESSIONAL CONSULTANTS

FLORIDA ATLANTIC UNIVERSITY, on behalf of its Board of Trustees, announces that professional services are required in the following discipline(s):

CODE REVIEW AND INSPECTION SERVICES

Project(s): All Construction Projects
 Project(s) Location: All Florida Atlantic University campuses.

Firms applying must have State of Florida licensed and/or State of Florida certified personnel on staff to perform plans reviews and construction inspections for building, structural, mechanical, electrical and plumbing.

These services will be based on a negotiated fee schedule with each occurrence of service being authorized with a purchase order. Campus Service contracts provide that the consultant will be available on an as-needed basis. The term of agreement is for one year with the option to extend the agreement for one additional year. Two firms will be selected for these services.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Preference will be given to firms that are primarily in business of code compliance plans review and inspections. Preference will be given to firms whose personnel consist primarily of licensed and/or certified plans reviewers and inspectors. Proximity of location will be a prime factor in the selection of the firm. Design ability will not be considered for this selection.

Attach to each letter of application:

1. The most recent version of the FAU "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 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 properly chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. Application materials will not be returned.

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Sole Point of Contact: The FAU Professional Qualifications Supplement, and the Project Fact Sheet are available online at <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php> or by contacting the University's Sole Point of Contact for this project: Ms. Jill Rosen, Department of Facilities Planning, Telephone (561)297-4110, Fax (561)297-2260, or e-mail jrosen58@fau.edu.

From the date of issuance of this Notice until a final selection of a consultant is made or a notice of cancellation is posted, the consultant must not make available or discuss its proposal, or any part thereof, with any member of the Selection Committee, unless permitted by the Sole Point of Contact, in writing, for purposes of clarification only, as set forth herein.

Any individual associated with a consultant who contacts members of the Selection Committee, regarding any aspect of this project, whether such contact be in person, telephone, or through electronic or written correspondence, may be determined to have violated the terms and conditions of this solicitation. If that determination is made, any proposal received from such an individual OR their company may be rejected as non-responsive and not subject to evaluation. If there are any changes or additions to the Sole Point of Contact information at any time in the process, participating consultants will be notified via an addendum to the Notice.

Questions regarding the Notice and/or process should be submitted via fax or email to the Sole Point of Contact. No oral communications shall be considered as a change to the Notice. FAU may respond to questions deemed by the University to be material in nature via a written addendum to the Notice. Interpretation of the wording of this document shall be the responsibility of the FAU and that interpretation shall be final.

All postings referred to in this Notice will be posted electronically on the FAU Facilities website: <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php>. At all times it shall remain the responsibility of the consultants participating in this solicitation to check the website for postings of addenda, short lists, and award decisions. No further notice will be given.

Submittals must be received in the Facilities Planning Department, Florida Atlantic University, Attention to Jill Rosen, 777 Glades Road, Bldg. CO-69, Room #107, Boca Raton, Florida 33431, by 5:00 p.m. (Local Time), July 21, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered.

PROJECT FACT SHEET
Code Review and Inspection Services
Florida Atlantic University
All Campuses

PROJECT DESCRIPTION

Firms applying must have State of Florida licensed and/or State of Florida certified personnel on staff to perform plans reviews and construction inspections for building, structural, mechanical, electrical and plumbing. These services will be based on a negotiated fee schedule with each occurrence of service being authorized with a purchase order. Campus Service contracts provide that the consultant will be available on an as-needed basis.

SELECTION CRITERIA

Firms will be evaluated in the following areas: current workload, location, past performance, volume of state work, and experience and ability. Experience and ability scores will be based on the following criteria:

1. Experience of firm and individual members of the team with project of similar size and program.
2. Experience of firm and individual members of the team in working with the State University System.
3. Evidence of efficient contract administration of projects.

SELECTION COMMITTEE:

1. Tom Donaudy, University Architect and Vice President for Facilities
2. Harvey Smith, Code Compliance Coordinator
3. Jim Baker, Director, Engineering and Utilities
4. Robert Richman, Interim Director, Facilities Planning

SELECTION SCHEDULE:

The anticipated schedule for selection, award, and negotiation is as follows:

Submittal Due:	July 21, 2008
Shortlist Meeting:	TBD
Final Interviews:	TBD
Contract Negotiation:	TBD

GENERAL INFORMATION

1. The University is not liable for any costs incurred by the Applicants prior to the issuance of an executed contract.
2. In order to minimize the possibility of unethical pressures or influences on the recommendation of the Selection Committee, no verbal or written communication is permitted between the applicants and the members of the Selection Committee. Any questions or requests for project information must be in writing to Jill Rosen, Department of Facilities Planning, Telephone (561)297-4110, Fax (561)297-2260, or e-mail jrosen58@fau.edu.
3. All applicants will be notified of the results of the shortlist in writing. Finalists will be informed of the interview date and time and will be provided with additional project information, if available.

4. The Selection Committee will make a recommendation to the President of the University. All finalists will be notified in writing of the President's action. Upon approval by the President, negotiations will be conducted in accordance with Section 287.055, Florida Statutes.

Panther Parking Garage (PG-3)
Site Improvements, FM-070916

NOTICE OF CHANGE IN OPENING DATE AND MANDATORY PRE-BID MEETING TO ITB78-042 AS PUBLISHED IN JUNE 13, 2008 ISSUE OF THE F.A.W., Vol. 34, No. 24: Florida International University, Purchasing Services Department will receive sealed bids for the following: ITB78-042, PANTHER PARKING GARAGE (PG-3) SITE IMPROVEMENTS, FM-070916, to be opened July 31, 2008, 2:00 p.m., in Purchasing Services, 11200 S. W. 8 ST, CSC 410, Miami, Florida 33199. Mandatory Pre-Bid Meeting will be held June 26, 2008, 3:30 p.m., in Purchasing Services, Room CSC410, University Park Campus, 11200 S. W. 8 Street, Miami, FL. Bid Documents are available in Purchasing Services, University Park CSC 414, 11200 S. W. 8 ST., Miami, FL, Ph: (305)348-2161, website: finance.fiu.edu/purchasing
AMERICANS WITH DISABILTY ACT OF 1990 – If special accommodations are needed in order to attend the pre-bid meeting or bid opening, contact Purchasing at (305)348-2161 or purchasing@fiu.edu within three (3) days of the event.

**PUBLIC ANNOUNCEMENT FOR
CONSTRUCTION MANAGEMENT SERVICES**

The Florida School for the Deaf and the Blind (FSDB) announces that construction management services are required for the project listed below.

