

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

RULE NO.: RULE TITLE:
5K-4.031 Ice Vending Machines

PURPOSE AND EFFECT: This rule amendment establishes sanitation and safety standards for the regulation of ice vending machines. The Florida Department of Agriculture and Consumer Services regulates food establishments that manufacture and process ice. Recently, the ice industry has evolved into the development and deployment of unique ice vending machines designed for customer self service in public locations. This rule will establish a set of sanitary standards for the operation of such ice vending machines and have an impact on all units that fall under the jurisdiction of this agency.

SUBJECT AREA TO BE ADDRESSED: The Florida Department of Agriculture and Consumer Services regulates food establishments that manufacture and process ice. Recently, the ice industry has evolved into the development and deployment of unique ice vending machines designed for customer self service in public locations. This rule will establish a set of sanitary standards for the operation of such ice vending machines.

SPECIFIC AUTHORITY: 500.09, 500.12, 570.07(23) FS.
LAW IMPLEMENTED: 500.04, 500.09, 500.10, 500.12(1)(f), 500.13, 500.172 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: Dr. John Fruin, Chief, Division of Food Safety, Bureau of Food and Meat Inspection, 3125 Conner Boulevard, Mail Stop C-18, Tallahassee, FL 32399-1650, Telephone: (850)245-5520

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-3.0171 Responsibilities of School Districts
 for Student Transportation

PURPOSE AND EFFECT: The purpose of this rule development is to update the Florida School Bus Safety Inspection Manual in accordance with required and requested

changes, current public expectations, and higher benchmarks among student transportation providers for the safety of students. The effect is implementing Florida's statutory requirements for safe, efficient transportation of Florida public school students by school districts and charter schools.

SUBJECT AREA TO BE ADDRESSED: Student Transportation, Florida School Bus Safety Inspection Manual.
SPECIFIC AUTHORITY: 1006.22 FS.
LAW IMPLEMENTED: 1006.22 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: Linda Champion, Deputy Commissioner for Finance and Operations, Department of Education, 325 West Gaines Street, Room 1214, Tallahassee, Florida 32399-0400, (850)245-0506. **TO REQUEST A RULE DEVELOPMENT WORKSHOP,** please contact Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-6.03315 Private School Scholarship
 Compliance

PURPOSE AND EFFECT: The purpose of this rule development is to update the compliance reporting requirements specified in Form IEPC SCF-1, Scholarship Program Compliance Form for Private School Participants in State Scholarship Programs, to reflect new statutory requirements. The effect will be to develop a rule that is consistent with the governing statutes and procedures of the Department.

SUBJECT AREA TO BE ADDRESSED: Form IEPC SCF-1, Private School Scholarship Program Compliance Form.
SPECIFIC AUTHORITY: 220.187, 1002.39, 1002.421 FS.
LAW IMPLEMENTED: 1002.421, 1006.061 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: Jean Miller, Acting Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325

West Gaines Street, Room 522, Tallahassee, Florida 32399-0400, (850)245-0502. TO REQUEST A RULE DEVELOPMENT WORKSHOP, please contact Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0960
 RULE TITLE: Corporate Tax Credit Scholarship Program

PURPOSE AND EFFECT: The purpose of this rule development is to update the requirements for nonprofit scholarship-funding organizations and the requirements for measurement of student achievement to reflect statutory changes. The effect will be to develop a rule that is consistent with the governing statute and procedures of the Department.

SUBJECT AREA TO BE ADDRESSED: The subject areas for rule development include the requirements for nonprofit scholarship-funding organizations and the requirements for measurement of student achievement.

SPECIFIC AUTHORITY: 220.187 FS.

LAW IMPLEMENTED: 220.187 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: Jean Miller, Acting Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Room 522, Tallahassee, Florida 32399-0400, (850)245-0502. TO REQUEST A RULE DEVELOPMENT WORKSHOP, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-6.0960 Corporate Tax Credit Scholarship Program.

(1) No change.

(2) Nonprofit scholarship-funding organization requirements. Eligible nonprofit scholarship-funding organizations shall:

(a) Beginning with the 2007-2008 school year, upon each first-time scholarship student's entry to the scholarship program, obtain a written statement that the parent has informed the student's school district that the child will be attending an eligible private school. The written statement shall be maintained on file by each nonprofit scholarship-funding organization for no less than three (3)

years or until such time as the student graduates or otherwise exits the program. This requirement shall not apply to a kindergarten or first grade student, or a student placed in foster care, who was not enrolled in a Florida public school prior to entering the scholarship program.

(6) Measurement of student achievement. Private schools participating in the program are responsible for ensuring that all students who if in the public school system would otherwise be assessed under Section 1008.22(3)(c), F.S., and who are receiving scholarships are assessed annually and the results reported as required by Section 220.187(8)(c)2., F.S. Achievement data for scholarship students shall not be used to rate publicly the performance of private schools that participate in the program.

(a) Pursuant to Section 220.187(9)(i), F.S., relating to the identification and selection of nationally norm-referenced tests for the measurement of student achievement, participating private schools must annually administer one of the following approved assessments in grades K-12 to students receiving Corporate Income Tax Credit Scholarships:

1. Basic Achievement Skills Inventory (BASITM) – Comprehensive Version.
- ~~2. Florida Comprehensive Assessment Test (FCAT) – NRT Reading and Mathematics.~~
- ~~2.3. Iowa Tests of Basic Skills® (ITBS®) Forms A and B – Core Battery.~~
- ~~3.4. Metropolitan Achievement Tests®, Eighth Edition (METROPOLITAN8) – Short Form.~~
- ~~4.5. Stanford Achievement Test, Tenth Edition (Stanford 10) – Basic Battery.~~
- ~~5.6. TerraNova (CTBS/5) – Basic Battery.~~
- ~~6.7. TerraNova, Second Edition (CAT/6) – Basic Battery.~~

Specific Authority 220.187(9)(i), 220.187(12)(c) FS. Law Implemented 220.187 FS. History–New 2-5-07, Amended _____.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-19.015
 RULE TITLE: Recordkeeping Requirements

PURPOSE AND EFFECT: The purpose of this notice is to inform the public that the department is developing requirements for records and information to be maintained by communications services tax dealers.

The effect of this action is to ensure that the Department's rules conform to the applicable provisions in Chapter 202, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The subject area that will be addressed is the records and information required to be maintained by communications services tax dealers.

SPECIFIC AUTHORITY: 202.28(1)(b)2. FS.

LAW IMPLEMENTED: 202.26(3)(f), (j), 202.28(1)(b)2., 202.34(1), (3) FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). 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: Vince Aldridge, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443 telephone (850)488-0718, e-mail address: aldridgev@dor.state.fl.us

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

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

RULE NOS.:	RULE TITLES:
25-17.400	Renewable Portfolio Standard
25-17.410	Renewable Portfolio Standard
25-17.420	Renewable Portfolio Standard

PURPOSE AND EFFECT: To begin developing a Renewable Portfolio Standard as required by HB 7135 (Chapter Law No. 2008-227). The new law mandates that the Commission adopt rules for a renewable portfolio standard requiring each investor-owned utility to supply renewable energy to its customers directly, by procuring, or through renewable energy credits. The Commission must present a draft rule for legislative consideration by February 1, 2009. Docket No. 080503-EI.

SUBJECT AREA TO BE ADDRESSED: Renewable Portfolio Standard for utilities. The staff will present a strawman draft rule proposal for discussion at the rule development workshop. The topics in the strawman proposal for discussion at the workshop will include: 1) Renewable Portfolio Standard Design, 2) Renewable Energy Credit Market and 3) Reporting Requirements for municipal electric and rural electric cooperatives.

SPECIFIC AUTHORITY: 350.127(2), 366.05 FS.

LAW IMPLEMENTED: 366.02, 366.04, 366.041, 366.05, 366.81, 366.82, 366.91, 366.92 FS.

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

DATE AND TIME: Wednesday, August 20, 2008, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL 32399-0850, (850)413-6770. One or more Commissioners may be in attendance and participate at the workshop

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Judy Harlow, Office of Strategic Analysis and Governmental Affairs, or Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850. Judy Harlow may also be reached at (850)413-6842 or jharlow@psc.state.fl.us. Cindy Miller may also be reached at (850)413-6082, or cmiller@psc.state.fl.us. A COPY OF THE DRAFT RULES MAY BE OBTAINED AFTER AUGUST 13, 2008.

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-204.003	Food Services – Standards of Operation

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the form documenting substitution of food items from DC6-229, Daily Record of Segregation, to DC6-209, Housing Unit Log, and DC6-210, Incident Report. This amendment is made for efficiency.

SUBJECT AREA TO BE ADDRESSED: Food services.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jamie Jordan-Nunes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-204.003 Food Services – Standards of Operation.

- (1) No change.
- (2) Confinement.

(a) All inmates in confinement shall receive normal institutional meals as are available to the general population, except that if any item on the normal menu or any food utensil might create a security problem in the confinement area, then another item of comparable quality or other appropriate utensils shall be substituted. Substitutions shall be documented on the Housing Unit Log, DC6-209 and Incident Report, DC6-210 Daily Record of Segregation, Form DC6-229. Forms DC6-209 and DC6-210 ~~229~~ 229 have been previously incorporated by reference in Rule 33-602.220, F.A.C.

- (b) through (d) No change.
- (3) through (5) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 1-18-89, Amended 7-21-97, Formerly 33-30.003, Amended 8-9-00, 11-16-00, 10-2-01, 2-18-02, 7-2-03, 11-1-04, 2-27-05, 10-16-05, 1-17-06,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari- Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-2.002	Toe Grabs
61D-2.022	Use of Whips

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the use of toe grabs and whips at pari-mutuel horseracing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule workshop will address whether the Division of Pari-Mutuel Wagering should implement the provisions of Section 550.2415, F.S., by adopting the model rule of the Association of Racing Commissioners International regarding toe grabs. The workshop will also address rules regarding the use of a whip in the general rule section.

SPECIFIC AUTHORITY: 550.0251, 550.2415(13) FS.
LAW IMPLEMENTED: 550.0251(3), (11), 550.2415(6) 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 25, 2008, 10:00 a.m. – 2:00 p.m.
PLACE: State of Florida, Department of Children and Families, 1400 West Commercial Blvd., Room 203, Ft. Lauderdale, Florida 33309

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

agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

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

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the use of anabolic steroids in race horses at pari-mutuel racing facilities.

SUBJECT AREA TO BE ADDRESSED: The rule workshop will address whether the Division of Pari-Mutuel Wagering should implement the provisions of Section 550.2415, F.S., by adopting the model anabolic steroid rule of the Association of Racing Commissioners International.

SPECIFIC AUTHORITY: 550.0251, 550.2415(13) FS.

LAW IMPLEMENTED: 550.2415(8)(e), (9)(c) 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 25, 2008, 10:00 a.m. – 2:00 p.m.
PLACE: State of Florida, Department of Children and Families, 1400 West Commercial Blvd., Room 203, Ft. Lauderdale, Florida 33309

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NOS.:	RULE TITLES:
61G15-20.001	Definitions
61G15-20.0015	Application for Licensure by Endorsement
61G15-20.007	Demonstration of Substantial Equivalency

PURPOSE AND EFFECT: The purpose and effect is to revise the definition of a Board approved program, revise the list of approved evaluators and update requirements for licensure by endorsement.

SUBJECT AREA TO BE ADDRESSED: Definitions; Application for Licensure by Endorsement; Demonstration of Substantial Equivalency.

SPECIFIC AUTHORITY: 471.008, 471.013, 471.015 FS.

LAW IMPLEMENTED: 471.013, 471.015 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: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.:	RULE TITLE:
61G15-21.009	Endorsement

PURPOSE AND EFFECT: The purpose and effect is to update the requirements for licensure by endorsement.

SUBJECT AREA TO BE ADDRESSED: Endorsement.

SPECIFIC AUTHORITY: 471.008 FS.

LAW IMPLEMENTED: 471.015(3), (5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NOS.:	RULE TITLES:
61G15-22.0001	Renewal of Active Licenses
61G15-22.011	Board Approval of Continuing Education Providers

PURPOSE AND EFFECT: The purpose and effect is to revise the standards for approval of C.E. courses and providers.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements; Board Approval of Continuing Education Providers.

SPECIFIC AUTHORITY: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS.

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS.

IF REQUESTED 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: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NOS.:	RULE TITLES:
61G15-23.002	Seal, Signature and Date Shall Be Affixed
61G15-23.003	Procedures for Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents

PURPOSE AND EFFECT: The purpose and effect is to update procedures for electronically signing and sealing engineering documents.

SUBJECT AREA TO BE ADDRESSED: Seal, Signature and Date Shall Be Affixed; Procedures for Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents.

SPECIFIC AUTHORITY: 282.75, 471.025, 668.006 FS.

LAW IMPLEMENTED: 471.025 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: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-37.001
RULE TITLE: Performance Standards and Measurable Outcomes

PURPOSE AND EFFECT: The purpose and effect is to update standards and measurable outcomes for Florida Engineers Management Corporation.

SUBJECT AREA TO BE ADDRESSED: Performance Standards and Measurable Outcomes.

SPECIFIC AUTHORITY: 471.038(3)(m) FS.

LAW IMPLEMENTED: 471.038(3)(m) 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: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: 61G18-30.001
RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes to the rule amendment in order to update disciplinary guidelines.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 455.2273(1), 474.206 FS.

LAW IMPLEMENTED: 455.2273, 455.2281, 474.213, 474.214 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: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: 62-304.300, 62-304.305, 62-304.405, 62-304.410, 62-304.810
RULE TITLES: St. Marks Basin TMDLs, Ochlockonee Basin TMDLs, Lower Suwannee River Basin TMDLs, Santa Fe Basin TMDLs, Everglades West Coast Basin TMDLs

PURPOSE AND EFFECT: The Department is initiating rulemaking to establish Total Maximum Daily Loads (TMDLs) for waters in the St. Marks (Ames Sink, Lake Munson, and Munson Slough), Ochlockonee River (Black Creek, Juniper Creek, and Swamp Creek), Suwannee River (Middle and Lower Suwannee River and associated springs), Santa Fe River (Alligator Lake, New River, and Santa Fe River), and the Everglades West Coast (Cocohatchee River, Gordon River, Hendry Creek, Imperial River, and Lake Trafford) Basins.

Pursuant to Section 403.067(6), F.S., TMDLs must be adopted by the Secretary of the Department by rule. Chapter 62-304, F.A.C., was established as the rule chapter within which rules adopting TMDLs shall reside. Establishment of TMDLs is proceeding for waters within the above basins for which the verified list of impaired waters previously were adopted by Secretarial Order. TMDL calculations and allocations for each waterbody or waterbody segment will be adopted by rule, by the Secretary of the Department, pursuant to Sections 120.536(1), 120.54 and 403.805, F.S. These rules have been

given individual OGC case numbers: 08-1892 for Rules 62-304.300, 08-1893 for 62-304.305, 08-1894 for 62-304.405, 08-1895 for 62-304.410, and 08-1896 for 62-304.810, F.A.C. SUBJECT AREA TO BE ADDRESSED: TMDLs and their allocations will be established for the pollutants identified as causing the impairment for the impaired waters in the above listed basin (as indicated in the order adopting the verified list for each basin).

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.016, 403.062, 403.067 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: Jan Mandrup-Poulsen, Administrator, Watershed Assessment Section, 2600 Blair Stone Road, Mail Station 3555, Tallahassee, FL 32399-2400, Telephone (850)245-8449

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-18.002
 RULE TITLE: Formulary of Topical Ocular Pharmaceutical Agents

PURPOSE AND EFFECT: The purpose of the amendment is to incorporate a new medication requested by the Florida Optometric Association, to which the TOPA Committee did not raise an objection, and to implement the Board’s determination that Azasite in the existing rule language is the brand name of the medication, not the chemically generic name, and its instruction that the amendment correct the name Azasite to Azithromycin.

SUBJECT AREA TO BE ADDRESSED: Formulary of Topical Ocular Pharmaceutical Agents.

SPECIFIC AUTHORITY: 463.005, 463.0055(2)(a) FS.

LAW IMPLEMENTED: 463.0055 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 Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-18.002 Formulary of Topical Ocular Pharmaceutical Agents.

The topical ocular pharmaceutical formulary consists of pharmaceutical agents which a certified optometrist is qualified to administer and prescribe in the practice of optometry pursuant to Section 463.0055(2)(a), F.S. The topical ocular pharmaceutical agents in the formulary include the following legend drugs alone or in combination in concentrations up to those specified, or any lesser concentration that is commercially available:

- (1) through (3) No change.
- (4) ANTIBACTERIAL.
 - (a) through (l) No change.
 - (m) Moxifloxacin – 0.5%;
 - (n) Sodium sulfacetamide – 10.0% (alone and in combination); ~~and~~
 - (o) Azithromycin – 1%; ~~and Azasite.~~
 - (p) Levofloxacin – 1.5%
- (5) through (8) No change.
- (9) MISCELLANEOUS.
 - (a) Hydroxypropyl cellulose ophthalmic Insert;
 - (b) Dapiprazole – 0.5%; ~~and~~
 - (c) Cyclosporine emulsion – 0.05%; ~~and~~
 - (d) Polyvinyl pyrrolidone – drops 2.0%.

Specific Authority 463.005, 463.0055(2)(a) FS. Law Implemented 463.0055 FS. History–New 3-30-87, Amended 4-5-88, 5-7-90, Formerly 21-18.002, Amended 5-10-92, 1-29-93, Formerly 21Q-18.002, Amended 8-31-93, 7-30-94, Formerly 61F8-18.002, Amended 2-11-96, 4-21-96, 1-12-97, 6-8-97, Formerly 59V-18.002, Amended 6-15-00, 6-7-05, 6-10-06, 6-26-08,_____.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-13.001
 RULE TITLE: Continuing Education for Biennial Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to update requirements for continuing education for biennial renewal.

SUBJECT AREA TO BE ADDRESSED: Continuing Education for Biennial Renewal.

SPECIFIC AUTHORITY: 459.005, 459.008(4) FS.

LAW IMPLEMENTED: 456.013(5), (6), (7), 459.008, 459.008(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: Pamela E. King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-19.002
 RULE TITLE: Violations and Penalties

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

SUBJECT AREA TO BE ADDRESSED: Violations and Penalties.

SPECIFIC AUTHORITY: 456.079, 459.015(5) FS.

LAW IMPLEMENTED: 456.072, 456.079, 456.50 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: Pamela E. King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.2031
 RULE TITLE: Licensure by Examination; Foreign Pharmacy Graduates

PURPOSE AND EFFECT: The Board proposes the rule amendment to amend the qualifications of a foreign pharmacy graduate to sit for the licensure examination.

SUBJECT AREA TO BE ADDRESSED: Licensure by Examination; Foreign Pharmacy Graduates.

SPECIFIC AUTHORITY: 465.005, 465.007 FS.

LAW IMPLEMENTED: 465.007 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: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-2.001	Definitions
64E-2.002	Basic Life Support Service License – Ground
64E-2.003	Advanced Life Support Service License – Ground
64E-2.005	Air Ambulances
64E-2.0321	Certificate of Public Convenience and Necessity

PURPOSE AND EFFECT: The Joint Administrative Procedures Committee (JAPC) is required to review administrative rules and advise agencies concerned of its findings. This charge applies to existing as well as proposed rules. JAPC notified the Bureau of Emergency Medical Services that the law implemented for Rule 64E-2.032, F.A.C. appeared to contravene the law implemented, Section 401.27, F.S., in certain parts. This rule was repealed and replaced with the definition of “operate”. This definition did not satisfy JAPC’s objections. The purpose of this rule revision is to provide clarification for the EMS community regarding the Certificate of Public Convenience and Necessity (COPCN) requirement for licensure and satisfy JAPC’s objections. After receiving comments at the public hearing the Bureau of EMS has elected to present this proposal at one more rule workshop to finalize the COPCN language.

In addition, portions of the workshop will be to collaborate with subject matter experts to do the following:

- develop and establish rules for the educational and training criteria for the certification and recertification of 911 emergency dispatchers (ED)
- develop and establish certification & recertification applications
- develop and establish by rule a procedure for biennial renewal certification
- develop and establish by rule a procedure for the initial certification of 911 ED who have documentation of at least 5 years of supervised full-time employment as a 911 ED since 1/1/2002
- develop and establish rules for renewing a certificate that has been inactive for 1 year or less
- develop and establish rules for renewing a certificate that has been on inactive status for more than 1 year

SUBJECT AREA TO BE ADDRESSED: Licensure as a basic life support or an advanced life support service, Certificate of Public Convenience and Necessity, and emergency dispatchers. COPCN and emergency dispatchers will be placed under new sections of the rule. The electronic Florida Administrative Weekly (FAW) system does not have an option to select these rule titles as they are not yet implemented.

SPECIFIC AUTHORITY: 401.25, 401.35, 401.465, 401.5 FS.

LAW IMPLEMENTED: 401.25, 401.465, 401.5 FS.

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

DATE AND TIME: August 19, 2008, 8:30 a.m. – 4:00 p.m. EST (additional time may be added if deemed necessary.) The first half of the day will be focused on emergency dispatchers and the second half of the day will be COPCN. A conference line will be available for the workshop. We ask conference line participants from the same organization to only use one line to ensure that others are able to call in. Conference Dial-In Number: 1(888)808-6959, Conference Code: 1454440.

PLACE: Orange County Emergency Operations Center (EOC), 6590 Amory Court, Winter Park, FL 32792, phone: (407)894-4141

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lisa M. Walker, Government Analyst, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2733; e-mail lisa_walker2@doh.state.fl.us; Fax (850)488-9408 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

FISH AND WILDLIFE CONSERVATION COMMISSION

Division of Law Enforcement

RULE NO.: 68D-24.011
 RULE TITLE: Okeechobee Waterway Boating Restricted Areas

PURPOSE AND EFFECT: The purpose of this amendment is to protect vessel traffic safety on the Okeechobee Waterway. The effect of this rule will be to reduce vessel speeds over specified portions of the Okeechobee Waterway where necessary to manage and promote the use of this state waterway for safe and enjoyable boating. Additionally, the rule

is re-organized to list the boating restricted areas in order of the description of the Okeechobee Waterway as given in the Coastal Pilot and navigation charts.

SUBJECT AREA TO BE ADDRESSED: Amendment addresses vessel speed limits within and adjacent to portions of the Okeechobee Waterway.

SPECIFIC AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ms. Tara Alford, Management Analyst, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)410-0656, extension 17169

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 68D-24.011 follows. See Florida Administrative Code for present text.)

68D-24.011 Okeechobee Waterway Boating Restricted Areas.

(1) For the purpose of regulating the speed and operation of vessel traffic on the Okeechobee Waterway, the following Boating Restricted Areas are established:

(a) S.E. Ocean Boulevard – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet north of the centerline of the S.E. Ocean Boulevard (State Road A1A) bridge, and bounded on the south by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet south of the centerline of said bridge, as depicted in drawing A.

(b) Stuart “Roosevelt Bridge” Area – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the east by a line drawn parallel to and 300 feet east of the centerline of the Roosevelt Bridge (U.S. Highway 1), bounded on the northwest by a line drawn from Britt Point to Arbeau Point across the mouth of the North Fork of the St. Lucie River at its confluence with the Okeechobee Waterway, and bounded on the southwest by a line drawn across the Okeechobee Waterway from Arbeau Point to Bessy Point 3,000 feet southwest of the centerline of North Dixie Highway (State Road 707) bridge, as depicted in drawing B.

(c) Palm City Bridge – A Slow Speed Minimum Wake boating restricted area, shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the northwest by a line drawn parallel to and 300 feet east of the centerline of the Palm City Bridge (State Road 714), and bounded on the southeast by a line drawn parallel to and 1,500 feet southeast of the centerline of said bridge, as depicted in drawing C.

(d) St. Lucie Lock and Dam Structure, the Florida Turnpike and I-95 Bridges,

1. A Slow Speed Minimum Wake boating restricted area, shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the northeast by a line drawn parallel to and 1,000 feet northeast of the centerline of the eastern span of the northbound traffic lane of I-95 and bounded on the southwest by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet northeast of the St. Lucie Lock and Dam Structure, as depicted in drawing D.

2. An Idle Speed No Wake boating restricted area, shoreline to shoreline, in the Okeechobee Waterway in and adjacent to the St. Lucie Lock and Dam Structure, bounded on the northeast by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet northeast of the St. Lucie Lock and Dam Structure and bounded on the southwest by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet southwest of the St. Lucie Lock and Dam Structure, as depicted in drawing D.

(e) Arundel Bridge (S.W. 96th Street) – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the northeast by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet northeast of the centerline of the Arundel Bridge (S.W. 96th Street), and bounded on the northeast by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet southwest of the centerline of said bridge, as depicted in drawing E.

(f) Timer Powers Park and Boat Ramp – A Slow Speed Minimum Wake boating restricted area, shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the northeast by a line drawn perpendicular to the centerline of the Okeechobee Waterway 1,000 feet northeast of the centerline of the Timer Powers Boat Ramp and bounded on the southwest by a line drawn perpendicular to the centerline of the Okeechobee Waterway 1,000 feet southwest of the centerline of the Timer Powers Boat Ramp, as depicted in drawing F.

(g) State Road 710 and Seaboard Coast Line (CSX) Railroad Trestle – A Slow Speed Minimum Wake boating restricted area from shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the northeast by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet northeast of the centerline of the State Road 710 bridge, and bounded on the southwest by a line drawn perpendicular to the centerline of the Okeechobee Waterway

300 feet southwest of the centerline of the Seaboard Coast Line (CSX) Railroad Trestle, perpendicular to the centerline of the Okeechobee Waterway as depicted in drawing G.

(h) FEC Railroad Trestle – A Slow Speed Minimum Wake boating restricted area from shoreline to shoreline, in and adjacent to the Okeechobee Waterway, bounded on the east by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet east of the centerline of the FEC Railroad Trestle, and bounded on the west by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet west of the centerline of said trestle, as depicted in drawing H.

(i) U. S. 441/U. S. 98 Bridge and Port Mayaca Lock – An Idle Speed No Wake boating restricted area in and adjacent to the Okeechobee Waterway, from shoreline to shoreline east of the Port Mayaca lock structure and within the right-of-way of the Okeechobee Waterway west of said lock structure, bounded on the east by a line drawn parallel to and 300 feet east of the centerline of the U.S. 441/U.S. 98 bridge, and bounded on the west by a line drawn perpendicular to the centerline of the Okeechobee Waterway 300 feet west of the lock structure, as depicted in drawing I.

(j) Torry Island Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Okeechobee Waterway in Palm Beach County, bounded on the north by a line drawn perpendicular to the centerline of the Okeechobee Waterway 400 feet north of Torry Island Bridge in Belle Glade, Palm Beach County, and bounded on the south by a line drawn perpendicular to the centerline of the Okeechobee Waterway 1,400 feet south of said bridge, as depicted in drawing J.

(k) Clewiston Lock Structure – An Idle Speed No Wake zone from shoreline to shoreline in and adjacent to the Okeechobee Waterway and Cauley Cut in the vicinity of Hurricane Gate and Lock Structure S-310 in Clewiston, Hendry County, within the boundaries set forth below, as depicted in drawing K:

1. In Cauley Cut, from shoreline to shoreline, from the confluence of Cauley Cut and the Okeechobee Waterway Rim Canal to a line drawn parallel to the centerline of the Okeechobee Waterway Rim Canal 150 feet northeast of the confluence of Cauley Cut and the Okeechobee Waterway Rim Canal;

2. In the Route 1 Approach Channel leading northeast toward Port Mayaca, from shoreline to shoreline, from the confluence of Route 1 Approach Channel and the Okeechobee Waterway Rim Canal to a line drawn parallel to the centerline of the Okeechobee Waterway Rim Canal 150 feet northeast of the confluence of Route 1 Approach Channel and the Okeechobee Waterway Rim Canal;

3. In the Okeechobee Waterway Rim Canal, from shoreline to shoreline, from a line drawn perpendicular to the center line of the Rim Canal 150 feet southeast of Lock Structure S-310 to a line drawn perpendicular to the center line

of the Rim Canal 150 feet northwest of the intersection of the Route 1 Approach Channel and the Okeechobee Waterway Rim Canal; and

4. In the Industrial Canal, from shoreline to shoreline, from the Okeechobee Waterway Rim Canal to and including the Lock Structure.

