

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0981
RULE TITLE: School District Virtual Instruction Program

PURPOSE AND EFFECT: The purpose of the proposed rule development is to adopt requirements for administering the School District Virtual Instruction Program. The rule will also incorporate the Program’s application form.

SUBJECT AREA TO BE ADDRESSED: School District Virtual Instruction Program.

SPECIFIC AUTHORITY: 1002.45 FS.

LAW IMPLEMENTED: 1002.45 FS.

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

DATE AND TIME: August 1, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: Raymond O. Shelton School Administrative Center, School Board Meeting Room, 901 E. Kennedy Blvd., Tampa, Florida 33601

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kim McDougal (kim.mcdougal@fldoe.org)

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

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.:	RULE TITLES:
12D-10.001	Composition of Value Adjustment Board
12D-10.002	Appointment and Employment of Special Magistrates
12D-10.003	Powers, Authority, Duties and Functions of Value Adjustment Board
12D-10.004	Receipt of Taxpayer’s Petition to Be Acknowledged

12D-10.0044 Uniform Procedures for Hearings; Procedures for Information and Evidence Exchange Between the Petitioner and Property Appraiser, Consistent with Section 194.032, F.S.; Organizational Meeting; Uniform Procedures to be Available to Petitioners

12D-10.005 Duty of Clerk to Prepare and Transmit Record

12D-10.006 Public Notice of Findings and Results of Value Adjustment Board

PURPOSE AND EFFECT: The purpose of these proposed rule changes is to set forth uniform procedures for hearings before value adjustment boards and their magistrates; and, to consider uniform forms related to these procedures. It is anticipated that Chapter 12D-10, Florida Administrative Code, will be substantially rewritten and that a new chapter may be created. The preliminary text of the proposed rule development will be available from the contact person listed below or from the Department’s website for value adjustment board information at <http://dor.myflorida.com/dor/property/vabwb/vabws.html> on or before July 21, 2008. General comments, questions, or suggestions about the value adjustment board process may be submitted to the Department at VAB@dor.state.fl.us.

The effect of these proposed rule changes is to provide clear, equitable, and uniform procedures for taxpayers who want to petition property tax matters to Value Adjustment Boards, including property tax assessments, denials of classifications, and denials of exemptions.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is the property tax value adjustment board process.

SPECIFIC AUTHORITY: 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: Ch. 2008-197, Laws of Florida, 193.122, 194.011, 194.015, 194.032, 194.034, 194.035, 194.036, 194.037, 194.301, 195.002, 195.096, 195.022, 196.011, 197.122, 200.069, 213.05 FS.

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

DATE AND TIME: July 28, 2008, 11:00 a.m.

PLACE: Room GC 422 (County Commission Chambers), 115 S. Andrews Avenue, Ft. Lauderdale, 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: Janice Forrester, Tax Auditor IV, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, e-mail address: ForrestJ@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janice Forrester, Tax Auditor IV, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, e-mail address: ForrestJ@dor.state.fl.us

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

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

South Florida Water Management District

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

PURPOSE AND EFFECT: To amend and update portions of Chapter 40E-1, F.A.C., to incorporate changes consistent with changes identified in the rule development for Chapter 40E-61, F.A.C., Lake Okeechobee Works of the District. This rule development was originally noticed in Vol. 33, No. 12, March 23, 2007 edition of the Florida Administrative Weekly.

SUBJECT AREA TO BE ADDRESSED: To amend Chapter 40E-1, F.A.C., General and Procedural rules.

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

LAW IMPLEMENTED: 120.53, 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS.

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

DATE AND TIME: July 31, 2008, 9:00 a.m. – 11:00 a.m.
 PLACE: Osceola Heritage Park, 1921 Kissimmee Valley Lane, Kissimmee, FL 34744
 DATE AND TIME: August 1, 2008, 9:00 a.m. – 11:00 a.m.
 PLACE: Okeechobee Service Center, 205 North Parrott Ave Suite 201, Okeechobee, FL 34972
 DATE AND TIME: August 21, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Okeechobee Service Center, 205 North Parrott Ave Suite 201, Okeechobee, FL 34972

DATE AND TIME: August 28, 2008, 9:00 a.m. – 11:00 a.m.
 PLACE: Osceola Heritage Park, 1921 Kissimmee Valley Lane, Kissimmee, FL 34744

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, (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: For technical issues: Steffany Gornak, 1(863)462-5260, Extension 3010, e-mail: sgornak@sfwmd.gov; For procedural issues: Joyce Rader, Paralegal Specialist, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6259 or (561)682-6259, e-mail: jrader@sfwmd.gov

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-61.011	Policy and Purpose
40E-61.020	Scope of Part I
40E-61.021	Definitions
40E-61.023	Basin and Sub-Basin Boundaries
40E-61.024	Works of the District within the Lake Okeechobee Basin
40E-61.031	Implementation
40E-61.041	Permits Required
40E-61.042	General Permits for Use of Works of the District Within the Lake Okeechobee Basin
40E-61.051	Exemptions
40E-61.101	Content of Application for Individual and Collective Permits
40E-61.201	Permit Application Processing Fee
40E-61.301	Conditions for Issuance for Individual and Collective Permits
40E-61.321	Duration of Permits
40E-61.331	Modification
40E-61.351	Transfer
40E-61.381	Limiting Conditions

PURPOSE AND EFFECT: To amend and update specific components of Chapter 40E-61, F.A.C., the Lake Okeechobee Works of the District to clarify the District's statutory responsibilities in the administration of this program under the

Lake Okeechobee Protection Act. Amendments to these rules will eliminate any duplication between the cooperating agencies and their responsibilities under the Lake Okeechobee Protection Act. This rule development was originally noticed in Vol. 33, No. 12, March 23, 2007 edition of the Florida Administrative Weekly.

SUBJECT AREA TO BE ADDRESSED: To amend Chapter 40E-61, F.A.C., Lake Okeechobee Drainage Basin.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 668.003, 668.004, 668.50 FS.

LAW IMPLEMENTED: 373.016, 373.085, 373.086, 373.109, 373.451, 373.453, 373.4595, 668.003, 668.004, 668.50 FS.

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

DATE AND TIME: July 31, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Osceola Heritage Park, 1921 Kissimmee Valley Lane, Kissimmee, FL 34744

DATE AND TIME: August 1, 2008, 9:00 a.m. – 11:00 a.m.

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DATE AND TIME: August 21, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Okeechobee Service Center, 205 North Parrott Ave Suite 201, Okeechobee, FL 34972

DATE AND TIME: August 28, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Osceola Heritage Park, 1921 Kissimmee Valley Lane, Kissimmee, FL 34744

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, (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: For technical issues: Steffany Gornak, 1(863)462-5260, Extension 3010, e-mail: sgornak@sfwmd.gov; For procedural issues: Joyce Rader, Paralegal Specialist, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6259 or (561)682-6259, e-mail: jrader@sfwmd.gov

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.:	RULE TITLE:
61G14-19.001	Percentage of Gross Pilotage Assessed

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

SUBJECT AREA TO BE ADDRESSED: Percentage of gross pilotage to be assessed.

SPECIFIC AUTHORITY: 310.131, 310.185 FS.

LAW IMPLEMENTED: 310.131 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NOS.:	RULE TITLES:
61H1-27.002	Concentrations in Accounting and Business
61H1-27.0041	One Year of Work Experience

PURPOSE AND EFFECT: The Board proposes to review the existing language in Rule 61H1-27.002, F.A.C., to determine whether changes are necessary. The Board proposes to promulgate Rule 61H1-27.0041, F.A.C., to set forth the documentation requirements regarding the one year of work experience required for licensure.

SUBJECT AREA TO BE ADDRESSED: Concentration in Accounting and Business; One Year of Work Experience.

SPECIFIC AUTHORITY: 473.304, 473.308(4) FS.

LAW IMPLEMENTED: 473.306, 473.308(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, IF AVAILABLE, IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607

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

DEPARTMENT OF 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 Chiropractic

RULE NO.: RULE TITLE:

64B2-13.008 Retired Status License

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify language regarding the laws and rules course.

SUBJECT AREA TO BE ADDRESSED: Retired Status License.

SPECIFIC AUTHORITY: 456.036(10), 460.405 FS.

LAW IMPLEMENTED: 456.036(10) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-13.008 Retired Status License.

(1) No change.

(2) A retired status licensee may change to active status provided:

(a) No change.

(b) If the license has been in retired status for more than 5 years, the licensee must retake and pass the examination as set forth in Rule 64B2-11.001, F.A.C., and retake an approved laws and rules course as set forth in Rule ~~64B4-6.0045~~ 64B2-13.004, F.A.C.

Specific Authority 456.036(10), 460.405 FS. Law Implemented 456.036(10) FS. History--New 2-6-06, Amended.

**Section II
Proposed Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NO.: RULE TITLE:

60BB-9.121 Federal Quality Funds

PURPOSE, EFFECT AND SUMMARY: The purpose of the proposed rule development is to adopt a rule substantively similar to federal regulations governing recipients of federal funding through the Child Care and Development Fund. The federal regulations governing recipients of federal funding through the Child Care and Development Fund require that the Agency for Workforce Innovation, as Lead Agency, retain responsibility for administering the program and enumerate the responsibilities of the Agency. Further, the regulations require the Agency to expend no less than four percent of the aggregate funds received through the federal Child Care and Development Fund on quality activities defined by the regulations.

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

LAW IMPLEMENTED: 411.01(4)(c) FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), F.S.

WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: C.J. Weinman, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

60BB-9.121 Federal Quality Funds.

(1) Pursuant to 45 C.F.R. 98.11, the Agency for Workforce Innovation (the Agency) has broad authority to administer the Child Care and Development Fund program through other

governmental or non-governmental entities. In addition, the Agency can use other public or private local agencies to implement the program; however:

(a) The Agency shall retain overall responsibility for the administration of the program, as defined in subsection (2) of this rule;

(b) The Agency shall serve as the single point of contact for issues involving the administration of the grantee's Child Care and Development Fund program; and

(c) Administrative and implementation responsibilities undertaken by agencies other than the Agency shall be governed by written agreements that specify the mutual roles and responsibilities of the Agency and the other agencies in meeting the requirements of this part.

(2) In retaining overall responsibility for the administration of the program, the Agency shall:

(a) Determine the basic usage and priorities for the expenditure of Child Care and Development Fund funds;

(b) Promulgate all rules and regulations governing overall administration of the state Child Care and Development Fund Plan;

(c) Submit all reports required by the Secretary;

(d) Ensure that the program complies with the state's approved Child Care and Development Fund Plan and all applicable Federal requirements;

(e) Oversee the expenditure of funds by subgrantees and contractors;

(f) Monitor programs and services;

(g) Fulfill the responsibilities of any subgrantee in any: disallowance under 45 C.F.R. 98.60, et. seq; complaint or compliance action under 45 C.F.R. 98.90, et. seq; or hearing or appeal action under title 45 C.F.R. part 99; and

(h) Ensure that all State and local or non-governmental agencies through which the State administers the program, including agencies and contractors that determine individual eligibility, operate according to the rules established for the program.

(3) Pursuant to 45 C.F.R. 98.51, no less than four percent of the aggregate Child Care and Development Fund funds expended by the Agency for a fiscal year, and including the amounts expended in the State pursuant to 45 C.F.R. 98.53(b), shall be expended for quality activities.

(a) Quality activities may include but are not limited to:

1. Activities designed to provide comprehensive consumer education to parents and the public;

2. Activities that increase parental choice; and

3. Activities designed to improve the quality and availability of child care, including, but not limited to those described in paragraph (3)(b) of this rule.

(b) Activities to improve the quality of child care services may include, but are not limited to:

1. Operating directly or providing financial assistance to organizations (including private non-profit organizations, public organizations, and units of general purpose local government) for the development, establishment, expansion, operation, and coordination of resource and referral programs specifically related to child care;

2. Making grants or providing loans to child care providers to assist such providers in meeting applicable state, local, and tribal child care standards, including applicable health and safety requirements, pursuant to 45 C.F.R. 98.40 and 98.41;

3. Improving the monitoring of compliance with, and enforcement of, applicable state, local, and tribal requirements pursuant to 45 C.F.R. 98.40 and 98.41;

4. Providing training and technical assistance in areas appropriate to the provision of child care services, such as training in health and safety, nutrition, first aid, the recognition of communicable diseases, child abuse detection and prevention, and care of children with special needs;

5. Improving salaries and other compensation (such as fringe benefits) for full-and part-time staff who provide child care services for which assistance is provided under this part; and

6. Any other activities that are consistent with the intent of this section.

(c) Pursuant to 45 C.F.R. 98.16(h), the Agency shall describe in the state's Child Care and Development Fund Plan the activities it will fund under this subsection.

(4) Non-Federal expenditures required by 45 C.F.R. 98.53(c) are not subject to the requirement of subsection (3) of this rule.

THIS RULE SHALL TAKE EFFECT ON AUGUST 1, 2008.

Specific Authority 411.01(4)(e) FS. Law Implemented 411.01(4)(c) FS. History—New 8-1-08.

DEPARTMENT OF MANAGEMENT SERVICES

Communications and Information Technology Services

RULE NO.:

RULE TITLE:

60FF-5.002

Rural County Grants

PURPOSE AND EFFECT: The purpose and effect is to provide the requirements and approval process for the Rural County Program and to amend the application form, provide eligibility requirements, dates of grant cycles, and the specific terms and conditions of the grant request and approval process. SUMMARY: The requirements and approval process for the Rural County Program are provided. Amends the application form, provides eligibility requirements, dates of grant cycles, and the specific terms and conditions of the grant request and approval process.

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: 365.172(6)(a)11. FS.

LAW IMPLEMENTED: 365.172 (3)(6)(a), (y), 365.173(2)(g) 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: John C. Ford, Executive Director, E911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida 32399-0950

THE FULL TEXT OF THE PROPOSED RULE IS:

60FF-5.002 Rural County Grants.

The E911 Rural County Grant program is a semi-annual grant program provided for the purpose of assisting rural counties, as defined by Section 365.172(3)(y), F.S., with the installation and maintenance of an Enhanced 911 (E911) system.

(1) Eligibility. Any Board of County Commissioners in the State of Florida, with a county population of fewer than 75,000 is eligible to apply.

(2) General conditions.

(a) Each rural county applying for rural county grant funds shall complete and submit W Form 1A, "Application for the E911 Rural County Grant Program," effective 7/1/2008, which is incorporated herein by reference and which may be obtained from the E911 Board office at the following address:

State of Florida E911 Board
ATTN: Administrative Assistant
4050 Esplanade Way
Building 4030 – Suite 160
Tallahassee, Florida 32399-0950

The applicant must provide the original grant application and nine copies postmarked or delivered to the Board's Office on or before March 1 or October 1 of each year, dependant on the fall or spring application period.

(b) The E911 Board will approve grants for leased equipment only if the applicant county can demonstrate that a lease agreement would be financially beneficial to the grant program as a whole.

(c) Equipment procurement shall be based on the county's purchasing requirement and the applicable State purchasing requirements including Section 112.061, Florida Statutes.