PROJECT NUMBER: FSDB-20080002
PROJECT NAME: Bloxham and Moore Hall Renovations
PROJECT LOCATION: The Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084-2799.

SERVICES TO BE PROVIDED: Construction management firm to provide Construction Management at Risk for renovations to Bloxham and Moore Hall. Bloxham Hall is to provide interior demolition, renovations of the mechanical, electrical, interior framing, drywall, flooring, data communication systems, fire alarm and sprinkler system, interior finishes, and ADA upgrades. Bloxham Hall is a 13,245 square feet, two story structure and the second floor is currently dormitory space. The project goal is to create new dormitory rooms to house twenty students on the first floor and minor renovations of the second floor. The construction shall start 2008/2009. Moore Hall is a mechanical, plumbing, and electrical renovation with minor interior modifications. The building is currently used as administrative offices on the first

floor which shall remain occupied during construction. The project goal is the modification shall be performed on the second floor on the MEP systems.

PROJECT BUDGET: \$3,000,000.00

FSDB PROJECT MANAGER: Thomas Young

PHONE NUMBER: (904)827-2360

RESPONSE DUE DATE: Monday, July 21, 2008, no later than 3:00 p.m.

INSTRUCTIONS FOR SUBMITTAL

Firms interested in being considered for this project should contact The Florida School for the Deaf and the Blind by email: Laura Bowden, Contract Administrator at bowdenl@fsdb.k12.fl.us or John Connor, Purchasing Director at connorj@fsdb.k12.fl.us requesting instruction booklet "Selection of the Construction Management Firm Negotiated Fee Guaranteed Maximum Price booklet dated December 2007."

The selected firm may be utilized on both renovation projects or separate firms may be selected for individual projects for Moore Hall budget of \$1,000,000.00 and Bloxham Hall budget of \$2,000,000.00.

Submittals must be received no later than 3:00 p.m. local time on July 21, 2008, and should be mailed or delivered to the Florida School for the Deaf and the Blind, Attn.: Mr. John Connor, Purchasing Director, 207 N. San Marco Ave., Building #28, St. Augustine, FL 32084-2799. Facsimile (FAX) submittals are not acceptable and will not be considered.

The results of the short-list and final selection will be posted at FSDB, 207 N. San Marco Ave., Building #28, St. Augustine, FL and may be viewed during regular working days between the hours of 7:00 a.m. and 4:00 p.m. beginning 24 hours after the selection. A final selection will be made after interviews have taken place. The selected firm(s) will be given official notice of selection results by Fax or mail. Final selection results will also be posted in the Florida Administrative Weekly.

PUBLIC ANNOUNCEMENT FOR CONSTRUCTION MANAGEMENT SERVICES FOR A CONTINUING CONTRACT

The Florida School for the Deaf and the Blind (FSDB) requests qualifications from construction management firms to provide construction management services for a continuing contract. The firm selected under this contract will be responsible for assigned facility projects in which construction costs do not exceed \$1,000,000 (per contract period). This contract will have an initial period of one year with the option to renew for two additional one-year periods.

Selection of finalists for interview will be made on the basis of construction manager qualifications including experience and ability, financial capability, administrative ability/office staff, scheduling expertise, cost estimating and cost control ability, on-site staff, information systems, and distance to site. Firms

must be properly licensed in the State of Florida at the time of submittal. The selection will be made in accordance with Section 287.055 F.S.

INSTRUCTIONS: Firms interested in being considered for this project should contact The Florida School for the Deaf and the Blind by email: Laura Bowden, Contract Administrator at bowdenl@fsdb.k12.fl.us or John Connor, Purchasing Director at connorj@fsdb.k12.fl.us requesting instruction booklet "Selection of the Construction Management Firm Negotiated Fee Guaranteed Maximum Price booklet dated December 2007."

Submittals must be received no later than 3:00 p.m. (Local Time), July 21, 2008, and should be mailed or delivered to the: Florida School for the Deaf and the Blind, Attn.: Mr. John Connor, Purchasing Director, 207 N. San Marco Ave., Building #28, St. Augustine, FL 32084-2799. Facsimile (FAX) submittals are not acceptable and will not be considered.

The results of the short-list and final selection will be posted at: FSDB, 207 N. San Marco Ave., Building #28, St. Augustine, FL and may be viewed during regular working days between the hours of 7:00 a.m. and 4:00 p.m. beginning 24 hours after the selection. A final selection will be made after interviews have taken place. The selected firm(s) will be given official notice of selection results by Fax or mail. Final selection results will also be posted in the Florida Administrative Weekly.

Invitation to Bid – Annual Minor Mechanical/Plumbing Repairs and Installations

The Florida School for the Deaf and the Blind, 207 San Marco Avenue, St. Augustine, Florida 32084 is soliciting bids for annual minor mechanical/plumbing repairs and installations.

Bidders shall provide a flat hourly rate for one journeyman, one helper, one truck and all tools/equipment required to effect minor repairs and installations. Bidders shall provide a flat hourly rate for one journeyman (labor only), and a percentage of markup on cost of materials must be provided with bid. Additionally bidders will be required to submit Department of Management Services, form DBC 5085, "Experience Questionnaire and Contractor's Financial Statement". This form will be included in the ITB packet.

Work under this contract will be performed and billed for normal operating hours (Monday-Friday, 8:00 a.m. – 4:00 p.m.). All work performed during hours other than the "normal operating hours" previously listed shall be billed at one and one-half the flat hourly rate.

It is anticipated that annual services under this contract will not exceed \$1,000,000. Each job that is activated under this contract will have a \$200,000 cap.

All contractors will be required to supply a copy of their safety policy and procedures. A copy of the contractor's policy and procedures for working at special needs boarding schools, health care facilities, and food preparation facilities must be

supplied. ASME certified welders are required to conduct welding activities at FSDB and a list of all contractors utilized ASME certified welders must be supplied. The company must be a drug and alcohol free company. All of this documentation must accompany the sealed bid.

Term of contract is July 1, 2008 through June 30, 2009, with the option to renew for nine additional one-year periods contingent upon performance of contractor and availability of funding.

Mandatory Pre Bid Meeting: 2:00 p.m., Monday, July 7, 2008. Building 1, Moore Hall CLD Conference Room.

Sealed Bids will be received at the Purchasing Office in the Stores and Receiving Building until 2:00 p.m., Monday, July 21, 2008 with a public opening to be conducted immediately following the bid close. Bids shall be sealed in an envelope and marked in the lower left corner as follows:

Attention: John Connor, Purchasing Director

SEALED BID

Annual Minor Mechanical/Plumbing Repairs and Installations

DO NOT OPEN PRIOR TO: July 21, 2008, 2:00 p.m.