(l) Liberty Point – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Okeechobee Waterway Rim Canal and Mayaca Cut in Glades County, bounded on the west by a line drawn perpendicular to the centerline of the Okeechobee Waterway Rim Canal 300 feet west of Liberty Point, on the southeast by a line drawn perpendicular to the centerline of the Rim Canal 600 feet southeast of Liberty Point, and on the east by a line drawn perpendicular to the centerline of the Mayaca Cut 150 east of its confluence with the Rim Canal, as depicted in drawing L.

(m) Moore Haven Lock Structure and Vicinity – A Slow Speed Minimum Wake boating restricted area from shoreline to shoreline in and adjacent to the Okeechobee Waterway Rim Canal, the Old Moore Haven Canal and associated canals, and the Caloosahatchee River in the vicinity of the Moore Haven Lock and flood control structure S-77 in Glades County, within the boundaries set forth below, as depicted in drawing M:

1. In the Okeechobee Waterway Rim Canal, shoreline to shoreline, from a line drawn perpendicular to the centerline of the Okeechobee Waterway Rim Canal 1,800 feet northwest of the centerline of the Moore Haven Lock Gates canal (26°50'45.2"N/81°05'24.2"W), to a line drawn perpendicular to the centerline of the Okeechobee Waterway Rim Canal 500 feet southeast of the centerline of the Alvin Ward boat ramp (26°50'21.8"N/81°04'46.9"W), including the area shoreline to shoreline 500 feet north from the Okeechobee Waterway Rim Canal into the Old Moore Haven Canal (26°50'40.9"N/81°05'14.4"W), and including the Moore Haven Locks canal;

2. In the lock structure and approaches, shoreline to shoreline, from the Okeechobee Waterway Rim Canal to the Caloosahatchee River;

3. In the approaches and spillway of flood control structure S-77, shoreline to shoreline, from the Okeechobee Waterway Rim Canal to the Caloosahatchee River; and,

4. In the Caloosahatchee River, shoreline to shoreline, from the river's northern terminus at the lock structure to a line drawn perpendicular to the centerline of the river 1,450 feet downstream of the centerline of the US 27 Bridge, (26°49'48.3"N/81°05'30.2"W), including the area, shoreline to shoreline, in the Old Moore Haven Canal south of the Okeechobee Waterway Rim Canal to the Old Moore Haven Canal's terminus.

(n) State Road 29 Bridge – A Slow Speed Minimum Wake boating restricted area in the Caloosahatchee River (Okeechobee Waterway), shoreline to shoreline, from a line drawn parallel to and 500 feet east of the centerline of the State

Road 29 bridge as it crosses the Caloosahatchee River to a line drawn parallel to and 2,056 feet west of the centerline said bridge, as depicted in drawing N.

(2) The boating restricted areas are depicted on the following drawings:

DRAWINGS WILL BE INSERTED HERE WHEN DEVELOPED.

Specific Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History–New 1-5-88, Formerly 16N-24.011, Amended 1-8-96, Formerly 62N-24.011, Amended 10-2-00, 10-23-05,_____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Division of Law Enforcement

RULE NO.:	RULE TITLE:
68D-24.143	Martin County Boating Restricted Areas.

PURPOSE AND EFFECT: The purpose of this amendment is to protect vessel traffic safety on the Florida Intracoastal Waterway. The effect of this rule will be to reduce vessel speeds over specified portions of the Atlantic Intracoastal Waterway in Martin County where necessary to manage and promote the use of this state waterway for safe and enjoyable boating.

SUBJECT AREA TO BE ADDRESSED: Amendment addresses vessel speed limits within and adjacent to portions of the Florida Intracoastal Waterway in Martin County.

SPECIFIC AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Ms. Tara Alford, Management Analyst, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)410-0656, extension 17169

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68D-24.143 Martin County Boating Restricted Areas.

(1) For the purpose of regulating the speed and operation of vessel traffic on and adjacent to the Intracoastal Waterway in Martin County, Florida, the following Boating Restricted Areas are established ~~for vessels 35 feet or more in length:~~

(a)± Jensen Beach Causeway – A Slow Speed Minimum Wake zone bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the centerline of the Jensen Beach Causeway (State Road 707A) Bridge and on the south by a line drawn

~~perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of said bridge, as depicted in drawing A. Gleason Street Boat Ramp—A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 600 feet north of the Gleason Street Boat Ramp and on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of said boat ramp, as depicted in drawing A. If the Gleason Street Boat Ramp is closed and its use as a transportation facility discontinued, the zone established in this paragraph shall no longer be in force or effect.~~

~~2. Jupiter Island—A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 4,350 feet south of the Hobe South (State Road 708) Bridge (at marker number 33) to the centerline of the Florida Intracoastal Waterway 8,295 feet south of said bridge (at marker 35), as depicted in drawing A.~~

~~(b) N.E. Ocean Boulevard – A Slow Speed Minimum Wake zone bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the centerline of the N.E. Ocean Boulevard (State Road A1A) Bridge and on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of said bridge, as depicted in drawing B. The Town of Jupiter Island is authorized to install and maintain appropriate regulatory markers as directed by the Division of Law Enforcement within such boating restricted area.~~

~~(c) Hobe Sound Bridge – A Slow Speed Minimum Wake zone bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the centerline of the Hobe Sound (State Road 708) Bridge and on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of said bridge, as depicted in drawing C.~~

~~(d) Jupiter Island – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 4,350 feet south of the Hobe South (State Road 708) Bridge to the centerline of the Florida Intracoastal Waterway 8,295 feet south of said bridge, as depicted in drawing D. The zone established in this paragraph is applicable only to vessels 35 feet or more in length.~~

~~(e) Blowing Rocks – A Slow Speed Minimum Wake zone bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet north of the centerline of the fuel dock located at 26°58.749'N/80°05.354' W and on the south by a line drawn perpendicular to~~

the centerline of the Florida Intracoastal Waterway 500 feet south of said fuel dock centerline, as depicted in drawing E. The zone established in this paragraph is applicable only to vessels 35 feet or more in length and in effect only from November 1 through April 30 each year. If the fuel dock is closed and its use as a public fueling facility discontinued, the zone established in this paragraph shall no longer be in force or effect.

(2) The boating restricted areas described in Rule 68D-24.143, F.A.C., are depicted on the following drawings:

DRAWINGS WILL BE INSERTED HERE WHEN DEVELOPED.

Specific Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History—New 2-25-96, Formerly 62N-24.143, Amended _____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NOS.:	RULE TITLES:
68D-36.107	Minimum Training Requirements for Personal Watercraft Rentals
68D-36.109	Boating Safety Information to be Displayed at Liveries (Boat Rental Facilities)

PURPOSE AND EFFECT: The purpose of the amendment is to revise the personal watercraft safety information standards and move the information standards to the new rule to be included with the other vessel types. The purpose of the proposed rule will establish standards for safety information to be displayed to the public by boat rental facilities as required by Section 327.54, Florida Statutes. The effect of this rule will be for the Boating and Waterways Section to create the products and distribute to liveries without charge.

SUBJECT AREA TO BE ADDRESSED: Boating safety information to be displayed at liveries (boat rental facilities).

SPECIFIC AUTHORITY: 327.04, 327.39, 327.54 FS.

LAW IMPLEMENTED: 327.39, 327.54 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Captain Richard Moore, (850)488-5600. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Captain Richard Moore,

Boating Law Administrator, Boating and Waterways Section, Division of Law Enforcement, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-5600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68D-36.107 Minimum Training Requirements for Personal Watercraft Rentals.

(1) and (2) No change.

~~(3) A livery may not lease, hire, or rent a personal watercraft to any person unless the livery either shows a safe operation instructional video tape or displays and reviews both a safe operation instructional poster and brochure with each prospective operator prior to personal watercraft operation. The instructional materials shall contain information on the personal watercraft safety topics identified in subsection (1).~~

~~(3)(4) Persons offering a personal watercraft for lease, hire, or rent shall conduct an on-the-water demonstration and check ride to verify the prospective operator's ability to safely operate the personal watercraft to be leased, hired, or rented.~~

Specific Authority 327.04, 327.39, 327.54 ~~327.395, 327.734~~ FS. Law Implemented 327.39, 327.54 ~~327.395, 327.734~~ FS. History—New 6-9-05, Amended _____.

68D-36.109 Boating Safety Information to be Displayed at Liveries (Boat Rental Facilities).

(1) As provided in Section 327.54(1)(f), F.S., a livery must display boating safety information meeting the following minimum standards in a place visible to the renting public.

(a) Any livery offering motorboats, other than personal watercraft, jet boats or houseboats, for lease, hire or rent must display an informational poster or sign titled "Motorboat Rental Safety" and dated October 2008.

(b) Any livery offering houseboats for lease, hire or rent must display an informational poster or sign titled "Houseboat Rental Safety" and dated October 2008.

(c) Any livery offering personal watercraft and/or jet boats for lease, hire or rent must display an informational poster or sign titled "Personal Watercraft/Jet Boat Rental Safety" and dated October 2008.

(d) Any livery offering sailboats for lease, hire or rent must display an informational poster or sign titled "Sailboat Rental Safety" and dated October 2008.

(e) Any livery offering paddlecraft or other manually-propelled boats for lease, hire or rent must display an informational poster or sign titled "Paddlecraft Rental Safety" and dated October 2008.

The posters and signs specified in this section may be obtained at no cost by contacting: FWC Boating and Waterways Section, 620 S. Meridian Street, Tallahassee, FL 32399-1600.

(2) A livery may substitute for a specified information poster or sign any other poster or sign that is no less than 187 square inches in area and contains the same information found on the applicable poster or sign listed in paragraphs (1)(a)-(e).

Specific Authority 327.04, 327.39, 327.54 FS. Law Implemented 327.39, 327.54 FS. History—New _____.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

RULE NOS.:

5I-2.003

5I-2.004

5I-2.006

RULE TITLES:

Definitions

Open Burning Not Allowed

Open Burning Allowed

PURPOSE AND EFFECT: The purpose of this proposed rule is to bring the reference to agricultural black plastic into line with the statutory citation in Chapter 403, F.S.

We are including in this revision the new open burning certification program for Certified Pile Burning. The rule outlines how to become a certified pile burner and what is required of a certified pile burner when they are using their certification. It also outlines how they can lose their certification.

SUMMARY: The proposed rule changes are to more clearly define the difference between the Department's certification programs for acreage burns and for the new certified pile burning program which is being added to the Rule 5I-2.006, F.A.C. It also highlights the advantages of being a certified burner for either acreage or broadcast. There is clarification concerning the burning of agricultural plastic to bring it in line with proposed changes from FDEP. The language of the proposed rule has been simplified to facilitate the understanding of all Floridians.

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

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

SPECIFIC AUTHORITY: 570.07(23), (28), 590.02(1)(f) FS.

LAW IMPLEMENTED: 570.07(28), 570.548, 590.02(1)(b), 590.02(1)(f), 590.125 FS.

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

DATE AND TIME: Thursday, September 4, 8:30 a.m.

PLACE: Eyster Auditorium, 3125 Conner Blvd., Tallahassee, FL 32399-1650

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: James Brenner, Fire Management Administrator, Division of Forestry, 3125 Conner Blvd., Tallahassee, FL 32399-1650. Email brennej@doacs.state.fl.us, phone: (850)488-6111. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James Brenner, Fire Management Administrator, Division of Forestry, phone: (850)488-6111 or email: brennej@doacs.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

5I-2.003 Definitions.

(1) "Agricultural Burning" is the burning of vegetative material originating on site in conjunction with the cultivation of land, and including: gardening or horticulture, fruit growing, raising of vegetables, trees, shrubs, plants, pastures or rangeland.

(2) "Air Curtain Incinerator" is a portable or stationary combustion device that directs a plane of high velocity forced draft air through a manifold head into a pit with vertical walls in such a manner as to maintain a curtain of air over the surface of the pit and a recirculating motion of air under the curtain.

(3) "Air Pollution" is the presence in the outdoor atmosphere of any one or more substances or contaminants in quantities which are potentially harmful or injurious to human health or welfare, animal or plant life, or property, or which unreasonably interferes with the enjoyment of life or property, including outdoor recreation, unless specifically exempted by state statute.

(4) "Air Pollution Episode" means a day on which generally unhealthy air (an Air Quality Index value of 151 or greater) occurs or is forecast to occur by the Department of Environmental Protection (DEP).

(5) "Certified Prescribed Burn Manager" is an individual who successfully completes the certification program of the Division as outlined in subparagraphs 5I-2.006(2)(c)1. through 5., F.A.C., and possesses a valid certification number.

(6) "Certified Pile Burner" is an individual who successfully completes the certification program of the Division as outlined in subparagraphs 5I-2.006(8)(c)1. through 5., F.A.C., and possessess a valid certification number.

~~(7)(6)~~ "Department" is the Department of Agriculture and Consumer Services.

~~(8)(7)~~ "Dispersion Index" is a numerical index from 0 to infinity supplied daily by National Weather Service (NWS), that estimates the atmosphere's capacity to distribute particles and gases emitted by a wildland fire of any type. The Dispersion Index has two relative scales, one for day and one for night.

~~(9)(8)~~ "Division" is the Florida Division of Forestry.

~~(10)(9)~~ "Excessive Visible Emissions" are air pollutants emitted in such quantity as to exceed a DEP opacity standard, as determined by a visible emissions observer certified pursuant to Rule 62-297.320, F.A.C., or reduce an observer's view to less than 100 feet.

~~(11)(40)~~ "Extinguished" means that no spreading flame for wildland burning or certified prescribed burning, and no visible flame, smoke or emissions for vegetative land-clearing debris burning, exist.

~~(12)(41)~~ "Fine Fuel Moisture" is the amount of moisture, usually expressed as a percentage, found in fast drying, dead fuels such as grass, leaves, draped pine needles, and very small diameter (less than 1/4 inch) twigs.

~~(13)(42)~~ "Flame Length" is the distance between the flame tip and the base of the flame measured generally at the ground surface.

~~(14)(43)~~ "Land Clearing Debris" is uprooted or cleared vegetation resulting from a land clearing operation including untreated wood, e.g., old fence posts, and does not include yard trash.

~~(15)(44)~~ "Land Clearing Operation" means the uprooting or clearing of vegetation in connection with construction for buildings and rights-of-way, land development, or mineral operations, but does not include yard trash.

~~(16)(45)~~ "Mixing Height" as supplied daily by the National Weather Service, is the height above the land surface in feet to which relatively vigorous mixing of the atmosphere occurs.

~~(17)(46)~~ "National Weather Service Air Stagnation Advisory" is an advisory issued by the National Weather Service (NOAA) to caution local and regional agencies on meteorological conditions expected to persist for at least 36 hours, which are conducive to poor dispersion.

~~(18)(47)~~ "Occupied Building" means any building that serves as a primary residence, meeting place, or place of business.

~~(19)(48)~~ "Open Burning" means any outdoor fire or open combustion of material which produces visible emissions.

~~(20)(49)~~ "Pile Burning" is any burning of silvicultural, agricultural or land clearing and tree cutting debris originating on site that has been stacked together in a round or linear (windrow) fashion.

~~(21)(20)~~ "Prescribed Burning" means the application of fire, in accordance with a written prescription for vegetative fuels, under specified environmental conditions while following appropriate precautionary measures that ensures

public safety and that the fire is confined to a predetermined area to accomplish planned fire or land management objectives.

~~(22)~~(21) "Prescription" is a written plan establishing the necessary criteria for starting, controlling, and extinguishing a prescribed burn.

~~(23)~~(22) "Relative Humidity" is the ratio, expressed as a percentage of the amount of moisture in the air, to the maximum amount of moisture the air is capable of holding under the same conditions.

~~(24)~~(23) "Refractory Lined" means any non-metallic ceramic substance that is suitable for use as structural material at high temperatures and is used in Air Curtain Incinerators.

~~(25)~~(24) "Residential Pile Burning Operation" is a pile burning operation that is conducted by a landowner or an individual contracted by the landowner for an existing or planned residential dwelling of not more than two family units. This does not include the burning of yard trash.

~~(26)~~(25) "Silviculture" is a forestry operation dealing with the establishment, development, reproduction, and care of forest flora and fauna.

~~(27)~~(26) "Smoke Sensitive Areas" are areas designated by the Division of Forestry within which, for reasons of visibility, health or human welfare, smoke could unduly adversely impact public safety e.g., interstates, urban areas, airports, and hospitals.

~~(28)~~(27) "Spreading" is continued lateral movement of the fire into unburned fuels.

~~(29)~~(28) "Sunset" is the official time the sun will set as set forth by the U. S. Naval Observatory (tables are available at National Weather Services offices).

~~(30)~~(29) "Surface Wind Speed" is wind speed in miles per hour measured 20 feet above the average local vegetation. Wind speeds supplied by the National Weather Service are "Surface Wind Speeds".

~~(31)~~(30) "Transport Wind Speed" is a measure of the average rate, in miles per hour, of the horizontal movement of air throughout the mixing layer.

~~(32)~~(31) "Trash" means waste materials resulting from the construction, renovation or demolition of a structure, and other debris such as paper, cardboard, packing material, pharmaceuticals, cloth, glass, street sweepings, vehicle tires and other like matter. The definition does not include land clearing debris, tree cutting debris, or yard trash.

~~(33)~~(32) "Treated Wood" means wood coated or infused with paint, glue, filler, pentachlorophenol, creosote, tar, asphalt, chromated copper arsenate (CCA), or other wood preservatives or treatments.

~~(34)~~(33) "Tree Cutting Debris" is debris consisting of trees, tree stumps, and tree limbs resulting from a tree removal or tree trimming operation that is conducted by the homeowner

or an individual contracted by the homeowner of an existing residential dwelling of not more than two family units. It does not include yard trash.

~~(35)~~(34) "Untreated Wood" means wood (including lighter pine, tree trunks, limbs and stumps, shrubs, and lumber) which is free of paint, glue, filler, pentachlorophenol, creosote, tar, asphalt, chromated copper arsenate (CCA), and other wood preservatives or treatments.

~~(36)~~(35) "Windrow" means a long row of vegetative material originating on the site left to dry.

~~(37)~~(36) "Yard Trash" (Yard Waste, Chapter 62-256, F.A.C.) means vegetative matter resulting from landscaping and yard maintenance operations and other such routine property cleanup activities. It includes materials such as leaves, shrub trimmings, grass clippings, brush, and palm fronds.

Specific Authority 570.07(23), (28), 590.125(3)(e) FS. Law Implemented 570.07(28), 570.548, 590.02(1)(b), 590.125(2), (3) FS. History—New 7-1-71, Formerly 17-5, Amended 7-1-75, Formerly 5I-2.03, Amended 1-9-91, 8-9-93, 8-16-95, 10-18-99, 10-31-05, _____.

5I-2.004 Open Burning Not Allowed.

(1) Listed below are the types of open burning not allowed in Florida:

(a) Any open burning disallowed by Rule Chapters 5I-2 and 62-256, F.A.C., or Chapters 403 and 590, Florida Statutes.

(b) Open burning of biological waste, hazardous waste, asbestos containing materials, mercury-containing devices, pharmaceuticals, tires, rubber material, residual oil, used oil, asphalt, roofing material, tar, treated wood, plastics, garbage, or trash other than yard trash as provided in subsection 62-256.700(1), F.A.C., except that structures may be burned for the training of fire fighters in accordance with subsection 62-256.700(4), F.A.C.; waste pesticide containers may be burned in accordance with subsection 62-256.700(5), F.A.C.; polyethylene agricultural ~~black~~ plastic ~~muleh~~ and untreated wood pallets used in agriculture may be burned in accordance with subsection 62-256.700(7), F.A.C.; and animal carcasses may be burned in accordance with subsection 62-256.700(6), F.A.C.

(c) Open burning that reduces visibility at a public airport, unless the airport in question has been contacted and has agreed to control air traffic during burning activities to avoid any possible smoke related problems.

(d) Open burning when an air pollution episode exists or is forecast to occur.

(e) Open burning during a National Weather Service Air Stagnation Advisory.

(f) Open burning which reduces visibility on paved public roadways to less than one thousand (1000) feet unless the regulating authorities have agreed to control traffic, or have delegated the authority to control traffic.

(g) Burning in smoke sensitive areas between one hour before sunset and 9:00 a.m. the next day.

(h) All open burning when the Division of Forestry determines that the fire poses a threat to public health, safety, and property protection.

(i) Open burning when the Division of Forestry determines that atmospheric or meteorological conditions indicate improper dispersion of smoke that threatens public health, safety, or general welfare; or which would obscure visibility of vehicular or air traffic; or violates the condition of the authorization, or burning prescription.

(2) Open burning authorizations will be denied to any burner who repeatedly violates Florida law or agency rules. This denial remains in effect until the concern that caused the denial has been mitigated in consultation with the Division of Forestry District/ Center Manager.

Specific Authority 570.07(23), (28) FS. Law Implemented 570.07(28), 570.548, 590.02(1)(b), 590.125(2), (3) FS. History—New 7-1-71, Formerly 17-5, Amended 7-1-75, Formerly 5I-2.04, Amended 9-8-93, 8-16-95, 10-18-99, 10-31-05,_____.

5I-2.006 Open Burning Allowed.

(1) Open Burning in General. Authorization must be obtained from the Florida Division of Forestry for burns relating to agriculture, and silviculture and pile burning, ~~on the same day the burn is to take place or after 4:00 p.m. of the previous day.~~ The Division of Forestry will set special requirements for all types of authorizations, (certified or non-certified), in order to protect public health and safety, including; on site inspections, restricting wind direction, limiting the burning period, within each day or to a specific number of days for those types of authorizations that allow for multiple burning days, halt or limit burning when fire danger is too high in all, or specific parts of the state, and requiring specific personnel and control equipment on site. Any authorized burn that goes out of compliance, but has not escaped the authorized area will be allowed a maximum of two hours to be brought into compliance by the person responsible. In the event that the Division determines that there is a threat to life, public safety or property, immediate suppression action will be taken by the Division of Forestry.

~~(a) Daytime Non-Certified Authorizations will be issued for the burning to be conducted from 8:00 a.m. CT or 9:00 a.m. ET and the fire must discontinue spreading one hour before sunset.~~

~~(b) Nighttime Non-Certified Authorizations will be issued with a Dispersion Index of 8 or above for the burning to be conducted between one hour before sunset and 8:00 a.m. CT or 9:00 a.m. ET the following morning. Ignition of these fires is authorized up to midnight CT or ET (specific to the time zone where the fire is located), however the fire can continue to spread until 8:00 a.m. CT or 9:00 a.m. ET the following day. If additional time is required a new daytime authorization must be obtained from the Division.~~

(2) Open Burning for Certified Prescribed Burn Managers (CPBM). ~~(All burning conducted under this section is related to broadcast burning for the purposes of: Silviculture, Wildlife Management, Ecological Maintenance and Restoration, Range and Pasture Management.)~~ Open burning authorizations under this section require the Certified Prescribed Burn Manager’s certification number be presented at the time of the request, and that a Certified Prescribed Burn Manager be on site for the entire burn.

(a) Prescription. A prescription for the burn must be completed prior to any ignition and it must be on site and available for inspection by a Department representative. The prescription will contain, as a minimum, (unless the local Division of Forestry District or Center Manger and the burner agree that a particular item is not necessary and this has been documented in writing, agreed to in writing locally between the burner and the District or Center Manager of the Division of Forestry) the following:

1. Stand or Site Description;
2. Map of the area to be burned;
3. Number of personnel and equipment types to be used on the prescribed burn;
4. Desired weather factors, including but not limited to surface wind speed and direction, transport wind speed and direction, minimum mixing height, minimum relative humidity, maximum temperature, and the minimum fine fuel moisture;
5. Desired fire behavior factors, such as type of burn technique, flame length, and rate of spread;
6. The time and date the prescription was prepared;
7. The authorization date and the time period of the authorization;
8. An evaluation and approval of the anticipated impact of the proposed burn on related smoke sensitive areas;
9. The signature and number of the Certified Prescribed Burn Manager.

(b) Open Burning Hours.

1. Daytime CPBM Authorizations will be issued for the burning to be conducted from 8:00 a.m. CT or 9:00 a.m. ET and the fire must discontinue spreading one hour after sunset.

2. Nighttime CPBM Authorizations will be issued with a Dispersion Index of 6 or above for the burning to be conducted between one hour before sunset and 8:00 a.m. CT or 9:00 a.m. ET the following day. Ignition of these fires is authorized up to midnight, however the fire can continue to spread until 8:00 a.m. CT or 9:00 a.m. ET the following day. If additional time is required a new authorization (daytime) must be obtained from the Division. The Division will issue authorizations at other times, in designated areas, when the Division has determined that atmospheric conditions in the vicinity of the burn will allow good dispersement of emissions, and the resulting smoke from the burn will not adversely impact smoke sensitive areas, e.g., highways, hospitals and airports.

(c) Burn Manager Certification Process. Certification to become a Certified Prescribed Burn Manager is accomplished by:

1. Satisfactory completion of the Division of Forestry's Prescribed Fire Correspondence Course and direct experience in three prescribed burns prior to taking the course or;

2. Satisfactory completion of the Division of Forestry's Prescribed Fire Classroom version of the Correspondence Course and a minimum of managing three prescribed burns prior to taking the course or;

3. Satisfactory completion of the Florida Inter-Agency Basic Prescribed Fire Course and direct experience in three prescribed burns following successful completion of the classroom training. The burns conducted during the training do not count as part of this three burn requirement.

4. Applicants must submit a completed prescription for a proposed certifying burn to their local Florida Division of Forestry office prior to the burn for review and approval, and have the burn described in that prescription reviewed by the Division of Forestry during the burn operation. The local Division of Forestry District Manager (or their designee) will recommend DOF Prescribed Burn Manager certification upon satisfactory completion of both the prescription and required number of burns.

5. In order to continue to hold the Division of Forestry Prescribed Burn Manager Certification the burner must comply with paragraph 5I-2.006(2)(d), F.A.C., or Division Certification will terminate five years from the date of issue.

(d) Certification Renewal. A Certified Prescribed Burn Manager must satisfy the following requirements in order to retain certification.

1. Participation in a minimum of eight hours of Division of Forestry approved training every five years relating to the subject of prescribed fire, or participation in a Division of Forestry recognized Fire Council Meeting, and

2. The Certified Prescribed Burn Manager has submitted their certification number for two completed prescribed burns in the preceding five (5) years, or

3. Participation in five (5) burns and have this documented and verified in writing to the Forest Protection Bureau's Prescribed Fire Manager of the Division of Forestry by a current Certified Prescribed Burn Manager, or

4. Retaking either the Prescribed Fire Correspondence Course or the Inter-Agency Basic Prescribed Fire Course.

(e) Decertification. The Commissioner of Agriculture will revoke any Certified Prescribed Burn Manager's certification if they demonstrate that their practices and procedures repeatedly violated Florida law or agency rules or is a threat to public health, safety, or property. Recommendations for decertification by the Division of Forestry to the Commissioner of Agriculture will be based on the Certified Burner Violations – Point Assessment Table, effective July 1,

2003, which is hereby adopted and incorporated by reference and can be found located at: http://www.fl-dof.com/wildfire/wf_pdfs/CBMpoints.pdf.