(d) Grant applications totaling \$25,000.00 or more must be accompanied by at least three written competitive quotes from different vendors. The E911 Board will compare the three quotes to any existing state contract in order to determine appropriate funding. Any county that has made a good faith effort to obtain three competitive quotes and has not been able

to obtain the quotes can request E911 Board review based on substantiated proof of request for quotes or posting of the request with documentation of the limited responses. Sole source funding will be considered on a case-by-case basis. Justification for sole source funding should be provided with this application. Sole source will be approved if provided in accordance with Chapter 287, Florida Statutes, or with provision of a letter from the county's purchasing department that the project is a sole source procurement based on the county's purchasing requirements, which should be provided with the application.

(e) Priorities for awarding of grants will be determined by the E911 Board. Grant priorities may be adjusted by the Board and published with the grant application package three (3) months prior to the application submission date. The grant priority list is available as an addendum with the grant application at the start of each grant cycle at the address shown in paragraph (2)(a) above.

(f) The E911 Board may approve funding salary requests on an annual basis.

(g) No grant money will be awarded to be used for the purpose of paying call takers' salaries.

(h) Two or more rural counties may apply for a joint grant, but each county must complete and submit W Form 1A as requested and indicated.

(i) Grant funds shall be deposited in a bank account maintained by the grantee county, and each grant shall be assigned a unique accounting code designation for deposits, disbursements, and expenditures. All E911 Rural County Grant funds in the account shall be accounted for separately from other grantee funds. Grant funds including accrued interest may be used only between the beginning and ending dates of the grant, unless an extension is requested and authorized by the E911 Board.

(j) Grantee counties must submit quarterly reports to the E911 Board, summarizing the expenditures and activities of the grant funds. The reports are due 30 days after the end of the reporting period, which ends September 30, December 31, March 31, and June 30. In lieu of submitting a signed quarterly Grant Budget/Expenditure Report form, the updated form can be e-mailed to the Board's administrative/technical staff. The quarterly and final reports will be considered late if not received by the Board Staff prior to the next scheduled Board Meeting after the due date.

(k) At project completion, a final report shall be submitted based on the same reporting periods described above. The County shall determine the final completion date based on the final payment date or the initiation date of the warranty period. Final supporting documentation including copies of all expenditures and corresponding invoices shall be submitted within 90 days of the final report.

(l) Grant funds are not transferable to any other entity. If equipment purchased using grant funds is sold or transferred within three (3) years of the end of the grant period, the grantee county must return the grant funds to the E911 Board on a pro-data basis.

(m) The E911 Board will adjust the funds awarded to a rural county based upon eligibility of requested items, institutional knowledge of Board members, published quotes, increased effectiveness of grant funds, minimum allowable specifications for performing the needed E911 function, or other documented factors.

(3) The Rural County Grant program will operate on the following two schedules:

Spring Schedule:

Counties submit applications: by March 1

E911 Board evaluates applications: March – April

Board votes on applications at regularly scheduled meetings: March – June

Board sends notification of award and issues checks to counties approved for funding: before June 30

Fall Schedule:

Counties submit applications: by October 1

E911 Board evaluates applications: October – November

Board votes on applications at regularly scheduled meetings: October – December

Board sends notification of award and issues checks to counties approved for funding: before December 30

(4) After the grants have been awarded, the E911 Board may adjust the funds awarded to a rural county, due to the changes in E911 technology, at any time within the grant period. Adjustments may be requested with an authorized Change Request Form and appropriate cost estimates from the county. Changes shall be based on a notice of subsequent extensive changes in technology that were not available at the date of grant submission. Increased system costs shall be considered based on eligible requested items that clearly demonstrate increased effectiveness of grant funds and the proposed E911 system’s capabilities due to the changes in E911 technology.

Specific Authority 365.172(6)(a)11., 365.173(2)(g) FS. Law Implemented 365.173(2)(g) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
E911 Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John C. Ford

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 15, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 14, 2008

DEPARTMENT OF MANAGEMENT SERVICES

Communications and Information Technology Services

RULE NO.: RULE TITLE:

60FF-5.003 E911 State Grant Programs

PURPOSE AND EFFECT: The purpose and effect is to provide the requirements and approval process for the E911 State Grant Program.

SUMMARY: The requirements and approval process for the E911 State Grant Program are 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: 365.172(6)(a)11, 365.173(2)(g) FS. LAW IMPLEMENTED: 365.173(2) (g) 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: John C. Ford, Executive Director, E911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida 32399-0950

THE FULL TEXT OF THE PROPOSED RULE IS:

60FF-5.003 E911 State Grant Programs.

The E911 State Grant program is a grant program provided for the purpose of assisting State of Florida counties with the installation of Enhanced 911 (E911), Phase II and Next Generation 911 systems.

(1) Eligibility. Any Board of County Commissioners in the State of Florida,

(2) General conditions.

(a) Each county applying for E911 State Grant funds shall complete and submit W Form 3A, “Application for the E911 State Grant Program,” effective 7/1/2008, which is incorporated herein by reference and which may be obtained from the E911 Board office at the following address:

State of Florida E911 Board
ATTN: Administrative Assistant
4050 Esplanade Way
Building 4030 – Suite 160
Tallahassee, Florida 32399-0950

The applicant must provide the original grant application and nine copies postmarked or delivered to the E911 Board’s Administrative Office on or before the date specified in the announcement notification and the grant application.

(b) The E911 Board will approve grants for leased equipment only if the applicant county can demonstrate that a lease agreement would be financially beneficial.

(c) Equipment procurement shall be based on the county's purchasing requirement and the applicable State purchasing requirements including Section 112.061, Florida Statutes.

(d) Grant applications totaling \$25,000.00 or more must be accompanied by at least three written competitive quotes from different vendors. The E911 Board will compare the three quotes to any existing state contract in order to determine appropriate funding. Any county that has made a good faith effort to obtain three competitive quotes and has not been able to obtain the quotes can request E911 Board review based on substantiated proof of request for quotes or posting of the request with documentation of the limited responses. Sole sources funding will be considered on a case-by-case basis. Justification and documentation for sole-source funding should be provided with this application. Sole source will be considered if provided in accordance with Chapter 287, Florida Statutes, or with provision of a letter from the county's purchasing department that the project is a sole source procurement based on the county's purchasing requirements, which should be provided with the application.

(e) Priorities for awarding of grants will be determined by the E911 Board. Grant priorities may be adjusted by the Board and published with the grant application package three (3) months prior to the application submission date. The grant priority list is available as an addendum with the grant application at the start of each grant cycle at the address shown in paragraph (2)(a) above.

(f) No grant money will be awarded to be used for the purpose of paying county 911 salaries or call-takers' salaries.

(g) Two or more counties may apply for a joint grant, but each county must complete and submit W Form 3A as requested and indicated.

(h) Grant funds shall be deposited in a bank account maintained by the grantee county, and each grant shall be assigned a unique accounting code designation for deposits, disbursements, and expenditures. All E911 State Grant funds in the account shall be accounted for separately from other grantee funds. Grant funds including accrued interest may be used between the beginning and ending dates of the grant, unless an extension is requested and authorized by the E911 Board.

(i) Grantee counties must submit quarterly reports to the E911 Board, summarizing the grant activities. The reports are due 30 days after the end of the reporting period, which ends September 30, December 31, March 31, and June 30. In lieu of submitting a signed quarterly Grant Budget/Expenditure Report form, the updated form can be e-mailed to the Board's administrative/technical staff. The quarterly and final reports will be considered late if not received by the Board Staff prior to the next scheduled Board Meeting after the due date.

(j) At project completion, a final report shall be submitted based on the same reporting periods described above. The County shall determine the completion date based on the final

payment date or the initiation date of the warranty period. Final supporting documentation including copies of all expenditures and corresponding invoices shall be submitted within 90 days of the final report.

(k) Grant funds are not transferable to any other entity. If equipment purchased using grant funds is sold or transferred within three (3) years of the end of the grant period, the grantee county must return the grant funds to the E911 Board on a pro-rata basis.

(l) The E911 Board will adjust the amount awarded to a county based upon the availability of funds, eligibility of requested items, institutional knowledge of Board members, published quotes, increased effectiveness of grant funds, minimum allowable specifications for performing the needed E911 function, or other documented factors.

(3)(a) The E911 State Grant program will operate on the following schedule:

(b) Schedule.

Counties submit applications: by October 1

E911 Board evaluates applications: October – November

Board votes on applications at regularly scheduled meetings: October – December

Board sends notification of award and issues checks to counties approved for funding is contingent on legislative funding release.

Specific Authority 365.172(6)(a)11., 365.173(2)(g) FS. Law Implemented 365.173(2)(g) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: E 911 Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John C. Ford

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 15, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 14, 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."

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.:

RULE TITLE:

67-21.003

Application and Selection Process for Developments

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the return of funding or allocation awarded under

the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 142 of the Code and Section 420.509, Florida Statutes.

The intent of this Rule is to govern the distribution of returned awards of funding.

SUMMARY: Under certain circumstances, an Affiliate, Financial Beneficiary or Principal of an Applicant will be ineligible for any award of funding available after final ranking in the current funding cycle and in the next funding cycle.

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: 420.507, 420.508 FS.

LAW IMPLEMENTED: 420.507, 420.508, 420.509 FS.

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

DATE AND TIME: August 1, 2008, 10:00 a.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor Seltzer Room, Tallahassee, Florida 32301

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 Salmonsén. 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: Wayne Conner, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

THE FULL TEXT OF THE PROPOSED RULE IS:

67-21.003 Application and Selection Process for Developments.

(1) When submitting an Application, Applicants must utilize the Universal Application in effect at the Application Deadline.

(a) The Universal Application Package or UA1016 (Rev. 9-08 ~~3-08~~) is adopted and incorporated herein by reference and consists of the forms and instructions, obtained from the Corporation, for a fee, at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, or available, without charge, on the Corporation's Website under the 2008 Universal Application link labeled Instructions and Application, which

shall be completed and submitted to the Corporation in accordance with this rule chapter in order to apply for the MMRB Program.

(b) No change.

(2) through (29) No change.

Specific Authority 420.507(12), 420.508(3)(a) FS. Law Implemented 420.502, 420.507(4), (13), (14), (18), (19), (20), (21), (24), 420.508 FS. History--New 12-3-86, Amended 12-4-90, 11-23-94, 9-25-96, 1-7-98, Formerly 9I-21.003, Amended 1-26-99, 11-14-99, 2-11-01, 3-17-02, 4-6-03, 3-21-04, 2-7-05, 1-29-06, 4-1-07, 3-30-08, _____.

The 2008 Universal Application Instructions beginning on page 98 will be amended to read as follows:

Ranking and Selection Criteria

A. No change.

B.1.a. through e.(5) No change.

(6) Funds available after the Board approves the final ranking will be allocated as follows:

(a) through (c) No change.

Notwithstanding the foregoing, an Affiliate, Financial Beneficiary or Principal of an Applicant will be ineligible for any award of funding available after final ranking in the current funding cycle if:

(i) The Applicant awarded full funding for the current funding cycle declined the invitation to enter credit underwriting prior to October 31, 2008; or

(ii) The Applicant awarded funding in the current funding cycle accepts the invitation to enter credit underwriting and returns the award of funding at any future date; or

(iii) The Applicant awarded funding in the current funding cycle accepts the invitation to enter credit underwriting but receives a negative recommendation from the Credit Underwriter as outlined in Rules 67-48.0072 and 67-21.014, F.A.C., regarding the proposed Development; or

(iv) The Applicant withdraws its Application from consideration during the period beginning 5:00 p.m., Eastern Time, 14 Calendar Days prior to the date the Board is scheduled to convene to consider approval of the final ranking of the Applications and ending October 31, 2008.

If funding is denied because of (i), (ii), (iii) or (iv) above, during the next funding cycle after such event occurs and prior to the selection of Applications within the Small, Medium, and Large County Geographic Set-Asides, all unfunded eligible Applications competing in the Geographic Set-Asides will be listed together. The Application(s) from an Affiliate, Financial Beneficiary or Principal of the Applicant involved in (i), (ii), (iii) or (iv) above with the lowest (best) lottery number in a number equal to the number of Applications involved in (i), (ii), (iii) or (iv) above will be ineligible for funding. Once the equivalent number of Applications has been deemed ineligible, any remaining eligible Applications from said Affiliate, Financial Beneficiary or Principal of the Applicant will be considered for funding.

(d) No change.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Wayne Conner, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Stephen P. Auger, Executive Director, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 34, No. 20, May 16, 2008

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: 67-48.004
RULE TITLE: Application and Selection Procedures for Developments

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the return of funding or allocation awarded under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes, and the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

The intent of this Rule is to govern the distribution of returned awards of funding.

SUMMARY: Under certain circumstances, an Affiliate, Financial Beneficiary or Principal of an Applicant will be ineligible for any award of funding available after final ranking in the current funding cycle and in the next funding cycle.

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: 420.507 FS.

LAW IMPLEMENTED: 420.5087, 420.5099 FS.

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

DATE AND TIME: August 1, 2008, 10:00 a.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor Seltzer Room, Tallahassee, Florida 32301

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. 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: Deborah Dozier Blinderman, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

THE FULL TEXT OF THE PROPOSED RULE IS:

67-48.004 Application and Selection Procedures for Developments.

(1) When submitting an Application, Applicants must utilize the Universal Application in effect at the Application Deadline.

(a) The Universal Application Package or UA1016 (Rev. ~~9-08~~ ~~3-08~~) is adopted and incorporated herein by reference and consists of the forms and instructions, obtained from the Corporation, for a fee, at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, or available, without charge, on the Corporation's Website under the 2008 Universal Application link labeled Instructions and Application, which shall be completed and submitted to the Corporation in accordance with this rule chapter in order to apply for the SAIL, HOME, HC, or SAIL and HC Program(s).

(b) No change.

(2) through (21) No change.

Specific Authority 420.507, 420.507(22)(f) FS. Law Implemented 420.5087, 420.5087(6)(c), 420.5089, 420.5089(6), 420.5099, 420.5099(2) FS. History—New 7-22-96, Amended 12-23-96, 7-10-97, 1-6-98, Formerly 9I-48.004, Amended 4-7-98, 11-9-98, 2-24-00, 2-22-01, 3-17-02, 4-6-03, 3-21-04, 2-7-05, 1-29-06, 4-1-07, 3-30-08, _____.

The 2008 Universal Application Instructions beginning on page 98 will be amended to read as follows:

Ranking and Selection Criteria

A. No change.

B.1.a. through e.(5) No change.

(6) Funds available after the Board approves the final ranking will be allocated as follows:

(a) through (c) No change.