Any person with a qualified disability requiring special accommodations at the bid opening shall contact the Purchasing Office, (904)827-2356 at least five (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).

The Florida School for the Deaf and the Blind reserves the right to reject any or all bids and to waive minor irregularities in the best interest of the State of Florida.

Certified Minority Business Enterprises are encouraged to participate in the bidding process.

Please direct all questions to Greg Clements, Director of Maintenance at (904)827-2369.

NOTICE TO PROFESSIONAL CONSULTANTS

DUVAL COUNTY PUBLIC SCHOOLS OFFICE OF FACILITIES DESIGN AND CONSTRUCTION – Request for Qualifications (RFQ) for Professional Services-Annual Contract for Electrical Engineering Services/Annual Contract for Mechanical Engineering Services.

The Office of Facilities Design and Construction announces that Professional Engineering Services are required for continuing contracts for Duval County Public Schools for each of the above listed disciplines. This will be a multiple year contract to one or more firms for an initial period of one year with an option to renew for two additional one-year periods. The firm(s) selected under a continuing contract will be responsible for assigned projects having estimated costs not exceeding the threshold amount of \$1,000,000 (Construction) or \$50,000 (Planning/Study) provided for in Section 287.055, Florida Statutes. Duval County Public Schools reserves the right to negotiate and award multiple projects to the firm(s)

selected for annual contract services. Some of the assigned projects may exceed the construction threshold amount provided in Section 287.017, Florida Statutes, for Category Five (\$250,000) or Category Two (\$25,000) for planning or study activity. Multi-disciplined firms should submit two sets of proposals with separate teams, experience, etc. Applications are to be sent to: James L. Womack, Duval County Public Schools, Facilities Design and Construction, 1701 Prudential Drive, 5th Floor, Jacksonville, FL 32207-8182, Phone No.: (904)390-2279.

RESPONSE DUE DATE: RFQs ARE DUE ON OR BEFORE July 15, 2008 AND WILL BE ACCEPTED UNTIL 4:30 p.m.

MBE GOALS: If multiple contracts are awarded, one out of every four will be sheltered. All other contracts will have an overall goal of 15%. Information on the selection process can be found at: <http://www.duvalschools.org/static/aboutdcp/departments/facilities/downloads/SelectionofArchitectEngineer.r.doc>.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

REGIONAL PLANNING COUNCILS

REQUEST FOR BIDS

FOR PAINTING EXTERIOR OF BUILDINGS

The North Central Florida Regional Planning Council requests for from insured painting contractors to provide painting services to paint the exterior of an 8,000 square foot office building, 2,800 square foot metal warehouse and 1,600 square foot service bay at Council offices located at 2009 N. W. 67 Place, Gainesville, Florida. Bids will be received until 3:00 p.m., July 2, 2008. Facsimile or electronic mail bids will not be accepted. All bids must be submitted on the Bid Form. Any bids received after the specified time and date will not be considered. Please mark the envelope "Sealed Bid". The Bid Form may be obtained by emailing laine@ncfrpc.org or writing to: Carol Laine, Executive Assistant to the Executive Director, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653-1653.

DEPARTMENT OF MANAGEMENT SERVICES

ADVERTISEMENT FOR BIDS

FOR MECHANICAL CONTRACTORS

PROPOSALS ARE REQUESTED FROM QUALIFIED MECHANICAL CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES.

PROJECT NUMBER: MSFM-26005003
 PROJECT NAME: Replace Boiler Condensate System, Collins Building
 PROJECT LOCATION: Tallahassee, Florida
 ESTIMATED CONSTRUCTION BUDGET: \$500,000.00
 The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management. For details please visit the Department's website listed below and click on "Search Advertisements - Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

**ADVERTISEMENT FOR BIDS
 FOR ELECTRICAL CONTRACTORS**

PROPOSALS ARE REQUESTED FROM QUALIFIED ELECTRICAL CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES.
 PROJECT NUMBER: MSFM-27009017
 PROJECT NAME: Switchgear and Transformer Replacement, Gray Building
 PROJECT LOCATION: Tallahassee, Florida
 ESTIMATED CONSTRUCTION BUDGET: \$250,000.00
 The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management. For details please visit the Department's website listed below and click on "Search Advertisements - Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

FLORIDA HOUSING FINANCE CORPORATION

**Request for Qualifications
 2008-03 for Structuring Agent Services**

The Florida Housing Finance Corporation invites all qualified firms wishing to provide structuring agent services for and on behalf of Florida Housing Finance Corporation to submit proposals for consideration. Proposals shall be accepted until 2:00 p.m. (Eastern Time), Friday, July 18, 2008, to the Attention: Robin L. Grantham, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact Robin L. Grantham at (850)488-4197 or robin.grantham@floridahousing.org. To obtain a copy of the Request for

Qualifications, which outlines selection criteria and offeror's responsibilities, please submit your request to the Attention: Robin L. Grantham, or you can download the Request for Qualifications from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/Home/BusinessLegal/Solicitations/RequestForQualifications.htm>. Any modifications that occur to the Request for Qualifications will be posted at the web site and may result in an extension of the deadline.

BALFOUR BEATTY CONSTRUCTION, LLC

NOTICE OF CHANGE - INVITATION FOR PREQUALIFICATIONS AND SEALED BID

Bid Date Change From June 12, 2008 to June 26, 2008
 Mayo Correctional Institution
 Construction of the Annex adjacent to and the Future Expansion/Renovation of the Main Unit at the Mayo Correctional Institution.
 Balfour Beatty Construction LLC (BBC) is requesting Prequalifications for the above referenced project until 2:00 p.m., June 26, 2008, at the address provided below:
 Sealed Bids will be accepted for all phases of work (Div. 1 through 16) from prequalified Subcontractors until 2:00 p.m., June 26, 2008. Bids will be opened and read publicly immediately following the 2:00 p.m. cut off.
 All questions will be addressed by trade by the following Balfour Beatty Estimators (Phone No. for the following estimators is (954)585-4300):
 Mike Bridis Plumbing/Fire Protection
 John Rodriguez HVAC
 Elisa Diaz Div. 6, flooring, Div. 12
 Paul Duquesnay Div. 10 and 11
 Angel Gonzalez Div. 4
 Vijay Kaul Div. 3
 Chuck Reiman Div. 8, Det, Eq/Furn
 Don Rofle Div. 16
 Irfan Syed Div. 2
 Wayne Thonsgard Div. 5, 7, 13
 Peter Wu Div. 9 Excl Flooring
 James Case WWTP
 Bid Package will be available at NGI.
 Interested parties can obtain plans, specifications, bid package and prequalification forms at the following location.
 NGI (Ocala)
 (352)622-5039
 304A Southwest Broadway Street, Ocala, FL 34474
SEALED BIDS AND PREQUALIFICATION FORMS ARE TO BE SENT TO:
 Attention: John Parker, Balfour Beatty Construction, 11650 N. W. Gainesville Road, Ocala, FL 34482 for receipt prior to June 25, 2008. (Phone (352)369-6183).