(3) Open Burning Non-Certified Broadcast Burners. All burning conducted under this section is related to broadcast burning of acreage not conducted as a certified prescribed burn. Authorizations for this type of burning are issued on the day of the burn or after 4:00 p.m. of the previous day.

(a) Daytime Non-Certified Authorizations will be issued for the burning to be conducted from 8:00 a.m. CT or 9:00 a.m. ET and the fire must discontinue spreading one hour before sunset.

(b) Nighttime Non-Certified Broadcast Authorizations will be issued with a Dispersion Index of 8 or above for the burning to be conducted between one hour before sunset and 8:00 a.m. CT or 9:00 a.m. ET the following morning. Ignition of these fires is authorized up to midnight CT or ET, specific to the time zone where the fire is located, however the fire can continue to spread until 8:00 a.m. CT or 9:00 a.m. ET the following day. If additional time is required, a new daytime authorization must be obtained from the Division.

(4)(3) Pile Burning General. Piles or windrows shall not be ignited before 8:00 a.m. CT or 9:00 a.m. ET and have no visible flame one hour before sunset or anytime thereafter, except in smoke sensitive areas where the piles must be extinguished with no visible emissions one hour before sunset. The size and number of piles shall be dictated by the materials to be burned and the time available for burning. All pile burning must adhere to the following:

(a) The moisture content and composition of the materials to be burned shall be favorable to good burning which will minimize emissions. The amount of dirt in the piles or rows shall be minimized to enhance combustion and reduce emissions, and

(b) The pile or windrow burning must be set back one hundred (100) feet from any paved public roadway and the prevailing winds will direct the smoke away from any occupied buildings (other than the landowners) or roads. Pile burning for paved public road maintenance and widening is exempt from the 100 foot setback as long as the visibility on the roadway is not reduced to less than 1,000 feet, and

(c) The pile burning is attended at all times, and

(d) The pile burning must meet one of the following setback requirements:

1. Residential, and Agricultural/Silvicultural pile burning must be set back three hundred (300) feet or more away from any occupied building other than that of the landowner and fifty (50) feet from any wildlands, brush or combustible structure.

2. Non-Residential pile burning without an Air Curtain Incinerator must be set back one thousand (1000) feet or more away from any occupied building and one hundred (100) feet from any wildlands, brush or combustible structure.

(e) Exception to Setbacks – An exception to the setbacks in subparagraphs 5I-2.006(3)(d)1. and 2., F.A.C., will be granted if all of the affected parties agree in writing to allow the burn to take place.

~~(5)(4)~~ Tree Cutting Debris Burning. Open burning to dispose of tree cutting debris shall be conducted using a DEP permitted air curtain incinerator. Open burning to dispose of tree cutting debris without use of a permitted air curtain incinerator is allowed provided:

(a) The tree cutting debris was generated on residential premises of not more than two family units; and

(b) The open burning is restricted to the site where the tree cutting debris was generated; and

(c) The open burning is conducted in accordance with all provisions applicable to pile burning as set forth by the Division of Forestry at paragraphs 5I-2.006~~(4)~~(~~3~~)(a), (b), (c), (d)1. and (e), F.A.C.; and

(d) The open burning is not prohibited by any local, county, or municipal rule or ordinance, or the open burning is conducted in accordance with any such rule or ordinance to the extent that such rule or ordinance is stricter than the provisions of this subsection.

~~(6)(5)~~ Air Curtain Incinerator Burning. The use of an Air Curtain Incinerator is allowed for the combustion of land clearing debris, provided the incinerator has a DEP air permit or has been specifically exempted from air permitting by the DEP. If an air curtain incinerator has been exempted from air permitting by the DEP, prior authorization to use the incinerator must be obtained from the Division of Forestry. Operation of an exempt air curtain incinerator shall be authorized provided that open burning would otherwise be allowed under this chapter and the following conditions are met:

(a) Only kerosene, diesel fuel, drip torch fuel, clean dry wood or lighted pine, virgin oil, natural gas or liquefied petroleum gas may be used to start the fire in the incinerator. The use of used oil, chemicals, gasoline, or tires to start the fire is prohibited.

(b) An air curtain incinerator must be located at least 300 feet from any occupied building and 50 feet from any wildlands, brush, combustible structure, or paved public roadway.

(c) Incinerators equipped with refractory-lined walls, shall begin charging no earlier than sunrise and must end no later than one hour after sunset.

(d) Incinerators not equipped with refractory lined walls shall begin charging no earlier than 8:00 a.m. CT or 9:00 a.m. ET and must end no later than one hour after sunset.

(e) Regardless of the air curtain incinerator type, after charging ceases, air flow shall be maintained until all material within the air curtain incinerator has been reduced to coals, and

flames are no longer visible. A log shall be maintained on site, and available upon request, that documents daily beginning and ending times of charging.

(f) If the air curtain incinerator employs an earthen trench, the pit walls (width and length), shall be vertical, and maintained so that the combustion of the waste within the pit will be maintained at an adequate temperature and with sufficient air re-circulation to provide enough residence time and mixing for proper combustion and control of emissions. Pit width shall not exceed twelve (12) feet.

(g) The waste material shall not be loaded into the air curtain incinerator such that it protrudes above the level of the air curtain in the pit.

(h) Ash shall not be allowed to build up in the pit of the air curtain incinerator to higher than 1/3 the pit depth or to the point where the ash begins to impede combustion, whichever occurs first.

(i) Excessive visible emissions are not allowed except for a period of up to 30 minutes during start ups.

(j) The air curtain incinerator shall be attended at all times while materials are being burned or flames are visible within the incinerator.

(k) The burning will not exceed 6 months on the same site from the date of the initial authorization from the Division of Forestry, unless the Division is notified of an exemption by DEP.

(l) Exceptions to the setback requirements from occupied buildings shall be granted by the Division of Forestry when the applicant obtains a signed written statement from every affected resident within the setback area that waives their objections to the open burning associated with the land clearing operation and presents the statement to the Division of Forestry 48 hours in advance of the burning.

(m) If the owner or operator of the air curtain incinerator, by lease or other means, grants authority to operate the incinerator to a person not in the employ of the owner, the owner shall provide such person with a copy of this rule section's requirements.

~~(7)(6)~~ Off Site Burning. Any open burning of land clearing debris that is allowed by this chapter is restricted to the site where the material was generated and such material shall not be transported to another property to be burned, unless the land clearing debris has been generated by the person, or their agent, who owns or leases the property where it was generated and to where it is transported, and operates an air curtain incinerator in compliance with all applicable paragraphs of subsection 5I-2.006(5), F.A.C.

(8) Open Burning for Certified Pile Burners (CPB). All burning conducted under this section is related to pile burning in Florida regardless of the purpose. The Division of Forestry will issue multiple day authorizations up to three days when the Fire Readiness Level has been set to 1 or 2. CPB's must comply with the hours of operation listed in paragraph

5I-2.006(8)(b), F.A.C. A three day authorization does not allow for burning past one hour after sunset each day. Authorizations for this type of burning are issued on the day of the burn or after 4:00 p.m. of the previous day. Open burning authorizations under this section require that the Certified Pile Burner certification number be presented at the time of the request, and that a Certified Pile Burn Manager sign the startup log and shutdown log, indicating that the piles are properly setup and shut down, attached to the burn plan located at each site on a daily basis.

(a) Pile Burn Plan. A plan for the burn must be completed prior to any ignition and it must be on site and available for inspection by a Department representative. The plan will contain, as a minimum, unless the local Division of Forestry District or Center Manger and the burner agree that a particular item is not necessary and this has been documented in writing, the following:

1. Burn location;
 2. Soil type and moisture;
 3. Number of personnel and equipment types to be used on the pile burn;
 4. Desired weather factors, including but not limited to surface wind speed and direction, minimum relative humidity, drought index, days since rain, maximum temperature, and the dispersion index;
 5. Fuel type and condition (how long has it been drying);
 6. The time and date the plan was prepared;
 7. The authorization date and the time period of the authorization;
 8. An evaluation and approval of the anticipated impact of the proposed burn on related smoke sensitive areas;
 9. Adjacent landowners to notify;
 10. Special precautions;
 11. The signature and number of the Certified Pile Burner.
- (b) Open Burning Hours. CPB Authorizations will be issued for the burning to be conducted from 8:00 a.m. CT or 9:00 a.m. ET and the fire must not have any visible flame after one hour after sunset except in smoke sensitive areas where there must be no visible emissions one hour before sunset.

(c) Pile Burner Certification Process. Certification to become a Certified Pile Burner is accomplished by:

1. Satisfactory completion of the Division of Forestry's Certified Pile Burner Course, and
2. Applicants must submit a completed plan for a proposed certifying burn to their local Florida Division of Forestry office within one year of completing the classroom training and prior to the certifying burn for review and approval. After the plan has been approved the burn described in that plan must be reviewed by the Division of Forestry during the burn operation. The local Division of Forestry District Manager, or

their designee, will recommend DOF Pile Burner certification to the Forest Protection Bureau upon satisfactory completion of both the plan and the review of the actual burn.

5. In order to continue to hold the Division of Forestry Pile Burner Certification the burner must comply with paragraph 5I-2.006(8)(d), F.A.C., or Division Certification will terminate five years from the date of issue.

(d) Certification Renewal. A Certified Pile Burner must satisfy the following requirements in order to retain certification:

1. The Certified Pile Burner has submitted his or her certification number for five completed pile burns in the preceding five (5) years, or

2. He or she must retake the Pile Burner Certification Training Course.

(e) Decertification. The Commissioner of Agriculture will revoke any Certified Pile Burner's certification if it is demonstrated that their practices and procedures repeatedly violated Florida law or agency rules or is a threat to public health, safety, or property. Recommendations for decertification by the Division of Forestry to the Commissioner of Agriculture will be based on the Certified Pile Burner Violations – Point Assessment Table, July 1, 2008, which is hereby adopted and incorporated by reference and can be found at: http://www.fl-dof.com/wildfire/wf_pdfs/CPBpoints.pdf.

(9) Open Burning for Non-Certified Pile Burners. The division will issue authorizations for one day only for all pile burning, except for those burning citrus. Citrus pile authorizations will be issued for up to three days. Non-Certified Pile Burners must comply with normal hours of operation listed in this section on a daily basis. A three day authorization does not allow for night time burning. Non-Certified Pile Burners shall not begin burning before 8:00 a.m. CT or 9:00 a.m. ET and the burn shall have no visible flame one hour before sunset or anytime thereafter. In smoke sensitive areas the piles must be extinguished with no visible emissions one hour before sunset. Authorizations for Non-Certified Pile burning are issued on the day of the burn or after 4:00 p.m. of the previous day.

(10)(7) Recreational Open Burning. Nothing in this chapter shall be construed to prohibit the legal open burning of vegetative debris and untreated wood in a campfire, outdoor fireplace, or other contained outdoor heating or cooking device, or on cold days for warming of outdoor workers. Furthermore, nothing in this chapter shall be construed to prohibit the open burning of vegetative debris or untreated wood in a recreational or ceremonial bonfire, as long as the fire is attended at all times and is completely extinguished with no visible emissions if the area is to be left unattended. The person or persons responsible for the recreational fire shall ensure

compliance with any applicable open burning rules adopted by the Division of Forestry of the Florida Department of Agriculture and Consumer Services.

(11)(8) Open Burning Exceptions. The Director of the Division of Forestry is authorized to grant exceptions in furtherance of public health, safety and welfare, to the open burning rules within Chapter 5I-2, F.A.C., in the event of an emergency that would require the destruction of vegetative debris or animal carcasses in the most expeditious means possible. Examples would include the burning of vegetative matter or animal carcasses resulting from an insect or disease infestation, or resulting from storm damage e.g., hurricanes or tornados.

Specific Authority 570.07(23), (28), 590.125(3)(e) FS. Law Implemented 570.07(28), 570.548, 590.02(1)(b), 590.125(2), (3) FS. History—New 7-1-71, Formerly 17-5, Amended 7-1-75, Formerly 5I-2.06, Amended 1-9-91, 9-8-93, 8-16-95, 10-18-99, 10-31-05,

NAME OF PERSON ORIGINATING PROPOSED RULE:
James D. Brenner
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jim Karels, Director, Division of Forestry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 6, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 23, 2008

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NOS.:	RULE TITLES:
5M-9.001	Purpose
5M-9.002	Approved Best Management Practices
5M-9.003	Presumption of Compliance
5M-9.004	Notice of Intent to Implement
5M-9.005	Record Keeping

PURPOSE AND EFFECT: The purpose of this rule is to effect pollutant reduction through the implementation of non-regulatory and incentive based programs which may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state.

SUMMARY: The rule establishes a procedure for submitting a “Notice of Intent to Implement,” that, when filed with the Florida Department of Agriculture and Consumer Services (FDACS) and implemented, provides a presumption of compliance with state water quality standards for those pollutants addressed by the practices. Once filed with FDACS, the Notice of Intent shall enable the applicant to apply for assistance with implementation as identified in Section 403.067, F.S. This rule also provides that records maintained by the applicant are preserved and subject to periodic inspection.

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

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

SPECIFIC AUTHORITY: 403.067(7)(c)2. FS.

LAW IMPLEMENTED: 403.067(7)(c)2. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1705 or FAX (850)617-1701

THE FULL TEXT OF THE PROPOSED RULES IS:

BEST MANAGEMENT PRACTICES FOR FLORIDA SOD

5M-9.001 Purpose.

The purpose of this rule is to effect pollutant reduction through the implementation of non-regulatory and incentive-based programs that may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History—New _____.

5M-9.002 Approved Best Management Practices.

The manual titled *Water Quality/Quantity Best Management Practices for Florida Sod (Edition 2008)* is hereby incorporated and adopted by reference in this rule for participating sod growers statewide. Copies of the document may be obtained from the University of Florida Cooperative Extension Service county office or from the Florida Department of Agriculture and Consumer Services (FDACS), Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History—New _____.

5M-9.003 Presumption of Compliance.

Pursuant to Section 403.067(7)(c)3., F.S., implementation of the best management practices (BMPs) which have been verified by the Florida Department of Environmental Protection as effective in reducing target pollutants provides a presumption of compliance with state water quality standards and release from the provisions of Section 376.307(5), F.S., for those target pollutants addressed by the practices. In order to obtain the presumption of compliance and release from Section 376.307(5), F.S., the applicant must:

(1) Conduct an assessment of the subject properties, as provided in the manual, to determine which BMPs are applicable;

(2) Submit a Notice of Intent to Implement, as outlined in Rule 5M-9.004, F.A.C., that identifies the BMPs that are applicable to the subject properties;

(3) Implement all applicable BMPs in accordance with the timeline identified in the Notice of Intent to Implement; and

(4) Maintain documentation to verify the implementation and maintenance of the identified BMPs.

Specific Authority 403.067(7)(c)3. FS. Law Implemented 403.067(7)(c)3. FS. History—New _____.

5M-9.004 Notice of Intent to Implement.

A Notice of Intent to Implement BMPs, and accompanying checklist, both of which are in the Appendix of the manual referenced in Rule 5M-9.002, F.A.C., shall be submitted to the FDACS, Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301. The checklist identifies the applicable BMPs the applicant intends to implement, and includes an associated timeline for implementation.

(1) The Notice of Intent shall include:

(a) The name of the property owner, the location of the property, and the property tax ID number(s) or other property identification information;

(b) The acreage on which BMPs will be implemented;

(c) The name and contact information of an authorized representative; and

(d) The signature of the owner, lease holder, or an authorized agent.

(2) Once filed, the Notice of Intent to Implement shall enable the applicant to apply for assistance with implementation.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History—New _____.

5M-9.005 Record Keeping.

All participants must preserve sufficient documentation to confirm implementation of the practices identified in the Notice of Intent to Implement. All documentation is subject to inspection.

Specific Authority 403.067(7)(c)2. FS. Law Implemented 403.067(7)(c)2. FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lois T. Pride, Assistant Director, Office of Agricultural Water Policy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard J. Budell, Director, Office of Agricultural Water Policy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 1, 2008

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.021 RULE TITLE: State of Florida High School Diplomas

PURPOSE AND EFFECT: The purpose of this amendment is to increase the General Educational Development (GED) testing fees so that the Department of Education, as well as local testing centers, can operate with a minimal deficit due to increasing operating costs related to administering the GED test.

SUMMARY: The proposed amendment will increase fees associated with the General Education Development Tests to offset the increased operating costs related to administering the tests.

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: 1001.02(1), 1003.435(1), (5) FS.

LAW IMPLEMENTED: 1003.435 FS.

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

DATE AND TIME: August 19, 2008, 8:30 a.m.

PLACE: 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alex Penn-Williams, Director, Adult Education and GED Programs, Division of Workforce Education, 325 West Gaines Street, Room 644, Tallahassee, Florida 32399-0400, (850)245-9008

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.021 State of Florida High School Diplomas.

The Commissioner shall award a State of Florida high school diploma pursuant to Section 1003.435, F.S., to a candidate who meets all of the requirements prescribed herein and has attained on each of the five (5) General Education Development Tests a minimum score of 410 or above on a scale of “0” to “800”, with an average score of 450.

(1) The Department shall designate official testing centers in the state which are authorized to act as agents of the state in administering the GED Tests. The Department shall provide tests and test materials annually to the official testing centers,

provide test scoring and reporting services, maintain a perpetual record of individual test results, and issue state of Florida high school diplomas to successful candidates.

(2) Each official testing center shall establish a schedule for testing which adequately meets the needs of the candidates within its service area.

(3) Each district shall establish a fee of not less than the total national and state required fees nor more than seventy (70) ~~fifty (50)~~ dollars for each candidate taking the entire test battery consisting of the five (5) GED Tests. This fee shall be paid at the time the application is filed. A fee of not less than the total national and state required fees nor more than the fourteen (14) ~~ten (10)~~ dollars shall be paid by each candidate for each retake of the Social Studies, Science, Reading, and Mathematics tests. A fee of not less than the total national and state required fees nor more than sixteen (16) ~~twelve (12)~~ dollars shall be paid by the candidate for each retake of the Writing Skills Test. However, the school board, community college, or agency administering the testing center may authorize the waiver, on a uniform or, on an individual basis, of all or any portion of the fees prescribed in this subsection.

(4) In order to defray state costs for the testing program, each school board, community college, or agency administering the GED Tests shall remit to the Department the following fees:

(a) Entire battery of five (5) tests: twenty-eight (28) ~~seventeen (17)~~ dollars.

(b) Retake of the Social Studies, Science, Reading, and Mathematics tests: seven (7) ~~four (4)~~ dollars.

(c) Retake of the Writing Skills test: eight (8) ~~five (5)~~ dollars.

(d) Duplication of diploma: six (6) ~~four (4)~~ dollars.

(e) Duplication of transcript: six (6) ~~four (4)~~ dollars.

(f) Conversion of scores from applicants who have taken the GED in the military: ten (10) ~~seven (7)~~ dollars.

(5) The Chief Examiner of each official testing center shall inform all candidates of testing opportunity and retesting limitations.

(6) Each candidate taking the GED Tests will be issued an official transcript of scores. A candidate who fails to attain the required minimum scores on the initial GED Tests may test a maximum of three (3) times in each subject area during the GED contract year.

(a) Each request directed to the Department for duplication of diploma shall be charged at a rate of six (6) dollars.

(b) Each request directed to the Department for duplication of transcript shall be charged at a rate of six (6) dollars.

Specific Authority 1001.02(1), 1003.435(1), (5) FS. Law Implemented 1003.435 FS. History—Amended 2-20-64, 4-11-70, 6-7-70, 6-17-74, Repromulgated 12-5-74, Amended 5-4-76, 6-7-77, 1-1-79, 9-1-79, 12-7-82, 7-10-85, Formerly 6A-6.21, Amended 12-21-87, 3-1-98, 5-19-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Alex Penn-Williams, Director, Adult Education and GED Programs, Division of Workforce Education

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Lucy Hadi, Chancellor, Workforce Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 25, 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 ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-730.171	Transfer Facilities
62-730.182	Criteria to Determine Whether Changes Constitute a "Substantial Modification" at Certain Existing Hazardous Waste Facilities That Are Otherwise Exempt From Statutory Location Standards
62-730.900	Forms

PURPOSE AND EFFECT: The proposed rule amendments will fulfill a statutory requirement that the Department of Environmental Protection (DEP) adopt criteria to determine whether any proposed change at certain hazardous waste facilities constitutes a "substantial modification." Section 403.7211, F.S., establishes specific siting requirements for permitted hazardous waste facilities that manage hazardous waste generated offsite, including federal facilities with hazardous waste permits. DEP is prohibited from issuing a permit for the construction, initial operation or substantial modification of such facility unless the siting requirements are met. The statute also applies to hazardous waste transfer facilities. The statute defines substantial modification as "any physical change in, change in the operations of, or addition to a facility which could increase the potential offset impact, or risk of impact, from a release at that facility; and any change in permit conditions which is reasonably expected to lead to

greater potential impacts or risks of impacts, from a release at that facility,” and directs DEP to adopt criteria, by rule, to determine whether a facility has been substantially modified.

SUMMARY: This rule establishes criteria to determine whether a physical change in, change in the operation of, or addition to, a transfer facility or a hazardous waste treatment, storage, and disposal facility which receives waste generated off-site, including federal facilities, could increase the potential offsite impact, or risk of impact, from a release at that facility.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed rule will have no associated costs unless a hazardous waste facility that does not meet the siting criteria intends to change its current operations.

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

SPECIFIC AUTHORITY: 403.7211 FS.

LAW IMPLEMENTED: 403.7211 FS.

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

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

PLACE: Conference Room A, 3900 Commonwealth, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Julie Rainey at (850)245-8713 or julie.c.rainey@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julie Rainey, Environmental Manager, Hazardous Waste Regulation, Mail Station 4560, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

THE FULL TEXT OF THE PROPOSED RULES IS:

62-730.171 Transfer Facilities.

(1) No change.

(2)(a) The transporter who is owner or operator of a transfer facility which stores manifested shipments of hazardous waste for more than 24 hours but 10 days or less (hereinafter referred to as “the transfer facility”) shall obtain an EPA/DEP identification number for each transfer facility location and notify the Department using Form 62-730.900(1)(b), 8700-12FL – Florida Notification of Regulated Waste Activity, effective date _____, which is adopted and incorporated by reference at paragraph 62-730.150(2)(a), F.A.C.

(b) Notification pursuant to this subsection shall be submitted at least 30 days before the storage of hazardous waste is to begin at a transfer facility.

(c) The notification shall include the information and documentation required by subsection 62-730.171(3), F.A.C.

(d) The transfer facility shall annually submit updated information on Form 62-730.900(1)(b), 8700-12FL – Florida Notification of Regulated Waste Activity, effective date _____, which is adopted and incorporated by reference at paragraph 62-730.150(2)(a), F.A.C.

(3)(a) The following items constitute initial transfer facility notification:

1. Certification by a responsible corporate officer of the transporter that the proposed location satisfies the criteria of Section 403.7211(2), F.S. The Certification shall state a factual basis for the conclusion that the location criteria are met, and how those facts were determined.

2. Completed Form 62-730.900(1)(b), 8700-12FL – Florida Notification of Regulated Waste Activity, effective date _____, which is adopted and incorporated by reference at paragraph 62-730.150(2)(a), F.A.C.

3. Evidence of the transporter’s financial responsibility as required under subsection 62-730.170(3), F.A.C.

4. A brief general description of the transfer facility operations, including customer base, anticipated waste codes, operating procedures, structures and equipment (with the maximum design capacity for storage), including engineering drawings or sketches if any.

5. A copy of a closure plan demonstrating that the transfer facility will be closed in a manner which satisfies the closure performance, notification, and decontamination standards of 40 CFR 265.111, 265.112, 265.114 and 265.115 [as adopted by reference in subsection 62-730.180(2), F.A.C.].

6. A copy of the contingency and emergency plan required by paragraph 62-730.171(4)(a), F.A.C.

7. A map or maps of the transfer facility, depicting property boundaries, access control, buildings or other structures and pertinent features (such as recreation areas, runoff and stormwater control systems, access or internal roads, sanitary and process sewer systems, loading and unloading areas, and fire control equipment).

(b) A transporter who is operating a transfer facility must notify the Department prior to making changes in any of the items listed in paragraph 62-730.171(3)(a), F.A.C.

(c) No person shall operate a transfer facility before receiving confirmation from the Department that the initial notification package is complete and technically adequate and receiving an EPA identification number for the transfer facility.

(4)(2) A transfer facility used for storage of hazardous waste for more than 24 hours but 10 days or less shall comply with the following requirements all as adopted by reference in subsection 62-730.180(2), F.A.C., except where otherwise noted:

~~(a) The owner or operator of the transfer facility shall comply with the requirements of 40 CFR Part 265 Subparts B (general facility standards), C (preparedness and prevention), D (contingency and emergency plan), and I (management of containers), with the exception of 265.13, as adopted by reference in subsection 62-730.180(2), F.A.C.~~

~~(b) The aisle space requirements described in 40 CFR 265.35 and the special requirements for incompatible wastes described in 40 CFR 265.177(c) shall not apply at transfer facilities to containers stored in trucks loaded in accordance with DOT regulations described in 40 CFR 263.10 [as adopted by reference in subsection 62-730.170(1), F.A.C.]. The 40 CFR Part 265 requirements referenced above shall apply to transfer facilities notwithstanding 40 CFR 265.1(e)(12). The owner or operator of the transfer facility shall submit the contingency and emergency plan to the Department with their first Transfer Facility Notification Form, Form 62-730.900(6), effective date January 5, 1995, which is hereby adopted and incorporated by reference. Rule 62-730.900, F.A.C., contains information on obtaining a copy of this form.~~

~~(b) The owner or operator of the transfer facility shall have a written closure plan to show that the facility will be closed in a manner which satisfies the requirements of the closure performance, notification, and decontamination standards of 40 CFR 265.111, 265.112, 265.114 and 265.115. The owner or operator of the transfer facility shall submit the closure plan to the Department with their first Transfer Facility Notification Form. Within 60 days of completion of closure, the owner or operator of the transfer facility, shall submit to the Department a certification that the facility has been closed in accordance with the specifications in the closure plan. The certification shall be signed by the owner or operator of the transfer facility, by the owner of the real property where the transfer facility is located, and by an independent registered, professional engineer.~~

~~(e) Records required in this section shall be maintained in permanent form and shall be available for inspection by the Department. The records shall be kept at the facility unless the Department gives written approval to do otherwise.~~

~~(5)(d) Hazardous waste stored at transfer facilities in containers or vehicles at transfer facilities shall be stored on a manmade surface which is capable of preventing spills or releases to the ground.~~

~~(6)(e) The owner or operator of a transfer facility shall maintain a written record of the items listed below. This recordkeeping requirement applies to all hazardous waste that enters and leaves the transfer facility, including hazardous waste generated by CESQGs. Records required in this subsection shall be maintained in permanent form for at least three years and shall be available for inspection by the Department. The records shall be kept at the facility unless the Department gives written approval to do otherwise.~~

(a) Manifest number for each shipment that enters and leaves the facility, or, for a shipment from a CESQG without a manifest, an identifying number from the shipping document.

(b) The date when all hazardous waste enters and leaves the facility.

(c) This record shall include ~~T~~the generator's name; and the generator's EPA/DEP identification number; and the manifest number. For CESQGs conditionally exempt small quantity generators without an EPA/DEP identification number, the record shall include the name and address of the generator. This recordkeeping requirement applies to all hazardous wastes including hazardous waste generated by CESQGs.