Notwithstanding the foregoing, an Affiliate, Financial Beneficiary or Principal of an Applicant will be ineligible for any award of funding available after final ranking in the current funding cycle if:

(i) The Applicant awarded full funding for the current funding cycle declined the invitation to enter credit underwriting prior to October 31, 2008; or

(ii) The Applicant awarded funding in the current funding cycle accepts the invitation to enter credit underwriting and returns the award of funding at any future date; or

(iii) The Applicant awarded funding in the current funding cycle accepts the invitation to enter credit underwriting but receives a negative recommendation from the Credit Underwriter as outlined in Rules 67-48.0072 and 67-21.014, F.A.C., regarding the proposed Development; or

(iv) The Applicant withdraws its Application from consideration during the period beginning 5:00 p.m., Eastern Time, 14 Calendar Days prior to the date the Board is scheduled to convene to consider approval of the final ranking of the Applications and ending October 31, 2008.

If funding is denied because of (i), (ii), (iii) or (iv) above, during the next funding cycle after such event occurs and prior to the selection of Applications within the Small, Medium, and Large County Geographic Set-Asides, all unfunded eligible Applications competing in the Geographic Set-Asides will be listed together. The Application(s) from an Affiliate, Financial Beneficiary or Principal of the Applicant involved in (i), (ii), (iii) or (iv) above with the lowest (best) lottery number in a number equal to the number of Applications involved in (i), (ii), (iii) or (iv) above will be ineligible for funding. Once the equivalent number of Applications has been deemed ineligible, any remaining eligible Applications from said Affiliate, Financial Beneficiary or Principal of the Applicant will be considered for funding.

(d) No change.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Deborah Dozier Blinderman, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Stephen P. Auger, Executive Director, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32031-1329, (850)488-4197

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 30, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 34, No. 20, May 16, 2008

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: 5E-14.142
RULE TITLE: Responsibilities and Duties – Records, Reports, Advertising, Applications

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 14, April 4, 2008 issue of the Florida Administrative Weekly.

5E-14.142 Responsibilities and Duties – Records, Reports, Advertising, Applications.

(1) No change.

(2) Reports:

(a) through (b) No change.

(c) Termite or other wood-destroying organism inspection report:

Pursuant to Sections 482.226(1), (2), (4) and (5), F.S., each licensee having a certified operator certified in the category of termite or other wood-destroying organism control and who makes and reports the findings of a wood-destroying organism inspection in writing shall provide the party requesting the inspection with the inspection findings on the Wood-Destroying Organisms Inspection Report prescribed by the Department and furnished by the licensee, DACS 13645, Rev. ~~05/08-02/04~~, which is incorporated by reference and available on the department’s website under the header “Forms” at <http://www.doacs.state.fl.us/onestop/aes/pestcont.html>. The licensee shall not place any disclaimers or additional language on the Wood-Destroying Organisms Inspection Report. The licensee shall inspect for all wood-destroying organisms as defined in Section 482.021(28), F.S., in accordance with the following inspection standards:

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

(3) through (8) No change.

Specific Authority 482.051 FS. Law Implemented 482.071, 482.091, 482.161(1)(g), 482.226(1), (2), (4), (5), (6) FS. History–New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, 4-29-02, 4-17-03, 6-2-04, 6-1-06,_____.

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 MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NO.: RULE TITLE:
60BB-9.121 Federal Quality Funds

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 24, June 13, 2008 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 JUVENILE JUSTICE

Residential Services

RULE NO.: RULE TITLE:
63E-7.002 Definitions

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. 22, May 30, 2008 issue of the Florida Administrative Weekly.

63E-7.002 Definitions.

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

(1) through (19) No change.

(20) Controlled Observation – An immediate, short-term crisis management strategy, not authorized for use intended as punishment or discipline, wherein a youth in a residential commitment program is placed in a safe and secure room in response to his or her a sudden or unforeseen onset of behavior that substantially threatens the physical safety of others and compromises security ~~creating a volatile situation that requires staff to quickly regain control to avert serious injuries, security breaches, or major property destruction. A program is authorized to use this strategy only when non-physical interventions with the youth would not be effective and during emergency safety situations where there is imminent risk of the youth physically harming himself or herself, staff, or others, or when the youth is engaged in major property destruction that is likely to compromise the security of the program or jeopardize the youth's safety or the safety of others.~~

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

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

(21) through (22) No change.

(23) Delinquency Intervention Services – Those services implemented or delivered by program staff to address youths' performance plan goals. The intent of delinquency intervention services is to make communities safer by re-socializing youth and increasing their accountability through opportunities to learn prosocial norms and develop cognitive reasoning and other competencies that enable youth to make prosocial choices and live responsibly in the community.

(24) through (87) No change.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: RULE TITLE:
64B-1.005 Licensure Examination Format;
Examination Procedures for
Candidates with Disabilities

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. 4, January 25, 2008 issue of the Florida Administrative Weekly.

The changes are in response to comments from staff of the Joint Administrative Procedures Committee.

The changes are as follows:

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

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

(3)(a) Candidates requesting special testing accommodation due to a disability shall file a request for special testing accommodation no later than sixty (60) days prior to the first day of the examination on form DH-MQA 4000, 6/08, Application For Candidates Requesting Special Testing Accommodations in Accordance with the Americans with Disabilities Act, for which special testing accommodation is requested. Form DH-MQA 4000, 6/08 is hereby incorporated by reference, and can be obtained from the Division of Medical Quality Assurance, Bureau of Operations, Testing Services, 4052 Bald Cypress Way, Bin C-90, Tallahassee, Florida 32399-3290. If a candidate becomes disabled after the sixty-day deadline has passed and that candidate has not requested special accommodation, the department will provide any such requested accommodation that can be made available without posing undue burden or

jeopardizing the security and integrity of the examination. However, in no event will accommodation be provided to exam candidates requesting special accommodation ten (10) days or less, before the examination.

(b) In addition to form DH-MQA 4000, 6/08, the candidate shall provide the department with documentation of their disability completed by a practitioner licensed pursuant to Chapter 490, (Psychology), Chapter 458 (Medical Practice), Chapter 459 (Osteopathy), Chapter 461 (Podiatry), Chapter 463 (Optometry), Chapter 468, Part I (Speech-Language Pathology & Audiology), or Chapter 460 (Chiropractic Medicine), Florida Statutes, or by a comparable practitioner licensed in another jurisdiction in the United States. Such documentation shall be sufficient to allow an independent reviewer to evaluate the diagnosed condition(s) and shall include:

1. The diagnosis and duration of the candidate’s condition;
2. The name of the test(s) used for diagnosis; and
3. Recommendations regarding appropriate accommodations and testing environment.
4. Reasonable accommodations shall be made for candidates who qualify. All accommodations must be directly linked to the amelioration of the identified functional limitations caused by the asserted disability. Permissible accommodations include:

a. Additional Time: Provided for candidates requiring extra time to take an examination. However, in no event shall a candidate be provided an untimed examination.

b. Alternate Setting: Individual and small group examination administrations shall be available to qualified candidates.

c. Alternate Recording of Responses: The candidate’s responses can be recorded by a proctor or by another method approved by the department. In the event answer sheets are machine-scored, the proctor shall transcribe the candidate’s responses onto a machine-scannable answer sheet. In these instances, the candidate will verify that the answer marked was the candidate’s intended option.

d. Alternate Format: The test booklet can be produced in an appropriate manner as approved by the department on a case-by-case basis, based on the practitioner’s recommendation.

e. Assistive Devices: The candidate will be allowed to use appropriate assistive devices approved by the department based on the practitioner’s recommendation.

(4) through (6) No change.

(7) Candidates requesting special testing accommodation due to religious beliefs shall submit their request to the department no later than sixty (60) days from the date of the first day of the examination on form DH-MQA 4001, 6/08, Application For Special Testing Accommodations Due to a Religious Conflict for which special testing accommodation is requested. Form DH-MQA 4001, 6/08 is hereby incorporated

by reference, and can be obtained from the Division of Medical Quality Assurance, Bureau of Operations, Testing Services, 4052 Bald Cypress Way, Bin C-90, Tallahassee, Florida 32399-3290. If the sixty-day deadline has passed and that candidate has not requested special accommodation, the department will provide any such requested accommodation that can be made available without posing undue burden or jeopardizing the security and integrity of the examination. However, in no event will accommodation be provided to exam candidates requesting special accommodation ten (10) days or less, before the examination.

(8) No change.

Specific Authority 456.004(5), 456.017(1) FS. Law Implemented 456.017(1) FS. History—New 9-7-98, Amended 7-20-03,_____

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-24.001
 RULE TITLE: Initial Certification for Podiatric X-Ray Assistants

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. 8, February 22, 2008 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (1) shall now read as follows:

(1) Each applicant for initial certification as a podiatric x-ray assistant shall submit an application, on form DH-MQA 1026, entitled, “Application For Certified Podiatric X-Ray Assistant,” which is hereby incorporated by reference, effective 6/2008, copies of which may be obtained from the Board of Podiatric Medicine’s website http://www.doh.state.fl.us/mqa/podiatry/po_applications.html and shall include:

(a) A certification fee of \$75.00; and

(b) The name(s) of the applicant’s supervising Florida licensed podiatric physician(s).

2. Subsection (2) shall now read as follows:

(2) Any change of supervisor must be reported by the applicant/certified podiatric x-ray assistant to the Board within 30 days of the change on form DH-MQA 1118, entitled, “Update Supervisor for Certified Podiatric X-ray Assistant,” which is hereby incorporated by reference, effective 2/08, and can be obtained from the Board of Podiatric Medicine’s website: http://www.doh.state.fl.us/mqa/podiatry/po_applications.html.

3. Section 120.52(9), F.S., will be removed from the Law Implemented.

4. Section 456.064, F.S., will be removed from the Law Implemented.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

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. 23, June 6, 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 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, 2007, Vol. 33, No. 52.

FINANCIAL SERVICES COMMISSION

Office of Financial 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

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 25, June 20, 2008 issue of the Florida Administrative Weekly. The legislation that passed during the 2008 regular legislative session that relates to debt cancellation products is House Bill 343 (HB 343) not House Bill 347 (HB 347).

**Section IV
Emergency Rules**

DEPARTMENT OF STATE

Division of Elections

RULE NO.:	RULE TITLE:
1SER08-4	Post-Election Certification Voting System Audit

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Pursuant to Section 120.54(4)(b), Florida Statutes, this emergency rule pertains to the public health, safety, and welfare as it involves the interpretation and implementation of the requirements of Chapters 97-102 and 105 of the Florida Election Code.

In 2007, the Florida Legislature substantially revised Section 101.591, F.S. (s. 8, Chapter 2007-30, Laws of Florida), relating to voting system audits. The current provision provides that the Legislature may direct that an independent audit be conducted of a voting system in any county at any time. Beginning July 1, 2008, the Florida Legislature requires for every election that a voting system audit be conducted in every county after the election results have been certified. The county canvassing board or other local canvassing board must conduct an audit of a voting system by randomly selecting a race and precincts and tallying the votes cast. The board must complete the audit and publicize the results within 7 days. The board is then required to follow-up with a more detailed audit report to submit to the Florida Department of State within 15 days after the audit is completed. Under Section 101.5911, Florida Statutes, the Florida Legislature tasked the Department of State with

adopting rules to provide the necessary uniform procedures for conducting the manual audit including providing a format for the audit report.

However, in accordance with section 5 of the Voting Rights Act, the Department had to submit the underlying statutory provision as part of chapter law 2007-30, Laws of Florida, to the U.S. Department of Justice for preclearance and a determination that the law did not discriminate on account of race, color, or membership in a language minority group. In the interim, the Florida Department of State enlisted the assistance of the Florida State Association of Supervisors of Elections to identify issues and parameters as groundwork for the proposed rule language.

Shortly after the U.S. Department of Justice pre-cleared the provision October 29, 2007, the Florida Department of State held the first of two proposed rule development workshops on November 29, 2007. Another proposed rule development workshop was held on May 12, 2008.

Significant efforts were undertaken to devise a comprehensive rule that would accommodate a number of logistical issues including the different voting systems used in the state, the different methods by which ballots are tabulated by precinct, and the differences inherent in election processes in small, medium and large-size counties. The proposed language reflects input from the various stakeholders who either attended the workshops or submitted written comments. The proposed language is ready to be published for the next phase of rule development, i.e., public hearing on the proposed rule.

There is insufficient time, however, for the proposed rule to be noticed for the public hearing and adopted prior to the effective date of the underlying law on July 1, 2008, under the normal current rule-making process under chapter 120, Florida Statutes. Therefore, an Emergency Rule is necessary to ensure that the procedures are in place for the county canvassing boards and local canvassing boards to conduct voting system audits for upcoming elections after July 1, 2008, in accordance with Section 101.591, F.S. Absent this emergency rule, there will be no uniform methodology for conducting voting system audits in the state which will undermine the legislative intent and purpose of ensuring the integrity and fairness of the elections process including ensuring the accuracy of voting systems. Based on the foregoing, the Department of State finds that the adoption of this rule is necessary to prevent an immediate danger to the public health, safety and welfare.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Division of Elections is aware of the rulemaking procedures prescribed by Section 120.54, Florida Statutes. That process requires advance notice to the general public of intended rules and the opportunity to submit comments on the intended rule, prior to the agency's adoption of the rule. The time period for general rulemaking takes at least 60 days and will prevent the timely amendment and adoption of a rule needed to have procedures

in place by July 1, 2008. This emergency rule is based on language developed during the ongoing regular rulemaking process for Rule 1S-5.026, F.A.C., entitled similarly and reflects input from the public. This emergency rule will provide the county canvassing board or local canvassing board with the specific procedures necessary to conduct voting system audits and the time to become sufficiently familiar with the procedures to conduct a voting system audit in any election held after July 1, 2008, including the Primary Election held on August 26, 2008.

SUMMARY: This emergency rule provides the specific procedures necessary to implement the legislative intent to conduct a voting system audit in every election by randomly selecting a race and precincts to report on the overall accuracy of such system and to identify any problems or discrepancies, if any.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Maria Matthews, Assistant General Counsel, Division of Elections, Department of State, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399, (850)245-6536; mimatthews@dos.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

1SER08-4 Post-Election Certification Voting System Audit.

(1) General application. The provisions of this rule apply to a manual audit of a voting system to be conducted after certification of an election. The purpose of the manual audit is to ensure that the voting system deployed in the election tabulated all votes properly. A manual audit is not required in any election in which only paper ballots are used and are not tabulated by a voting system.

(2) Definitions. For purposes of this rule only, the term:

(a) "Audit team" means a two-person team that manually sorts and tallies the votes. The audit team may consist of employees of the supervisor of elections, poll workers or other temporary personnel acting under the direction of the county or other local canvassing board.

(b) "Ballot image" means an electronic record of the content of a ballot cast by a voter and recorded by the voting device.

(c) "Ballot image report" means the printout of ballot images for each machine or precinct generated.

(d) "Board" means the county canvassing board or other local board responsible for certifying the election. The board shall be governed by the provisions of Section 102.141, Florida Statutes, including the process for substitution in the event a member is unable to serve.

(e) "Manual audit" means a public manual tally of the votes cast in one randomly selected race that appears on a ballot in one or more randomly selected precincts.