All Sealed Bids submitted after June 25, 2008, shall be hand delivered to: The Hilton Ocala, Attention: John Parker, Churchill Ballroom, 3600 S. W. 36th Avenue, Ocala, FL 34474 on June 26, 2008 by 2:00 p.m.

A pre bid conference was held at:

The Hilton Ocala
 3600 S. W. 36th Avenue, Ocala, FL 34474
 On May 15, 2008, 9:00 a.m.

Balfour Beatty Construction does not discriminate on the basis of race, color, religion, age, sex, national origin, marital status, handicap or other reason prohibited by law.
 LICENSE CGC 05623.

Section XII Miscellaneous

DEPARTMENT OF STATE

FLORIDA MAIN STREET DESIGNATION APPLICATIONS

The Bureau of Historic Preservation of the Florida Department of State announces the availability of forms for application for designation as a 2008 Main Street Community. A maximum of three communities will receive Florida Main Street Designation in 2008. Complete applications must be delivered to the: Florida Main Street Program, R. A. Gray Building, 4th Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250, no later than 5:00 p.m. or postmarked and mailed or submitted (with evidence) to an express mail service on or before 12:00 midnight, July 25, 2008. Applications are available by contacting Ms. Joan Jefferson, Florida Main Street Coordinator at the above address of by calling 1(800)847-7278.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT CONSISTENT WITH SECTION 163.31777(2), FLORIDA STATUTES – DCA DOCKET NO. 13-20

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Miami-Dade County School Board and the City of North Miami, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the City of North Miami, Community Planning And Development, 776 Northeast 125th Street, North Miami, Florida 33161.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Miami-Dade County School Board and the City of North Miami. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the: Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
 Office of Comprehensive Planning
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT CONSISTENT WITH SECTION 163.31777(2), FLORIDA STATUTES – DCA DOCKET NO. 13-33

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Miami-Dade County School Board and each of the

following local governments: the City of Palmetto Bay, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the City of Palmetto Bay, 8950 Southwest 152 Street, Palmetto Bay, Florida 33157.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the: Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Miami-Dade County School Board, Palmetto Bay. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the: Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE IS HEREBY GIVEN THAT the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-05-2007-017
DATE RECEIVED: June 9, 2009
DEVELOPMENT NAME: MARION OAKS
DEVELOPER/AGENT: Deltona Corporation/
LOCAL GOVERNMENT: Marion County

NOTICE IS HEREBY GIVEN THAT the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-09-2007-016
DATE RECEIVED: June 5, 2008
DEVELOPMENT NAME: RITZ CARLTON
DEVELOPER/AGENT: SLAB, LLC/WilsonMiller
DEVELOPMENT TYPE: 28-24.026, 28-24.023,
28-24.031, F.A.C.
LOCAL GOVERNMENT: Sarasota City

DCA Final Order No.: DCA08-OR-154

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In Re: MONROE COUNTY LAND

DEVELOPMENT REGULATIONS

ADOPTED BY MONROE COUNTY

ORDINANCE NO. 011-2008

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, and Section 380.0552(9), Florida Statutes (2007), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
- 2. On April 7, 2008, the Department received for review Monroe County Ordinance No. 011-2008 ("Ord. 011-2008"), adopted by Monroe County on March 19, 2008.

3. The purpose of the Ordinance is to amend Section 9.5-266 of the Monroe County Code to protect the affordable housing stock by providing an alternative compliance to the Monroe County inclusionary housing requirement.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. Section 380.05(6), Florida Statutes, and Section 380.0552(9), Florida Statutes (2007).
5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. Section 380.0552, Florida Statutes (2007) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.
6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2007). The regulations adopted by Ord. 011-2008 are land development regulations.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in Section 380.0552(7), Florida Statutes See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 011-2008 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
 - (j) To make available adequate affordable housing for all sectors of the population of the Florida Keys.
9. Ord. 011-2008 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 011-2008 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

CHARLES GAUTHIER, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 10th day of June, 2008.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Charles "Sonny" McCoy
Mayor of Monroe County
Florida Keys Marathon Airport
9400 Overseas Highway, Suite 210
Key West, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Andrew Trivette
Growth Management Director
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Barney's Motorcycle Sales, Inc., as a dealership for the sale of Piaggio motorcycles (PIAG) at 9820 Adamo Drive, Tampa (Hillsborough County), Florida 33619, on or after June 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Barney's Motorcycle Sales, Inc. are dealer operator(s): Ray Hempstead, 9820 Adamo Drive, Tampa, Florida 33619; principal investor(s): Ray Hempstead, 9820 Adamo Drive, Tampa, Florida 33619.

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, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Barney's Motorcycle Sales, Inc., as a

dealership for the sale of Vespa motorcycles (VESP) at 9820 Adamo Drive, Tampa (Hillsborough County), Florida 33619, on or after June 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Barney's Motorcycle Sales, Inc. are dealer operator(s): Ray Hempstead, 9820 Adamo Drive, Tampa, Florida 33619; principal investor(s): Ray Hempstead, 9820 Adamo Drive, Tampa, Florida 33619.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by 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, notice is given that Vectrix Electric Vehicle Sales, intends to allow the establishment of Barney's Motorcycle Sales, Inc. d/b/a Barney's Yamaha Suzuki of Brandon, as a dealership for the sale of Vectrix motorcycles (VCTX) at 10411 Gandy Boulevard, St. Petersburg (Pinellas County), Florida 33702, on or after June 2, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Barney's Motorcycle Sales, Inc. d/b/a Barney's Yamaha Suzuki of Brandon are dealer operator(s): Keith C. Wood, 1101 42nd Avenue Northeast Street, St. Petersburg, Florida 33703, Ray Hempstead, 8829 Glen Lakes Boulevard North, St. Petersburg, Florida 33702 and Beverly Hempstead Newton, 6476 Evergreen, Seminole, Florida 34642; principal investor(s): Keith C. Wood, 1101 42nd Avenue Northeast Street, St. Petersburg, Florida 33703, Ray

Hempstead, 8829 Glen Lakes Boulevard North, St. Petersburg, Florida 33702 and Beverly Hempstead Newton, 6476 Evergreen, Seminole, Florida 34642.