(d) Amounts of hazardous waste and hazardous waste codes associated with each shipment into and out of the facility.

(7) Within 60 days of closure of the transfer facility, the transporter who is owner or operator of the transfer facility shall submit to the Department a certification that the facility has been closed in accordance with the specifications in the closure plan. The certification shall be signed by the owner or operator of the transfer facility, by the owner of the real property where the transfer facility is located, and by a Florida-registered, professional engineer.

(8) Construction, initial operation or substantial modification of a transfer facility which stores shipments of hazardous waste that are required to be manifested, and which does not comply with the location standards in Section 403.7211, F.S, is prohibited. A transporter operating a transfer facility is subject to the demonstration requirements of subsections 62-730.182(3)-(8), F.A.C., regarding substantial modification.

~~(3) The owner or operator of a transfer facility which stores manifested shipments of hazardous waste for more than 24 hours but 10 days or less shall notify the Department on the Transfer Facility Notification Form. The owner or operator of a new facility shall submit a notification form at least 30 days before the storage of hazardous waste is to begin. The transfer facility shall annually update the information on the Transfer Facility Notification Form and send it to the Department with the transporter's evidence of financial responsibility as required under subsection 62-730.170(3), F.A.C.~~

~~(4) The owner or operator of a transfer facility shall obtain an EPA/DEP identification number for each transfer facility location. Any owner or operator who has not obtained an EPA/DEP identification number for each transfer facility location may obtain one by applying to the Department using Form 62-730.900(1)(b), 8700-12FL - Florida Notification of Regulated Waste Activity.~~

Specific Authority 403.0877, 403.704, 403.721 FS. Law Implemented 403.0877, 403.704, 403.721 FS. History-New 3-2-86, Amended 6-28-88, Formerly 17-30.171, Amended 8-13-90, 9-10-91, 10-14-92, Formerly 17-730.171, Amended 1-5-95, 1-29-06, _____.

62-730.182 Criteria to Determine Whether Changes Constitute a “Substantial Modification” at Certain Existing Hazardous Waste Facilities That Are Otherwise Exempt From Statutory Location Standards.

(1) This section applies only to transfer facilities which store shipments of hazardous waste that are required to be manifested and to facilities, including federal facilities, which treat, store, or dispose of shipments of hazardous waste generated off-site that are required to be manifested. This section does not apply to:

(a) Manufacturers, power generators, or other industrial operations that received a permit from the Department, or apply for a permit or a modification to a permit for the treatment, storage, or disposal of hazardous waste generated only on-site or generated at other sites owned or acquired by the permittee;

(b) Federal facilities which received a permit from the Department, or apply for a permit or a modification to a permit for the treatment, storage, or disposal of hazardous waste generated only on-site or at other sites under the command or supervisory control of the federal facility at which the permitted hazardous waste management operations occur;

(c) Hazardous waste facilities that do not receive waste that is required to be manifested; or

(d) Hazardous waste facilities that meet all siting requirements of Section 403.7221, F.S.

(2) This section shall apply to all pending permit applications for which the Department has not issued a Final Order.

(3) Any applicant who submits an application under Section 403.722 F.S., for a permit to modify a hazardous waste treatment, storage, or disposal facility which does not comply with the location standards in Section 403.7211, F.S., must include a demonstration that the modification is not “substantial” as defined in subsection 62-730.182(4), F.A.C.

(4) A substantial modification under this subsection means any change in operations, structures, or permit conditions, at a permitted TSD, or any changes to the transfer facility notification submitted to the Department in accordance with subsection 62-730.171(2), F.A.C., which is reasonably expected to lead to a substantial increase in the potential impact, or risk of impact, from a release at that facility, as follows:

(a) A substantial increase in the potential impact from a release means a potential increase in the distance from a facility at which life-threatening concentrations of a hazardous substance may occur from an instantaneous release based on the proposed modification versus the threat from existing operations, as determined in accordance with subsection 62-730.182(5), F.A.C. For the purposes of this section, a concentration of hazardous waste or hazardous substances shall be deemed to be life-threatening when the concentration of such hazardous waste or substances could cause susceptible

or sensitive individuals, excluding hypersensitive or hyper susceptible individuals, to experience irreversible or serious, long-lasting effects or impaired ability to escape.

(b) Except as provided in subsection 62-730.182(7), F.A.C., a substantial increase in the risk of impact from a release means addition of waste codes; increase in the number or area of treatment, storage or disposal units; or increase in the volume of hazardous waste managed at the hazardous waste facility (which includes a transfer facility).

(5)(a) In the demonstration required by subsection 62-730.182(3), F.A.C., the owner or operator shall analyze and report:

1. One worst-case release scenario that is estimated to create the greatest distance in any direction to an inhalation toxic endpoint determined in accordance with the hierarchy referenced in sub-subparagraph 62-730.182(5)(g)1.a., F.A.C.; and

2. One worst-case release scenario that is estimated to create the greatest distance in any direction to a flammable endpoint defined in sub-subparagraph 62-730.182(5)(g)1.b., F.A.C., resulting from the release of regulated flammable substances under worst-case conditions defined in paragraph 62-730.182(5)(g), F.A.C.

(b) The worst-case release quantity shall be the greater of the following:

1. For substances in a tank (for example, a reactor, vat, kettle, boiler, or cylinder) or other container (for example, a drum or barrel), the greatest amount potentially held in a single tank or container, taking into account administrative controls that limit the maximum quantity; or

2. For substances in pipes, the greatest amount potentially in a pipe, taking into account administrative controls that limit the maximum quantity.

(c)1. For toxic substances that are normally gases at ambient temperature and handled as a gas or as a liquid under pressure, the owner or operator shall assume that the quantity in the vessel or pipe, as determined under paragraph 62-730.182(5)(b), F.A.C., is released as a gas over 10 minutes. The release rate (in minutes) shall be assumed to be the total quantity divided by 10 unless passive mitigation systems are in place.

2. For gases handled as refrigerated liquids at ambient pressure:

a. If the released substance is not contained by passive mitigation systems or if the contained pool would have a depth of one centimeter, the owner or operator shall assume that the substance is released as a gas in 10 minutes;

b. If the released substance is contained by passive mitigation systems in a pool with a depth greater than one centimeter, the owner or operator may assume that the quantity in the vessel or pipe, as determined under paragraph 62-730.182(5)(b), F.A.C., is spilled instantaneously to form a

liquid pool. The volatilization rate (release rate) shall be calculated at the boiling point of the substance and at the conditions specified in paragraph 62-730.182(5)(d), F.A.C.

(d)1. For toxic substances that are normally liquids at ambient temperature, the owner or operator shall assume that the quantity in the vessel or pipe, as determined under paragraph 62-730.182(5)(b), F.A.C., is spilled instantaneously to form a liquid pool.

a. The surface area of the pool shall be determined by assuming that the liquid spreads to one centimeter deep unless passive mitigation systems are in place that serve to contain the spill and limit the surface area. Where passive mitigation is in place, the surface area of the contained liquid shall be used to calculate the volatilization rate.

b. The owner or operator may take into account the actual surface characteristics when analyzing the volatilization rate.

2. The volatilization rate shall account for the highest daily maximum temperature occurring in the past three years and the temperature of the substance in the vessel.

3. The rate of release to air shall be determined from the volatilization rate of the liquid pool. The owner or operator may use any publicly available technique or methodology that accounts for the modeling conditions and are recognized by industry as applicable as part of current practices. Proprietary models that account for the modeling conditions may be used provided the owner or operator allows the implementing agency access to the model and describes model features and differences from publicly available models upon request.

(e) For flammable gases, the owner or operator shall assume that the quantity of the substance, as determined under paragraph 62-730.182(5)(b), F.A.C., and the provisions in subparagraphs 62-730.182(5)(e)1. and 2., F.A.C., vaporizes resulting in a vapor cloud explosion. A yield factor of 10 percent of the available energy released in the explosion shall be used to determine the distance to the explosion endpoint if the model used is based on trinitrotoluene (TNT) equivalent methods.

1. For flammable substances that are normally gases at ambient temperature and handled as a gas or as a liquid under pressure, the owner or operator shall assume that the quantity in the vessel or pipe, as determined under paragraph 62-730.182(5)(b), F.A.C., is released as a gas over 10 minutes. The total quantity shall be assumed to be involved in the vapor cloud explosion.

2. For flammable gases handled as refrigerated liquids at ambient pressure:

a. If the released substance is not contained by passive mitigation systems or if the contained pool would have a depth of one centimeter or less, the owner or operator shall assume that the total quantity of the substance is released as a gas in 10 minutes, and the total quantity will be involved in the vapor cloud explosion.

b. If the released substance is contained by passive mitigation systems in a pool with a depth greater than one centimeter, the owner or operator may assume that the quantity in the vessel or pipe, as determined under paragraph 62-730.182(5)(b), F.A.C., is spilled instantaneously to form a liquid pool. The volatilization rate (release rate) shall be calculated at the boiling point of the substance and at the conditions specified in paragraph 62-730.182(5)(d), F.A.C. The owner or operator shall assume that the quantity which becomes vapor in the first 10 minutes is involved in the vapor cloud explosion.

(f) For flammable liquids, the owner or operator shall assume that the quantity of the substance, as determined under paragraph 62-730.182(5)(b), F.A.C., and the provisions in subparagraphs 62-730.182(5)(b)1. and 2., F.A.C., vaporizes resulting in a vapor cloud explosion. A yield factor of 10 percent of the available energy released in the explosion shall be used to determine the distance to the explosion endpoint if the model used is based on TNT equivalent methods.

1. For regulated flammable substances that are normally liquids at ambient temperature, the owner or operator shall assume that the entire quantity in the vessel or pipe, as determined under paragraph 62-730.182(5)(b), F.A.C., is spilled instantaneously to form a liquid pool. For liquids at temperatures below their atmospheric boiling point, the volatilization rate shall be calculated at the conditions specified in paragraph 62-730.182(5)(d), F.A.C.

2. The owner or operator shall assume that the quantity which becomes vapor in the first 10 minutes is involved in the vapor cloud explosion.

(g) The owner or operator may use any commercially or publicly available air dispersion modeling techniques, provided the techniques account for the modeling conditions and are recognized by industry as applicable as part of current practices. Proprietary models that account for the modeling conditions may be used provided the owner or operator allows the implementing agency access to the model and describes model features and differences from publicly available models upon request. The chosen model shall use the following parameters:

1. The following endpoints shall be used:

a. The inhalation toxic endpoints shall be determined in accordance with the hierarchy provided in the technical report dated _____.

b. The endpoints for flammables vary according to the scenarios studied:

(I) For explosion, an overpressure of one pound per square inch.

(II) For radiant heat/exposure time, a radiant heat of five kilowatts per squared meter for 40 seconds.

(III) For lower flammability limit, concentration of flammable constituent in air that exceeds 25 percent of their lower flammability limit.

2. The owner or operator shall use a wind speed of 1.5 meters per second and F atmospheric stability class (Pasquill-Gifford system).

3. The owner or operator shall use the highest daily maximum temperature in the previous three years and average humidity for the site, based on temperature/humidity data gathered at the stationary source or at a local meteorological station.

4. The worst-case release of a toxic substance shall be analyzed assuming a ground level (0 feet) release.

5. The owner or operator shall use either urban or rural topography, as appropriate. Urban means that there are many obstacles in the immediate area; obstacles include buildings or trees. Rural means there are no buildings in the immediate area and the terrain is generally flat and unobstructed.

6. The owner or operator shall ensure that tables or models used for dispersion analysis of toxic substances appropriately account for gas density.

7. For worst case, liquids other than gases liquefied by refrigeration only shall be considered to be released at the highest daily maximum temperature, based on data for the previous three years appropriate for the stationary source, or at process temperature, whichever is higher.

(h) Consideration of passive mitigation. Passive mitigation systems may be considered for the analysis of worst case provided that the mitigation system is capable of withstanding the release event triggering the scenario and would still function as intended.

(i) Factors in selecting a worst-case scenario. Notwithstanding the provisions of paragraph 62-730.182(5)(b), F.A.C., of this section, the owner or operator shall select as the worst case for flammable substances or the worst case for toxic substances, a scenario based on the following factors if such a scenario would result in a greater distance to an endpoint defined in subparagraph 62-730.182(5)(g)1., F.A.C., beyond the stationary source boundary than the scenario provided under paragraph 62-730.182(5)(b), F.A.C., of this section:

1. Smaller quantities handled at higher process temperature or pressure; and

2. Proximity to the boundary of the stationary source.

(6) In the demonstration required by subsection 62-730.182(3), F.A.C., the owner or operator shall analyze and report:

(a) The physical and chemical characteristics of hazardous waste to be stored; including ignitability, corrosivity, reactivity, toxicity, and volatility; together with any proposed restrictions on the types of hazardous waste to be stored.

(b) The maximum volume of each type of hazardous waste to be stored, together with any proposed restrictions on the types and/or volumes of hazardous waste to be stored.

(c) Operating methods, techniques, and practices to be undertaken by the facility for hazardous waste for which life-threatening concentrations would occur off-site from a spill, fire, or other accidental release.

(d) Passive design improvements or operational restrictions, other than those set forth in this rule, proposed by the owner or operator.

(e) No protection from a fire department may be assumed. Passive fire protection measures only, not active fire protective measures, may be assumed to be effective in the demonstration.

(7) The modifications listed in paragraph 62-730.182(4)(b), F.A.C., shall not be considered to substantially increase the risk of impact if, evaluated on a unit by unit basis, the applicable criteria within the following conditions are met:

(a) Any additional units or expanded areas are:

1. Separated from adjoining hazardous waste storage, treatment, or disposal units or areas by 4-hour fire rated walls, or

2. Separated from the existing hazardous waste storage, treatment, disposal units, or areas by a sufficient distance (to be specified in the site-specific permit or other authorization) such that a spill, fire, or other accidental release will not result in the spread of a fire, spill, or other accidental release to the new unit or units.

(b) Interior emergency egress lighting is provided for all hazardous waste treatment, storage, disposal, and transfer facility structures. [Note, the National Fire Protection Association (NFPA) provides design standards for egress lighting in the National Fire Codes].

(c) Exterior emergency lighting is provided for the exterior of all hazardous waste treatment, storage, disposal, and transfer facility hazardous waste management areas, including loading/unloading and transporter vehicle parking areas. [Note, the NFPA provides design standards for exterior emergency lighting in the National Fire Codes].

(d) Secondary containment is provided for all loading and unloading areas, as follows:

1. The secondary containment system has sufficient capacity to contain the total volume of the largest container or 10% of the total volume of the maximum number of containers managed in the loading and unloading area, whichever is greater.

2. If the secondary containment system is not sheltered from precipitation, the secondary containment system has the additional capacity necessary to contain precipitation at the loading and unloading area from a 25-year, 24-hour storm event.

3. For attended transfer to a tank, the tank is installed with a spill containment system at each tank fill connection. This spill containment system is designed to prevent a discharge of

regulated substances when the transfer hose or pipe is detached from the tank fill pipe and meets the requirements of paragraph 62-761.500(1)(e), F.A.C.

(e) All transportation vehicles in which hazardous waste is stored incident to transportation at a hazardous waste management facility are parked on a concrete or asphalt surface.

(f) All hazardous waste management areas, including loading and unloading areas at treatment, storage, or disposal units and transfer facilities, comply with the security requirements of 40 CFR Part 264, Subpart C, as adopted by reference in Rule 62-730.180, F.A.C.

(g) All hazardous waste management areas, including loading and unloading areas at treatment, storage, or disposal units and transfer facilities, comply with the communications or alarm system requirements of 40 CFR Part 264, Subpart C, including fire and smoke alarm systems, as adopted by reference in Rule 62-730.180, F.A.C. The system includes a 24-hour alarm station attended by properly trained personnel and an alarm system which automatically transmits a signal to a municipal fire department, a fire brigade, or an emergency response agency without delay.

(h) Concrete floors for the hazardous waste management areas are constructed with an impervious, chemically resistant, surface or coating. Design and construction of the concrete floors must be signed and sealed by a professional engineer in accordance with the requirements of Chapter 471, F.S.

(i) Hazardous waste treatment, storage, disposal and transfer facilities use, at a minimum, incombustible materials for the following structural elements: party and firewalls, interior bearing walls, interior nonbearing partitions, columns, beams, girders, trusses, arches, floors, floor/ceiling assemblies, roofs, roof/ceiling assemblies, exterior bearing walls, and exterior nonbearing walls.

(j) All bays that contain water reactive (Department of Transportation (DOT) Class 4.3), flammable or combustible hazardous waste (DOT Class 2.1, Class 3, Class 4.1 and Class 4.2), oxidizers (DOT Class 5.1), or organic peroxides (DOT Class 5.2), as defined in 49 CFR Part 173, are completely surrounded with four-hour firewalls to the ceiling and provided with automatic fire doors for the entrance and exit. A two-hour rated ceiling is provided for all water reactive storage or treatment bays. Contiguous bays which contain compatible hazardous waste may be considered as a single bay in meeting this standard. This standard shall not apply if the flammable or combustible hazardous waste is separated from other hazardous waste management areas in accordance with the distances specified in subparagraph 62-730.182(7)(a)2., F.A.C.

(k) The facility is provided with an automatic fire sprinkler or suppression system. Fire suppression agents are compatible with the predominant type or types of hazardous waste

managed. [Note, the National Fire Protection Association (NFPA) provides design standards for fire sprinkler and suppression systems in the National Fire Codes].

(l) Lightning protection is provided for all interior storage or treatment structures for hazardous waste treatment, storage and transfer facilities [Note, the National Fire Protection Association (NFPA) provides standards for the installation of lightning protection systems in the National Fire Codes].

(m) The owner or operator maintains a real-time record of information online or at an off-site location that identifies the generators of the waste and the quantity, type, location, and hazards of the waste at the facility, and makes this information accessible to the Department, to the county in which the facility is located, to any municipality with planning jurisdiction over the site of the facility, and to emergency response agencies that have a role under the contingency plan for the facility.

(n) In addition to the security requirements of 40 CFR 264.14, the owner or operator provides a security and surveillance system at the facility 24 hours a day, seven days a week, either by employing trained facility personnel or by providing an electronic security and surveillance system which may include television, motion detectors, heat-sensing equipment, combustible gas monitors, or any combination of these, capable of promptly detecting unauthorized access to the facility; monitoring conditions; identifying operator errors; and detecting any discharge that could directly or indirectly cause a fire, explosion, or release of hazardous waste or hazardous waste constituents into the environment or threaten human health.

(o) The owner or operator installs an on-site wind monitor located so that the real-time wind direction can be determined from a remote location in the event of a release of hazardous waste or hazardous waste constituents into the environment.

(8) The owner or operator shall not implement a proposed modification until the Department approves the demonstration required by this section.

Specific Authority 403.7211 FS. Law Implemented 402.7211 FS. History—New _____.

62-730.900 Forms.

No change.

(1)(a) No change.

(b) 8700-12FL – Florida Notification of Regulated Waste Activity, _____ April 22, 2007. [Form number 62-730.900(1)(b)]

(2) through (5) No change.

(6) [reserved] Transfer Facility Notification Form, January 5, 1995. [Form number 62-730.900(6)]

(7) through (8) No change.

Specific Authority 120.53, 403.061, 403.0611 FS. Law Implemented 120.52, 120.53, 120.55, 403.0611, 403.0875, 403.7234 FS. History—New 11-30-82, Amended 4-1-83, 5-5-83, 8-21-83, 3-1-84, 5-31-84, 9-17-84, 10-29-84, 2-11-85, Formerly 17-1.207(1), (3)-(6), Amended 2-6-86, 4-8-86, 9-23-87, Formerly 17-30.401, Amended 6-28-88, 12-12-88, Formerly 17-30.900, Amended 7-3-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.900, Amended 1-5-95, 10-10-02, 1-29-06, 4-22-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tim Bahr, Environmental Administrator, Hazardous Waste Regulation, Department of Environmental Protection
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mary Jean Yon, Director, Division of Waste Management, Department of Environmental Protection
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 11, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 22, 2007 and March 21, 2008

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-7.010	Residential Case Management Services
63E-7.011	Delinquency Intervention and Treatment Services

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

SUMMARY: The rule sections address the provision of case management services within a residential program, including the function of the multidisciplinary intervention and treatment team. All aspects of case management are covered, from initial assessment, through performance planning and review, and concluding with transition planning prior to release. Delinquency intervention and treatment services are also addressed, including the provision of delinquency intervention services to address criminogenic needs, and treatment services for physical, mental health and substance abuse.

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

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

SPECIFIC AUTHORITY: 985.64 FS.

LAW IMPLEMENTED: 985.601(3)(a) FS.

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

DATE AND TIME: Wednesday, August 27, 2008, 9:30 a.m.
 PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel’s Conference Room 3223, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

63E-7.010 Residential Case Management Services.

(1) A residential commitment program shall provide case management services for each youth that ensure his or her priority needs are identified and addressed through the coordinated delivery of delinquency intervention and treatment services. The program’s case management processes shall include the following:

(a) Assessment of the youth, including reassessments or updates;

(b) Development and implementation of the youth’s performance plan and, when necessary to address a priority treatment need, the youth’s treatment plan;

(c) Review and reporting of the youth’s performance and progress; and

(d) Transition planning.

(2) Accommodating Disabilities. When providing case management services to any youth identified as having a disability, a residential commitment program shall make accommodations as needed to facilitate the youth’s understanding of and active participation in the case management processes listed above in paragraphs 63E-7.010(1)(a)-(d), F.A.C.

(3) Parent or Guardian Involvement. A residential commitment program shall, to the extent possible and reasonable, encourage and facilitate involvement of the youth’s parent or guardian in case management processes to include, at a minimum, assessment, performance plan development, progress reviews, and transition planning. To facilitate this involvement, the program shall invite the youth’s parent or guardian to participate in intervention and treatment team meetings for the purposes of developing the youth’s performance plan, conducting formal performance reviews of the youth’s progress in the program, and planning for the youth’s transition to the community upon release from the program. If unable to attend, the parent or guardian shall be given the opportunity to participate via telephone or video conferencing or to provide verbal or written input prior to the meeting. However, the program shall obtain the written consent of any youth 18 years of age or older, unless the youth is incapacitated and has a court-appointed guardian, before providing or discussing with the parent or guardian any information related to the youth’s physical or mental health screening, assessment, or treatment. Additionally, the program

shall obtain the written consent of any youth, regardless of age, unless he or she is incapacitated and has a court-appointed guardian, before sharing with the parent or guardian any substance abuse information pertaining to the youth.

(4) Multidisciplinary Intervention and Treatment Team. A residential commitment program shall implement a multidisciplinary case management process, assigning each newly admitted youth's case to a multidisciplinary intervention and treatment team. The team shall plan for and ensure delivery of coordinated delinquency intervention and treatment services to meet the prioritized needs of each youth assigned.

(a) The program director or his or her designee shall identify a leader for each intervention and treatment team to coordinate and oversee the team's efforts and facilitate effective management of each case assigned to the team.

(b) At a minimum, a multidisciplinary intervention and treatment team shall be comprised of the youth, representatives from the program's administration and residential living unit, and others directly responsible for providing, or overseeing provision of, intervention and treatment services to the youth. Each intervention and treatment team member shall participate in the case management processes addressed in paragraphs 63E-7.010(1)(a)-(d), F.A.C., to ensure provision of coordinated services to each youth. The program shall request and encourage a representative of the educational staff to participate as an intervention and treatment team member. However, at a minimum, the intervention and treatment team shall obtain input from the educational staff for use when developing and modifying the youth's performance plan, preparing progress reports to the court, and engaging in transition planning.

(5) Assessment. A residential commitment program shall provide assessment services as follows:

(a) Initial Assessment. The program shall ensure that an initial assessment of each youth is conducted within 30 days of admission. The program shall maintain all documentation of the initial assessment in the youth's official youth case record.

1. Criminogenic Risks and Needs. The program shall assess each youth to identify criminogenic risk and protective factors, prioritize the youth's criminogenic needs, and determine his or her risk to re-offend. The criminogenic assessment tool used for this purpose shall address, at a minimum, the following domains, with information for its completion being obtained through a multi-disciplinary assessment process:

- a. Criminal history;
- b. Substance abuse involvement;
- c. Attitudes, behaviors and skills;
- d. Relationships;
- e. Family history and current family dynamics;
- f. School and work history and status; and
- g. Use of free time;

2. Educational and Treatment Needs. Additionally, the program shall ensure that the initial assessment process addresses the youth's educational and treatment needs as specified in the following subsections, and that any resulting information that is applicable to the criminogenic risk and needs assessment is reflected on the criminogenic assessment tool addressed in subparagraph 63E-7.010(5)(a)1., F.A.C.

a. Education. An educational assessment shall be conducted as required in Section 1003.52, F.S.

b. Physical Health. A comprehensive physical assessment conducted by a physician, advanced registered nurse practitioner (ARNP) or physician assistant, as well as a health-related history conducted by a physician, ARNP, physician assistant or nurse licensed pursuant to Section 464.003, F.S., shall be made available to the program by the time of the youth's admission. After the youth is admitted, healthcare professionals with the qualifications referenced above shall review the respective documents within seven calendar days of the youth's admission, resulting in verification or update of the youth's medical status, identification of any medical alert relevant to the youth, and provision of healthcare services as indicated.

c. Mental Health and Substance Abuse. The program shall ensure that a comprehensive mental health or substance abuse evaluation is conducted when the need is identified through screening pursuant to paragraph 63E-7.004(2)(b), F.A.C. However, if a comprehensive evaluation, as defined in Rule 63E-7.002, F.A.C., was conducted within the past twelve months, an update to that evaluation may be completed instead. Only a licensed mental health professional or a mental health clinical staff person working under the direct supervision of a licensed mental health professional shall conduct a mental health evaluation or update. Any substance abuse evaluation or update shall be conducted by a qualified professional who is licensed under Chapter 458, 459, 490 or 491, F.S., or a substance abuse clinical staff person who is an employee of a service provider licensed under Chapter 397, F.S., or an employee in a facility licensed under Chapter 397, F.S.

(b) Reassessment. The program shall determine and document changes in each youth's risks and needs so that updated information is available when the intervention and treatment team prepares a 90-day Performance Summary pursuant to paragraph 63E-7.010(9)(b), F.A.C. Additionally, the program shall ensure that any other updates or reassessments are completed when deemed necessary by the intervention and treatment team to effectively manage the youth's case. The program shall maintain all re-assessment documentation in the youth's official youth case record.

(6) Performance Plan. A residential commitment program shall ensure that each youth has a performance plan with individualized delinquency intervention goals to achieve before release from the program. Based on the findings of the

initial assessment of the youth, the intervention and treatment team, including the youth, shall meet and develop the performance plan within 30 days of the youth's admission.

(a) The performance plan, developed to facilitate the youth's successful reintegration into the community upon release from the program, shall include goals that:

1. Specify delinquency interventions with measurable outcomes for the youth that will decrease criminogenic risk factors and promote strengths, skills, and supports that reduce the likelihood of the youth reoffending;

2. Target court-ordered sanctions that can be reasonably initiated or completed while the youth is in the program; and

3. Identify transition activities targeted for the last 60 days of the youth's anticipated stay in the program.

(b) For each goal, the performance plan shall specify its target date for completion, the youth's responsibilities to accomplish the goal, and the program's responsibilities to enable the youth to complete the goal.

(c) To facilitate the youth's rehabilitation or promote public safety, the intervention and treatment team may revise the youth's performance plan based on reassessment results, the youth's demonstrated progress or lack of progress toward completing a goal, or newly acquired or revealed information. Additionally, based on the transition conference addressed in paragraph 63E-7.010(10)(a), F.A.C., the intervention and treatment team shall revise the youth's performance plan as needed to facilitate transition activities targeted for completion during the last 60 days of the youth's stay in the program.