(f) "Marksense ballot" means the printed sheet of paper, used in conjunction with an electronic or electromechanical vote tabulation voting system, containing the names of candidates, or an issue such as a proposed constitutional amendment or other public measure submitted to the electorate at any election, on which an elector casts his or her vote.

(g) "Race" means any contest for filling a candidate office or voting on an issue. Races for state or county executive committees of political parties are not included since these races do not constitute races for candidates pursuant to Section 97.021(4), F.S.

(3) Forms.

(a) The following forms are used in this rule and are incorporated by reference:

1. Form DS-DE 105 A, entitled "Audit Team Worksheet for Direct Recording Electronic Ballots" (eff. 07/08).

2. Form DS-DE 105 B, entitled "Audit Team Worksheet for Marksense Ballots" (eff. 07/08).

3. Form DS-DE 106, entitled "Precinct Summary" (eff. 07/08).

4. Form DS-DE 107 entitled "Post-Election Certification Voting System Audit Report" (eff. 07/08).

(b) Copies of the forms may be obtained from the Division of Elections, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, from the Division of Elections website at: <http://election.dos.state.fl.us>, or by contacting the Division of Elections at (850)245-6200.

(4) Board duties. The Board must:

(a) Publish at least a 24-hour advance notice of the meeting to conduct the random race and precinct selection and the meeting to conduct the manual audit. The notice may be published before the official certification of the election results but neither the random selection nor the manual audit can occur until after the certification. The notice shall include the date, time and place for each meeting. Notice shall be posted in four conspicuous places in the county and on the home page of the county supervisor of elections' website. A link to the notice on the county supervisor of election's homepage will satisfy the website notice requirement.

(b) Conduct, complete and make available the results of a manual audit of a voting system no later than 11:59 p.m. of the 7th day following the official certification of election results.

(c) Submit to the Department of State a report of the audit results in accordance with the report format prescribed in subsection (10) within 15 days after the manual audit is completed.

(5) Random Selection of Race and Precincts.

(a) The Board shall determine the method of random selection of the race and precincts to be audited. The selection method must be done manually and independent of any software program, and on a random basis using a uniform distribution in which all races have an equal chance of being selected and all precincts in which the selected race appears

have an equal chance of being selected. The selection method should be done in a way that the public is assured that all races as defined in rule that appear on the ballot are included in the random selection of the race, and that all precincts containing the selected race are included in the random selection of the precinct or precincts.

(b) The Board shall first randomly select a race from all available races on the ballots. In the event that multiple municipal or other local elections are held on the same day in a county and the county canvassing board certifies the elections, one manual audit will cover all elections held on that day and all races involved in the elections shall be available for selection of the race and precincts.

(c) The Board shall next randomly select two percent of the precincts in which the selected race appears. If two percent of the precincts equals less than a whole number, the number of precincts to be audited shall be rounded up to the next whole number.

(6) General Procedures.

(a) A majority of the Board shall be present at all times until the manual audit is completed.

(b) Prior to the beginning of the manual audit, the Board shall jointly review the rules and statutes governing audit procedures. The Board shall also review the security procedures for manual audits established by the Supervisor of Elections pursuant to subsection (11).

(c) The Board shall ensure that, at a minimum, the minutes of the manual audit proceedings are taken and promptly recorded and maintained.

(d) The Board shall conduct the manual audit in a room large enough to accommodate the following, at a minimum: the board, the audit teams and, if present, two public observers per audit team. If a large public turnout is anticipated, the Board should take reasonable steps to select the largest available public meeting room to accommodate the turnout. In the event that the room is not large enough to accommodate all public observers present, the Board shall provide for the random selection of the observers from among those present just prior to the beginning of the manual audit. The observers shall be allowed to witness the audit team's activities but may not interfere with the proceedings. The Board shall announce the procedures that will allow any departing public observers to be replaced by other observers.

(e) The Board may adopt reasonable rules and policies to ensure the public does not interfere or otherwise disturb the manual audit, including taking whatever reasonable action is necessary to have disruptive and unruly persons removed by law enforcement officials.

(f) The Board shall appoint as many audit teams as necessary to assist in the manual audit. The Board shall resolve any disagreement on the handling or processing of a ballot by an audit team.

(g) No person except the Board, an employee of the Supervisor of Elections or a member of an audit team shall handle any ballot or ballot container, or interfere with or obstruct the orderly manual audit.

(h) To the extent possible, the certified result from the selected race and precinct(s) to be audited shall not be disclosed in advance to the audit teams.

(7) Specific procedures-direct recording electronic voting machine ballots. The Board and the audit teams shall follow these specific audit procedures for votes cast on direct recording electronic machines:

(a) The Board shall order the printing of one official copy of the ballot image report from each machine to be audited. The ballot image shall constitute the ballot for purposes of the tally in accordance with this subsection.

(b) The Board shall differentiate among the various voter's choices in the selected race by assigning a distinct color code to each possible choice in that race.

(c) The audit team shall highlight the voter's choice on the ballot image report in accordance with the assigned color code.

(d) The audit team shall then tally the results and write the number of votes for each candidate or issue choice on the Audit Team Worksheet for DRE Ballots (DS-DE 105 A).

(e) The audit team shall otherwise examine the ballot images and follow the procedures used under subsection (8) for tallying and recording the votes.

(8) Specific procedures-optical scan machine ballots. The Board and the audit teams shall follow these specific audit procedures for votes cast on optical scan machines:

(a) The manual audit shall include a tally of the selected race for the selected precinct or precincts of ballots cast on Election Day and during the Early Voting period, absentee ballots (to include absentee ballots cast by uniformed and overseas citizens), and provisional ballots.

(b) The tally shall be of the marksense ballots that were tabulated by the voting system.

(c) Ballots cast at the precinct on Election Day, early voted ballots, absentee ballots and provisional ballots for each precinct shall be audited separately.

(d) In order to distinguish between errors attributable to improper marking of the ballot versus voting system tabulation error, each audit team shall examine a ballot and if in agreement, shall place a ballot into one of the following stacks:

1. Ballots on which the voter overvoted in the selected race.

2. Ballots on which the voter undervoted in the selected race.

3. Ballots on which the voter marked the race in a manner that should have been read by the voting system tabulator as agreed by the team.

4. Ballots on which the voter marked the race in a manner that might not have been read by the voting system tabulator (deemed questionable ballots).

(e) The audit team shall sort further the ballots stacked pursuant to subparagraph (8)(d)3. according to the voter's choice in the selected race. For example, all ballots with votes for Candidate A are placed in one stack and all ballots with votes for Candidate B are placed in another stack. The audit team members shall then tally the number of ballots in each of those stacks and write the number of votes for each candidate or issue choice in the specific race on the Audit Team Worksheet for Marksense Ballots (DS-DE 105 B).

(f) The audit team members shall also tally the number of ballots for each stack as separated in subparagraphs (8)(d)1., 2., and 4. and write the number of ballots in each stack on the Audit Team Worksheet for Marksense Ballots (DS-DE 105 B).

(g) The manual audit shall continue until completed. A recess may be called but procedures, established by the supervisor of elections, for securing the tally results and ballots shall be followed during the recess.

(9) Results Compilation. After the audit team has finalized its tally, the Board shall compile the results and compare the manual tally under subsections (7) and (8) to the official vote totals for the selected race in the selected precinct(s).

(a) If the manual tally and official vote totals match for that precinct, this result is to be listed on the Precinct Summary form (DS-DE 106).

(b) If the manual tally and official vote totals do not match, the Board shall review the official totals and the stack set out pursuant to subparagraph (8)(d)1., 2., and 4. to determine if the difference can be reconciled. If the re-tally and totals still do not match, the Board shall direct a different audit team, if available, to conduct a manual re-tally. If the re-tally and totals still do not match, the Board shall direct the audit team, to review the paper ballot tabulator printed tapes or reports for the number of ballots cast in the selected race and precinct(s). If the number of ballots cast in the selected race from the printed tapes or reports does not match the number of ballots audited, the canvassing board shall take the steps necessary to resolve the discrepancy. If that tally and official totals still do not match, that manual tally and difference are to be noted on the Precinct Summary form (DS-DE 106).

(10) Audit Report. The Board shall submit its report to the Department of State using the "Post-Election Certification Audit Report" (DS-DE 107). Each audit report shall be accompanied by a completed Precinct Summary form (DS-DE 106) for each precinct audited. The report shall also include a description of:

(a) The overall accuracy of the audit.

(b) Problems or discrepancies encountered, if any.

(c) The likely cause of any problems or discrepancies encountered, if any.

(d) Recommended corrective or remedial actions for any problems or discrepancies encountered, for purposes of avoiding or mitigating such problems or discrepancies in future elections.

(11) Security procedures. Each county shall include in its security procedures pursuant to Section 101.015, F.S., procedures relating to the security of ballots, chain of custody controls, protocols for authorized access and secure storage of ballots used in the manual audit.

(12) Effective date. This rule is effective July 1, 2008.

Specific Authority 20.10(3), 97.012(1), 101.591, 101.5911 FS. Law Implemented 101.591 FS. History--New 7-1-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: July 1, 2008

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.:	RULE TITLE:
12DER08-18	Forms for Use in the Maximum Millage Calculations Required by Section 200.185, F.S., Chapter 2007-321, and Chapter 2008-173 (Senate Bill 1588), Laws of Florida

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2007-321 and Chapter 2008-173 (Senate Bill 1588), Laws of Florida, authorized the Department of Revenue to adopt emergency rules that could remain in effect for 18 months and that could be renewed. These acts further provided that all conditions imposed by Chapter 120, Florida Statutes, were deemed to be met.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the Department of Revenue to adopt emergency rules that implement the provisions of Chapter 2007-321 and Chapter 2008-173 (Senate Bill 1588), Laws of Florida. The law provides that these emergency rules remain in effect for a period of 18 months and that they may be renewed. The forms included here are based on the requirements of Chapter 2008-173 (Senate Bill 1588), Laws of Florida, as passed by the 2008 Legislature, and will replace the forms used in previous years. The Department of Revenue has taken several actions to inform interested parties about the forms, procedures, and emergency rules that are being developed to implement this new law, and to give such parties an opportunity to review and comment. These interested parties include Property Appraisers and the professional associations that represent them, counties, municipalities, and independent districts, their associations, and practitioners who have told the Department that they want to receive all information associated

with property tax rulemaking. The actions that the Department has taken include: making the proposed drafts available via the Internet on two separate occasions for public review and comments, establishing a new Department email address to make it easier for interested parties to submit comments and questions to the agency; emailing copies of the draft forms to interested parties, as well as receiving and incorporating public comments on the drafts of forms DR-420MM-P, DR-420, DR-420TIF, and DR-420VMA.

SUMMARY: Emergency Rule 12DER08-18, (Forms for Use in the Maximum Millage Calculations Required by Section 200.185, Florida Statutes, Chapter 2007-321, and Chapter 2008-173 (Senate Bill 1588), Laws of Florida. This rule requires certain actions to be taken by local governments and officials. This rule adopts and incorporates by reference certain millage levy calculation forms to be used by each county, municipality, independent special district and their related dependent special districts, municipal service taxing units, and each local taxing authority.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Renee Harkins, Department of Revenue, Property Tax Technical Unit, 725 S. Calhoun Street, Tallahassee, Florida 32399-0100; telephone (850)414-6104; fax (850)488-9482; email address: harkinre@dor.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

12DER08-18 Forms for Use in the Maximum Millage Calculations Required by Section 200.185, F.S., Chapter 2007-321, and Chapter 2008-173 (Senate Bill 1588), Laws of Florida.

(1)(a) Emergency Rule 12DER08-18 applies to the property tax administered under Chapters 192 through 197, 200, and 218, Florida Statutes, Chapter 2007-321, and Chapter 2008-173 (Senate Bill 1588), Laws of Florida, relating to certain actions required to be taken by local governments and officials under those provisions of law.

(2) This rule subsection adopts and incorporates by reference the following millage levy calculation forms:

(a) Form DR-420MM-P, Maximum Millage Levy Calculation-Preliminary Disclosure (N. 06/08), hereby incorporated by reference, is the form to be completed by each county, municipality, and independent special district and their related dependent special districts and municipal service taxing units and submitted to the Property Appraiser. This form is used to calculate the government's and related governmental units' maximum millages based on the anticipated vote of the governing body.

(b) Form DR-420, Certification of Taxable Value (R. 06/08), hereby incorporated by reference, is the form to be used by each Property Appraiser to certify taxable value and to be used by each local taxing authority to certify property tax millages and rates.

(c) Form DR-420TIF, Tax Increment Adjustment Worksheet (R. 06/08), hereby incorporated by reference, is the form to be used by each Property Appraiser and taxing authority to determine and certify tax increment values for the applicable local taxing authorities in the county.

(d) Form DR-420VMA, Voted Millage Addendum (N. 06/08), hereby incorporated by reference, is the form to be used by each Property Appraiser and taxing authority to report voted millage levies.

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

Specific Authority Section 9 of Ch. 2007-321, L.O.F., Section 13 of Ch. 2008-173 (Senate Bill 1588), L.O.F. Law Implemented Sections 1 through 11 of Ch. 2007-321, L.O.F. Sections 11-12 of Ch. 2008-173 (Senate Bill 1588), L.O.F. History–New 6-27-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: June 27, 2008

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-40 RULE TITLE: Summer Cash™

SUMMARY: The Department of the Lottery will conduct a “Summer Cash” promotion between Monday, June 30, 2008 and Tuesday, August 26, 2008, in which cash and other prizes will be awarded.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-40 Summer Cash™.

(1) Beginning June 30 through August 26, 2008, players who purchase a \$5 Summer Cash™ ticket will have the opportunity to win the following prizes:

- 8 – \$250,000 prizes
- 40 – “Gas for Life” prizes (\$52,000 minimum value)
- 400 – “Gas for a Year” prizes (\$2,600 value)
- Over 100,000 – \$25 instant winners

The actual number of instant prizes awarded, and the odds of winning any prize in Summer Cash will depend upon the number of tickets sold during the game period.

(2) Instant \$25 Cash Prize Coupon.

(a) When a ticket is produced that entitles the player to an instant Summer Cash prize of \$25, a special message “You’re A Summer Cash Winner” will play on the terminal and the ticket will contain a Lottery Prize Alert symbol and a message that the ticket holder is an instant winner. A Cash Prize Coupon will automatically print along with the Summer Cash ticket. Should any issues arise concerning the transaction and/or prize, it is the player’s responsibility to seek resolution of these issues with the retailer and the Lottery prior to leaving the retail location.

(b) Winners can redeem an instant \$25 Cash Prize Coupon at any Florida Lottery retailer or any Florida Lottery office, or call (850)487-7777 [TDD (850)487-7784] for instructions on how to claim the Cash Prize Coupon by mail. In the event of a dispute concerning the type or amount of a prize, the transaction serial number shall control.

(c) Winners must redeem Cash Prize Coupons by October 25, 2008.

(3) Summer Cash Weekly Drawings.