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: Abigail Sayer, Vectrix Corporation, 76 Hammarlund Way, Suite 250, Tech III, Middletown, Rhode Island 02842.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that United Motors of America, intends to allow the establishment of Yamaha of the Nature Coast, Inc. d/b/a Nature Coast Yamaha, as a dealership for the sale of motorcycles manufactured by United Motors of America (UNMO) at 1555 Northwest 27 Court, Chiefland (Levy County), Florida 32626, on or after June 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Yamaha of the Nature Coast, Inc. d/b/a Nature Coast Yamaha are dealer operator(s): William B. Bennett, 5040 Limestone Drive, Port Richey, Florida 34668; principal investor(s): William B. Bennett, 5040 Limestone Drive, Port Richey, Florida 34668.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Melissa Bell, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Motorcycle Territory, Inc. d/b/a Florida Sports Cycle & Marine d/b/a Vespa Stuart, as a dealership for the sale of Piaggio motorcycles (PIAG) at 3100 Southeast Carnivale Court, Stuart (Martin County), Florida 34994, on or after June 5, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Motorcycle Territory, Inc. d/b/a Florida Sports Cycle & Marine d/b/a Vespa Stuart are dealer operator(s): Dennis Conner, 3100 Southeast Carnivale Court, Stuart, Florida 34994; principal investor(s): Dennis Conner, 3100 Southeast Carnivale Court, Stuart, Florida 34994.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Motorcycle Territory, Inc. d/b/a Florida Sports Cycle & Marine d/b/a Vespa Stuart, as a dealership for the sale of Vespa motorcycles (VESP) at 3100 Southeast Carnivale Court, Stuart (Martin County), Florida 34994, on or after June 5, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Motorcycle Territory, Inc. d/b/a Florida Sports Cycle & Marine d/b/a Vespa Stuart are dealer operator(s): Dennis Conner, 3100 Southeast Carnivale Court, Stuart, Florida 34994; principal investor(s): Dennis Conner, 3100 Southeast Carnivale Court, Stuart, Florida 34994.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of After Burn Bikes, Inc., as a dealership for the sale of motorcycles manufactured by Chongqing Lifan Industry Group (CHOL) at 99222 Overseas Highway, Key Largo (Monroe County), Florida 33037, on or after June 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of After Burn Bikes, Inc. are dealer operator(s): Francisco Moc, 1950 Southeast 23 Court, Homestead, Florida 33035 and Geovanie Hernandez, 1950 Southeast 23 Court, Homestead, Florida 33035; principal investor(s): Francisco Moc, 1950 Southeast 23 Court, Homestead, Florida 33035 and Geovanie Hernandez, 1950 Southeast 23 Court, Homestead, Florida 33035.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, Verucci Motorcycles, LLC, 7836 Northwest 46 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Johnny Pag Motorcycles, intends to allow the establishment of Source Sales d/b/a Biker Barn, as a dealership for the sale of Johnny Pag motorcycles (PAGS) at 2118 Del Prado Boulevard, Cape Coral (Lee County), Florida 33990, on or after June 2, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Source Sales d/b/a Biker Barn are dealer operator(s): Joe Arguinzoni, 2019 Southeast 10th Lane, Cape Coral, Florida 33990 and Carol Mills, 2019 Southeast 10th Lane, Cape Coral, Florida 33990; principal investor(s): Joe Arguinzoni, 2019 Southeast 10th Lane, Cape Coral, Florida 33990 and Carol Mills, 2019 Southeast 10th Lane, Cape Coral, Florida 33990.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: JR Pag, Johnny Pag Motorcycles, 1851 McGaw Avenue, Irvine, California 92614.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of B & L Champion Motors, LLC d/b/a Champion Motor World, as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 5354 Normandy Boulevard, Jacksonville (Duval County), Florida 32205, on or after June 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of B & L Champion Motors, LLC d/b/a Champion Motor World are dealer operator(s): Greg Loucks, 5354 Normandy Boulevard, Jacksonville, Florida 32205; principal investor(s): Greg Loucks, 5354 Normandy Boulevard, Jacksonville, Florida 32205.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of B & L Champion Motors, LLC d/b/a Champion Motor World, as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 5354 Normandy Boulevard, Jacksonville (Duval County), Florida 32205, on or after June 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of B & L Champion Motors, LLC d/b/a Champion Motor World are dealer operator(s): Greg Loucks, 5354 Normandy Boulevard, Jacksonville, Florida 32205; principal investor(s): Greg Loucks, 5354 Normandy Boulevard, Jacksonville, Florida 32205.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of B & L Champion Motors, LLC d/b/a Champion Motor World, as a dealership for the sale of motorcycles manufactured by Shanghai Meitian Motorcycle Co. Ltd. (MEIT) at 5354 Normandy Boulevard, Jacksonville (Duval County), Florida 32205, on or after June 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of B & L Champion Motors, LLC d/b/a Champion Motor World are dealer operator(s): Greg Loucks, 5354 Normandy Boulevard, Jacksonville, Florida 32205; principal investor(s): Greg Loucks, 5354 Normandy Boulevard, Jacksonville, Florida 32205.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of B & L Champion Motors, LLC d/b/a Champion Motor World, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 5354 Normandy Boulevard, Jacksonville (Duval County), Florida 32205, on or after June 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of B & L Champion Motors, LLC d/b/a Champion Motor World are dealer operator(s): Greg Loucks, 5354 Normandy Boulevard, Jacksonville, Florida 32205; principal investor(s): Greg Loucks, 5354 Normandy Boulevard, Jacksonville, Florida 32205.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Mobility Tech, Inc. d/b/a Charlie's Scooter Depot, as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 5720 North Florida Avenue, Tampa (Hillsborough County), Florida 33604, on or after June 3, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mobility Tech, Inc. d/b/a Charlie's Scooter Depot are dealer operator(s): Carlos A. Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604 and Zenaida Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604; principal investor(s): Carlos A. Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604 and Zenaida Urbizu, 5720 North Florida Avenue, 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: Jeff Boudreaux, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Vento North America, LLC, intends to allow the establishment of Mobility Tech, Inc. d/b/a Charlie's Scooter Depot, as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corp. (QINJ) at 5720 North Florida Avenue, Unit 2, Tampa (Hillsborough County), Florida 33604, on or after July 7, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mobility Tech, Inc. d/b/a Charlie's Scooter Depot are dealer operator(s): Carlos Urbizu, 5720 North Florida Avenue, Unit 2, Tampa, Florida 33604; principal investor(s): Carlos Urbizu, 5720 North Florida Avenue, Unit 2, Tampa, Florida 33604.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Alma Gonzalez, Vento North America, LLC, 6190 Cornerstone Court E, Suite #200, San Diego, California 92121.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Crazy Carl's, LLC, as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 1578 Highway 83, Defuniak Springs, (Walton County), Florida 32433, on or after June 3, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Crazy Carl's, LLC are dealer operator(s): Carl Fireman, 1578 Highway 83, Defuniak Springs, Florida 32433; principal investor(s): Carl Fireman, 1578 Highway 83, Defuniak Springs, Florida 32433.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jeff Boudreaux, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Zongshen, Inc., intends to allow the establishment of Fast Wheels, Inc., as a dealership for the sale of motorcycles manufactured by Zongshen Industrial Group (ZONG) at 2035 Northwest 167th Street, Miami Gardens (Dade County), Florida 33056, on or after August 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Fast Wheels, Inc. are dealer operator(s): Juan Carlos Mazza, 2035 Northwest 167th Street, Miami Gardens, Florida 33056; principal investor(s): Juan Carlos Mazza, 2035 Northwest 167th Street, Miami Gardens, Florida 33056.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Rose Perez, Zongshen, Inc., 3511 Northwest 113th Court, Miami, Florida 33178.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Vectrix Electric Vehicle Sales, intends to allow the establishment of Grantham Enterprises, Inc. d/b/a Granny's