(d) The youth, the intervention and treatment team leader, and all other parties who have significant responsibilities in goal completion shall sign the performance plan, indicating their acknowledgement of its contents and associated responsibilities. The program shall file the original signed performance plan in the youth's official youth case record and shall provide a copy to the youth. Within 10 working days of completion of the performance plan, the program shall send a transmittal letter and a copy of the plan to the committing court, the youth's JPO, the parent or legal guardian, and the DCF counselor, if applicable.

(7) Treatment Plan. When a youth has a developmental disability or a mental health, substance abuse, or physical health need that is addressed in a separate treatment or care plan, that treatment or care plan shall be coordinated with the youth's performance plan through the multi-disciplinary intervention and treatment team process to ensure compatibility of goals, services and service delivery. The youth's performance plan shall reference or incorporate the youth's treatment or care plan. When a youth in a residential commitment program has a current behavior support plan or case plan through the Agency for Persons with Disabilities, the program shall coordinate the youth's performance plan with the youth's APD plan for related issues.

(8) Academic Plan. A youth's performance plan and his or her academic plan as specified in paragraph 6A-6.05281(4)(a), F.A.C., if applicable, shall be coordinated through the multi-disciplinary intervention and treatment team process, and the performance plan shall reference or incorporate the academic plan.

(9) Performance Review and Reporting.

(a) Performance Reviews. A residential commitment program shall ensure that the intervention and treatment team reviews each youth's performance, including progress on individualized performance plan goals, positive and negative behavior, including behavior that resulted in physical interventions, and if the youth has a treatment plan, treatment progress. Performance reviews shall result in revisions to the youth's performance plan when determined necessary by the intervention and treatment team in accordance with paragraph 63E-7.010(6)(c), F.A.C., and reassessments when deemed necessary by the intervention and treatment team in accordance with paragraph 63E-7.010(5)(b), F.A.C.

1. Low-risk, moderate-risk, and high-risk programs shall conduct biweekly reviews of each youth's performance. A formal performance review, requiring a meeting of the intervention and treatment team, shall be conducted at least every 30 days. In any month, one bi-weekly performance review may be informal, where the intervention and treatment team leader meets individually with the youth. When needed, the team leader may include other team members' input in an informal review.

2. In maximum-risk programs, the intervention and treatment team shall meet at least every 30 days to conduct a formal performance review of each youth.

3. The intervention and treatment team shall document each formal and informal performance review in the official youth case record, including the youth's name, date of the review, meeting attendees, any input or comments from team members or others, and a brief synopsis of the youth's progress in the program.

(b) Performance Reporting. The intervention and treatment team shall prepare a Performance Summary (RS 007, September 2006) at 90-day intervals, beginning 90 days from the signing of the youth's performance plan, or at shorter intervals when requested by the committing court. Additionally, the intervention and treatment team shall prepare a Performance Summary prior to the youth's release, discharge or transfer from the program.

1. Each Performance Summary shall address, at a minimum, the following areas:

a. The youth's status on each performance plan goal;

b. The youth's overall treatment progress if the youth has a treatment plan;

c. The youth's academic status, including performance and behavior in school;

d. The youth's behavior, including level of motivation and readiness for change, interactions with peers and staff, overall behavior adjustment, and, for any initial Performance Summary, the youth's initial adjustment to the program;

e. Significant positive and negative incidents or events; and

f. A justification for a request for release, discharge or transfer, if applicable.

2. The staff member who prepared the Performance Summary, the intervention and treatment team leader, the program director or designee, and the youth shall review, sign and date the document. Prior to the youth signing the document, program staff shall give the youth an opportunity to add comments, providing assistance to the youth, if requested. The program shall distribute the performance plan as specified below within 10 working days of its signing.

a. With the exception of a Performance Summary prepared in anticipation of a youth's release or discharge, the program shall send copies of the signed document to the committing court, the youth's JPO, and the parent or guardian and shall provide a copy to the youth.

b. As notification of its intent to release a youth pursuant to subsection 63E-7.012(2), F.A.C., or discharge a youth pursuant to subsection 63E-7.012(3), F.A.C., the program shall send the original, signed Performance Summary, together with the Pre-Release Notification and Acknowledgement form (RS 008, September 2006), to the youth's JPO who is responsible for forwarding the documents to the committing court.

c. The program shall file the original, signed Performance Summary in the official youth case record except when it is prepared in anticipation of a youth's release or discharge, in which case, the program shall file a signed copy in the official youth case record.

(10) Transition Planning. When developing each youth's performance plan and throughout its implementation during the youth's stay, a residential commitment program shall ensure that the intervention and treatment team is planning for the youth's successful transition to the community upon release from the program. The intervention and treatment team shall intensify its transition planning as the youth nears his or her targeted release date as follows:

(a) Transition Conference. In a program with a length of stay over 90 days, the intervention and treatment team shall conduct a transition conference at least 60 days prior to the youth's targeted release date. In any program with a length of stay of 90 days or less, the exit conference, addressed in paragraph 63E-7.010(10)(b), F.A.C., shall suffice to address all necessary pre-release transition activities.

1. The program director or designee, the intervention and treatment team leader, and the youth shall attend the transition conference. Although the program shall encourage other intervention and treatment team members to attend, those not attending shall provide written input to the team leader prior to

the conference. If the youth's teacher is not an active intervention and treatment team member, the team leader shall invite the teacher to participate in the transition conference; however, if the teacher chooses not to attend, the team leader shall obtain the teacher's input prior to the conference. Additionally, the program shall invite the youth's JPO, post-residential services counselor, if different than the JPO, the youth's parent or guardian, and if applicable, the DCF counselor, encouraging their participation through advanced notifications and reasonable accommodations. However, when arrangements cannot be made for their participation in the transition conference, the intervention and treatment team leader shall request their input and offer an opportunity for them to provide it prior to the conference.

2. During the transition conference, participants shall review transition activities on the youth's performance plan, revise them if necessary, and identify additional activities as needed. Target completion dates and persons responsible for their completion shall be identified during the conference. The intervention and treatment team leader shall obtain conference attendees' dated signatures, representing their acknowledgement of the transition activities and accountability for their completion pursuant to the youth's performance plan.

3. In follow-up to the conference, if anyone not in attendance is identified as having responsibility for completing a transition activity, the intervention and treatment team leader shall send him or her a copy of the plan and request its return with a dated signature. In this case, an original signature is not necessary.

(b) Exit Conference. Prior to a youth's release, the program shall conduct an exit conference to review the status of the transition activities established at the transition conference and finalize plans for the youth's release. The exit conference shall be conducted after the program has notified the JPO of the release, but not less than 14 days prior to the youth's targeted release date or, if the program has a length of stay of 45 days or less, it shall be conducted not less than one week prior to the youth's targeted release date.

1. The program shall arrange and prepare for the exit conference in accordance with the requirements for the transition conference stipulated in subparagraph 63E-7.010(10)(a)1., F.A.C.

2. The program shall document the exit conference in the official youth case record, including the date of the conference, attendees' signatures, names of persons participating via telephone or video conferencing, and a brief summary of the follow-up transition activities still pending. The program shall track and ensure completion of any pending actions necessary to expedite the youth's release and successful transition.

(11) Coordination of Youth Served by DJJ and DCF. In an effort to coordinate services for youth jointly served by the department and DCF, a residential commitment program shall provide information requested by the DCF counselor, or the

youth's JPO on behalf of the DCF counselor, and shall, upon request, make reasonable accommodations for a DCF counselor to visit the youth. The program shall invite the DCF counselor to the youth's transition and exit conferences and, if necessary, make reasonable accommodations for telephone or video access to participate in the conference. Additionally, the program shall notify the DCF counselor 30 days prior to a youth's release or, in the event that the program does not have 30 days notice of the youth's release, the program shall notify the DCF counselor immediately upon becoming aware of the release date.

(12) Management of Sexually Violent Predator (SVP) Eligible Cases. A residential commitment program shall establish and implement a tracking system to ensure that any case of a youth who is screened by the department as potentially eligible for involuntary commitment as a SVP is managed as follows:

(a) The program shall identify the youth's potential SVP eligibility as part of the initial assessment documentation and the youth's performance plan. The program shall include transition activities on the youth's performance plan that facilitate determination of the youth's SVP eligibility status.

(b) When planning the youth's release pursuant to paragraph 63E-7.012(2)(b), F.A.C., the program shall assist the DCF multidisciplinary team and the State Attorney by providing additional information requested or by accommodating their request to interview the youth.

Specific Authority 985.64 FS. Law Implemented 985.601(3)(a) FS. History—New _____.

63E-7.011 Delinquency Intervention and Treatment Services.

A residential commitment program shall provide delinquency intervention and treatment services that are gender-specific pursuant to Section 985.02, F.S., and that focus on preparing youth to live responsibly in the community upon release from the program. The program shall design its services and service delivery system based on the common characteristics of its primary target population, including age, gender, and special needs, and their impact on youths' responsivity to intervention or treatment. However, in accordance with Rule 63E-7.010, F.A.C., the program shall individualize and coordinate the provision of delinquency intervention and treatment services based on each youth's prioritized needs.

(1) Residential Community. A residential commitment program shall establish an environment that is conducive to the effective delivery of delinquency intervention and treatment services. This environment shall promote and reinforce community values by giving youth opportunities to assume the responsibilities and experience the benefits of being part of a community. Therefore, the program shall establish a residential community, as defined in Rule 63E-7.002, F.A.C., that promotes the following:

(a) Each youth's personal accountability for his or her actions and how they impact others;

(b) Community safety through peaceful conflict resolution and youth learning to manage their behavior;

(c) Competency development through opportunities for youth to practice skills needed for responsible community living;

(d) Youths' active participation through opportunities to make choices, assume meaningful roles, including team membership and leadership roles, and give input into the rules and operation of the residential community. The program shall establish a formal process to promote youths' constructive input, such as a youth advisory council, that gives them experience in identifying systemic issues impacting their residential community and making recommendations for resolution to improve conditions and enhance the quality of life for staff and youth in the program.

(2) Delinquency Intervention Services.

(a) For each youth in its care, a residential commitment program shall implement a delinquency intervention model or strategy that is an evidence-based practice or a practice with demonstrated effectiveness as defined in Rule 63E-7.002, F.A.C., that addresses a priority need identified for that youth.

(b) A staff person whose regularly assigned job duties include implementation of a specific delinquency intervention model, strategy or curriculum shall receive training in its effective implementation.

(c) A residential commitment program shall provide delinquency intervention services that include, at a minimum, the following:

1. Educational Services and Career and Vocational Programming. Educational services shall be provided pursuant to Section 1003.52, F.S., the cooperative agreement between the applicable school district and the department as referenced in Section 1003.52(13), F.S., and any applicable provisions of the residential provider's contract with the department. Career and vocational programming services shall be provided pursuant to Chapter 63B-1, F.A.C., and any applicable provisions of the residential provider's contract with the department. The program shall make relevant facility training available to the educational and vocational staff, including program orientation, facility safety and security procedures, the program's behavior management system, and other topics that the program deems necessary to promote coordination of services, as well as safety and security.

2. Life and Social Skill Competency Development. The program shall provide interventions or instruction that focus on developing life and social skill competencies in youth. For purposes of this rule chapter, life skills are those skills that help youth to function more responsibly and successfully in everyday life situations, including social skills that specifically address interpersonal relationships. Non-clinical staff may implement life and social skills interventions or instruction

except when the instructional materials are specifically designed for use by clinical staff or when the skill training is delivered in response to a youth's treatment plan, thereby requiring a clinician's implementation.

a. The program shall provide life and social skills intervention services that address, at a minimum, identification and avoidance of high-risk situations that could endanger self or others, communication, interpersonal relationships and interactions, non-violent conflict resolution, anger management, and critical thinking including problem-solving and decision-making.

b. Direct care staff shall model prosocial behaviors for youth throughout the course of each day in the program, and guide and re-direct youth toward prosocial behaviors and positive choices. Additionally, staff shall engage youth in constructive dialogue to peacefully resolve conflict when it occurs or, if imminent safety and security issues delay intervention to resolve the conflict, as a follow-up process after safety and security are restored.

3. Impact of Crime Awareness Activities. The program shall provide activities or instruction intended to increase youths' awareness of and empathy for crime victims and survivors and increase youths' personal accountability for their criminal actions and harm to others. These activities or instruction shall be planned or designed to:

a. Assist youth to accept responsibility for harm they have caused by their past criminal actions, challenging them to recognize and modify their irresponsible thinking, such as denying, minimizing, rationalizing, and blaming victims;

b. Teach youth about the impact of crime on victims, their families and their communities;

c. Expose youth to victims' perspectives through victim speakers, in person or on videotape or audiotape, or through victim impact statements, and engage youth in follow-up activities to process their reactions to each victim's accounting of how crime affected his or her life; and

d. Provide opportunities for youth to plan and participate in reparation activities intended to restore victims and communities, such as restitution activities and community service projects.

4. Community Service Projects. The program shall engage youth in community service projects as learning experiences that promote competency development in youth and provide opportunities for them to give back to the community, such as projects that benefit less fortunate or victimized persons. If youth are restricted to the confines of the residential facility grounds pursuant to subsection 63E-7.013(19), F.A.C., the program shall engage them in structured activities that can be accomplished on-site at the program while benefiting the community. Through collaborative community partnerships, the program shall identify service projects that are needed and valued by the community. Although program staff shall be responsible for the direct supervision of youth while engaged

in a community service project, the program shall ensure that any community member identified to sponsor or oversee a project serves as a positive role model while providing guidance needed for youth to successfully complete the project. In order for youth to understand the value of community service, staff shall provide opportunities for youth to give input into the selection of a community service project, involve youth in planning for the project, and de-brief with youth after completion of the project to process what they learned and how the community was benefited.

5. Recreation and Leisure Activities. The program shall provide a range of supervised, structured indoor and outdoor recreation and leisure activities for youth. These activities shall be based on the developmental levels and needs of youth in the program, as well as youths' input about their preferences and interests in various activities. The program shall offer recreation and leisure activities requiring varying degrees of mental and physical exertion, such as board games, creative arts, sports, and physical fitness activities. Activities shall be planned for youths' exposure to a variety of leisure and recreation choices, exploration of interests, constructive use of leisure time, and social and cognitive skill development, as well as to promote creativity, teamwork, healthy competition, mental stimulation, and physical fitness.

a. When engaging youth in active recreation and physical fitness activities, the program shall take the precautionary measures necessary to prevent over-exertion, heat stress, dehydration, frostbite, hypothermia, and exacerbation of existing illness or physical injury.

b. When planning for and engaging youth in active recreation and physical fitness activities, the program shall accommodate youths' limitations due to physical disabilities.

c. The program shall provide each youth with the opportunity to engage in large muscle exercise at least one hour daily. However, a youth shall not engage in such exercise when prohibited by medical contraindications or restrictions documented by a licensed healthcare professional or when a youth is exhibiting signs and symptoms of illness or physical injury pending a licensed healthcare professional's determination as to the necessity for medical restrictions. Additionally, a youth shall be prohibited from large muscle exercise when he or she is temporarily separated from the general population, including when placed on controlled observation or room restriction status pursuant to Rule 63E-7.013, F.A.C. However, if a youth is restricted to a room, the program shall give the youth an opportunity for large muscle exercise as soon as is reasonably possible after the youth is reintegrated into the general population.

d. The program director shall ensure development and implementation of written procedures that establish the conditions, content, and supervision necessary for the use of books and other leisure reading materials, television programming, videos, movies, and video games in the

program. Except for academic classroom materials approved by educational personnel, program staff shall screen or preview the content of books and other reading materials, television programming, videos, movies, and video games to prevent youth's access to content that promotes violence, criminal activity, sexual activity, or abuse. Program staff shall not allow youth to view any television program, video, or movie that is rated above PG-13 unless it is previewed and pre-approved by the program director or his or her designee.

6. Gang Prevention and Intervention Strategies. Consistent with subsection 63E-7.013(8), F.A.C., a residential commitment program shall implement gang prevention and intervention strategies when youth are identified as being a criminal street gang member, are affiliated with any criminal street gang, or are at high risk of gang involvement. Identification of youth to participate in gang prevention or intervention activities shall be based on information obtained through the program's screening, assessment and classification processes, as well as gang-associated behaviors exhibited or the youth's expressed interest or intent while in the program.

(d) Rehabilitative Planning and Follow-up Requirements for Off-Campus Activities. A residential commitment program shall ensure that off-campus activities addressed in this subsection are purposeful, deliberately planned, and related to the rehabilitation of the participating youth. Programs shall comply with eligibility, risk classification, notification and approval, supervision, and other security requirements related to off-campus activities specified in subsection 63E-7.013(19), F.A.C. Additionally, the program shall comply with the following rehabilitative planning and follow-up requirements for youth participating in supervised off-campus activities, such as community service projects, field excursions and other transition-related activities, and unsupervised temporary release activities, such as community employment, or day activities and home visits with youths' parents or guardians. However, the following requirements are not mandatory for supervised recreational off-campus activities earned by youth as incentives in accordance with the program's behavior management system.

1. A participating youth shall have specific, written goals or objectives, consistent with his or her performance plan and transition goals, to accomplish during the above-listed off-campus activities. For a home visit, the youth's home visit goals shall be included on the Home Visit Plan/Notification form (RS 003, September 2006). The program shall send the form to the youth's JPO, the youth's post-residential services counselor, if assigned, the youth's parent or guardian as an attachment to a transmittal letter explaining their responsibilities for providing supervision and support during their child's home visit, and the committing court as an attachment to the Home Visit Plan Approval form (RS 004, September 2006). When the program sends this form to the

committing court, the program shall copy the youth's parent or guardian, the youth's JPO, and the youth's post-residential services counselor, if assigned.

2. After completion of an off-campus activity, program staff shall de-brief with participating youth to process what they learned from the experience, as well as how they performed during the activity, including successes, challenges, and if applicable, alternative behaviors or actions that could have resulted in more positive outcomes. The youth's treatment team shall use information about the youth's performance during off-campus activities when reviewing the youth's overall progress and when planning future off-site and transition activities for the youth. Therefore, the program shall solicit feedback on a youth's performance from the employer of a youth participating in community employment, the community member overseeing a community services project, and the parent or guardian after supervising their child during a day activity or home visit.

(3) Treatment Services. Treatment services shall be provided in accordance with the following provisions:

(a) Authority for Evaluation and Treatment.

1. For purposes of this rule section, routine physical and mental healthcare services are defined as those specified on the Authority for Evaluation and Treatment (AET) form (HS 002, May 2007) defined and incorporated into this rule pursuant to Rule 63E-7.002, F.A.C.

2. Prior to admission to the program of a youth under 18 years of age or a youth 18 years of age or older who is incapacitated as defined in Section 744.102(12), F.S., the youth's JPO shall provide the residential commitment program with an original or a legible copy of the signed AET or a court order addressing the provision of routine physical and mental healthcare. However, when a youth is 18 years of age or older and not incapacitated, or otherwise emancipated as provided in Section 743.01 or 743.015, F.S., no AET or court order is required since the youth is responsible for authorizing his or her own physical and mental health care.

3. Unless revoked or modified by a youth's parent or guardian or superceded by a court order addressing the provision of routine physical and mental healthcare, an AET remains current and valid while the youth remains under the department's supervision or custody or for one year after it is signed, whichever comes later. However, if a youth reaches 18 years of age while in the program and is not incapacitated, or is otherwise emancipated as provided in Section 743.01 or 743.015, F.S., the youth is responsible for authorizing his or her own physical or mental health care.

4. When the person authorized to consent withholds, revokes or limits consent for any recommended treatment, the program's Designated Health Authority, based on his or her clinical judgment, shall determine whether the treatment, if not provided, will potentially result in serious or significant health consequences for the youth or threaten his or her life or

jeopardize the health of other youth and staff in the program. If the Designated Health Authority so determines, the program director shall explain the situation to the person withholding, revoking or limiting consent, encouraging him or her to consent to the needed treatment; however, if consent is still denied, the program director shall contact the department's regional general counsel to request him or her to obtain a court order authorizing the treatment.

5. If the program anticipates that a youth will reach 18 years of age while in the program and believes that he or she is an incapacitated person as defined in Section 744.102(12), F.S., the treatment team shall track the youth and, at least three months prior to his or her 18th birthday, shall contact the youth's parent or guardian to request that he or she initiate the process to determine incapacitation and guardianship in accordance with the procedures specified in Part V of Chapter 744, F.S., or, in the case of a youth in foster care, notify the Department of Children and Families counselor of the situation. If the program has reason to believe that guardianship is not being pursued, the program shall notify the department's regional legal counsel.

6. Except in the case of an incapacitated youth for whom the court has appointed a parent as the guardian, the program shall not release any health or mental health information to a parent of a youth who is 18 years of age or older, or is otherwise emancipated as provided in Section 743.01 or 743.015, F.S., without the youth's written consent. The program shall request the youth to give consent for his or her parent to be contacted in the event of an emergency; however, if the youth does not consent, the program shall request the youth to designate in writing the person or persons he or she wants contacted in an emergency situation.

7. The program shall not, under any circumstances, withhold physical or mental health emergency services pending the signing of an AET or issuance of a court order.

8. The program shall ensure that the original or a legible copy of the AET or the court order is maintained in the youth's individual healthcare record. Additionally, any revocations or modifications to the aforementioned documents shall be documented in the youth's individual healthcare record.

(b) Physical Health Services. A residential commitment program shall employ or contract with an individual to be the Designated Health Authority. He or she shall be licensed pursuant to Chapter 458 or Chapter 459, F.S. The Designated Health Authority shall be responsible for ensuring the delivery of administrative, managerial and medical oversight of the program's health care system. The program shall promote the health and physical development of the youth in its custody by ensuring the provision of, at a minimum, the following healthcare components.

1. Intake Screenings and Assessments. Each youth shall be screened pursuant to Rule 63E-7.004, F.A.C., and assessed pursuant to Rule 63E-7.010, F.A.C. If a youth is identified as

having a chronic condition or a communicable disease, is determined to be pregnant, or experiences a significant change in his or her healthcare status, or when a new medication or medical regimen is initiated, a physician or physician's designee shall conduct a follow-up assessment when deemed necessary based on his or her clinical judgment about the youth's condition.

2. Episodic Care. The program shall respond to any unexpected illness, accident or condition that requires immediate attention by ensuring 24-hour first aid and access to emergency care for youth when needed.

3. Sick Call Care. The program shall ensure implementation of an effective method for each youth to access sick call, as well as a system to respond to any youth's sick call complaint of illness or injury of a non-emergent nature with a nursing assessment and, when warranted, a nursing intervention or referral to an off-site health care provider for treatment. Sick call shall be conducted by a registered nurse or a licensed practical nurse who shall review the cases daily, telephonically or in person, with a healthcare professional at a licensure level of an RN or higher.

4. Medication Management. The program's medication management system shall provide for the safe, effective, and documented storage, administration, and inventory of over-the-counter and prescription medications, including controlled substances.

5. Infection Control. The program shall develop and implement a plan for surveillance, screening and management of illnesses or potential infectious conditions. The program's infection control plan shall be approved by the Designated Health Authority and shall address, at a minimum, universal precautions, blood borne pathogens, needlestick injuries with post-exposure evaluation and follow-up, and communicable diseases.

6. Health Education. Health education pertaining to issues of adolescence shall be provided to youth appropriate for their age, developmental level and gender. Additionally, as applicable, individualized health education shall be provided on specific health conditions, such as prenatal, postpartum and parenting education for pregnant youth.

7. Transitional Healthcare Planning. Consistent with transition planning required in Rule 63E-7.010, F.A.C., the program shall ensure a process to facilitate healthcare transitional planning and information exchange to maintain continuity of care for a youth who is released or discharged from the program or transferred to another facility.

(c) Mental Health and Substance Abuse Services.

1. Designated Mental Health Authority or Clinical Coordinator. A residential commitment program shall designate a Designated Mental Health Authority or a Clinical Coordinator as follows:

a. Any program with an operating capacity of 100 or more youth or any program providing DJJ specialized treatment services shall employ or contract with a single licensed mental health professional to be known as the Designated Mental Health Authority. If the program contracts with an agency or corporate entity, rather than a single mental health professional, then a single licensed mental health professional within the agency or corporate entity shall be identified as the Designated Mental Health Authority.

b. Any program with an operating capacity of less than 100 youth or that does not provide specialized DJJ treatment services, shall designate either a Designated Mental Health Authority or a Clinical Coordinator. Designating a non-licensed mental health clinical staff person as a Clinical Coordinator does not confer upon that person the authority to function as a clinical supervisor.

2. A residential commitment program shall ensure that youth in the program have access to, at a minimum, the following mental health and substance abuse services:

a. Mental health and substance abuse screening;

b. Comprehensive mental health and substance abuse evaluation;

c. Individualized mental health and substance abuse treatment planning and discharge planning;

d. Individual, group and family therapy;

e. Behavioral therapy;

f. Psychosocial skills training;

g. Psychiatric services;

h. Suicide prevention services;

i. Mental health crisis intervention;

j. Emergency mental health and substance abuse services;
and

k. Developmental disability services for youth with a developmental disability.

3. Screening. Mental health and substance abuse screening that addresses risk factors for suicide, mental disorder and substance abuse shall be conducted upon a youth's admission to a residential commitment program in accordance with Rule 63E-7.004, F.A.C.

4. Comprehensive Evaluation. Youth who demonstrate behaviors or symptoms indicative of mental disorder or substance abuse during the screening process or after admission to the program shall be referred for a comprehensive mental health or substance abuse evaluation or update to be conducted by a qualified person in accordance with Rule 63E-7.010, F.A.C.

5. Suicide Prevention Services. Youth who demonstrate suicide risk factors during the screening process or after admission to a program shall be referred for Assessment of Suicide Risk or emergency mental health services if the youth is in crisis. A youth identified with suicide risk factors shall be maintained on suicide precautions until he or she has received

an Assessment of Suicide Risk conducted by a mental health clinical staff person who is a licensed mental health professional or works under the direct supervision of a licensed mental health professional. The Assessment of Suicide Risk form (MHSA 004, August 2006) is incorporated into this rule and is available electronically at http://www.djj.fl.us/forms/mental_health_substance_abuse_services_forms_index.html.

6. Treatment Plan Development and Implementation. When a comprehensive mental health or substance abuse evaluation indicates the youth is in need of mental health and/or substance abuse treatment, an individualized mental health and/or substance abuse treatment plan shall be developed and timely treatment shall be provided based upon the youth's treatment plan. Pending development of an individualized mental health or substance abuse treatment plan, an initial plan is acceptable.

a. The individualized mental health treatment plan shall include the signatures of the youth, the mental health clinical staff person that prepared the plan, and any intervention and treatment team members who participated in its development. A licensed mental health professional shall review, sign and date the treatment plan within 10 days of completion.

b. The individualized substance abuse treatment plan shall include the signatures of the youth, the substance abuse clinical staff person that prepared the plan and any intervention and treatment team members who participated in its development. The plan shall be completed by a qualified professional who is licensed under Chapter 458, 459, 490 or 491, F.S., or a substance abuse clinical staff person who is an employee of a service provider licensed under Chapter 397, F.S., or an employee in a facility licensed under Chapter 397, F.S. If the treatment plan is completed by a non-licensed substance abuse clinical staff person, the treatment plan shall be reviewed, countersigned and dated by a qualified professional within 10 calendar days of completion of the treatment plan as set forth in subsection 65D-30.004(17), F.A.C.