(a) Each Summer Cash ticket will bear a unique ticket number that will be automatically entered into the current week’s drawing. Summer Cash tickets will automatically print from the terminal with ticket numbers issued in sequential order as they are sold around the state. Each Summer Cash ticket will contain only one ticket number. Players cannot select their own ticket numbers. The weekly draw schedule shall be as follows:

<u>DRAW #</u>	<u>DRAW DATE</u>	<u>FROM TICKET NUMBERS ISSUED</u>
<u>1</u>	<u>July 9</u>	<u>June 30 – July 8</u>
<u>2</u>	<u>July 16</u>	<u>July 9 – July 15</u>
<u>3</u>	<u>July 23</u>	<u>July 16 – July 22</u>
<u>4</u>	<u>July 30</u>	<u>July 23 – July 29</u>
<u>5</u>	<u>August 6</u>	<u>July 30 – August 5</u>
<u>6</u>	<u>August 13</u>	<u>August 6 – August 12</u>
<u>7</u>	<u>August 20</u>	<u>August 13 – August 19</u>
<u>8</u>	<u>August 27</u>	<u>August 20 – August 26</u>

For each drawing, a total of fifty-six (56) ticket numbers will be selected. The first ticket number drawn will be entitled to a prize of \$250,000; the second through sixth numbers drawn will be entitled to prizes of "Gas for Life"; and the seventh through fifty-sixth numbers drawn will be entitled to prizes of "Gas for a Year."

(b) A prizewinner possessing a Summer Cash ticket bearing one of the 56 ticket numbers drawn must present the winning ticket to a Florida Lottery office within 180 days of the winning draw date, along with a completed Winner Claim Form DOL 173-2, or DOL 173-2S (together referred to as the "claim package") which are hereby incorporated by reference and may be obtained from any Lottery retailer, Lottery office or from the Lottery's web site at www.flalottery.com. Failure of a prizewinner to file a claim for a Summer Cash prize within 180 days of the winning draw date shall result in forfeiture of the prize.

(c) "Gas for Life" prizewinners will receive prepaid gas cards in increments of \$100 each once a year for life with a minimum of 20 years. The value of the gas cards received will be the annual value of \$2,600 less applicable tax withholding. Any excess amount not divisible into a \$100 gas card will be paid in cash. A cash option of \$52,000, less applicable tax withholding, is available to winners in lieu of the "Gas for Life" prize.

(d) "Gas for a Year" prizes, valued at \$2,600, will be 26 prepaid gas cards in increments of \$100 each. A cash option is not available for the "Gas for a Year" prize except that the Florida Lottery reserves the right, due to unavailability of gas cards, to award cash prizes equal to the value of the gas cards.

(e) No expiration date will apply to the gas cards.

(f) Federal income tax withholding will be applied to the \$250,000 prize and to the "Gas for Life" prize. Any additional federal, state and/or local taxes or other fees are the responsibility of the winner. If a non U.S. Citizen presents a winning ticket, applicable federal withholding taxes will be deducted from the cash value of the prize. The remaining amount will be paid to the player in gas cards. Any excess amount not divisible into a \$100 gas card will be paid in cash.

(g) All drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm who certifies that all drawing procedures have been followed.

(4) Players must be at least 18 years of age. Persons prohibited by Section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to win.

(5) All Summer Cash prizes are subject to the provisions of Chapter 24, Florida Statutes and rules promulgated thereunder. Prizes will be paid in accordance with the procedures set forth in Rule 53ER08-20, F.A.C., or applicable replacement rule.

(6) The Florida Lottery will post the winning numbers at Florida Lottery retailers and at www.flalottery.com after each Wednesday drawing.

Specific Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History--New 6-27-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: June 27, 2008

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-41
 RULE TITLE: Summer Cash™ Retailer Bonus Cashing Commission

SUMMARY: Effective June 30, 2008 through August 26, 2008, the Florida Lottery will award retailers cashing commissions on each Summer Cash instant prize redeemed by them.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-41 Summer Cash™ Retailer Bonus Cashing Commission.

(1) Effective June 30, 2008 through August 26, 2008, the Florida Lottery will pay retailers a five-percent (5%) cashing commission on each Summer Cash™ instant \$25 Cash Prize Coupon redeemed in their store, including the regular commission set forth in Rule 53ER05-14, Florida Administrative Code.

(2) The cashing commission will be reflected on the retailer's weekly Settlement Report.

(3) A bonus cashing commission will be considered compensation to the retailer for Internal Revenue Service purposes.

Specific Authority 24.105(9)(i), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History--New 6-27-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: June 27, 2008

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-42
 RULE TITLE: Retailer Accountability.

SUMMARY: This emergency rule sets forth the provisions relating to lottery ticket accountability and financial accountability by retailers.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-42 Retailer Accountability.

(1) Ticket Accountability.

(a) Each retailer shall be accountable for all instant tickets received, all on-line tickets generated and all funds received by the retailer.

(b) Retailers shall receive books of tickets for sale on a consignment basis in accordance with the Lottery's inventory management system.

(c) Each retailer is liable to the Lottery for any and all tickets accepted or generated by any employee or representative of that retailer, less cancelled on-line tickets and tickets returned for adjustment credit in accordance with paragraph (1)(d) or (e) below. Scratch-off tickets shall be deemed to have been purchased by the retailer unless returned to the Lottery by the official end of game date.

(d) On-line tickets may be returned to the Lottery for adjustment credit under the following circumstances:

1. The ticket did not print and the transaction is marked with an asterisk (*) on the Transaction History Report; or

2. The ticket misprints or is miscut and the dollar amount is visible, provided the Transaction History Report or ticket is mailed to the Lottery within thirty (30) days of the transaction date.

(e) To receive adjustment credit under the following circumstances, the retailer must contact the Lottery within two (2) hours of the sale, before the game closes for the next available draw or before the end of the gaming day, whichever occurs first:

1. The ticket did not print and the transaction is NOT marked with an asterisk (*) on the Transaction History Report;

2. The ticket misprints or is miscut and the dollar amount is NOT visible; or

3. The ticket cannot be canceled by the terminal but nothing appears to be wrong with the ticket.

The retailer also must mail the Transaction History Report or ticket to the Lottery within thirty (30) days of the transaction date.

(f) The Lottery will consider adjustment credit requests submitted outside the reporting window for ticket transactions that occur during a documented system failure that impacts network communications and that is outside the retailer's control.

(g) Tickets submitted to the Florida Lottery for adjustment credit shall become the property of the Florida Lottery and shall not be returned to the retailer.

(h) Books of tickets received by a retailer on consignment shall be settled for payment by one of the following three methods:

1. Settlement by the retailer;

2. Automatic settlement by the Lottery sixty (60) days after a book has been activated for sale or after 90 percent (90%) of low-tier prizes have been redeemed, whichever occurs first; or

3. Settlement of books no longer in the retailer's onsite inventory by a Lottery representative during inventory management.

(i) A complete inventory of scratch-off ticket stock will be conducted by a Lottery representative at least once per quarter. During such inventory, books in "received" status that are not physically present at the retail location will be reported as missing and the retailer will be charged fifty percent (50%) of the value of the book, less sales commission. Books in "active" status that are not physically present at the location will be settled.

(2) Financial Accountability.

(a) Each retailer shall maintain a commercial checking bank account for all amounts collected from ticket sales until such amounts have been collected by the Lottery. All amounts received by each retailer from the operation of the Lottery, less the amount retained as compensation for the sale of tickets and the amount paid out as prizes, shall be held in a bank account prior to collection by the Lottery on the designated day of collection.

(b) The amount owed by a retailer to the Lottery will be electronically transferred from the retailer's bank account to the Lottery on a designated day each week. If the transfer is unsuccessful due to insufficient funds, a second attempt will automatically be made.

(c) A retailer is authorized to use its business commercial operating bank account or a separate commercial bank account for lottery purposes.

(d) A retailer shall notify the Lottery of a change in its bank account at least fifteen (15) days in advance of such change becoming effective.

(e) A retailer shall maintain its bank account for thirty (30) days after the termination date of its retailer contract.

(f) Each retailer shall complete and return to the Lottery at the time of application or in advance of a bank account change form DOL-103, Electronic Fund Transfer Authorization, revised 6/05. Form DOL-103 is incorporated herein by reference and may be obtained by writing to the Florida Lottery, Retailer Contracting, 250 Marriott Drive, Tallahassee, Florida 32399-4001. The form authorizes the Lottery to debit or credit the retailer's bank account through electronic funds transfers.

(g) The following procedures apply to Electronic Funds Transfer (EFT) delinquencies:

1. For purposes of this rule, an Electronic Funds Transfer delinquency is defined as an unsuccessful attempt to electronically transfer funds from a retailer's bank account to the Lottery in payment of the retailer's weekly settlement activity. If both the first and second weekly attempts to transfer funds fail, the failures together shall count as only one delinquency.

2. For all delinquencies that occur in a twelve-month period, the retailer's ability to sell on-line lottery tickets and order instant tickets shall be suspended.

3. For a first or second delinquency in a twelve-month period, the retailer shall be required to pay the delinquency in full plus applicable service charges prior to reactivation of its ability to sell on-line lottery tickets and order instant tickets.

4. For a third delinquency in a twelve-month period, the retailer shall be required to pay the delinquency in full plus applicable service charges and post a certificate of deposit or performance bond with the Florida Lottery prior to reactivation of its ability to sell on-line lottery tickets and order instant tickets. The amount of the security shall not exceed twice the retailer's average weekly ticket sales as determined by the Lottery.

5. For a fourth delinquency in a twelve-month period, a review of the retailer account will be performed by the Lottery to determine if the retailer's contract will be terminated. In making its determination, the Lottery will review factors such as the retailer's Lottery accounts receivable transactions and Lottery sales history. If the retailer contract is not terminated, the Lottery will make a determination as to whether the security amount is to be increased or whether other requirements are to be imposed.

6. The Lottery is authorized to terminate a retailer's contract prior to a fourth delinquency in a twelve-month period if the Lottery determines that such action is necessary in order to protect the state's financial interests.

7. For purposes of calculating the number of delinquencies occurring in a twelve-month period, an unsuccessful transfer on the first weekly attempt will not be counted as a separate delinquency if the transfer on the second weekly attempt is successful.

8. For each delinquency, the retailer shall be assessed a non-refundable service charge of fifteen dollars per incident or five percent of the amount due per incident, whichever is greater, up to a maximum of one hundred-fifty dollars. The Lottery will assess only one service fee to retailer chain accounts that use the same bank account for all stores. The assessed fee shall be five percent of the total amount due for all locations up to a maximum of one hundred-fifty dollars. Payment of the delinquent settlement amount and any applicable service charges is due immediately from the retailer and prior to on-line sales and the ability to order instant tickets being reinstated.

9. An unsuccessful transfer on the first weekly attempt will not result in assessment of a service charge if the second weekly attempt is successful. Only one service charge will be assessed if both the first and second attempts are unsuccessful.

10. If the Lottery determines that it is in its best financial interest, taking into consideration factors such as the amount of the delinquency and the length of time the delinquency and/or service charges are outstanding, the Lottery district office will be instructed to settle the sold instant tickets and pick up any remaining instant ticket inventory. A retailer's access to computerized Lottery transactions will be limited to redeeming winning tickets and printing reports until Lottery Headquarters has received notification of payment in full.

11. To satisfy an EFT delinquency, the retailer may:

a. Deposit a Cashier's check or money order made payable to the Florida Lottery into a specified Lottery bank account;

b. Wire transfer the funds into a specified Lottery bank account; or

c. Deliver a Cashier's check or money order to a Lottery office.

12. The Lottery will accept a prepayment for the settlement amount if the prepayment is received by the Lottery prior to 5:00 p.m., Eastern Time, on the day before the EFT would normally occur. A service charge will not be applied to the first three (3) prepayments made by a retailer in a twelve-month period, nor will the first three (3) prepayments be counted as a delinquency against the retailer; however, retailers who make more than three (3) prepayments in a twelve-month period will be assessed a service charge as described in subparagraph (2)(f)7. above for each additional prepayment. The Lottery reserves the right to waive the service charge upon showing of good cause by a retailer. Failure by the Lottery to impose a service charge does not constitute a waiver of its right to impose a service charge for any subsequent prepayment.

13. The Lottery will actively pursue collection of all delinquencies that are not paid through the process described above. Methods of collection may include, but are not limited to, filing judicial proceedings and referral of the delinquent accounts to the Office of the Comptroller.

(3) The emergency rule replaces Emergency Rule 53ER05-16, Florida Administrative Code, effective July 1, 2008.

Specific Authority 24.109(1), 24.112(1) FS. Law Implemented 24.112(1),(11), 24.114 FS. History--New 7-1-08, Replaces 53ER05-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: July 1, 2008

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-43
RULE TITLE: Lost, Stolen, or Damaged Instant Lottery Tickets

SUMMARY: This emergency rule sets forth for Lottery retailers the reporting requirement and charges associated with active and inactive books of lost, stolen or damaged instant lottery tickets.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-43 Lost, Stolen or Damaged Instant Lottery Tickets.

(1) Reporting Requirement.

(a) Upon the theft, loss or damage of instant lottery tickets the retailer shall immediately report the incident to the Lottery Division of Security at (850)487-7752.

(b) For purposes of this rule, tickets that have latex removed or that have been "scratched" are not considered "damaged tickets" and shall not be accepted for retailer account adjustment.

(2) Inactive Tickets. If tickets from a book are lost, stolen or damaged before the book has been activated, the retailer will be charged a service fee equal to fifty percent (50%) of the value of the book, less sales commission, except as follows:

(a) If the retailer provides the Lottery with a copy of a police report reporting the theft of tickets, the retailer shall be charged a non-refundable service fee of five dollars (\$5.00) for each book reported stolen.

(b) The retailer will not be charged a service fee for books missing from a shipment provided the retailer reports the books as missing to the Lottery within seven (7) days of receipt of the shipment.

(c) A retailer will not be charged a service fee for books damaged by the vendor provided such damage is reported to the Lottery within seven (7) days of receipt of the shipment containing the damaged books.

(3) Active Tickets. If tickets from a book are lost, stolen or damaged after the book has been activated, the retailer shall be charged the retail value of the book of tickets multiplied by the percentage of low tier winning tickets redeemed as of the date the book is reported lost, stolen or damaged, less the retailer's sales commission(s).

(4) Settled Tickets. If a retailer settles a book of active tickets and subsequently reports unsold tickets as lost, stolen or damaged, the retailer will be credited an amount equal to the retail value of the book less the amount calculated as set forth in subsection (3) above.

(5) The retailer shall return to the Lottery tickets recovered by the retailer subsequent to the tickets being reported lost, stolen or damaged.

(6) Payment for Tickets. Accounting for lost, stolen or damaged tickets will be reflected on the retailer's weekly Settlement Report, as follows:

(a) The amount due the Lottery for the active books will be included with the book sales value.

(b) The amount due the Lottery for the inactive books will be reflected as an adjustment. No adjustment will be made to the retailer's account upon return to the Lottery of active lost, stolen or damaged tickets recovered by the retailer subsequent to the tickets being reported lost, stolen or damaged.