Motorsports, as a dealership for the sale of Vectrix motorcycles (VCTX) at 2001 University Parkway, Sarasota (Sarasota County), Florida 34243, on or after May 14, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Grantham Enterprises, Inc. d/b/a Granny's Motorsports are dealer operator(s): Robert C. Glenn, 6474 Watercrest Way, #404, Bradenton, Florida 34202 and J. Stephen Grantham, 5330 Siesta Cove Drive, Sarasota, Florida 34242; principal investor(s): Robert C. Glenn, 6474 Watercrest Way, #404, Bradenton, Florida 34202 and J. Stephen Grantham, 5330 Siesta Cove Drive, Sarasota, Florida 34242.

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: Jeaneen Sullivan, Vectrix Corporation, 76 Hammarlund Way, Suite 250, Tech III, Middletown, Rhode Island 02842.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Moto Dealer Import, LLC, intends to allow the establishment of Country Comfort, Inc. d/b/a Lakeland Motorcycle & ATV, as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 3705 US Highway 98 South, Suite 1, Lakeland (Polk County), Florida 33812, on or after April 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Country Comfort, Inc. d/b/a Lakeland Motorcycle & ATV are dealer operator(s): Mike Highsmith, 3705 U.S. Highway 98 South, Suite 1, Lakeland, Florida 33812; principal investor(s): Mike Highsmith, 3705 U.S. Highway 98 South, Suite 1, Lakeland, Florida 33812.

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: Jack Lin, President, Moto Dealer Import, LLC, 4998-B, South Royal Atlanta Drive, Tucker, Georgia 30084.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Lance Powersports, Inc., intends to allow the establishment of The Mod Scooter Company, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 1009 Mills Avenue North, Orlando (Orange County), Florida 32803, on or after June 9, 2008.

The name and address of the dealer operator(s) and principal investor(s) of The Mod Scooter Company, LLC are dealer operator(s): Tim Sterling, 7596 Lodge Pole Trail, Winter Park, Florida 32792; principal investor(s): Tim Sterling, 7596 Lodge Pole Trail, Winter Park, Florida 32792.

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: Gene Chang, Lance Powersports, Inc., 5200 Ontario Mills Parkway, Suite 100, Ontario, California 91764.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JMSTAR Powersports, Inc., intends to allow the establishment of Motor Scooters N More, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 188 North Federal Highway, Deerfield Beach (Broward County), Florida 33441, on or after May 25, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Motor Scooters N More, Inc. are dealer operator(s): Arthur Guerra, 188 North Federal Highway, Deerfield Beach, Florida 33441; principal investor(s): Arthur Guerra, 188 North Federal Highway, Deerfield Beach, Florida 33441.

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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JMSTAR Powersports, Inc., intends to allow the establishment of Motor Scooters N More, Inc., as a dealership for the sale of motorcycles manufactured by Kaitong Motorcycle Manufacture Co. Ltd. (KAIT) at 188 North Federal Highway, Deerfield Beach (Broward County), Florida 33441, on or after May 25, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Motor Scooters N More, Inc. are dealer operator(s): Arthur Guerra, 188 North Federal Highway, Deerfield Beach, Florida 33441; principal investor(s): Arthur Guerra, 188 North Federal Highway, Deerfield Beach, Florida 33441.

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: Yenong Xie, President, JMSTAR Powersports, Inc., 1479 Sunset Way, Weston, Florida 33327.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Naples Automotive Group, Inc., as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 3855 Davis Boulevard, Naples (Collier County), Florida 34104, on or after June 3, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Naples Automotive Group, Inc. are dealer operator(s): Charles Anderson, 3855 Davis Boulevard, Naples, Florida 34104; principal investor(s): Charles Anderson, 3855 Davis Boulevard, Naples, Florida 34104.

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: Jeff Boudreaux, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that United Motors of America, intends to allow the establishment of Yamaha of the Nature Coast, Inc. d/b/a Nature Coast Yamaha, as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 1555 Northwest 27 Court, Chiefland (Levy County), Florida 32626, on or after June 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Yamaha of the Nature Coast, Inc. d/b/a Nature Coast Yamaha are dealer operator(s): William B. Bennett, 5040 Limestone Drive, Port Richey, Florida 34668; principal investor(s): William B. Bennett, 5040 Limestone Drive, Port Richey, Florida 34668.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Melissa Bell, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for the Establishment of a
Franchised Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mitsubishi Motors of North America, Inc. (MMNA) intends to permit the establishment of an additional dealership for the sale and service of Mitsubishi cars and trucks at 10857 Phillips Highway, Jacksonville, Duval County, Florida 32256.

The dealership to be established is Premier Automotive Mit LLC dba Premier Mitsubishi, a Florida limited liability company. The proposed dealership will be ready to open on or after July 7, 2008. The name and address of the dealer operator and principal investor of the proposed dealership is: Sam Kazran, 9401 Atlantic Boulevard, Jacksonville, Florida 32225.