7. Mental Health and Substance Abuse Treatment. The program shall ensure the delivery of individual, group and family therapy, behavioral therapy, or psychosocial skills training in accordance with a youth's treatment plan. Mental health treatment shall be provided by a licensed mental health professional or a mental health clinical staff person working under the direct supervision of a licensed mental health professional. Substance abuse treatment shall be delivered by a qualified professional who is licensed under Chapter 458, 459, 490 or 491, F.S., a substance abuse clinical staff person who is an employee of a service provider licensed under Chapter 397, F.S., or an employee in a facility licensed under Chapter 397, F.S. Additionally, psychiatric treatment services delivered in accordance with a youth's treatment plan shall be provided by a licensed psychiatrist or a licensed and certified psychiatric advanced registered nurse practitioner working under the clinical supervision of a licensed psychiatrist. The psychiatrist

shall be a physician licensed under Chapter 458 or 459, F.S., who is board certified in Child and Adolescent Psychiatry or Psychiatry by the American Board of Psychiatry and Neurology or has completed a training program in Psychiatry approved by the American Board of Psychiatry and Neurology for entrance into its certifying examination. A licensed psychiatrist who is board certified in Forensic Psychiatry by the American Board of Psychiatry and Neurology or American Board of Forensic Psychiatry may also provide psychiatric treatment services if he or she has prior experience and training in psychiatric treatment with children or adolescents.

8. Crisis Intervention and Emergency Mental Health Services. Youth who demonstrate acute emotional or behavioral problems or acute psychological distress shall be referred for mental health crisis intervention services conducted by a licensed mental health professional or a non-licensed mental health clinical staff person working under the direct supervision of a licensed mental health professional. When a youth exhibits behaviors that constitute an imminent danger to self or others because of mental illness, the youth shall be referred for emergency mental health services in accordance with the provisions of Section 394.463, F.S.

9. Discharge Planning. Prior to a youth being discharged from mental health or substance abuse treatment, either when completing treatment or when being transferred, released or discharged from the residential program before completing treatment, a mental health or substance abuse discharge plan shall be developed to facilitate continuity when the youth moves from one facility to another or returns to his or her community. Additionally, the youth's intervention and treatment team shall use the youth's treatment discharge plan when planning for the youth's transition to the community pursuant to Rule 63E-7.010, F.A.C.

Specific Authority 985.64 FS. Law Implemented 985.601(3)(a) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Pamela Brantley, Residential Services, Policy Development and Planning

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Darryl Olson, Assistant Secretary for Residential Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 22, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 3, 2008

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: 64B-9.002 RULE TITLE: Physician Survey Procedures

PURPOSE AND EFFECT: To update and expand the rule relating to physician workforce surveys.

SUMMARY: The rule incorporates an expanded physician survey with an effective date of July 2008.

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

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

SPECIFIC AUTHORITY: 458.3191(4), 459.0081(4) FS.

LAW IMPLEMENTED: 381.4018, 458.3191, 459.0081 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: Lola Pouncey, Bureau Chief, 4052 Bald Cypress Way, Bin #C10, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B-9.002 Physician Survey Procedures.

(1) At time of licensure renewal, each medical doctor and osteopathic physician who renews his or her license on line at www.FLHealthSource.com must fully complete on line all applicable portions of the physician workforce survey, form DH-MQA 1119, entitled Physician Workforce Survey, effective ~~07/08~~ ~~02/08~~, which is incorporated herein by reference and also may be viewed at <http://www.doh.state.fl.us/mqa/medical/index.html> or at <http://www.doh.state.fl.us/mqa/osteopath/index.html>. The address where physicians who do not renew online are required to obtain, complete and submit a paper copy of the survey with their renewal is 4052 Bald Cypress Way, Bin #C10, Tallahassee, FL 32399.

(2) No change.

Specific Authority 458.3191(4), 459.0081(4) FS. Law Implemented 381.4018, 458.3191, 459.0081 FS. History--New 4-21-08, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lola Pouncey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ana Viamonte Ros

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 23, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 30, 2008

DEPARTMENT OF MILITARY AFFAIRS

RULE NO.: 70-1.001 RULE TITLE: Florida Armed Forces Reserve Family Readiness Program Application Fund

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish an application form to be used by all applicants requesting assistance from the Family Readiness Program, with the effect of ensuring that all applications for assistance are processed using one standardized format. This will facilitate rapid review of the application, and minimize processing delays caused by incomplete information being provided by the applicant.

SUMMARY: Section 250.5206, Florida Statutes (Family Readiness Program), establishes a need-based assistance program for the purpose of providing financial assistance to the families of eligible Servicemembers of the Florida National Guard, United States Reserves Forces, and Coast Guard Reserves. Families are eligible to request assistance while Servicemembers are federally deployed and serving in the Global War on Terrorism, or participating in state operations for homeland defense, and for 120 days after the Servicemember is released from qualifying service. The proposed rule provides a uniform application form that clearly delineates all information needed to process the request for assistance to completion.

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: 250.5206(8) FS.

LAW IMPLEMENTED: 250.5206 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: Lieutenant Colonel Elizabeth C. Masters, (904)823-0131

THE FULL TEXT OF THE PROPOSED RULE IS:

70-1.001 Florida Armed Forces Reserve Family Readiness Program Application Fund.
Application process for the Florida Armed Forces Reserve Family Readiness Program Application Fund (FLARF FRPAF). All persons applying for assistance from the FLARF FRPAF shall include all information required by Section 250.5206, Florida Statutes, and any other information determined to be needed by the federal Family Center Support Specialist accepting the application for review. Persons applying for assistance shall utilize the FLARF FRPAF Application for Assistance Forms (dated November 2007), which are incorporated by reference, and available on the Department of Military Affairs' (DMA's) web site at www.dma.state.fl.us.

Specific Authority 250.5206(8) FS. Law Implemented 250.5206 FS. History-New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lieutenant Colonel Elizabeth C. Masters

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Major General Douglas Burnett, The Adjutant General, Department of Military Affairs

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

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

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-22.001	Definitions
6A-22.002	Rehabilitation Provider Qualifications
6A-22.003	Reemployment Status Review
6A-22.004	Notice Requirements
6A-22.006	Screening Process
6A-22.008	Reemployment Services and Programs
6A-22.009	Employee Responsibilities
6A-22.010	Reporting Services and Costs: Qualified Rehabilitation Provider and Employer or Carrier Responsibilities
6A-22.011	List of Forms
6A-22.012	Expenditures from the Workers' Compensation Administrative Trust Fund

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 24, June 13, 2008 Florida Administrative Weekly has been continued from August 19, 2008 to October 21, 2008.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.:	RULE TITLE:
9B-13.0041	Thermal Efficiency Standards Adopted

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. 23, June 6, 2008 issue of the Florida Administrative Weekly.

The Commission voted to modify the proposed reference document to require more energy efficient construction in Florida effective December 31, 2008, by amending the 2007 Florida Energy Efficiency Code for Building Construction (Energy Code).

Specifically, as applied to residential construction, the performance method of compliance, "Method A: Whole Building Performance Method" is amended to require a score of 85 rather than 100. The prescriptive means of compliance for residential construction, "Method B" is amended to require a U – Factor (Thermal Transmittance) of .65 and SHGC (Solar Heat Gain Coefficient) of .35 for windows; and programmable thermostat. Method C "Limited Applications Prescriptive Method" is deleted.

As applied to commercial construction, the performance method of compliance, "Method A: Whole Building Performance Method" is amended to require 85 percent energy use relative to the 2007 Energy Code. Method B "Building Envelope Trade-off-Method" is amended to require more stringent prescriptive envelope measures and to limit its applications to shell buildings. Build-out of shell buildings is required to comply with Method A. Method C "Building Prescriptive Envelope" is deleted.

9B-13.0041 Thermal Efficiency Standards Adopted.

Proposed Effective Date December 31, 2008.

(1) The Florida Energy Efficiency Code for Building Construction, 2007 ~~2008~~ Edition (the Code), is hereby adopted by reference. The Florida Building Commission shall revise, update and maintain the Code.

(2) A copy of the above referenced Code as amended has been filed with these rules with the Secretary of State. The Code is also available for reference and inspection at the Department offices in Tallahassee, Division of Housing and Community Development, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100.

Specific Authority 553.901 FS. Law Implemented 553.901, 553.903 FS. History—New 12-10-96, Amended 10-19-97, 1-19-98, 12-27-98, 9-12-00, 12-31-08.

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-86
 RULE CHAPTER TITLE: Drainage Connection Permit

NOTICE OF ADDITIONAL HEARING

The Department of Transportation announces additional rule hearings.

DATE AND TIME: September 9, 2008, 2:00 p.m.

PLACE: Department of Transportation, District 4 Office, Administrative Conference Room, 3400 W. Commercial Blvd., Ft. Lauderdale, Florida 33309

DATE AND TIME: September 10, 2008, 2:00 p.m.

PLACE: Orlando Urban Office, Lake Apopka B Conference Room, 133 S. Semoran Blvd., Orlando, Florida 32807

GENERAL SUBJECT MATTER TO BE DISCUSSED: These are follow up hearings to discuss the proposed amendments to Rule Chapter 14-86, F.A.C. The notice of rulemaking was published in Florida Administrative Weekly, Vol. 34, No. 18, dated May 2, 2008. The previous rulemaking hearing was held on May 27, 2008, at the date, time, and place listed in the notice of rulemaking.

For further information or a copy of the agenda, contact: Michael Shepard by e-mail at michael.shepard@dot.state.fl.us or review the rule draft and comments at the Roadway Design-Drainage website: <http://www.dot.state.fl.us/rddesign/dr/Rule14-86.htm>.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

RULE NOS.:	RULE TITLES:
15C-16.001	Scope and Authority
15C-16.002	Data Security
15C-16.003	Exemptions
15C-16.004	Record Retention

NOTICE OF PUBLIC HEARING

The Florida Department of Highway Safety and Motor Vehicles announces a change of hearing regarding the above rule, as noticed in Vol. 34, No. 18, May 2, 2008 Florida Administrative Weekly.

DATE AND TIME: Tuesday, September 30, 2008, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notice of Change: Proposed adoption of Administrative Rule Chapter 15C-16, F.A.C., will be considered by the Governor and Cabinet. A notice of Proposed Rule Making regarding the above rule was published in the May 2, 2008 issue of the F.A.W., Vol. 34, No. 18.

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 ELDER AFFAIRS

Federal Aging Programs

RULE NOS.:	RULE TITLES:
58A-1.007	Area Agency on Aging Functions and Responsibilities
58A-1.010	Program Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly.

58A-1.007 Area Agency on Aging Functions and Responsibilities.

(1) through (2) No change.

(3) The Area Agency on Aging is authorized to plan and administer the programs listed in this subsection as established by the provisions of its contract with the department:

(a) Older Americans Act of 1965, as amended in 2006:

Title III B – Supportive Services and Senior Centers Program;

Title III C – Nutrition Programs;

Title III D – Disease Prevention and Health Promotion Services Program; ~~and~~

Title III E – National Family Caregiver Support Program; ~~and~~

Title VII – Elder Abuse, Neglect, Exploitation.

The department shall directly administer programs from Title VII, Older Americans Act, Programs for Prevention of Elder Abuse, Neglect, and Exploitation; and the Outreach, Counseling, and Assistance Program.

(b) through (e) No change.

Specific Authority 430.08 FS. Law Implemented 20.41, 430.04 FS. History–New 12-23-81, Formerly 10A-11.07, 10A-11.007, Amended 3-28-95,_____.

58A-1.010 Program Forms:

Changes have been made to DOEA Form 701D, Department of Elder Affairs Assessment Instructions 701A, 701B, 701C, _____2008, incorporated by reference in this rule. The changes involve the requirement that clients, who voluntarily provide their social security numbers on DOEA Forms 701A, 701B, and 701C, must be provided with written documentation, which explains the reason the information is being requested. DOEA Form 701D has been revised to include Attachment A, which explains the reason for requesting the social security number. The change also clarifies instructions for indicating the consumer type on the assessment forms. The form may be found on the department’s website at: <http://elderaffairs.state.fl.us> under the heading “DOEA Rulemaking” and included under “Rule Chapter 58A-1, Administration of the Older Americans Act.

Specific Authority 430.08, 430.101 FS. Law Implemented 20.41, 430.101 FS. History–New 8-20-00, Amended 8-6-01,_____.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:
58A-1.009 Confidentiality and Disclosure of Information

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ELDER AFFAIRS

Community Care for the Elderly

RULE NOS.: RULE TITLES:
58C-1.003 Administration
58C-1.007 Co-payments and Contributions

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. 21, May 23, 2008 issue of the Florida Administrative Weekly.

58C-1.003 Administration.

(1) No change.

(2) The AAA, under contract with the department, shall designate lead agencies and administer the Community care for the Elderly program in accordance with its contract with the department.

~~(a) Comply with State of Florida procedures regarding solicitation and execution of contracts with service providers; and~~

~~(b) Designate lead agencies and Administer the Community Care for the Elderly Program in accordance with its contract with the department.~~

(3) No change.

Specific Authority 430.08 FS. Law Implemented 430.03, 430.04, 430.202, 430.203, 430.204, 430.205 FS. History–New 3-11-81, Formerly 10A-10.03, 10A-10.003, Amended 3-28-95,_____.

58C-1.007 Co-payments and Contributions.

(1) through (2) No change.

(3) Pursuant to Section 430.204(8), F.S., The dollar amount must be calculated by applying the current federal poverty guidelines published annually by the U.S. Department of Health and Human Services eo-payments must be determined using the fee schedule established in DOEA Form CoPay, Co-Pay Schedule, July 2008. The form is hereby incorporated by reference and available from the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000.

Specific Authority 430.08 FS. Law Implemented 430.03, 430.04, 430.204(8) FS. History–New 3-11-81, Formerly 10A-10.07, 10A-10.007, Amended 3-28-95,_____.

DEPARTMENT OF ELDER AFFAIRS

Community Care for the Elderly

RULE NOS.:	RULE TITLES:
58C-1.004	Application Procedures
58C-1.009	Confidentiality and Disclosure of Information and Retention of Records

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ELDER AFFAIRS

Alzheimer's Disease Initiative

RULE NOS.:	RULE TITLES:
58D-1.002	Definitions
58D-1.003	Eligibility
58D-1.004	Program Components
58D-1.006	Service Provider Responsibilities

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. 21, May 23, 2008 issue of the Florida Administrative Weekly.

58D-1.002 Definitions.

The following terms are defined in this rule:

(1) Alzheimer's Disease Advisory Committee: The committee created pursuant to Section 430.5012(2), (3), F.S., to advise the department in the performance of its duties pursuant to the ADI.

(2) Alzheimer's Disease and Related Disorders (ADRD) Research Brain Bank: The entity designated by the department to collect post mortem normal control brains and brains of individuals who were clinically diagnosed as having Alzheimer's disease for the purpose of conducting comparative research aimed at learning about, finding a cause, and developing a treatment or cure for the disease.

(3) Client: The person with ADRD Alzheimer's disease; however, the client's caregiver will receive benefits through the provision of education, training, respite, and support services, as needed.

(4) through (5) No change.

(6) Related Memory Disorders: Other forms of progressive cognitive memory disorders that result in diminished memory, language, other cognitive functions, and the inability to perform activities of daily living.

(7) Research: Investigations undertaken to determine the cause, resulting behavioral changes, treatment, cure, and impact of ADRD Alzheimer's disease.

(8) Training: The provision of educational activities and instruction to assist health care professionals, social service providers, and caregivers in understanding ADRD Alzheimer's disease and to increase their knowledge and caregiving skills.

Specific Authority 430.08 FS. Law Implemented 430.501, 430.502 FS. History--New 3-28-95, Amended.

58D-1.003 Eligibility.

(1) To be eligible for model day care services, an individual must be at least 18 of years of age and have a diagnosis of Alzheimer's disease or a related memory disorder.

(2) No change.

(3) The caregivers of individuals receiving services under the Alzheimer's Disease Initiative are eligible to receive training and related support services to assist them in caring for the person with ADRD Alzheimer's disease.

Specific Authority 430.08 FS. Law Implemented 430.501, 430.502 FS. History--New 3-28-95, Amended.

58D-1.004 Program Components.

(1) through (2) No change.

(3) The Alzheimer's Disease Advisory Committee may enlist services, assistance, and direction from a broad representation of health care professionals, service providers, individuals affiliated with the Alzheimer's Association and the provision of Alzheimer's community care, dementia specific service providers, caregivers, and other interested or knowledgeable parties.

Specific Authority 430.08 FS. Law Implemented 430.501, 430.502 FS. History--New 3-28-95, Amended.

58D-1.006 Service Provider Responsibilities.

Each service provider must:

(1) through (8) No change.

(9) Collect co-payments for services pursuant to Section 430.503(2), F.S. Co-payments must be determined pursuant to using the fee schedule established in Rule 58C-1.007, F.A.C.

(10) through (13) No change.

(14) Establish goals and objectives for the Alzheimer's Disease Initiative research component and submit reports as specified by the dDepartment on research activities.

Specific Authority 430.08 FS. Law Implemented 430.502, 430.503 FS. History--New 3-28-95, Amended.

DEPARTMENT OF ELDER AFFAIRS

Alzheimer's Disease Initiative

RULE NO.:	RULE TITLE:
58D-1.009	Confidentiality and Disclosure of Information

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ELDER AFFAIRS

Home Care for the Elderly

RULE NO.: RULE TITLE:
58H-1.009 Program Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly.

58H-1.009 Program Forms.

The forms used for programs regulated by this chapter are incorporated by reference in Rule 58A-1.010, F.A.C. In addition, the development of a care plan must meet the criteria established in subsection (3) of that rule ~~and are available.~~

Specific Authority 430.08, 430.603 FS. Law Implemented 430.603, 430.606 FS. History—New 8-20-00, Amended 8-6-01,_____.

DEPARTMENT OF ELDER AFFAIRS

Home Care for the Elderly

RULE NO.: RULE TITLE:
58H-1.010 Confidentiality and Disclosure
 Information

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
61G4-16.0021 Written Examination for Swimming
 Pool Specialty Contractors

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., Notice of Rulemaking published in Vol. 34, No. 22, of the May 30, 2008, issue of the Florida Administrative Weekly. The correction will revise the publication date of the Rule Development Notice from May 2, 2008 to the correct date of May 9, 2008 in the history portion of the rule.

THE PERSON TO BE CONTACTED REGARDING THE ABOVE CHANGE IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Mobile Home Relocation Corporation

RULE NOS.:	RULE TITLES:
61M-1.001	Procedures for Operation
61M-1.002	Claims Procedures
61M-1.005	Determination of Mobile Home Park Status
61M-1.007	Timeframe to Apply for Assistance
61M-1.008	Grievance Procedure

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. 20, May 16, 2008 issue of the Florida Administrative Weekly.

PURPOSE AND EFFECT: The purpose and effect of the proposed rules and rule amendments are to make language changes to clarify and organize existing rules and forms and to address operational concerns arising out of the current versions of existing rules and forms. Changes to existing rules will also be made to address possible concerns arising out of the incorporation of forms into a separate rule. New rules have been proposed relating to late fees to implement changes to Sections 723.06116(1)(a)-(d), F.S., and relating to rental agreement status, timeframes to apply for assistance to implement changes to Section 723.0612(12), F.S., and a grievance procedure.

Subsection 61M-1.001(1) is changed to correct a typographical error, changing the word “Conduct” to “conduct.”

Subsection 61M-1.002(1) is amended to change the word “how” to “when” and to clarify that the Corporation’s website contains additional information regarding the application process.

Form 1004 is amended to change the title of the Form from “Homeowner Voucher for Payment for Mobile Home Relocation” to “Applicant Voucher for Payment for Mobile Home Relocation”, which corresponds the Form with paragraphs 61M-1.002(4)(b) and 61M-1.002(9)(d), F.A.C.

Paragraph 61M-1.002(6)(a) was changed to incorporate the title of Form 1005 into the text of the Rule, “Certificate for Payment of Relocation Expenses When Funds Become Available.”

Paragraph 61M-1.002(6)(b) was changed to incorporate the title of Form 1006 into the text of the Rule, “Certificate for Payment for Abandoned Mobile Home When Funds Become Available.”

Rule 61M-1.005 has been withdrawn.

Rule 61M-1.007 has been changed by adding the phrase “and the claim is subsequently dismissed” in the second sentence of the Rule. The text of Rule now reads:

“Pursuant to Section 723.0612(12), Florida Statutes, an applicant shall have 1 year after the expiration of their notice of eviction due to change in the use of the land to apply for

assistance from the Corporation. If the applicant is a participant in a legal action based on the change in the use of the land against the mobile home park owner and the claim is subsequently dismissed, then the applicant shall have 2 years after the expiration of the notice of eviction due to a change in the use of the land within which to apply for assistance from the Corporation.”

Subsection 61M-1.008(3) has been changed to clarify the terminology used for the grievance committee. Following the change, the text of subsection (3) is as follows:

“(3) The grievance shall be submitted in writing to the Corporation. Upon receipt of the written grievance, the Corporation shall forward the grievance to the grievance committee.”

Subsection 61M-1.008(5) has been changed to clarify what will occur after the grievance committee makes its recommendation to the Corporation’s board of directors. Following the change, the text of subsection (5) is as follows:

“(5) The recommendation of the grievance committee will be reported to and duly considered by the Corporation’s board of directors, which will make a final decision regarding the grievance.”

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Mobile Home Relocation Corporation

RULE NO.:	RULE TITLE:
61M-1.005	Determination of Mobile Home Park Status

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 20, May 16, 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 CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.:	RULE TITLE:
65A-1.205	Eligibility Determination Process

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. 20, May 16, 2008 issue of the Florida Administrative Weekly.

65A-1.205 Eligibility Determination Process.

(1)(d)1. Applicant delay is the time attributed to the applicant who fails to keep any scheduled appointment or to provide requested and required eligibility information or verification. Applicant delay begins the date the applicant does not keep a Department scheduled appointment with either the Department or health professionals and ends the date the applicant keeps that appointment as rescheduled; or, the date the applicant does not bring requested and required information to the initial interview and ends the date the applicant provides the information to the Department. The “Are You Disabled and Applying for Medicaid?” brochure, CF/PI 165-107, 06/2008 ~~Jan-08~~, incorporated by reference, describes requested and required information for eligibility determination.

Specific Authority 409.919, 414.45 FS. Law Implemented 409.903, 409.904, 409.919, 410.033, 414.045, 414.095, 414.31 FS. History–History–New 4-9-92, Amended 11-22-93, 8-3-94, Formerly 10C-1.205, Amended 11-30-98, 9-27-00, 7-29-01, 9-12-04,

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
69O-157.301	Rate Increase Standards
69O-157.302	Facility Only Rates
69O-157.303	Home Health Care Only Rates
69O-157.304	Comprehensive Only Rates

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.

69O-157.301 Rate Increase Standards.

(1) Rate increase filings for long term care insurance shall be filed in accordance with filing requirements and standards of Rule Chapters 69O-149 and 69O-157, F.A.C.

(2) The term “policies with similar coverage” has the same meaning as “similar policy forms” as defined in subsection 69O-157.103(17), F.A.C.

(3) The footnote following Section 627.9407, F.S., states that Section 11, Ch. 2006-254, L.O.F., provides that “[t]his act shall apply to long-term care insurance policies issued or renewed on or after July 1, 2006. For any long-term care insurance policy issued prior to July 1, 2006, the provisions of [Section 627.94076, F.S.] shall apply to such policy only upon renewal of such policy on or after July 1, 2008, and the policy shall so provide by endorsement to the policy.”

(4) Pursuant to the provisions of Section 627.9407(7)(c), F.S., for insurers that are currently actively marketing and issuing similar coverage, the rates resulting after a rate increase filing shall not exceed the insurer’s new business rate.

(5)(a) Section 627.9407(7)(c), F.S., requires that the office annually determine and publish the currently available new business rates for similar coverage being sold in Florida. The published new business rates represent the maximum annual rate that may be charged after a rate increase for insurers not currently issuing new coverage.

(b) The published rates shall be determined by first identifying those carriers currently issuing policies with similar coverage. For each of the similar coverage categories, the Florida new business earned premium, defined as first year premium in Florida, is determined for the prior calendar year. Those insurers reporting at least the top 80% of that earned premium, cumulatively, starting with the largest, will be used to tabulate the new business rate. The new business rate shall be the weighted average of the insurers' rates, using the market share, as measured by first year premium in Florida, as the weight.

(c)1. The new business rates are for the standard underwriting class for the insurer. Standard underwriting class is the underwriting class with the most predominant sales, measured by number of policies, regardless of the name given to it by the insurer.

2. The new business rates for other underwriting classes, as well as for more liberal or more restrictive standards for benefit triggers as defined by Section 627.94074, F.S., or area factors, shall bear the same relationship to the standard rate schedules that the insurer has filed and approved. For example, if an insurer's preferred rate is 85% of its standard rate, the premium limit applicable to the rate increase for business sold as preferred will be 85% of the standard rate schedule.

(d)1. The published new business rates represent the particular benefit configuration listed. If an insurer has policies in force that have benefits different from the benefit used to determine the published rates, including differences in benefit triggers, the insurer may contact the office for the new business rate that reflect the different benefits.

2. The office shall determine the new business rates for the requested benefit configuration in the same manner as it used for determining the published rates. The resulting rates shall be consistent with the published new business rates reflecting benefit differences only.

3. Insurers needing a different benefit configuration should make such request of the office in advance of a rate filing so as to give the office time to determine such rates and provide them to the insurer.

4. If the office is unable to determine the rates by a tabulation of the insurers currently selling similar coverage, the office shall use its best actuarial judgment in determining the new business rates using the information available from the insurers in the 80% market share. Alternatively in such cases, If the Office is unable to determine the new business rates based on the above procedures, at the option of the insurer, the insurer may, at its option, submit the results of a model used to

price new long term care products by an actuarial consulting firm currently pricing long term care for other clients, who is independent of the insurer, acceptable to the office, and contracted by the insurer. The assumptions used shall be available to the office for review and approval. The model will be used to develop the new business pricing for the insurer's policy benefit configuration, the new business pricing for the published benefit configuration, and to develop a factor which is the ratio of the insurer's policy benefits to the published benefits. It is noted that the provisions of Section 627.9407(7)(c), F.S., provide that the differences shall be benefit differences only; all other provisions of the two policies being modeled shall be identical. Such factor, representing benefit differences only, shall be used to adjust the published new business rates. Independent, as used in this section, shall mean that the actuarial consulting firm or the actuary to be involved in the project has no relationship currently or for the last three years with the insurers for pricing, valuation, or other reviews.

(e) If the application of this rule results in different increases being applied to different plans within the filing, the requirements of subparagraph 690-149.003(1)(a)4., F.A.C. shall apply.

~~(f) The published rates apply to sales in Hillsborough County. For all other counties, the rate from the published table should be adjusted by the insurer's current area factor applicable in that county relative to the insurer's area factor in Hillsborough County.~~

~~(f)(e)~~ The premium for all additional benefits provided in the policy or by rider to the policy shall be the same proportion of the base rates after any rate change as they were before such change.

Specific Authority 627.9408(1) FS. Law Implemented 627.9407(7) FS. History—New 11-1-07, Amended.

690-157.302 Facility Only Rates.

(1) The footnote following Section 627.9407, F.S., states that Section 11, Ch. 2006-254, L.O.F., provides that "[t]his act shall apply to long-term care insurance policies issued or renewed on or after July 1, 2006. For any long-term care insurance policy issued prior to July 1, 2006, the provisions of [Section 627.94076, F.S.] shall apply to such policy only upon renewal of such policy on or after July 1, 2008, and the policy shall so provide by endorsement to the policy."