(7) In the event books of tickets are lost, stolen or damaged for reasons arising out of force majeure, the Florida Lottery reserves the right to waive the assessment of charges under this rule. In determining whether to waive an assessment, the Lottery will consider factors such as the number of previous occurrences of lost, stolen or damaged tickets by the retailer in question, if any; whether the retailer had taken precautions to prevent the occurrence of lost, stolen, or damaged tickets; and whether the retailer had implemented loss prevention recommendations made by the Lottery prior to the occurrence of lost, stolen, or damaged tickets. As used herein, "force majeure" shall include acts of God, action of the elements, fire, explosion, rationing, war, civil disturbance, or other similar occurrences.

(8) This emergency rule replaces Emergency Rule 53ER07-16 Florida Administrative Code, effective July 1, 2008.

Specific Authority 24.109(1), 24.105(9)(j), 24.112(1) FS. Law Implemented 24.112, 24.114 FS. History—New 7-1-08, Replaces 53ER07-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: July 1, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on June 17, 2008, the Florida Prepaid College Board, received a petition for variance, pursuant to Section 120.542, Florida Statutes, and Chapter 28-104, F.A.C., of Rule 19B-14.001, F.A.C., which defines the scope of Rule Chapter 19B-14, F.A.C., relating to resolution of contract disputes, Rule 19B-14.002, F.A.C., which specifies the procedure for a vendor to file a written protest to contest a decision by the Board related to the vendor's contract with the Board and Rule 19B-14.003, F.A.C., which specifies the procedures that will be used to resolve contract disputes between vendors and the Board. The petition was received from Christopher G. Raham, on behalf of Ernst & Young, LLC.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Thomas J. Wallace at (850)488-8514 or by e-mail at: Thomas.Wallace@myfloridaprepaid.com. Any comments should be filed in writing with: Florida Prepaid College Board, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, and should be submitted within 14 days of the date of this publication.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on June 30, 2008, the Suwannee River Water Management District, received a petition for variance from D. Anthony and Cindy Drew, P. O. Box 1844, Old Town, FL 32680, pursuant to Section 120.542, F.S. Petitioner is seeking a variance from paragraph 40B-4.3030(12)(b), F.A.C., as to the 75-foot setback requirement. The permit applicant proposes residential reconstruction within the 75-foot setback of the Suwannee River, in Township 12 South, Range 13 East, Section 3, Dixie County. These rules are intended to set forth criteria for development activities within a Work of the District. Comments on this petition should be filed with: Jon Dinges, District Clerk, SRWMD, 9225 CR 49, Live Oak, FL 32060, within 14 days of publication of this notice. The petition has been assigned ERP Number 08-0219.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Lamm, Administrative Assistant, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on June 23, 2008, the Board of Medicine has issued an order.

The Petition for Waiver and/or Variance was filed on behalf of Joseph J. Altieri, M.D., on May 5, 2008, seeking a waiver or variance from Rules 64B8-8.007 and subsection 64B8-8.0011(8), F.A.C., with regard to the rule provision which prohibits physicians on probation from supervising physician assistants. The Notice was published in Vol. 34, No. 14, of the Florida Administrative Weekly, on May 16, 2008. The Board, at its meeting held on June 7, 2008, granted the Petition for Waiver or Variance finding that the Petitioner demonstrated a substantial hardship and met the purpose of the underlying statute, and that application of the rule would violate the principles of fairness.

A copy of the Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

NOTICE IS HEREBY GIVEN THAT on June 23, 2008, the Board of Medicine has issued an order.

The Petition for Waiver and/or Variance was filed by Cynthia Sherman, E.O., on March 24, 2008, seeking a waiver or variance from Rule 64B8-54.0041, F.A.C., with regard to the special assessment fee. The Notice was published in Vol. 34, No. 14, of the Florida Administrative Weekly, on April 4, 2008. The Board, at its meeting held on June 7, 2008, granted the payment extension requested by the Petitioner, finding that the Petitioner demonstrated a substantial hardship and that application of the rule would violate the principles of fairness.

A copy of the Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

NOTICE IS HEREBY GIVEN THAT on June 19, 2008, the Board of Pharmacy, received a petition for Minhchieu Thi Bui, 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 May 12, 2008, the Board of Pharmacy, received a petition for Mijeong Chang, 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 May 12, 2008, the Board of Pharmacy, received a petition for Pravnav K. Patel, 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.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on June 2, 2008, the Department of Children and Family Services, received a petition for Waiver of subsection 65C-15.017(3), F.A.C., from Devereux Florida and June Allison, assigned Case No. 08-014W. Subsection 65C-15.017(3), F.A.C., states agency staff responsible for performing casework services shall have a bachelor's degree in social work or related area of study or a master's degree in social work or a related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on May 27, 2008, the Department of Children and Family Services, received a petition for Waiver of subsection 65C-15.017(3), F.A.C., from Children's Home Society and Maribel Gomez, assigned Case No. 08-013W. Subsection 65C-15.017(3), F.A.C., states agency staff responsible for performing casework services shall have a bachelor's degree in social work or related area of study or a master's degree in social work or a related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on June 2, 2008, the Department of Children and Family Services, received a petition for Waiver of subsection 65C-15.017(3), F.A.C., from Intervention Services and Veronica Quinones, assigned Case No. 08-015W. Subsection 65C-15.017(3), F.A.C., states agency staff responsible for performing casework services shall have a bachelor's degree in social work or related area of study or a master's degree in social work or a related area of study.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on May 30, 2008, the Department of Children and Family Services, received a petition for Waiver of subsection 65C-15.017(3), F.A.C., from Devereux Florida and James Pender, assigned Case No. 08-016W. Subsection 65C-15.017(3), F.A.C., states agency staff responsible for performing casework services shall have a bachelor's or master's degree in social work or related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration
Financial Services Commission
Department of Veterans' Affairs
Department of Highway Safety and Motor Vehicles
Department of Law Enforcement
Department of Revenue
Department of Education
Administration Commission
Florida Land and Water Adjudicatory Commission
Board of Trustees of the Internal Improvement Trust Fund
Department of Environmental Protection
DATE AND TIME: July 29, 2008, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set

forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Bureau of Plant and Apiary Inspection** announces a workshop to which all persons are invited.

DATE AND TIME: July 25, 2008, 10:00 a.m.

PLACE: Doyle Conner Building Auditorium, 1911 Southwest 34th Street, Gainesville, Florida 32608

GENERAL SUBJECT MATTER TO BE CONSIDERED: Research Funds. This is a re-notice of the Honey Bee Technical Council Workshop, due to date change.

A copy of the agenda may be obtained by contacting: G. W. Hayes, Jr., Assistant Chief, Bureau of Plant and Apiary Inspection, FDACS/DPI, 1911 Southwest 34th Street, Gainesville, FL 32614-7100

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: G. W. Hayes, Jr., Assistant Chief, Bureau of Plant and Apiary Inspection, FDACS/DPI, 1911 Southwest 34th Street, Gainesville, FL 32614-7100.

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 Citrus Production Research Advisory Council** announces a General meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, July 23, 2008, 10:00 a.m.

PLACE: Conference Call. Please dial 1(888)8080-6959 and when prompted enter 4873444 followed by the # key to join the call

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting to discuss council issues.

If you need special accommodations please call: Marshall Wiseheart at (850)488-4366.

DEPARTMENT OF EDUCATION

The **State Advisory Committee for the Education of Exceptional Students** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, July 16, 2008, 2:00 p.m. – 4:00 p.m., Orientation Session for new members; 4:30 p.m. – 5:30 p.m., Executive Committee; Thursday, July 17, 2008, 8:30 a.m. – 5:00 p.m.; Friday, July 18, 2008, 8:30 a.m. – 1:30 p.m.; An opportunity for public comment during the business meeting, 12:00 Noon

PLACE: Renaissance Vinoy Resort and Golf Club, 501 Fifth Avenue, Northeast, St. Petersburg, Florida, (727)894-01000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics include: Bureau Update, State Performance Plan, State Education Agency/Local Education Agency Determinations, the Florida Alternate Assessment (FAA) and Exceptional Student Education Rules.

A copy of the agenda may be obtained by contacting: State Advisory Committee, Bureau of Exceptional Education and Student Services, Florida Department of Education, 614 Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400, or by calling the Bureau at (850)245-0475.

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: Michele Polland, Bureau of Exceptional Education and Student Services at (850)245-0475. 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 Education** announces a workshop to which all persons are invited.

DATES AND TIME: July 23, 2008; July 30, 2008, 10:00 a.m. – 5:00 p.m.

PLACE: Florida Department of Education, 325 West Gaines Street, Conference Room 1721/25, Tallahassee, Florida 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to the Virtual Instruction Program.

A copy of the agenda may be obtained by contacting: Kim McDougal at kim.mcdougal@fldoe.org.

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 customer meeting to which all persons are invited.

DATE AND TIME: Thursday, July 24, 2008, 2:00 p.m.

PLACE: Comfort Suites (Atlantic Room), 53 Jefferson Road, Jacksonville, FL 32225

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 080113-WS – Application for certificates to provide water and wastewater service in Duval County by Regency Utilities, Inc.

PURPOSE: The purpose is to give customers and other interested persons an opportunity to provide comments to the Florida Public Service Commission 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 Commissioner of the Florida Public Service Commission may attend and participate in the workshop.

EMERGENCY CANCELLATION OF CUSTOMER MEETING: If a named storm or other disaster requires cancellation of the customer meeting, 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.

The Florida **Public Service Commission** announces a customer meeting to which all persons are invited.

DATE AND TIME: *July 28, 2008, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at <http://www.psc.state.fl.us/agendas/internalaffairs/>.

The Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: July 29, 2008, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25 22.0021 and 25 22.0022, F.A.C.

A copy of the agenda may be obtained by any person who requests a copy and pays the reasonable cost of the copy (\$1.00, see Copying Charges for Commission Records), by contacting: Office of Commission Clerk at (850)413-6770 or writing to: Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399 0850. The agenda and recommendations are also accessible on the PSC Website, at <http://www.floridapsc.com>, at no charge.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at: Office of Commission Clerk, Betty Easley Conference Center, Room 110.

The Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 30, 2008, 5:00 p.m.

PLACE: Sawgrass Bay Elementary School, 4004 South U.S. Hwy. 27, Clermont, Florida 34714

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket Number 070693-WS – Application for increase in water and wastewater rates in Lake County by Lake Utility Services, Inc. The purpose of the meeting is to give customers and other interested persons an opportunity to offer comments to the Public Service Commission staff regarding the quality of service the utility provides, the proposed rate increase, and to ask questions or make comments on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. Commission staff will be available to address and coordinate customers' comments and to assist members of the public. A representative from the utility may also be in attendance. At the beginning of the meeting, procedures will be established for the order of comments. The Public Service Commission staff will have sign-up sheets, and customers will be called in the order that they sign up to speak.

If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of the 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 the Commission Clerk at (850)413-6770.

The Florida **Public Service Commission** announces a public service hearing to which all persons are invited.

DATE AND TIME: Thursday, August 7, 2008, 6:00 p.m.

PLACE: Greenacres City Hall, City Commission Chambers, 5800 Melaleuca Lane, Greenacres, 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 witnesses shall be subject to cross-examination at the conclusion of their testimony.

EMERGENCY CANCELLATION OF SERVICE HEARING: If a named storm or other disaster requires cancellation of the service hearing, 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.

REGIONAL PLANNING COUNCILS

The **West Florida Regional Planning Council** and the District I Local Emergency Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 23, 2008, 10:00 a.m.

PLACE: District 3 Florida Department of Transportation Offices, Emergency Operations Center, Conference Room, First Floor, Operations Building, 1074 Highway 90 East, Chipley, FL 32428

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. The Resource and Training Sub-committee will meet at 8:30 a.m. prior to the main LEPC meeting.

A copy of the agenda may be obtained by contacting: Mr. Juan Lemos, Regional Planner, Homeland Security and Hazardous Materials at (850)332-7976, ext. 259. juan.lemos@wfrpc.org.

For more information, you may contact: John Gallagher, Director, Housing, Homeland Security and Emergency Management at (850)332-7976, ext. 206, john.gallagher@wfrpc.org.

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2008, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Drive, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by calling (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2008, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 S. W. Commerce Drive, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Planning Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting

by calling (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2008, 6:30 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 S. W. Commerce Drive, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by calling (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2008, 7:30 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Drive, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by calling (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 16, 2008, 10:00 a.m.

PLACE: 631 N. Wymore Road, Suite 100, Maitland, FL 32751

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly meeting of the East Central Florida Regional Planning Council. The Executive Committee will meet immediately prior to the Full Council beginning at 8:00 a.m. to discuss the council agenda.

A copy of the agenda may be obtained by contacting: Ruth Little at (407)623-1075.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Ruth Little at (407)623-1075 or by email at rlittle@ecfrpc.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.

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 21, 2008, 10:00 a.m. – 12:00 Noon

PLACE: 631 N. Wymore Road, Suite 100, Maitland, FL 32751

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Natural Resources Sounding Board for the Strategic Regional Policy Plan.

A copy of the agenda may be obtained by contacting: Ruth Little at (407)623-1075 or by email at rlittle@ecfrpc.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 1 day 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 **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: July 23, 2008, 9:30 a.m.

PLACE: Highlands County Agri-Civic Center, 4509 George Boulevard, Sebring, FL 33875

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly meeting of the Local Emergency Planning Committee and it's sub-committees, to discuss the provision of the Emergency Planning and Community Right to Know Program.

A copy of the agenda may be obtained by contacting: Chuck Carter, Program Director.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Chuck Carter, Program Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, ext. 107.

The **District II Local Emergency Planning Committee** (LEPC) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 23, 2008, 10:00 a.m. (ET)

PLACE: Tallahassee Fire Department Training Room, 2964 Municipal Way, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the District II LEPC.

A copy of the agenda may be obtained by contacting: Chris Rietow, Apalachee Regional Planning Council, 20776 Central Avenue, East, Blountstown, FL 32424, (850)488-6211, ext. 102.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Chris Rietow at the number listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL TRANSPORTATION AUTHORITIES

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 23, 2008, 10:30 a.m.

PLACE: SFRTA's Administrative Offices, Board Room, 800 N. W. 33rd Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: Planning Technical Advisory Committee meeting.

A copy of the agenda may be obtained by contacting: SFRTA Planning Office at (954)788-7928.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 24, 2008, 10:00 a.m.

PLACE: South Florida Regional Transportation Authority, Board Room Suite 100, Administration Building, 800 N. W. 33rd Street, Pompano Beach, Florida 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: Operations Technical Committee meeting.

A copy of the agenda may be obtained by contacting: SFRTA Operations Office at (954)788-7945.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

COMMISSION ON ETHICS

The **Commission on Ethics** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 25, 2008, 8:30 a.m.

PLACE: Senate Office Building, Room 37, 404 South Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by contacting: Commission on Ethics, P. O. Drawer 15709, Tallahassee, Florida 32317-5709.

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: Commission on Ethics at (850)488-7864. 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.