The notice indicates intent to establish the dealership 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: Ms. Nalini Vinayak, Dealer License Administrator, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by mail to: Donald Lavin, Eastern Zone Director, Mitsubishi Motors North America, Inc., 516 Heron Drive, Swedesboro, NJ 08085.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that A & A Scooter, Inc., intends to allow the establishment of G Kordis Auto Transport, Inc. d/b/a Quality Cars & Trucks, as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 5799 54th Avenue North, Kenneth City (Pinellas County), Florida 33709, on or after June 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of G Kordis AutoTransport, Inc. d/b/a Quality Cars & Trucks are dealer operator(s): George Kordis, 5799 54th Avenue North, Kenneth City, Florida 33709; principal investor(s): George Kordis, 5799 54th Avenue North, Kenneth City, Florida 33709.

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: Leah Jordan, A & A Scooter, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JH Global Services, Inc., intends to allow the establishment of Star Electric Car Sales, Inc., as a dealership

for the sale of Star Neighborhood Electric Vehicles (STAR) at 2308 North Dixie Boulevard, Fort Lauderdale (Broward County), Florida 33305, on or after June 5, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Star Electric Car Sales, Inc. are dealer operator(s): Susan Sistare, 2308 North Dixie Boulevard, Fort Lauderdale, Florida 33305; principal investor(s): Susan Sistare, 2308 North Dixie Boulevard, Fort Lauderdale, Florida 33305.

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: Jane Zhang, CEO, JH Global Services, Inc., 52 Pelham Davis Circle, Greenville, South Carolina 29615.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Suncoast Motors, Inc., as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 853 US 41 Bypass South, Venice (Sarasota County), Florida 34285, on or after June 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Motors, Inc. are dealer operator(s): Robert Shapiro, 853 U.S. 41 Bypass South, Venice, Florida 34285; principal investor(s): Robert Shapiro, 853 U.S. 41 Bypass South, Venice, Florida 34285.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Suncoast Motors, Inc., as a dealership for the sale of motorcycles manufactured by Chuanl Motorcycle Manufacturing Co. Ltd. (CHUA) at 853 US 41 Bypass South, Venice (Sarasota County), Florida 34285, on or after June 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Motors, Inc. are dealer operator(s): Robert Shapiro, 853 U.S. 41 Bypass South, Venice, Florida 34285; principal investor(s): Robert Shapiro, 853 U.S. 41 Bypass South, Venice, Florida 34285.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Suncoast Motors, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 853 U.S. 41 Bypass South, Venice (Sarasota County), Florida 34285, on or after June 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Motors, Inc. are dealer operator(s): Robert Shapiro, 853 U.S. 41 Bypass South, Venice, Florida 34285; principal investor(s): Robert Shapiro, 853 U.S. 41 Bypass South, Venice, Florida 34285.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Suncoast Motors, Inc., as a dealership for the sale of

motorcycles manufactured by Shanghai Meitian Motorcycle Co. Ltd. (MEIT) at 853 U.S. 41 Bypass South, Venice (Sarasota County), Florida 34285, on or after June 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Motors, Inc. are dealer operator(s): Robert Shapiro, 853 U.S. 41 Bypass South, Venice, Florida 34285; principal investor(s): Robert Shapiro, 853 U.S. 41 Bypass South, Venice, Florida 34285.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Suncoast Motors, Inc., as a dealership for the sale of motorcycles manufactured by China Qingqi Group Co. Ltd. (QING) at 853 US 41 Bypass South, Venice (Sarasota County), Florida 34285, on or after June 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Motors, Inc. are dealer operator(s): Robert Shapiro, 853 US 41 Bypass South, Venice, Florida 34285; principal investor(s): Robert Shapiro, 853 U.S. 41 Bypass South, Venice, Florida 34285.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Suncoast Motors, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 853 US 41 Bypass South, Venice (Sarasota County), Florida 34285, on or after June 4, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Motors, Inc. are dealer operator(s): Robert Shapiro, 853 U.S. 41 Bypass South, Venice, Florida 34285; principal investor(s): Robert Shapiro, 853 U.S. 41 Bypass South, Venice, Florida 34285.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration has received an application for an emergency service exemption from South Florida Baptist Hospital, Inc., 301 N. Alexander St., Plant City, FL 33563 pursuant to Section 395.1041(3), Florida Statutes, and Rule 59A-3.255, Florida Administrative Code. The service category requested is Urology. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to the: Agency for Health Care Administration, Attention: Sherry Ledbetter, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)921-6621 or by e-mail: ledbetts@ahca.myflorida.com.

The Agency for Health Care Administration has received an application for an emergency service exemption from South Florida Baptist Hospital, Inc., 301 N. Alexander St., Plant City, FL 33563 pursuant to Section 395.1041(3), Florida Statutes, and Rule 59A-3.255, Florida Administrative Code. The service category requested is Otolaryngology. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to the: Agency for Health Care Administration, Attention: Sherry Ledbetter, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)921-6621 or by e-mail: ledbetts@ahca.myflorida.com.

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 FILING OF APPLICATION
FOR POWER PLANT CERTIFICATION**

On June 2, 2008, the Department of Environmental Protection received an application for certification of a power plant pursuant to the Florida Electrical Power Plant Siting Act,

Sections 403.501 and 403.52 et seq., Florida Statutes, concerning Florida Power and Light Company, Levy Nuclear Plant Units 1 and 2, Power Plant Siting Application No. PA08-51, OGC Case No. 08-1621. The Department is reviewing the application to allow construction and operation of two 1100 megawatt (MW) nuclear power plant units located in Levy County and to allow construction and operation of 230 and 500 kV transmission lines connecting the proposed plant to a proposed Citrus substation to the existing Brooksville West substation and then to the proposed Florida South substation. The total length of the proposed transmission line corridor to be certified is approximately 188 miles. A copy of the application for certification is available for review in the office of Mike P. Halpin, P.E., Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002. Pursuant to Section 403.507, F.S., and Rule 62-17, Florida Administrative Code, statutory parties to the site certification proceeding should review the application and submit their reports and recommendations. In the future, a proposed certification hearing date will be announced. Pursuant to Section 403.508(3), F.S., parties to the proceeding shall include the applicant, the Public Service Commission, the Department of Community Affairs, the Fish and Wildlife Conservation Commission, the Water Management District, the Department of Environmental Protection, the Regional Planning Council, the local government, and the Department of Transportation. Any party listed in Section 403.508(3)(a), F.S., other than the Department of Environmental Protection or the applicant may waive its right to participate in these proceedings if such party fails to file a notice of its intent to be a party on or before the 90th day prior to the certification hearing. In addition, notwithstanding the provisions of chapter 120, upon the filing with the administrative law judge of a notice of intent to be a party no later than 75 days after the application is filed, the following shall also be parties to the proceeding: any agency not listed in Section 403.508(3)(a), F.S. as to matters within its jurisdiction; any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty, to protect the environment, personal health, or other biological values, to preserve historical sites, to promote consumer interests; to represent labor, commercial, or industrial groups, or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located. Other parties may include any person, including those persons listed herein who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S., and applicable rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the commencement of the