(2) The following maximum new business rates are effective for ~~2006 rate increase filings and for 2007~~ 8 and later rate filings until new rates are published: These annual rates are appropriate for:

- (a) Tax qualified policies;
- (b) A benefit of \$100/day;
- (c) An elimination period of 90 days;
- (d) Policies offering Restoration of Benefits; and

(e) Sales in Hillsborough County. For all other counties, the rate from this table should be adjusted by the insurer's current area factor applicable in that county relative to the insurer's area factor in Hillsborough County.

(f) Insurers who did not use area factors in the closed blocks for which a rate change is being requested may calculate the new business rate as a weighted average of the Hillsborough and the South Florida area factors, where the weights used are in-force premium by county. For the purposes of this calculation, the South Florida area factors are those that apply in Broward, Duval and Palm Beach county. The South Florida area factor is equal to 1.00.

(3)(a) Facility Only Rates:

Issue Age	3-Yr Benefit Period	5-Yr. Benefit Period	Unlimited Benefit Period
30	\$284.03	\$350.92	\$459.40
31	\$287.49	\$356.69	\$468.20
32	\$291.06	\$362.46	\$477.10
33	\$294.63	\$368.43	\$486.30
34	\$298.31	\$374.41	\$495.60
35	\$301.98	\$380.48	\$505.10
36	\$305.97	\$386.97	\$514.70
37	\$310.07	\$393.46	\$524.50
38	\$314.16	\$400.05	\$534.50
39	\$318.36	\$406.75	\$544.70
40	\$322.67	\$413.65	\$555.00
41	\$326.97	\$420.55	\$565.60
42	\$331.28	\$427.66	\$576.40
43	\$335.69	\$434.87	\$587.40
44	\$340.20	\$442.18	\$598.60
45	\$344.72	\$449.60	\$610.00
46	\$350.81	\$458.76	\$623.20
47	\$357.00	\$468.14	\$636.70
48	\$363.30	\$477.71	\$650.50
49	\$369.71	\$487.50	\$664.60
50	\$376.22	\$497.49	\$679.00
51	\$382.83	\$507.69	\$693.80
52	\$389.55	\$518.09	\$708.80
53	\$396.38	\$528.70	\$724.20
54	\$403.41	\$539.51	\$739.90
55	\$410.55	\$550.54	\$755.90
56	\$440.48	\$588.75	\$809.80
57	\$472.61	\$629.64	\$867.50
58	\$507.05	\$673.31	\$929.30
59	\$543.90	\$720.07	\$995.50
60	\$583.59	\$770.03	\$1,066.40
61	\$626.12	\$823.49	\$1,142.40
62	\$671.79	\$880.65	\$1,223.80
63	\$733.74	\$962.95	\$1,339.80
64	\$801.47	\$1,052.97	\$1,466.80
65	\$865.58	\$1,126.68	\$1,569.48
66	\$934.83	\$1,216.81	\$1,679.34
67	\$1,009.62	\$1,314.16	\$1,796.89
68	\$1,090.38	\$1,419.29	\$1,930.23
69	\$1,211.81	\$1,547.81	\$2,150.64
70	\$1,340.75	\$1,729.87	\$2,396.25
71	\$1,540.77	\$1,933.44	\$2,669.85
72	\$1,735.55	\$2,160.93	\$2,974.77
73	\$1,924.97	\$2,433.75	\$3,335.67
74	\$2,109.14	\$2,740.95	\$3,740.31

75	\$2,346.15	\$3,087.00	\$4,194.18
76	\$2,642.60	\$3,476.81	\$4,702.95
77	\$2,976.56	\$3,915.74	\$5,273.55
78	\$3,282.46	\$4,316.20	\$5,783.13
79	\$3,619.73	\$4,757.64	\$6,342.03
80	\$3,991.68	\$5,244.13	\$6,954.93
81	\$4,401.81	\$5,867.91	\$7,804.10
82	\$4,854.18	\$6,530.20	\$8,685.00
83	\$5,343.31	\$7,198.98	\$9,574.40
84	\$5,881.77	\$7,874.25	\$10,472.40
85	\$6,474.57	\$8,556.00	\$11,379.10
86	\$7,127.00	\$9,704.97	\$12,907.30
87	\$7,845.30	\$10,842.09	\$14,419.60
88	\$8,524.85	\$11,967.26	\$15,916.00
89	\$9,263.27	\$13,080.28	\$17,396.40

(b) The insurers used to tabulate the above rates are:

Insurer	Weighting Percentage
<u>Metropolitan Life Insurance Company</u>	<u>25.5%</u>
<u>Bankers Life & Casualty Company</u>	<u>90.3%</u>
<u>Penn Treaty Network America Insurance Company</u>	<u>74.5% 9.7%</u>

Specific Authority 627.9408(1) FS. Law Implemented 627.9407(7) FS. History--New 11-1-07, Amended _____.

690-157.303 Home Health Care Only Rates.

(1) The footnote following Section 627.9407, F.S., states that Section 11, Ch. 2006-254, F.S., provides that "[t]his act shall apply to long-term care insurance policies issued or renewed on or after July 1, 2006. For any long-term care insurance policy issued prior to July 1, 2006, the provisions of [Section 627.94076, F.S.] shall apply to such policy only upon renewal of such policy on or after July 1, 2008, and the policy shall so provide by endorsement to the policy."

(2) The following maximum new business rates are effective for ~~2006 rate increase filings and for 20078 and later~~ rate filings until new rates are published. These annual rates are appropriate for:

- (a) Tax qualified policies;
- (b) A benefit of \$100/day;
- (c) An elimination period of 90 days;
- (d) Policies offering Restoration of Benefits; and
- (e) Sales in Hillsborough County. For all other counties, the rate from this table should be adjusted by the insurer's current area factor applicable in that county relative to the insurer's area factor in Hillsborough County.

(f) Insurers who did not use area factors in the closed blocks for which a rate change is being requested may calculate the new business rate as a weighted average of the Hillsborough and the South Florida area factors, where the weights used are in-force premium by county. For the purposes of this calculation, the South Florida area factors are those that apply in Broward, Duval and Palm Beach county. The South Florida area factor is equal to 1.30.

80	\$2,949.12	\$3,483.48	\$3,726.71
81	\$3,151.09	\$3,715.14	\$3,950.13
82	\$3,359.66	\$3,949.80	\$4,179.86
83	\$3,571.71	\$4,188.29	\$4,410.21
84	\$3,793.92	\$4,433.35	\$4,656.64
85	\$4,025.90	\$4,688.13	\$4,899.59
86	\$4,267.96	\$4,952.94	\$5,158.79
87	\$4,513.17	\$5,224.30	\$5,420.66
88	\$4,885.73	\$5,633.61	\$5,792.96
89	\$5,261.44	\$6,049.38	\$6,171.47

(3)(a) Home Health Care Only Rates:

Issue Age	3-Yr Benefit Period	5-Yr. Benefit Period	Unlimited Benefit Period
30	\$269.87	\$312.28	\$349.95
31	\$269.87	\$312.28	\$349.95
32	\$269.87	\$312.28	\$349.95
33	\$269.87	\$312.28	\$349.95
34	\$269.87	\$312.28	\$349.95
35	\$289.72	\$338.50	\$387.94
36	\$289.72	\$338.50	\$387.94
37	\$289.72	\$338.50	\$387.94
38	\$289.72	\$338.50	\$387.94
39	\$289.72	\$338.50	\$387.94
40	\$322.79	\$378.01	\$432.23
41	\$322.79	\$378.01	\$432.23
42	\$322.79	\$378.01	\$432.23
43	\$322.79	\$378.01	\$432.23
44	\$322.79	\$378.01	\$432.23
45	\$369.28	\$443.74	\$508.03
46	\$369.28	\$443.74	\$508.03
47	\$369.28	\$443.74	\$508.03
48	\$369.28	\$443.74	\$508.03
49	\$369.28	\$443.74	\$508.03
50	\$419.54	\$503.66	\$578.79
51	\$432.77	\$523.33	\$597.70
52	\$452.62	\$536.43	\$623.00
53	\$465.85	\$562.65	\$648.29
54	\$485.87	\$582.50	\$673.50
55	\$529.97	\$636.44	\$726.61
56	\$556.75	\$663.03	\$768.52
57	\$590.32	\$699.83	\$810.60
58	\$630.64	\$749.93	\$865.74
59	\$670.96	\$796.74	\$921.05
60	\$708.00	\$853.39	\$976.28
61	\$754.93	\$903.67	\$1,034.35
62	\$802.05	\$956.95	\$1,095.97
63	\$865.99	\$1,040.67	\$1,184.05
64	\$933.27	\$1,124.47	\$1,281.90
65	\$1,010.63	\$1,214.83	\$1,376.28
66	\$1,087.98	\$1,301.72	\$1,476.97
67	\$1,165.25	\$1,398.64	\$1,583.96
68	\$1,262.76	\$1,515.59	\$1,707.65
69	\$1,366.99	\$1,642.56	\$1,844.12
70	\$1,477.73	\$1,772.81	\$1,986.80
71	\$1,595.09	\$1,912.89	\$2,135.79
72	\$1,712.46	\$2,056.24	\$2,297.47
73	\$1,840.71	\$2,204.01	\$2,445.41
74	\$1,968.78	\$2,355.32	\$2,599.83
75	\$2,106.93	\$2,516.29	\$2,763.85
76	\$2,248.33	\$2,680.72	\$2,930.87
77	\$2,389.72	\$2,848.23	\$3,104.12
78	\$2,571.75	\$3,056.67	\$3,308.54
79	\$2,753.77	\$3,268.58	\$3,519.36

Issue Age	3-Yr Benefit Period	5-Yr. Benefit Period	Unlimited Benefit Period
35	\$166.18	\$203.65	\$242.26
45	\$245.38	\$306.44	\$366.65
55	\$369.58	\$455.50	\$548.26
65	\$691.78	\$836.06	\$989.23
75	\$1,318.83	\$1,520.52	\$1,702.93

(b) The insurers used to tabulate the above rates are:

Insurer	Weighting Percentage
Bankers Life & Casualty Company	79.2% 97.2%
Colonial American Life Insurance Company	20.8% 2.3%
Penn Treaty Network America Insurance Company	0.5%

Specific Authority 627.9408(1) FS. Law Implemented 627.9407(7) FS. History—New 11-1-07, Amended _____.

690-157.304 Comprehensive Only Rates.

(1) The footnote following Section 627.9407, F.S., states that Section 11, Ch. 2006-254, L.O.F., provides that “[t]his act shall apply to long-term care insurance policies issued or renewed on or after July 1, 2006. For any long-term care insurance policy issued prior to July 1, 2006, the provisions of [Section 627.94076, F.S.] shall apply to such policy only upon renewal of such policy on or after July 1, 2008, and the policy shall so provide by endorsement to the policy.”

(2) The following maximum new business rates are effective for ~~2006 rate increase filings and for 20078 and later~~ rate filings until new rates are published. These annual rates are appropriate for:

- (a) Tax qualified policies;
- (b) A benefit of \$100/day;
- (c) An elimination period of 90 days;
- (d) Policies offering Restoration of Benefits; and
- (e) Sales in Hillsborough County. For all other counties, the rate from this table should be adjusted by the insurer’s current area factor applicable in that county relative to the insurer’s area factor in Hillsborough County.

(f) Insurers who did not use area factors in the closed blocks for which a rate change is being requested may calculate the new business rate as a weighted average of the

Hillsborough and the South Florida area factors, where the weights used are in-force premium by county. For the purposes of this calculation, the South Florida area factors are those that apply in Broward, Duval and Palm Beach county. The South Florida area factor is equal to 1.00.

(3)(a) Comprehensive Only Rates:

Issue Age	3-Yr Benefit Period	5-Yr Benefit Period	Unlimited Benefit Period
30	\$357.66	\$452.19	\$592.98
31	\$359.27	\$454.73	\$596.13
32	\$360.91	\$457.15	\$599.55
33	\$362.81	\$467.83	\$610.09
34	\$372.25	\$470.36	\$613.92
35	\$392.37	\$485.24	\$646.03
36	\$394.19	\$495.83	\$656.91
37	\$396.24	\$498.95	\$660.88
38	\$398.57	\$501.94	\$664.98
39	\$408.46	\$505.21	\$669.38
40	\$422.18	\$538.84	\$704.43
41	\$426.52	\$542.98	\$711.03
42	\$430.28	\$547.83	\$717.94
43	\$434.51	\$552.75	\$733.25
44	\$445.46	\$558.21	\$740.15
45	\$457.15	\$588.24	\$767.35
46	\$469.07	\$593.07	\$782.73
47	\$474.02	\$599.22	\$790.99
48	\$479.33	\$605.50	\$799.51
49	\$492.01	\$611.69	\$822.72
50	\$502.21	\$631.63	\$839.32
51	\$518.00	\$648.72	\$859.73
52	\$533.51	\$674.20	\$887.15
53	\$550.58	\$693.44	\$918.49
54	\$568.09	\$721.86	\$949.96
55	\$588.25	\$733.65	\$980.98
56	\$626.56	\$787.13	\$1,040.83
57	\$661.34	\$841.03	\$1,109.08
58	\$705.13	\$905.55	\$1,179.64
59	\$741.88	\$954.58	\$1,260.83
60	\$795.99	\$1,022.36	\$1,336.52
61	\$852.97	\$1,093.08	\$1,431.38
62	\$919.59	\$1,166.20	\$1,537.41
63	\$991.75	\$1,254.51	\$1,661.23
64	\$1,059.64	\$1,337.42	\$1,777.18
65	\$1,130.19	\$1,414.66	\$1,895.31
66	\$1,239.89	\$1,554.84	\$2,083.84
67	\$1,369.00	\$1,719.56	\$2,290.03
68	\$1,512.16	\$1,894.92	\$2,524.36
69	\$1,651.51	\$2,086.98	\$2,776.71
70	\$1,802.07	\$2,295.68	\$3,049.92
71	\$2,041.92	\$2,572.02	\$3,414.19

72	\$2,293.64	\$2,876.35	\$3,811.27
73	\$2,557.01	\$3,196.06	\$4,229.60
74	\$2,833.53	\$3,547.08	\$4,682.75
75	\$3,132.41	\$3,931.85	\$5,162.40
76	\$3,519.05	\$4,396.08	\$5,779.67
77	\$3,925.72	\$4,914.88	\$6,453.45
78	\$4,344.97	\$5,450.22	\$7,131.36
79	\$4,779.15	\$5,988.95	\$7,829.68
80	\$5,206.95	\$7,201.34	\$9,704.96
81	\$5,695.37	\$7,855.63	\$10,582.32
82	\$6,200.20	\$8,560.10	\$11,522.41
83	\$6,772.84	\$9,335.36	\$12,551.65
84	\$7,380.07	\$10,190.80	\$13,680.13
85	\$8,971.35	\$11,276.50	\$15,228.74
86	\$10,532.62	\$13,010.62	\$17,716.18
87	\$11,566.04	\$14,303.82	\$19,459.57
88	\$12,659.68	\$15,643.72	\$21,277.97
89	\$13,799.95	\$17,046.75	\$23,185.77

Issue Age	3-Yr Benefit Period	5-Yr Benefit Period	Unlimited Benefit Period
35	\$332.88	\$414.10	\$574.47
45	\$474.36	\$592.44	\$822.62
55	\$666.65	\$824.77	\$1,151.34
65	\$1,313.19	\$1,640.75	\$2,259.55
75	\$3,288.22	\$4,210.08	\$5,603.51

(b) The insurers used to tabulate the above rates are:

Insurer	Weighting Percentage
Allianz Life Insurance Company of North America	3.3%
Bankers Life & Casualty Insurance Company	4.1% 52.7%
Blue Cross Blue Shield of Florida	8.1% 5.1%
Genworth Life Insurance Company	23.3% 41.5%
Great American Life Insurance Company	9.8% 25.5% 14.2%
John Hancock Life Insurance Company	
Metropolitan Life Insurance Company	20.5% 6.7%
New York Life Insurance Company	3.0%
Northwestern Long Term Care Insurance Company	3.6%
Provident Life & Accident Insurance Company	3.1%
Unum Life Insurance Company of America	5.5%

Specific Authority 627.9408(1) FS. Law Implemented 627.9407(7) FS. History--New 11-1-07, Amended _____.

DEPARTMENT OF MILITARY AFFAIRS

RULE NO.: 70-1.001
 RULE TITLE: Family Readiness Program
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 5, February 1, 2008 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV
 Emergency Rules**

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.:	RULE TITLES:
12DER08-20	Scope of Emergency Rules 12DER08-21 Through 12DER08-26; How to Obtain Forms
12DER08-21	Transfer of Assessment Limitation Difference; "Portability;" Sworn Statement Required
12DER08-22	Tangible Personal Property Exemption
12DER08-23	Additional Homestead Exemption Pursuant to Section 196.031(1)(b), F.S.; 2008 Tax Year
12DER08-24	Repeal of Rule 12DER08-12, Assessment Increase Limitation Applicability Contained in SB 4D; Application Required by Section 193.1556, F.S., Is Not Required Until March 1, 2009
12DER08-25	Denials and Late Filed Applications for Transfer of Assessment Limitation Differential (Portability)
12DER08-26	Appeals to the Value Adjustment Board of Denials and of Amount of Transfer of Assessment Limitation Difference (Portability)

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2007-339 (Senate Bill 4-D), Laws of Florida 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

2007-339 (Senate Bill 4-D), Laws of Florida 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. 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: requesting the assistance of other state agencies and professional associations in ascertaining if the information in the relevant sections of Chapter 2007-339, Laws of Florida, have been understood; posting information, forms and procedures associated with implementation of this act on a special Internet website at <http://dor.myflorida.com/dor/property/sb4d.html> for issues regarding recent legislative changes to the laws governing property tax; emailing and/or mailing copies of the draft forms to property appraisers with requests for comments; and conducting a public workshop on January 22, 2008 to receive comments on the Department's proposed procedures and draft forms that are the basis of these emergency rules, as well as previously-adopted Emergency Rules 12DER08-01 through 12DER08-06, and 12DER08-07 through 12DER08-12.

SUMMARY: Rule 12DER08-20 (Scope of Emergency Rules 12DER08-21 Through 12DER08-26; How to Obtain Forms) describes in detail the scope and application of emergency rules when implementing the provisions of Chapter 2007-339 (Senate Bill 4-D), Laws of Florida, and Chapter 2008-173 (Senate Bill 1588), Laws of Florida. Emergency Rules 12DER08-20 through 12DER08-26 supersede any other existing rules of the Department that deal with the same or similar issues and should be read in conjunction with those source documents that created the laws, and not rely solely on these rules. Rule 12DER08-21 (Transfer of Assessment Limitation Difference; "Portability;" Sworn Statement Required) shall replace Rule 12DER08-08. This rule sets forth the limitations and special rules to be observed and the forms to be used by applicant taxpayers and property appraisers for the transfer of assessment limitation difference, when a homestead is abandoned. 12DER08-22 (Tangible Personal Property Exemption) shall replace Rule 12DER08-09. This rule describes the procedure applicant taxpayers can use to apply for and receive this exemption, and the duties of the property appraiser when allocating exemptions and preparing the tax roll. Emergency Rule 12DER08-23 (Additional Homestead Exemption Pursuant to Section 196.031(1)(b), F.S.;

2008 Tax Year) shall replace Rule 12DER08-10. This rule provides that no new application form will be necessary. The additional homestead exemption shall only apply to non-school levies, and the property appraiser shall have additional duties when documenting changes in the assessment roll. Rule 12DER08-11 is not affected. Rule 12DER08-24 (Repeal of Rule 12DER08-12, Assessment Increase Limitation Applicability Contained in SB 4D; Application Required by Section 193.1556, F.S., Is Not Required Until March 1, 2009) repeals Rule 12DER08-12. Rule 12DER08-25 (Denials and Late Filed Applications for Transfer of Assessment Limitation Differential (Portability) provides the procedure and forms for applicant taxpayers and property appraisers regarding denials and late applications of portability. For the 2008 assessments, all petitioners for assessment under Section 193.155(8), Florida Statutes, shall be considered to have demonstrated particular extenuating circumstances. Rule 12DER08-26 (Appeals to the Value Adjustment Board of Denials and of Amount of Transfer of Assessment Limitation Difference (Portability)) provides for the applicable forms and the appeal process before the value adjustment board for denials for portability.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULES 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 RULES IS:

12DER08-20 Scope of Emergency Rules 12DER08-21 Through 12DER08-26; How to Obtain Forms.

(1) These rules shall replace Rules 12DER08-07 through 12DER08-10, and shall repeal rule 12DER08-12, which were effective March 25, 2008. Rule 12DER08-11 has not been affected.

(2) These rules shall supersede any existing rule to the contrary to the extent necessary to implement Chapter 2007-339 (Senate Bill 4-D), Laws of Florida, and Chapter 2008-173 (Senate Bill 1588), Laws of Florida.

(3) These rules are to be read in conjunction with applicable statutes and not as a substitute for them. They are designed to assist with the understanding and deployment of the requirements of Chapter 2007-339 (Senate Bill 4-D), Laws of Florida, and Chapter 2008-173 (Senate Bill 1588), Laws of Florida. Users should consult those laws as the source documents that created the legal requirements, and not rely solely on these rules. As provided in Chapter 2007-339 (Senate Bill 4-D), Laws of Florida, these rules are effective retroactive to January 1, 2008, and as provided in Chapter 2008-173 (Senate Bill 1588), Laws of Florida, these rules are applicable to the 2008 tax roll.

(4)(a) Copies of the forms incorporated in Emergency Rules 12DER08-11, 12DER08-21, 12DER08-23, 12DER08-25, and 12DER08-26 may be obtained at the Department's Internet site: <http://dor.myflorida.com/dor/property/sb4d.html>. Copies of the forms incorporated in Emergency Rule 12DER08-22 can be obtained by calling Ed Parker, Property Tax Oversight Program, Florida Department of Revenue, at (850)922-7944.

(b) The Department has also sent an email to all property appraisers telling them that the forms are available on the above Internet site.

Specific Authority Chapter 2007-339, L.O.F. (Senate Bill 4-D), Section 13 of Chapter 2008-173, L.O.F. (Senate Bill 1588) Law Implemented 193.155, 193.1556, 196.031, 196.183 FS. History—New 7-18-08.

12DER08-21 Transfer of Assessment Limitation Difference: "Portability;" Sworn Statement Required.

(1) This rule shall replace Rule 12DER08-08, which was effective March 25, 2008.

(2) Section 193.155(8), Florida Statutes, provides the procedures for the transfer of the assessment limitation difference, within stated limits, when a homestead is abandoned. These rules describe those procedures, which are an alternative to assessment at just value. The transfer of assessment limitation difference is to the just value of the interest owned by those persons that qualify and receive homestead exemption on a new homestead.

(a) These rules set forth limitations and special rules that must be met consistent with Section 193.155(8), Florida Statutes. For 2008, a person may apply for the transfer of a homestead assessment difference from a previous homestead property to a new homestead property if:

1. That person received a homestead exemption on the previous property on January 1, 2007; and

2. The previous property was abandoned as a homestead during 2007 after January 1 and was reassessed at just value as of January 1, 2008; and

3. The new homestead property was assessed at just value without the homestead exemption either because it did not receive a homestead exemption, or the homestead exemption was abandoned, as of January 1, 2008.

(b) Under Section 193.155(8), Florida Statutes, the transfer of an assessment limitation difference is available to a person only from a prior homestead in which that person received a homestead exemption.

1. For a husband and wife who owned, shared and both resided on, a previous homestead, each shall be considered to have received the homestead exemption for purposes of these rules.

2. For joint tenants with right of survivorship, those tenants that applied for and received the homestead exemption, and resided on a previous homestead shall be considered to have received the homestead exemption for purposes of these rules.

3. For tenants in common, those tenants that applied for and received the homestead exemption and resided on a previous homestead shall be considered to have received the homestead exemption for purposes of these rules.

(3) The applicant taxpayer shall file Form DR-501T (Transfer of Homestead Assessment Difference, Attachment to Original Application for Ad Valorem Tax Exemption; N. 01/08) which the Department of Revenue hereby adopts and incorporates in this rule by reference, by March 1, (Note: this date is extended to May 1 for 2008 by Section 14 of Chapter 2008-173 (Senate Bill 1588), Laws of Florida), as an attachment to the homestead exemption application, Form DR-501 (incorporated by reference in Rule 12D-16.002, Florida Administrative Code), to apply for portability. Completing Form DR-501T, including a sworn statement, and Form DR-501 shall be considered sufficient documentation for applying for the transfer. Note: Section 192.047(2), Florida Statutes, provides "When the deadline for filing an ad valorem tax application or return falls on a Saturday, Sunday, or legal holiday, the filing period shall extend through the next working day immediately following such Saturday, Sunday, or legal holiday."

(4)(a) Upsizing – When the just value of the new homestead is equal to or greater than the just value of the previous homestead, the maximum assessment limitation difference that can be transferred is \$500,000. Within that limit, the differential between assessed value and just value can be transferred to the new property, subject also to provisions for multiple owners described below.

(b) Downsizing – When the just value of the new homestead is less than the just value of the previous homestead, the maximum assessment difference that can be transferred is \$500,000. However, within that limit, the transferred assessment difference must be the same proportion of the new homestead's just value as the proportion of the assessment difference of the previous homestead was of the just value of the previous homestead, subject also to provisions for multiple owners described below.

(5)(a) Transferring without splitting or joining – When one or more people who previously owned a single homestead and each received the homestead exemption as described in these rules together qualify for a new homestead, where all persons who qualify for homestead exemption in the new homestead also qualified for homestead exemption in the previous homestead without an additional person qualifying for homestead exemption in the new homestead, the maximum assessment difference that can be transferred is \$500,000. Within that limit, the assessment limitation difference from the

previous homestead may be transferred, and it is not considered to be a splitting or joining as discussed in paragraphs (b) and (c) below. Further, the rules for "upsizing" and "downsizing" as set forth above apply.

(b) Splitting – When two or more people who previously shared a homestead, abandon that homestead and establish separate homesteads, the maximum total limitation that can be transferred from the previous homestead is \$500,000. However, within that limit, each person that received a homestead exemption and who is eligible to transfer an assessment limitation difference is also limited to a share of the previous homestead's difference between assessed value and just value. For tenants in common, this share is equal to the difference between just value and assessed value for the tenant's proportionate interest in the property, in other words, the just value of the person's interest minus the assessed value of the person's interest. For tenancy with right of survivorship, the share is equal to the assessed value of the homestead portion of the property divided by the number of owners that received the exemption, unless another interest share is stated on the title in which case the portion of the assessment limitation difference that may be transferred is equal to the difference between just value and assessed value for the stated share. Within this limit, the rules for "upsizing" and "downsizing" as set forth above would apply. For purposes of the transfer of the assessment limitation difference, the shares of the assessment limitation difference cannot be sold, transferred, or pledged to any person. For example, a husband and wife divorcing and both abandoning the homestead would each take their share of the assessment limitation difference and the property appraiser could not accept a stipulation otherwise. In no case shall the shares of the persons that received the homestead exemption add up to more than 100 percent.

(c) Joining – When two or more people, some of whom previously owned separate homesteads on which they received homestead exemption, join together in qualifying for a new homestead, the maximum assessment limitation difference that can be transferred is \$500,000. However, within that limit, the assessment difference that can be transferred is further limited to the highest difference between assessed value and just value from any of the applicants' former homesteads. Within that limit, the rules for "upsizing" and "downsizing" as set forth above apply.