METROPOLITAN PLANNING ORGANIZATIONS

The Florida **Metropolitan Planning Organization Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2008, 12:30 p.m. – 3:00 p.m.

PLACE: Marriott Orlando Airport Hotel, 7499 Augusta National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state, and federal agencies.

A copy of the agenda may be obtained by contacting: Brigitte Messina, MPOAC, 605 Suwannee Street, MS 28B, Tallahassee, Florida 32399-0450, (850)414-4037.

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: Brigitte Messina, MPOAC, 605 Suwannee Street, MS 28B, Tallahassee, Florida 32399-0450, (850)414-4037.

The Florida **Metropolitan Planning Organization Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2008, 4:00 p.m. – 7:00 p.m.

PLACE: Marriott Orlando Airport Hotel, 7499 Augusta National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state, and federal agencies.

A copy of the agenda may be obtained by contacting: Brigitte Messina, MPOAC, 605 Suwannee Street, MS 28B, Tallahassee, Florida 32399-0450, (850)414-4037.

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 days before the workshop/meeting by contacting: Brigitte Messina, MPOAC, 605 Suwannee Street,

MS 28B, Tallahassee, Florida 32399-0450, (850)414-4037. 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: Brigitte Messina, MPOAC, 605 Suwannee Street, MS 28B, Tallahassee, Florida 32399-0450, (850)414-4037.

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2008, 1:00 p.m. EDT

PLACE: District Headquarters, 10 miles west of Tallahassee on Highway 90

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to consider District business.

OTHER MEETINGS HELD ON JULY 24, 2008:

10:30 a.m. – 11:00 a.m., EDT: Administration, Budget and Finance Committee – to discuss Fiscal Year 2008-2009 Tentative Proposed Budget

11:00 a.m. – 12:00 Noon, EDT: District Lands Committee – to discuss Land Acquisition Matters

12:00 Noon – 12:30 p.m., EDT: Regulations Committee – to discuss the Environmental Resource Permitting Program

1:15 p.m., EDT: Public Hearing on Consideration of Regulatory Matters

1:30 p.m., EDT: Public Hearing on Consideration of Land Acquisition Matters

A copy of the agenda may be obtained by contacting: Robin Tucker, NFWFMD, 81 Water Management Drive, Havana, FL 32333, (850)539-5999 (also available through the Internet at www.nwfwmd.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 72 hours before the workshop/meeting by contacting: Mr. Larry Wright. 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 **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 18, 2008, 9:30 a.m.

PLACE: Bartow Service Office, 170 Century Boulevard, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Peace River Basin Board meeting. Reconsider the proposed fiscal year 2009 millage rate adopted by the Peace River Basin Board on June 6, 2008. (Ad Order 33146).

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: General Services Department, 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, July 19, 2008, 9:00 a.m.

PLACE: 1704 – 99th Street, N. W., Bradenton, Florida 34206

GENERAL SUBJECT MATTER TO BE CONSIDERED: Robinson Preserve Grand Opening. Ribbon-cutting and opening ceremonies (Ad Order 33146).

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: General Services Department, 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact the SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 23, 2008, 9:00 a.m.
PLACE: Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL 34240
GENERAL SUBJECT MATTER TO BE CONSIDERED: Manasota Basin Board. Reconsider the proposed fiscal year 2009 millage rate adopted by the Manasota Basin Board on June 11, 2008 (Ad Order 33146).

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: General Services Department, 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 24, 2008, 9:00 a.m.
PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604
GENERAL SUBJECT MATTER TO BE CONSIDERED: Withlacoochee River Basin Board. Reconsider the proposed fiscal year 2009 millage rate adopted by the Withlacoochee Basin Board on June 12, 2008 (Ad Order 33146).

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: General Services Department, 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the SWFWMD Executive Department at the address above.

The **South Florida Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: July 30, 2008, 2:30 p.m.
PLACE: South Florida Water Management District, Building B-1, Auditorium, 3301 Gun club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rules 40E-2.091, 40E-24.011, 40E-24.101, 40E-24.201, 40E-24.301, 40E-24.401, 40E-24.501 and 40E-20.091, F.A.C. To amend the District's year-round landscape irrigation measures, create a general permit by rule for outdoor residential consumptive use of water, and amend water conservation requirements for public water supply permits. Further revisions to the draft rule text are in progress and will be posted on the District's website on July 23, 2008, at the following web address: <http://www.sfwmd.gov/watersupply/ruledvelopment>.

A copy of the agenda may be obtained by contacting: Jesus Rodriguez, Lead Water Conservation Officer, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33406-4680 or by visiting the District's website at the above-referenced web address.

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: South Florida Water Management District Clerk, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Jesus Rodriguez, Lead Water Conservation Officer, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33406-4680, 1(800)432-2045, ext. 6060, (561)682-6060, email jerodrig@sfwmd.gov or Jennifer Bokankowitz, Associate Attorney, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33406-4680, 1(800)432-2045, ext. 2258 or (561)682-2258, email: jbokanko@sfwmd.gov.

For procedural issues, contact: Jan Sluth, Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33406-4680, 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov.

REGIONAL UTILITY AUTHORITIES

The **Peace River Manasota Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 30, 2008, 9:30 a.m.

PLACE: Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Authority and Public Hearing for the Authority's FY09 Final Budget.

A copy of the agenda may be obtained by contacting: Peace River Manasota Regional Water Supply Authority, 6311 Atrium Drive, Suite 100, Bradenton, Florida 34202.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by calling (941)316-1776. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: July 22, 2008, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Jeff Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 7 days before the workshop/meeting by contacting: Jeff Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062. 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 Landscape Architecture** announces a public meeting to which all persons are invited.

DATE AND TIME: July 31, 2008, 9:00 a.m.

PLACE: Omni Jacksonville Hotel, 245 Water Street, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business meeting.

A copy of the agenda may be obtained by contacting: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

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: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

The **Division of Certified Public Accounting** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, July 22, 2008, 9:00 a.m.

PLACE: Via Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reporting forms and requests for course approval.

A copy of the agenda may be obtained by contacting: Karan Lee, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Karan Lee, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Mobile Home Relocation Corporation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, August 6, 2008, 1:00 p.m.

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for the next meeting will be determined.

A copy of the agenda may be obtained by contacting: Janet Garrett, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, 1(888)862-7010.

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: Janet Garrett, Executive Director, FMHRC, P. O. Box 14125 Tallahassee, FL 32317-4125, 1(888)862-7010. 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: Janet Garrett, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, 1(888)862-7010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The **Siting Coordination Office** announces a hearing to which all persons are invited.

DATES AND TIME: August 27-29, 2008; September 3-5, 2008, 9:00 a.m.

PLACE: Old City Hall, Main Street Fort Pierce, 122 AE Backus Avenue, Fort Pierce, Florida 34950

GENERAL SUBJECT MATTER TO BE CONSIDERED: Administrative Law Judge J. Lawrence Johnston will conduct a hearing to consider the environmental effects and any other appropriate matters regarding whether to approve the site certification of the proposed St. Lucie Units 1 & 2 Uprate Project application for site certification number PA74-02A2, DOAH Case number 07-5683EPP, DEP Office of General Counsel Case Number 07-2624, pursuant to the Florida Electrical Power Plant Siting Act, Sections 403.501-.518, Florida Statutes. Judge Johnston will prepare a Recommended Order for submission to and final action by the Governor and Cabinet acting as the Siting Board, based on the hearing.

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, F.S., 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 Administrative Law Judge Canter, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, at least 30 days prior to 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.

A copy of the agenda may be obtained by contacting: Mr. Michael P. Halpin, P.E., Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

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: Jill Stoyshich, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002. 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 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: Mr. Michael P. Halpin, P.E., Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

The **Department of Environmental Protection**, Office of Greenways and Trails announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 18, 2008, 9:00 a.m.

PLACE: Please call (850)245-2065 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting by telephone conference call of the Recreational Trails Program Advisory Committee. The committee will discuss the priority list for the 2008 submission cycle.

A copy of the agenda may be obtained by contacting: Alexandra Weiss, Office of Greenways and Trails, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 795, Tallahassee, Florida 32399-3000, (850)245-2065.

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: Alexandra Weiss. 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: Alexandra Weiss.

DEPARTMENT OF HEALTH

The **Department of Health, Board of Respiratory Care** announces a public meeting to which all persons are invited.

DATE AND TIME: July 11, 2008, 8:30 a.m. or soon thereafter

PLACE: Marriott Tampa Airport Hotel, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Respiratory Care, 4052 Bald Cypress Way, BIN C05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373, ext. 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the board office at (850)488-0595. 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 **Department of Health, Brain and Spinal Cord Injury Program** announces a public meeting to which all persons are invited.

DATE AND TIME: August 8, 2008, 8:30 a.m. – 4:00 p.m. (EST)

PLACE: The Grand Bohemian Hotel, 325 South Orange Avenue, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Brain and Spinal Cord Injury Advisory Council as required by Section 381.78, Florida Statutes. The council meets twice per year to provide advice and expertise to the department in preparation, implementation, and periodic review of the brain and spinal cord injury program.

A copy of the agenda may be obtained by contacting: Suzanne Kelly, Department of Health, 4052 Bald Cypress Way, Bin C-25, Tallahassee, FL 32399-1744, (850)245-4045, Suzanne_Kelly@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Suzanne Kelly, Department of Health, 4052 Bald Cypress Way, Bin C-25, Tallahassee, FL 32399-1744, (850)245-4045, Suzanne_Kelly@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Suzanne Kelly, Department of Health, 4052 Bald Cypress Way, Bin C-25, Tallahassee, FL 32399-1744, (850)245-4045, Suzanne_Kelly@doh.state.fl.us.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesday, July 22, 2008; Thursday, July 24, 2008, 2:30 p.m.

PLACE: Florida Housing Finance Corporation, Rick Seltzer Conference Room, 6th Floor, 227 North Bronough Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluations of the Proposals submitted for Florida Housing Finance Corporation's Request for Qualifications #2008-03 for Structuring Agent 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).

DEPARTMENT OF MILITARY AFFAIRS

The **Department of Military Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 15, 2008, 1:30 p.m.

PLACE: Adjutant General's Conference Room, St. Francis Barracks, 82 Marine Street, St. Augustine, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Special Armory Board Meeting. The Armory Board will consider action on the proposal concerning the Fort Homer Hesterly Armory.

A copy of the agenda may be obtained by contacting: Sondra Vaughn at (904)823-0201.

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 Sondra Vaughn at (904)823-0201.

SOIL AND WATER CONSERVATION DISTRICTS

The **South Dade Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: July 17, 2008, 9:30 a.m.

PLACE: Florida City USDA Service Center, Conference Room, 1450 N. Krome Ave., Suite 102, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Board of Supervisors meeting to review current programs and finances.

The **Palm Beach Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: July 22, 2008, 8:00 a.m.

PLACE: USDA Service Center, 750 S. Military Trail, Suite H, West Palm Beach, FL 33415

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by calling Laura at (561)683-2285, ext. 3.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by calling Omelio or Laura at (561)683-2285, ext. 3. 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 call: Laura at (561)683-2285, ext. 3.

CRIMINAL JUSTICE, MENTAL HEALTH AND SUBSTANCE ABUSE REINVESTMENT ACT

The **Criminal Justice, Mental Health and Substance Abuse Reinvestment Act** announces a public meeting to which all persons are invited.

DATE AND TIMES: July 24, 2008

8:00 a.m.	Registration	Outside of Kilgore Ballroom
8:40 a.m.	Welcome	Ellen Pielalkiewicz
9:00 a.m.	Opening Remarks	Don Murray, NACO
9:30 a.m.	Introduction to the TA Center	John Petrila
9:45 a.m.	Screen and Assessment Instruments	Fred Osher
11:00 a.m.	Planning & Best Practices	Mark Engelhardt & Michele Suanders
12:15 p.m.	Lunch	
12:40 p.m.	Keynote Speaker Introduction	David Miller
12:45 p.m.	Keynote Speaker	Secretary Robert Butterworth
1:15 p.m.	Facilitated Group Discussion	Ellen Piekaliewicz & John Petrilla
3:00 p.m.	Break	

3:15 p.m.	Data Issues	Nicolette Springer & Diane Haynes
4:30 p.m.	Wrap Up	Ellen Piekalkiewicz
5:00 p.m.	Adjourn	
DATE AND TIMES: July 25, 2008		
9:00 a.m.	Welcome	David Miller
9:10 a.m.	Legislative Update & Sustainability	Ellen Piekalkiewicz John Pettila Michele Suanders
10:00 a.m.	Policy Council Discussion	Policy Council
11:30 a.m.	Lunch	
12:15 p.m.	Keynote Speaker Introduction	Judge Melanie May Secretary
12:20 p.m.	Keynote Speaker	Frank Peterman, Jr.
1:00 p.m.	Next Steps – Final Thoughts	John Pettila David Miller
2:00 p.m.	Adjourn	

PLACE: The Embassy Suites Tampa Airport/Westshore, Kilgore Ballroom, 555 North Westshore Blvd., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will bring together all 22 awarded counties and the CJMHSA Policy that will provide an opportunity for the counties to share experiences, learn about available technical assistance, and discuss the sustainability of the Reinvestment Act. Sustainability of the Reinvestment Act will also be discussed.

A copy of the agenda may be obtained by contacting: Michelle Barfield at (850)222-6314 or mbarfield@flcertificationboard.org or http://www.samhcorp.org/RFA/CJM_HSA_County_Meeting_07_24-25_08.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 1 day before the workshop/meeting by contacting: Michelle Barfield at (850)222-6314, mbarfield@flcertificationboard.org or http://www.samhcorp.org/RFA/CJM_HSA_County_Meeting_07_24-25_08.html. 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: Michelle Barfield at (850)222-6314 or mbarfield@flcertificationboard.org.

PASCO-PINELLAS AREA AGENCY ON AGING

The **Area Agency on Aging of Pasco-Pinellas** announces a public meeting to which all persons are invited.

PINELLAS COUNTY PUBLIC HEARING

DATE AND TIME: Wednesday, August 6, 2008, 9:30 a.m. – 11:00 a.m.

PLACE: Freedom Square, Roskamp Auditorium, 7800 Liberty Lane, Seminole, Florida 33772. Guest Speaker: Representative Janet Long.

PASCO COUNTY PUBLIC HEARING

DATE AND TIME: Thursday, August 7, 2008, 9:30 a.m. – 11:00 a.m.

PLACE: Hudson Bayonet Point Enrichment Center, CARES Rao Musunuru, M.D. Activity Center, 12417 Clock Tower Parkway, Hudson, FL 34467. Guest Speaker: Representative John Legg.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Area Agency on Aging of Pasco-Pinellas, Inc. for Planning and Service Area 5 of the Florida Department of Elder Affairs, will present its 2009 Area Plan for the distribution of funds under the federal Older Americans Act of 1965, as amended, to projects providing services to the elderly residents of Pasco and Pinellas Counties at the public hearings.

A copy of the agenda may be obtained by contacting: Marilyn Rupp, Area Agency on Aging at (727)570-9696, ext. 230.