certification hearing. Motions to intervene must be filed (received) with the Administrative Law Judge assigned to the case by the Division of Administrative Hearings, The Desoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, prior to 30 days before the date of the certification hearing. Any agency, including those whose properties or works are being affected pursuant to Section 403.509(4), F.S., shall be made a party upon the request of the department or the applicant. Pursuant to Section 403.508(6), F.S., if all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised at the certification hearing, the certification hearing may be cancelled.

**NOTICE OF INTENT TO ISSUE PROPOSED
MODIFICATION OF POWER PLANT CERTIFICATION**

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Power Plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501 et seq., Florida Statutes, concerning: Orlando Utilities Commission Curtis H. Stanton Energy Center, Power Plant Siting Application No. PA81-14, OGC Case No. 08-1632. On March 7, 2008 the Department received an application to modify the Conditions of Certification for the Curtis H. Stanton Energy Center from Orlando Utilities Commission pursuant to Section 403.516(1)(c), Florida Statutes, to make the necessary changes to convert the currently under construction Unit B Integrated Gasification Combined Cycle unit to a conventional natural gas-fired combined cycle unit. The Department proposes to modify the Conditions of Certification for the Stanton Energy Center for the changes to Unit B, and to incorporate Department initiated updates and corrections. A copy of the proposed modification may be obtained by contacting Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002. Pursuant to Section 403.516(1)(c)2., Florida Statutes, parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing.

The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida, 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement can not be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On June 9, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Sheryle Albert, L.P.N., license number PN 352271. 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 June 9, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Julie Marie Baysden, R.N., license number RN 1298952. 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.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN June 2, 2008
and June 6, 2008**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF TRANSPORTATION

14-51.010	6/4/08	6/24/08	34/17	
14-51.011	6/4/08	6/24/08	34/17	
14-51.014	6/4/08	6/24/08	34/17	
14-51.061	6/4/08	6/24/08	34/17	
14-51.062	6/4/08	6/24/08	34/17	
14-51.063	6/4/08	6/24/08	34/17	
14-51.064	6/4/08	6/24/08	34/17	
14-51.065	6/4/08	6/24/08	34/17	
14-90.004	6/4/08	6/24/08	34/17	
14-90.0041	6/4/08	6/24/08	34/17	
14-90.006	6/4/08	6/24/08	34/17	
14-90.007	6/4/08	6/24/08	34/17	

DEPARTMENT OF CITRUS

20-3.002	6/4/08	6/24/08	34/14	
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DEPARTMENT OF CORRECTIONS

33-602.220	6/5/08	6/25/08	34/17	
33-602.222	6/5/08	6/25/08	34/17	

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-4.091	6/2/08	6/22/08	34/9	
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DEPARTMENT OF MANAGEMENT SERVICES

Communication and Information Technology Services

60FF-1.001	6/5/08	6/25/08	33/52	34/19
60FF-1.002	6/5/08	6/25/08	33/52	34/19
60FF-1.003	6/5/08	6/25/08	33/52	34/19
60FF-1.004	6/5/08	6/25/08	33/52	34/19
60FF-1.005	6/5/08	6/25/08	33/52	34/19
60FF-1.006	6/5/08	6/25/08	33/52	34/19
60FF-1.007	6/5/08	6/25/08	33/52	34/19
60FF-1.008	6/5/08	6/25/08	33/52	34/19
60FF-1.009	6/5/08	6/25/08	33/52	34/19
60FF-1.010	6/5/08	6/25/08	33/52	34/19
60FF-1.011	6/5/08	6/25/08	33/52	34/19
60FF-1.012	6/5/08	6/25/08	33/52	34/19
60FF-1.013	6/5/08	6/25/08	33/52	34/19
60FF-1.014	6/5/08	6/25/08	33/52	34/19
60FF-2.001	6/5/08	6/25/08	33/52	34/19
60FF-2.002	6/5/08	6/25/08	33/52	34/19
60FF-2.003	6/5/08	6/25/08	33/52	34/19
60FF-2.004	6/5/08	6/25/08	33/52	34/19

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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60FF-2.005	6/5/08	6/25/08	33/52	34/19
60FF-2.006	6/5/08	6/25/08	33/52	34/19
60FF-2.007	6/5/08	6/25/08	33/52	34/19
60FF-3.001	6/5/08	6/25/08	33/52	34/19
60FF-3.002	6/5/08	6/25/08	33/52	34/19
60FF-3.003	6/5/08	6/25/08	33/52	34/19
60FF-3.004	6/5/08	6/25/08	33/52	34/19
60FF-3.005	6/5/08	6/25/08	33/52	34/19
60FF-3.006	6/5/08	6/25/08	33/52	34/19
60FF-3.007	6/5/08	6/25/08	33/52	34/19
60FF-3.008	6/5/08	6/25/08	33/52	34/19
60FF-3.009	6/5/08	6/25/08	33/52	34/19
60FF-3.010	6/5/08	6/25/08	33/52	34/19
60FF-3.011	6/5/08	6/25/08	33/52	34/19

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

61G4-16.001	6/3/08	6/23/08	34/12	
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DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

64B-3.005	6/6/08	6/26/08	34/17	
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Board of Medicine

64B8-1.007	6/5/08	6/25/08	34/11	
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Board of Occupational Therapy

64B11-5.0065	6/4/08	6/24/08	34/16	
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Board of Opticianry

64B12-8.020	6/4/08	6/24/08	34/15	
64B12-8.021	6/4/08	6/24/08	34/15	

Board of Optometry

64B13-18.002	6/6/08	6/26/08	34/18	
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Board of Pharmacy

64B16-28.850	6/4/08	6/24/08	34/18	
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Council of Licensed Midwifery

64B24-3.018	6/3/08	6/23/08	34/16	
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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

65A-1.301	6/6/08	6/26/08	33/33	34/17
65A-1.704	6/6/08	6/26/08	33/33	34/17
65A-1.705	6/6/08	6/26/08	33/33	34/17