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 4 days before the workshop/meeting by contacting: Marilyn Rupp, Area Agency on Aging, 9887 4th Street, North, Suite 100, St. Petersburg, Florida 33702 or call (727)570-9696, ext. 230. 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: Marilyn Rupp, Area Agency on Aging, 9887 4th Street, North, Suite 100, St. Petersburg, Florida 33702 or call (727)570-9696, ext. 230.

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: July 16, 2008, 3:00 p.m.

PLACE: TRDA Business Innovation Center, 1050 West NASA Boulevard, Melbourne, FL 32904

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting of the Board of Directors.

For agenda: Dave Kershaw, Deputy Director, TRDA at (321)872-1050, x102, dkershaw@trda.org.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, FL 32801.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Petition for Declaratory Statement received from Andrew Allocco, P.E., on behalf of Indian River Construction Services, Inc., on October 4, 2007, has been withdrawn. Notice of receipt of this petition, which was assigned the number of DCA07-DEC-231, appeared in the October 19, 2007, edition of the Florida Administrative Weekly.

A copy of the withdrawal may be obtained by writing: Paula P. Ford, Clerk, Florida Building Commission, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

NOTICE IS HEREBY GIVEN THAT The Florida Real Estate Commission has received the petition for declaratory statement from Management Planning, Inc. The petition seeks the agency's opinion as to the applicability of Section 475.01(1)(a), F.S., as it applies to the petitioner.

The petition requests the Commission to issue a declaratory statement regarding the applicability of Section 475.01(1)(a), F.S., which defines real estate "broker" and whether that definition applies to MPI if MPI solely provides valuation services in conjunction with corporate valuations and estate and gift tax matters but does not value real estate.

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:

Vipul Patel vs. Board of Pharmacy; Case No.: 08-2728RX; Rule No.: 64B16-26.2031

Miriam L. Hernandez vs. Board of Pharmacy; Case No.: 08-2729RX; Rule No.: 64B16-26.2031

Mirley Aleman-Alejo vs. Board of Pharmacy; Case No.: 08-2730RX; Rule No.: 64B16-26.2031

Valliammai Natarajan vs. Board of Pharmacy; Case No.: 08-2731RX; Rule No.: 64B16-26.2031

John H. Neamatalla vs. Board of Pharmacy; Case No.: 08-2732RX; Rule No.: 64B16-26.2031

Samad Mridha vs. Board of Pharmacy; Case No.: 08-2733RX; Rule No.: 64B16-26.2031

Se Young Yoon vs. Board of Pharmacy; Case No.: 08-2734RX; Rule No.: 64B16-26.2031

Saurin Modi vs. Board of Pharmacy; Case No.: 08-2821RX; Rule No.: 64B16-26.2031

Deepakkumar Shah, M. PH., PH. D vs. Board of Pharmacy;
Case No.: 08-2823RX; Rule No.: 64B16-26.2031

Mijeong Chang vs. Board of Pharmacy; Case No.: 08-2824RX;
Rule No.: 64B16-26.2031

Carrie Johnson, as lawful custodian and next friend of minor
child Jevon Evans vs. Department of Children and Family
Services; Case No.: 08-3106RP; Rule No.: 65A-1.900(2)(a)

John Anderson, Robert Augustynowski, Patrick E. Casey,
Elmer E. Foit, Edward A. Gross, Robert Horster, Jr., Todd
Snipes, Joseph A. Sopotnick and Scott Wise vs. Department of
Management Services, Division of Retirement: Case No.:
08-3058RU

**Notice of Disposition of Petition for Administrative
Determination have been filed by the Division of
Administrative Hearings on the following rules:**

Deluca Properties, Inc., Gas Properties, Inc., Denise S. Deluca
and Stephen B. Deluca vs. Department of Environmental
Protection, Case No.: 08-0160RX; Rule No.: 62-761.300(1)(a);
Dismissed

Attorneys' Title Insurance Fund, Inc. and Stewart Title
Guaranty Company (Intervenor) vs. Financial Services
Commission, Office of Insurance Regulation and First
American Title Insurance Company (Intervenor); Case No.:
07-5387RP; Rule No.: 69O-186.003(1)(c); Invalid

Thomas R. Filippi vs. Department of Education and State
Board of Education; Case No.: 07-4783RU; Valid

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

**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."

PASCO-PINELLAS AREA AGENCY ON AGING

Notice of Request for Proposal – Bidders Conference
Contingent upon the availability of funds, the Area Agency on
Aging of Pasco-Pinellas, Inc., for Planning and Service Area 5
(Pasco and Pinellas Counties), will be contracting and is
soliciting sealed proposals for Older Americans Act services
for the period January 1, 2009 – December 31, 2009. Services
are to be provided to persons 60+ years of age and older. In
Pasco County proposals are solicited for adult day care, chore,
legal, counseling, homemaker, and nutrition services. In
Pinellas County proposals are solicited for adult day care,
chore, legal, counseling, homemaker, nutrition and recreation
services. Specifications for proposals may be obtained at the
bidder's conference on:

August 15, 2008
Area Agency on Agency of Pasco-Pinellas, Inc.
Conference Room
1:30 p.m. – 3:00 p.m.
9887 4th Street, North
St. Petersburg, FL 33702

or from Rachel Bryan at the Area Agency on Aging office
beginning August 6, 2008. Letters of Intent to submit a
proposal are due on August 18, 2008. Sealed proposals are due
by 3:00 p.m., August 29, 2008 with openings immediately
following. The Area Agency on Aging reserves the right to
reject any and all proposals not complying with specifications
and requested information.

Section XII Miscellaneous

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

DECISION ON BATCHED APPLICATION

The Agency for Health Care Administration made the following decision on a Certificate of Need application for the Other Beds and Programs batching cycle with an application due date of May 21, 2008:

County: Brevard Service District: 7
 CON # 10025 Decision Date: 6/26/2008 Decision: W
 Facility/Project: HCR Manor Care Services of Florida II, Inc.
 Applicant: HCR Manor Care Services of Florida II, Inc.
 Project Description: Establish a hospice program
 Approved Cost: \$.00

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

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 (Department) gives notice of its intent to issue a variance (File No. 0221122-005-EV-VE) to Mosaic Fertilizer, L.L.C., Post Office Box 2000, Mulberry, Florida 33860-1100, under subsection 373.414(17) and paragraph 403.201(1)(a), Florida Statutes (F.S.), from the provisions of subsection 62-302.530(31), Florida Administrative Code (F.A.C.), which provides minimum standards for dissolved oxygen levels in surface waters. This variance will apply to dissolved oxygen levels in

the hypolimnion (the deepest layer) in the man-made lakes proposed in environmental resource permit application No. 0221122-004.

On October 13, 2006, Mosaic Fertilizer, L.L.C. applied for an environmental resource permit and a conceptual reclamation plan for the Mosaic South Ft. Meade Hardee County Mine. The project is to conduct phosphate mining activities on approximately 7,756 acres of uplands, wetlands and other surface waters within a 10,856-acre area and to reclaim approximately 7,756 acres of uplands, wetlands and other surface waters following the completion of mining activities. On October 13, 2006, Mosaic submitted a petition for a variance, under Sections 373.414(17) and 403.201(1)(a), F.S., from the provisions of subsection 62-302.530(31), F.A.C., which provides minimum standards for dissolved oxygen levels in surface waters. The variance will be permanent.

The dissolved oxygen levels in the hypolimnion of the man-made lakes are expected to drop below the mandatory minimum of 5.0 mg/l at times. Stratification and the associated reduction of dissolved oxygen in the hypolimnion are natural phenomena in deep-water bodies, especially during warmer parts of the year. This condition is well documented in the limnological literature and recognized in Section 373.414(6)(a), F.S., which states, "[t]he Legislature recognizes that some mining activities that may occur in waters of the state must leave a deep pit as part of the reclamation. Such deep pits may not meet the established water quality standard for dissolved oxygen below the surficial layers. Where such mining activities otherwise meet the permitting criteria contained in this section, such activities may be eligible for a variance from the established water quality standard for dissolved oxygen within the lower layers of the reclaimed pit."

The low dissolved oxygen levels in the hypolimnion of the man-made lakes are not expected to result in any on-site or off-site impacts. Oxygen levels in the upper layers of the man-made lakes are expected to meet the requirements of Rule 62-302.530, F.A.C., and be adequate to support healthy fish populations. Existing man-made lakes on lands previously mined for phosphate support healthy populations of fish. Several man-made lakes are currently being managed by the Florida Fish and Wildlife Conservation Commission to provide the public recreational fishing opportunities. Once reclamation is completed, most of the man-made lakes will be connected to reclaimed and/or preserved wetlands and streams. Water exiting these man-made lakes is expected to meet the requirements for dissolved oxygen and other water quality

criteria of Rule 62-302.530, F.A.C. The water will exit from the upper surface of the man-made lakes and will flow through shallow conveyances that will provide further aeration.

There is no practicable means known or available to achieve the required dissolved oxygen levels within the deep-water pockets. Therefore, the Department intends to issue a variance pursuant to Section 403.201(1)(a), F.S., for dissolved oxygen within the hypolimnion in the proposed man-made lakes.

Under this intent to issue, this variance is hereby granted subject to the applicant's compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with Section 50.051, F.S. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to issue automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the variance will be issued as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the variance has been executed and delivered. Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under subsection 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard,

Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect. If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Sections 373.414(17) and 403.201, F.S., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) the name and address of each agency affected and each agency's file or identification number, if known; (b) the name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) a statement of when and how the petitioner received notice of the agency decision; (d) a statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) a concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or

modification of the agency's proposed action; (f) a statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and (g) a statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and 120.569(2)(d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to issue a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), F.S., which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

The Department of Environmental Protection (Department) gives notice of its intent to issue a variance (File No. 0221122-006-EV-VE) to Mosaic Fertilizer, L.L.C., Post Office Box 2000, Mulberry, Florida 33860-1100, under Section 378.212, Florida Statutes (F.S.), from the provisions of paragraphs 62C-16.0051(6)(a) and 62C-16.0051(6)(b), Florida Administrative Code (F.A.C.), which provides that at least 25% of the high-water surface area of each water body other than streams shall consist of an annual zone of water fluctuation to encourage emergent and transition zone vegetation; and that at least 20% of the low water surface shall consist of a zone between the annual low water line and six feet below the annual low water line to provide fish bedding areas and submerged vegetation zones. This variance will apply to the design of the man-made lakes proposed in Conceptual Reclamation Plan MOS-SFMHC-CP.

On October 13, 2006, Mosaic Fertilizer, L.L.C. applied for approval of a conceptual reclamation plan for the Mosaic South Ft. Meade Hardee County Mine. The project is to conduct phosphate mining activities on approximately 7,756 acres of uplands, wetlands and other surface waters within a 10,856-acre area and to reclaim approximately 7,756 acres of uplands, wetlands and other surface waters following the completion of mining activities. On October 13, 2006, Mosaic submitted a petition for a variance, under section 378.212, F.S., from the provisions of paragraphs 62C-16.0051(6)(a) and 62C-16.0051(6)(b), F.A.C. The variance will be permanent.

The technique that Mosaic is proposing is to design and construct the reclaimed lakes at the South Fort Meade Hardee County Mine so that the littoral zone vegetation is concentrated in several broad, shallow areas including the outlet of the man-made lakes. This will be accomplished by constructing several broad shallow shelves then planting the shelves with the herbaceous and transitional species. This design provides the environmental benefit of having the herbaceous vegetation required for the man-made lake placed so that filtration is increased for any water overflowing from the man-made lakes during stormwater events and other high water situations. By constructing the man-made lakes in this fashion, the environmental benefit of filtration is increased at the outlet. Wildlife benefits by having several more extensive wetland ecosystems concentrated around the man-made lake. Wildlife will also benefit by enhanced water quality downstream of the man-made lakes that will be more conducive to healthy fish populations, which in turn benefits wildlife that prey on the fish and other aquatic species populations. This design also provides more useable shoreline for boating, fishing and recreational activities along the remaining shoreline.

The location of the littoral zone vegetation component in several broad, shallow shelves including the outlet of the man-made lakes is not expected to result in any on-site or off-site impacts. Except for this variance, the man-made lakes are expected to meet the requirements of Rule 62C-16.0051, F.A.C., and be adequate to support healthy fish populations. Existing man-made lakes on lands previously mined for phosphate support healthy populations of fish. Several reclaimed man-made lakes are currently being managed by Florida Fish and Wildlife Conservation Commission to provide the public recreational fishing opportunities.

To encourage the development of new technology that will improve the quality of restored lands, the Department intends to issue a variance pursuant to section 378.212, F.S., from the provisions of paragraphs 62C-16.0051(6)(a) and 62C-16.0051(6)(b), F.A.C., which provides that at least 25% of the high-water surface area of each water body other than streams shall consist of an annual zone of water fluctuation; and that at least 20% of the low water surface shall consist of a zone between the annual low water line and six feet below the annual low water line. Of the four man-made lakes proposed, one met the rule requirement of 25% of littoral zone; two (2) of the lakes will have a littoral zone over 20% of the total area; and the remaining lakes will have a littoral zone of just under 14% of the total area.

Under this intent to issue, this variance is hereby granted subject to the applicant's compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with Section 50.051, F.S. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to issue automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the variance will be issued as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the variance has been executed and delivered. Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under subsection 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect. If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Section 378.212(3), F.S., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) the name and address of each agency affected and each agency's file or identification number, if known; (b) the name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or

will be affected by the agency determination; (c) a statement of when and how the petitioner received notice of the agency decision; (d) a statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) a concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) a statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and (g) a statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and 120.569(2)(d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to issue a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), F.S., which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

NOTICE OF AVAILABILITY

LIVE OAK, FLORIDA

The Department of Environmental Protection has determined that Live Oak's proposed project to expand the existing wastewater treatment and reuse facilities will not have a significant adverse impact on the environment. The total estimated construction cost is \$12,600,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Thomas Montgomery, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8358.

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 26, 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 Kenneth William Kavanaugh, C.N.A., license number CNA 118659. 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 23, 2008
 and June 27, 2008

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF CORRECTIONS

33-102.201	6/27/08	7/17/08	34/20	
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AGENCY FOR HEALTH CARE ADMINISTRATION
Office of Licensure and Certification

59A-9.034	6/23/08	7/13/08	34/14	34/20
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums & Mobile Homes

61B-24.006	6/24/08	7/14/08	34/15	
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Board of Employee Leasing Companies

61G7-10.0014	6/27/08	7/17/08	34/18	
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-204.800	6/23/08	7/1/08	34/22	
Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.

Division of Beaches and Shores

62B-33.002	6/27/08	7/17/08	34/17	
62B-33.0051	6/27/08	7/17/08	34/17	

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family

64B4-7.008	6/23/08	7/13/08	34/15	
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Board of Optometry

64B13-15.009	6/23/08	7/13/08	34/20	
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FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

68B-13.008	6/23/08	7/13/08	34/19	
68B-13.010	6/23/08	7/13/08	34/19	
68B-39.005	6/23/08	7/13/08	34/19	