(6) For the applicant taxpayer to be eligible for any transfer, the prior homestead must be "reassessed" at just value in 2008, either under the "change in ownership" rules of Section 193.155(3), Florida Statutes, or because the property is no longer used as a homestead. After it is assessed at just value, the prior homestead could have some assessment limitation difference transferred to it and be assessed under Section 193.155(8), Florida Statutes. Generally, if all joint owners of the prior homestead "abandon" it, then the prior homestead is

reassessed at just value. However, under the referenced "change in ownership" rules of Section 193.155(3), Florida Statutes, some transfers are not re-assessable events, such as transfers between husband and wife, equitable and legal title, and addition of persons to a title. If only one of the previous homesteaders moved to another parcel and another previous homesteader stayed in the original homestead, the homestead would not be abandoned and the one who moved could not transfer any assessment limitation difference.

(7) Classified use assessment and living quarters for parents and grandparents – The assessment limitation difference that is eligible for transfer under these rules is the amount of difference between assessed value and just value of the portion of the property used as a homestead. This difference is equal to the reduction in value due to Section 193.155, Florida Statutes. For property with both a classified use, such as agricultural, assessment and assessed pursuant to Section 193.155, Florida Statutes, the difference eligible for transfer is equal to the difference between just and assessed value on the homestead portion of the property. No portion of property classified and used for agricultural or other non-homestead purpose may be included in the calculation of the eligible assessment limitation difference under Section 193.155(8), Florida Statutes. In calculating the assessment reduction to be transferred from a prior homestead that has an assessment reduction for living quarters of parents or grandparents pursuant to Section 193.703, Florida Statutes, the value calculated pursuant to Section 193.703(6), Florida Statutes, must first be added back to the assessed value of the prior homestead.

(8) Procedures for property appraiser:

(a) If the previous homestead was located in a different county than the new homestead, the property appraiser in the new county must transmit a copy of the completed Form DR-501T together with a completed Form DR-501 to the property appraiser in the previous county. If the previous homesteads of applicants for transfer were in more than one county, each applicant from a different county must fill out a separate Form DR-501T.

1. The property appraiser in the previous county must complete Form DR-501RVSH (Certificate for Transfer of Homestead Assessment Difference; N. 07/08) which the Department of Revenue hereby adopts and incorporates in this rule by reference, within two weeks of receipt of Form DR-501T, and forward this form to the new property appraiser. As part of the information returned on Form DR-501RVSH, the previous property appraiser shall certify that the homestead assessment difference to be transferred is part of a previous homestead that has been or will be reassessed at just value as of January 1, 2008.

2. Based on the information provided on Form DR-501RVSH from the previous property appraiser, the new property appraiser shall calculate the amount of the assessment

limitation difference that may be transferred and apply such difference to the January 1, 2008 assessment of the new homestead.

3. Upon request of a taxpayer that had timely applied for the transfer of assessment limitation difference, for those previously filed forms DR-501R (Certificate for Transfer of Homestead Assessment Difference; N. 01/08) which the Department of Revenue previously used with emergency rule 12DER08-08, that do not already contain such complete and accurate ownership share information, the property appraiser in the county where the new homestead is located shall resend forms and update the ownership share information using the following procedure. The property appraiser in the county in which the new homestead is located shall resend Form DR-501 and Form DR-501T and send Form DR-501RVSH to the previous county, whose property appraiser shall state the shares on such form including just value and assessed value of the taxpayer's interest in the property for tenants in common, and the share of the ownership for other tenancies if in the property appraiser's records. In cases where the requesting taxpayer receives a greater assessment limitation difference transfer amount, the shares of all other owners shall be adjusted and corrected accordingly. The property appraiser in the county in which the previous homestead is located shall furnish Form DR-501RVSH in lieu of previously furnished Form DR-501R.

(b) If the transfer is requested from the same county in which the new homestead is located the property appraiser shall retain the Form DR-501T and Form DR-501RVSH is not required. Upon request of a taxpayer that had timely applied for the transfer of assessment limitation difference, the property appraiser shall update the ownership share information using the share methodology in this rule.

(c) The property appraiser in the county in which the new homestead is located shall record in the NAL file record, (see Emergency Rule 12DER08-11) the following information for the year in which the transfer is made to the homestead parcel:

1. Flag for current year assessment difference transfer;
2. Number of owners among whom previous assessment difference split. Enter 1 if previous difference was not split;
3. Assessment difference value transferred;
4. County number of previous homestead;
5. Parcel ID of previous homestead;
6. Year from which assessment difference value transferred.

(d) All information sharing agreements in effect in 2007 covering confidential tax information are hereby perpetuated and extended during the period these emergency rules are in effect, and property appraisers having information sharing agreements with the Department are authorized to share confidential tax information with each other pursuant to Section 195.084, Florida Statutes, including social security numbers and linked information on Forms DR-501, DR-501T, and DR-501RVSH.

(9) Documenting changes in the assessment roll due to this provision will necessitate changes to the record layout and the information provided on the Rule 12D-8.013, Florida Administrative Code, NAL file submitted to the Department. See Emergency Rule 12DER08-11.

(10) The transfer of any limitation is not final until any values on the assessment roll on which the transfer is based are final. If such values are final after the procedures in these rules are exercised, the property appraiser(s) shall make appropriate corrections and a corrected tax notice bill shall be sent. Any values that are in administrative or judicial review shall be noticed to the tribunal or court for accelerated hearing and resolution so that the intent of Section 193.155(8), Florida Statutes, may be carried out and fulfilled.

(11) Additional provisions.

(a) If the information from the property appraiser in the county where the previous homestead was located is provided after the procedures in this section are exercised, the property appraiser in the county where the new homestead is located shall make appropriate corrections and a corrected tax notice and tax bill shall be sent.

(b) The property appraiser in the county where the new homestead is located shall promptly notify a taxpayer if the information received, or available, is insufficient to identify the previous homestead and the amount of the assessment limitation difference which is transferable. Such notification shall be sent on or before July 1.

(c) If the property appraiser in the county where the previous homestead was located supplies sufficient information to the property appraiser in the county where the new homestead is located, such information shall be considered timely if provided in time for inclusion on the notice of proposed property taxes sent pursuant to Sections 194.011 and 200.065(1), Florida Statutes.

(d) If the property appraiser has not received information sufficient to identify the previous homestead and the amount of the assessment limitation difference which is transferable before mailing the notice of proposed property taxes, and such amount is not included on such notice, the taxpayer may file a petition with the value adjustment board in the county where the new homestead is located.

Specific Authority Chapter 2007-339, L.O.F. (Senate Bill 4-D), Section 13 of Chapter 2008-173, L.O.F. (Senate Bill 1588) Law Implemented 192.047, 193.114, 193.155, 193.461, 193.703 FS., Section 14 of Chapter 2008-173, L.O.F. (Senate Bill 1588) History–New 7-18-08.

12DER08-22 Tangible Personal Property Exemption.

(1) This rule shall replace Rule 12DER08-09, which was effective March 25, 2008.

(2) For 2008, to apply for the exemption, no new form will be necessary; Form DR-405, Form DR-470, or Form DR-471, (incorporated by reference in Rule 12D-16.002, Florida Administrative Code), if required, will be considered the

application for exemption. Form DR-405EZ (Tangible Personal Property Exemption, Application and Return; N. 02/08) which the Department of Revenue hereby adopts and incorporates in this rule by reference, may be used by property appraisers at their option. Nothing in this rule shall preclude a property appraiser from requiring that Form DR-405 be filed.

(3) For taxpayers who fail to make a complete return and file a return by April 1 or within any applicable extension period, or who late file, the \$25,000 exemption shall not apply; however, at the option of the property appraiser, owners of property previously assessed without a return being filed may qualify for the exemption without filing an initial return. For returns not timely filed and for which the property appraiser does not grant the exemption, the penalties enumerated in Section 193.072, Florida Statutes, are applicable. Note: Section 192.047(2), Florida Statutes, provides “When the deadline for filing an ad valorem tax application or return falls on a Saturday, Sunday, or legal holiday, the filing period shall extend through the next working day immediately following such Saturday, Sunday, or legal holiday.”

(4) Section 196.183(1), Florida Statutes, specifically states that a single return must be filed, and therefore a single exemption granted, for all freestanding equipment not located at the place where the owner transacts business.

(5) “Site where the owner of tangible personal property transacts business.”

(a) The “site where the owner of tangible personal property transacts business” includes facilities where the business ships or receives goods, employees of the business are located, goods or equipment of the business are stored, or goods or services of the business are produced, manufactured, or developed, or similar facilities located in offices, stores, warehouses, plants, or other locations of the business. Sites where only the freestanding property of the owner is located shall not be considered sites where the owner of tangible personal property transacts business.

(b) Example: For a business leasing copying machines or other freestanding equipment, the location where the leased equipment is located does not constitute a site where the owner transacts business. If it is not a site where one or more of the activities stated in paragraph (a) occur, for purposes of the tangible personal property exemption, it is not considered a site where the owner transacts business.

(6) Property Appraiser actions – maintaining assessment roll entry.

(a) For all freestanding equipment not located at a site where the owner transacts business, and for which a single return is required, and for centrally assessed property under Section 193.085, Florida Statutes, the property appraiser is responsible for allocating the exemption to taxing jurisdictions in which freestanding equipment or centrally assessed property is located. Allocation should be based on the proportionate share of the just value of such property in each jurisdiction.

However, the amount of the exemption allocated to each taxing authority may not change following the extension of the tax roll pursuant to Section 193.122, Florida Statutes. All accounts shall be listed on the Rule 12DER08-11 and 12D-8.013, Florida Administrative Code, NAP file submitted to the Department, whether fully exempt or not.

(b) Documenting changes in the assessment roll due to this provision will necessitate changes to the record layout and the information provided on the Rule 12D-8.013, Florida Administrative Code, NAP file submitted to the Department. See Emergency Rule 12DER08-11.

Specific Authority Chapter 2007-339, L.O.F. (Senate Bill 4-D), Section 13 of Chapter 2008-173, L.O.F. (Senate Bill 1588) Law Implemented 192.047, 193.063, 193.072, 193.114, 196.183 FS. History—New 7-18-08.

12DER08-23 Additional Homestead Exemption Pursuant to Section 196.031(1)(b), Florida Statutes; 2008 Tax Year.

(1) This rule shall replace Rule 12DER08-10, which was effective March 25, 2008.

(2) For 2008, to apply for the additional homestead exemption, no new application form will be necessary; Form DR-501, (Original Application for Ad Valorem Tax Exemption; R. 12/07) (incorporated by reference in Rule 12D-16.002, Florida Administrative Code), will be considered the application for exemption.

(3) The additional homestead exemption shall only apply to non-school levies.

(4) Property appraiser actions – Documenting changes in the assessment roll due to this provision will necessitate changes to the record layout and the information provided on the Rule 12D-8.013, Florida Administrative Code, NAP file submitted to the Department. See Emergency Rule 12DER08-11. The property appraiser's programming may use a different approach than that set forth in this rule for exemption ordering as long as such programming achieves the same result as this rule requires.

Specific Authority Chapter 2007-339, L.O.F. (Senate Bill 4-D), Section 13 of Chapter 2008-173, L.O.F. (Senate Bill 1588) Law Implemented 193.114, 196.031, 196.075, 196.082, 196.202 196.24 FS. History—New 7-18-08.

12DER08-24 Repeal of Rule 12DER08-12, Assessment Increase Limitation Applicability Contained in SB 4D; Application Required by Section 193.1556, F.S., Is Not Required Until March 1, 2009.

Rule 12DER08-12, Assessment Increase Limitation Applicability Contained in SB 4D; Application Required by Section 193.1556, F.S., Is Not Required Until March 1, 2009, is hereby repealed.

Specific Authority Chapter 2007-339, L.O.F. (Senate Bill 4-D), Section 13 of Chapter 2008-173, L.O.F. (Senate Bill 1588) Law Implemented 193.1556 FS. History—New 7-18-08.

12DER08-25 Denials and Late Filed Applications for Transfer of Assessment Limitation Differential (Portability).

(1) Denials.

(a) If the taxpayer is not qualified for transfer of any assessment limitation differential, the property appraiser in the county in which the new homestead is located shall send Form DR-490PORT, (Notice of Denial of Transfer of Homestead Assessment Difference; N. 07/08) which the Department of Revenue hereby adopts and incorporates in this rule by reference, by July 1, including the reasons for the denial. Such notice shall be sent on or before July 1.

(b) Any property appraiser that has not received, from the previous property appraiser, information sufficient to identify the previous homestead and the amount of the assessment limitation difference which is transferable, and has sent a notice of denial on or before July 1 may, if information is received from the previous property appraiser and the applicant is qualified, grant the transfer of assessment increase differential and, if a petition was filed based on a timely application for transfer of homestead assessment difference, the value adjustment board shall refund the taxpayer the \$15.

(2) Late applications. Any person who is qualified to have his or her property assessed under Section 193.155(8), Florida Statutes, and who fails to file an application by March 1 (Note: this date is extended to May 1 for 2008 by Section 14 of Chapter 2008-173 (Senate Bill 1588), Laws of Florida), may file an application for assessment under that subsection and may, pursuant to Section 194.011(3), Florida Statutes, file a petition with the value adjustment board requesting that an assessment under Section 193.155(8), Florida Statutes, be granted. Such petition may be filed at any time during the taxable year on or before the 25th day following the mailing of the notice by the property appraiser as provided in Section 194.011(1), Florida Statutes. Notwithstanding Section 194.013, Florida Statutes, such person must pay a nonrefundable fee of \$15 upon filing the petition. Upon reviewing the petition, if the person is qualified to receive the assessment under Section 193.155(8), Florida Statutes, and demonstrates particular extenuating circumstances judged by the property appraiser or the value adjustment board to warrant granting the assessment, the property appraiser or the value adjustment board may grant an assessment under this subsection. For the 2008 assessments, all petitioners for assessment under Section 193.155(8), Florida Statutes, shall be considered to have demonstrated particular extenuating circumstances.

Specific Authority Chapter 2007-339, L.O.F. (Senate Bill 4-D), Section 13 of Chapter 2008-173, L.O.F. (Senate Bill 1588) Law Implemented 193.155, 194.011 FS., Section 14 of Chapter 2008-173, L.O.F. (Senate Bill 1588) History—New 7-18-08.

12DER08-26 Appeals to the Value Adjustment Board of Denials and of Amount of Transfer of Assessment Limitation Difference (Portability).

(1) Appeals.

(a) This rule applies to the review of denials of assessment limitation difference transfers or of the amount of an assessment limitation difference transfer. No adjustment to the just, assessed or taxable value of the previous homestead parcel may be made pursuant to an appeal under this rule.

(b) A taxpayer may file a petition with the value adjustment board, in the county where the new homestead is located, to petition either a denial of a transfer or the amount of the transfer, on Form DR-486PORT (Petition to Value Adjustment Board, Transfer of Homestead Assessment Difference; N. 07/08), which the Department of Revenue hereby adopts and incorporates in this rule by reference. Such petition must be filed within 25 days following the mailing of the notice of proposed property taxes as provided in Section 194.011, Florida Statutes. If only a part of a transfer of assessment increase differential is granted, the notice of proposed property taxes shall function as notice of the taxpayer's right to appeal to the value adjustment board.

(2) The applicant may appeal the decision of the property appraiser refusing to allow the transfer of an assessment difference to the value adjustment board, and the board shall review the application and evidence presented to the property appraiser upon which the applicant based the claim and shall hear the applicant in person or by agent on behalf of his or her right to such assessment. Such appeal shall be heard by an attorney special magistrate if the value adjustment board uses special magistrates. The value adjustment board shall reverse the decision of the property appraiser in the cause and grant assessment under this subsection to the applicant if, in its judgment, the applicant is entitled to be granted the assessment or shall affirm the decision of the property appraiser.

(3) This rule will apply to value adjustment board proceedings in a county in which the previous homestead is located. Any petitioner desiring to appeal the action of a property appraiser in a county in which the previous homestead is located must so designate on Form DR-486PORT.

(a) If the taxpayer does not agree with the amount of the assessment limitation difference for which the taxpayer qualifies as stated by the property appraiser in the county where the previous homestead property was located, or if the property appraiser in that county has not stated that the taxpayer qualifies to transfer any assessment limitation difference, upon the taxpayer filing a petition to the value adjustment board in the county where the new homestead property is located, the clerk of the value adjustment board in that county shall, upon receiving the appeal, send a notice using Form DR-486XCO, (Cross-County Notice of Appeal and Petition, Transfer of Homestead Assessment Difference; N. 07/08) which the Department of Revenue hereby adopts and incorporates in this rule by reference, to the clerk of the value adjustment board in the county where the previous homestead was located, which shall reconvene if it has already adjourned.

(b) Such notice operates as a timely petition in, and creates an appeal to, the value adjustment board in the county where the previous homestead was located of all issues surrounding the previous assessment differential for the taxpayer involved. However, the taxpayer may not petition to have the just, assessed, or taxable value of the previous homestead changed.

(c) The value adjustment board in the county where the previous homestead was located shall set the petition for hearing and notify the taxpayer, the property appraiser in the county where the previous homestead was located, the property appraiser in the county where the new homestead is located, and the value adjustment board in that county, and shall hear the appeal.

(d) The clerk in the county in which the previous homestead was located must note the petition from the county in which the new homestead is located. No filing fee is required. The clerk shall notify each petitioner of the scheduled time of appearance. The notice shall be in writing and delivered by regular or certified U.S. mail or personal delivery so that the notice shall be received by the taxpayer no less than twenty-five (25) calendar days prior to the day of such scheduled appearance. The clerk will have prima facie complied with the requirements of this section if the notice was deposited in the U.S. mail thirty (30) days prior to the day of such scheduled appearance.

(e) Such appeal shall be heard by an attorney special magistrate if the value adjustment board in the county where the previous homestead was located uses special magistrates. The taxpayer may attend such hearing and present evidence, but need not do so. The value adjustment board in the county where the previous homestead was located shall issue a decision and send a copy of the decision to the clerk of the value adjustment board in the county where the new homestead is located.

(f) In hearing the appeal in the county where the new homestead is located, that value adjustment board shall consider the decision of the value adjustment board in the county where the previous homestead was located on the issues pertaining to the previous homestead and on the amount of any assessment reduction for which the taxpayer qualifies. The value adjustment board in the county where the new homestead is located may not hold its hearing until it has received the decision from the value adjustment board in the county where the previous homestead was located.

(4) This rule does not authorize the consideration or adjustment of the just, assessed, or taxable value of the previous homestead property.

Specific Authority Chapter 2007-339, L.O.F. (Senate Bill 4-D), Section 13 of Chapter 2008-173, L.O.F. (Senate Bill 1588) Law Implemented 193.155, 194.011 FS. History—New 7-18-08.

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 18, 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 ENVIRONMENTAL PROTECTION

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

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on July 2, 2008, the South Florida Water Management District (District), received a petition for waiver from Green Dadeland Station, Ltd., Application No. 08-0213-1 for utilization of Works or Lands of the District known as the C-2 Canal, Miami-Dade County for the proposed installation of bulk heading and rip-rap protection, bike path and walkways, trees, light poles, benches and trash receptacles within the C-2 rights of way; Section 35, Township 54 South, Range 40 East, Miami-Dade County. The petition seeks relief from subsections 40E-6.011(4) and (6) and paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs placement of permanent and semi-permanent above-ground structures within 40' of top of canal bank and within designated 100' long equipment staging areas within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kathie Ruff at (561)682-6320 or email at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by

the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on July 10, 2008, the South Florida Water Management District (SFWMD) Governing Board has issued an order.

Order No. 2008-327-DAO-ROW grants a waiver under Section 120.542, Florida Statutes, to Michael J. Meives. The petition for waiver was received by the SFWMD on April 24, 2008. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 34, No. 19, on May 9, 2008. No public comment was received. This Order provides a waiver of the District's criteria to allow an existing dock with walkway and associated facilities including the proposed addition to the existing dock as well as various landscaping features, consisting of steps, walkway, decorative posts, boulders, trees, and plantings within the north right of way of C-17 at the rear of 572 Anchorage Drive; Section 16, Township 42 South, Range 43 East, Palm Beach County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the minimum low member elevation of pile-supported docking facilities and the placement of permanent and/or semi-permanent above ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Michael J. Meives from suffering a substantial hardship and a violation of the principles of fairness.

A copy of the Order may be obtained by contacting: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, telephone number (561)682-6320 or by e-mail at kruff@sfwmd.gov.

NOTICE IS HEREBY GIVEN THAT on July 10, 2008, the South Florida Water Management District (SFWMD) Governing Board has issued an order.

Order No. 2008-328-DAO-ROW grants a waiver under Section 120.542, Florida Statutes, to Adam and Lila Smith. The petition for waiver was received by the SFWMD on April 29, 2008. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 34,

No. 19, on May 9, 2008. No public comment was received. This Order provides a waiver of the District's criteria to allow four existing palm trees, 13-14 feet from the top of canal bank to remain within the west right of way of C-100A at the rear of 14701 S. W. 76th Terrace; Section 23, Township 55 South, Range 40 East, Miami-Dade County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Adam and Lila Smith from suffering a violation of the principles of fairness.

A copy of the Order may be obtained by contacting: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, telephone number (561)682-6320 or by e-mail at kruff@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on July 7, 2008, the Florida Department of Business and Professional Regulations, Alcoholic Beverages and Tobacco Division, received a petition for waiver of Rule 61A-3.039, Florida Administrative Code, from Whole Foods Market, along with its affiliate Wild Oats Markets, Inc. The petition seeks relief from the implementation of Section 562.13, Florida Statutes, which prohibits the employment of minors by any vendors licensed under the Beverage Law. Rule 61A-3.039, Florida Administrative Code, defines a grocery store as any premise for which a beer or beer and wine package only license is issued.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Cecelia D. Jefferson at (850)921-8963 or e-mail at Cecilia.Jefferson@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on July 15, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Art of Food located in Miami. The above referenced F.A.C. states that all bathrooms shall be of

easy and convenient access to both patrons and employees...They are requesting a variance to share bathroom facilities with an adjacent establishment and have no seating.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on July 15, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(6), Florida Administrative Code (F.A.C.) from Jimmy Buffet's Margaritaville located in Orlando. The above referenced F.A.C. references the provisions of Chapter 6, 2001 Federal Drug Administration Food Code, which prohibits live animals on the premises of a food establishment. They are requesting a variance to have animals (birds) present outside a food service establishment.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on July 10, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on June 26, 2008, for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Marchello's Pizzeria and Restaurant located in Lutz. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to share bathroom facilities with an adjacent establishment and have seating for seventy.

This variance request was approved and is contingent upon the Petitioner ensuring the bathrooms located off a hallway within Funs LLC are functional, have hot and cold running water at all times, provided with soap and an approved hand drying device, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within and immediately outside the establishment clearly stating the location of the bathrooms. Petitioner will have no more than seventy seats which includes both inside and outside seating. This variance is not transferable under any conditions and will be re-evaluated if ownership changes at either establishment (Marchello's Pizzeria and Restaurant and Funs LLC). Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on July 7, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on July 2, 2008, for subsection 61C-4.010(7), Florida Administrative Code, from Nestle Toll House Cafe located in Orlando. The above referenced Florida Administrative Code states that each food service establishment must maintain a minimum of one public bathroom for each sex, properly designated....They are requesting a variance to use common area bathroom facilities located approximately 426 feet in distance.

This variance request was approved and is contingent upon Petitioner ensuring the public restrooms located 426 feet away are functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within/or outside the establishment clearly stating the location of the bathrooms. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on July 10, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on July 2, 2008, for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Pizzeria Napoletana located in Miami. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to use public bathrooms located in a common area and have seating for eight.

This variance request was approved and is contingent upon the Petitioner ensuring the centrally located bathrooms have running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within/or outside the establishment clearly stating the location of the bathrooms. Petitioner will have no more than eight (8) seats which include inside and outside seating. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on July 7, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN THAT on June 26, 2008, for an Emergency Variance for subsection 61C-4.010(5), Florida Administrative Code, from the Ritz Carlton Hotel located in Amelia Island. The above referenced F.A.C. refers to Chapter four in the 2001 Federal Food and Drug Administration (FDA) Food Code. The Chapter in the 2001 FDA Food Code refers to warewashing requirements in food service establishments. The Petitioner is requesting to share warewashing facilities with a licensed food service establishment on the same premises.

This variance request was approved and is contingent upon the Petitioner ensuring a sufficient number of three-compartment sinks or mechanical warewashing machines for washing, rinsing, and sanitizing equipment and utensils for the licensed main kitchen and the ballroom inside the Ritz Carlton Hotel. Handwashing procedures are to be strictly adhered to as specified in the Federal Food and Drug Administration 2001 Food Code Section 2-301.14. If the menu changes or expands in any manner or operating hours or accessibility for the licensed main kitchen changes, this variance request will be re-evaluated. All provisos shall be met prior to final licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on July 8, 2008, the Board of Accountancy, received a petition for Carshena R. Thompkins, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone at (352)333-2505.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT on July 22, 2008, the Florida Department of Environmental Protection has issued an order.

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, Florida Statutes (F.S.) from the provisions of paragraphs 62-4.242(2)(a), (2)(b), 62-302.700(1), 40C-4.301(1)(e) and subsection 62-302.530(31), Florida Administrative Code (F.A.C.), to the U.S. Army Corps of Engineers, (File No. 0180701-008-BV) to establish a maximum allowable turbidity level of 20 Nephelometric Turbidity Units (NTU) above background upriver of Brickell Bridge; a minimum allowable level for Dissolved Oxygen of 2.0 mg/L upriver of Brickell Bridge; a maximum allowable turbidity level of 15 NTUs above background downriver of Brickell Bridge, not to exceed an absolute turbidity level of 20 NTUs; and a minimum allowable level for Dissolved Oxygen of 3.0 mg/L downriver of Brickell Bridge. This temporary variance shall only be valid during the construction activities authorized in Environmental Resource Permit No. 0180701-004 EI (current expiration date of September 23, 2009), including subsequent modifications, and following issuance of the associated minor permit modification (File No. 0180701-007-EM). The maintenance dredging activity is located in the Miami River and extends into Biscayne Bay, while material processing activities are adjacent to the Miami River, Miami-Dade County, Sections 27, 28, 33, 34, 35 Township 53 South, Range 41 East and Section 38 Township 54 South, Range 41 East, Class III Waters, within the Biscayne Bay Aquatic Preserve, Outstanding Florida Waters. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 5050 West Tennessee Street, Building B, Tallahassee, Florida 32304-9201.

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

Mediation under Section 120.573, Florida Statutes, is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a

modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

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.

In the event that 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. Any intervention will be only at the discretion of the presiding judge upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsections 28-106.111(2) and subparagraph 62-110.106(3)(a)(1), F.A.C., 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.

In accordance with Rule 28-106.301, F.A.C., 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, including an explanation of how the alleged facts relate to the specific rules or statutes; 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 (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 action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. 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, 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 final order is filed with the Clerk of the Department.

A copy of the Order may be obtained by contacting: Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399.

NOTICE IS HEREBY GIVEN THAT on July 23, 2008, the Florida Department of Environmental Protection has issued an order.

The Department of Environmental Protection gives notice of its intent to grant a variance under section 403.201 of the Florida Statutes (F.S.) from the provisions of paragraphs 62-4.242(2)(a), (2)(b), 62-302.700(1), 40C-4.301(1)(e) and 62-302.530(31), Florida Administrative Code (F.A.C.), to the Miami-Dade County Department of Environmental Resources

Management (DERM), (File No. 0194694-008-BV) to establish a maximum allowable turbidity level of 20 Nephelometric Turbidity Units (NTU) above background and a minimum allowable level for Dissolved Oxygen of 2.0 mg/L. This temporary variance shall only be valid during the construction activities authorized in Environmental Resource Permit No. 0194694-003 EI (current expiration date of September 23, 2009), including subsequent modifications, and following issuance of the associated minor permit modification (File No. 0194694-007-EM). The maintenance dredging activity is located in the Miami River, upriver of Brickell Bridge, while material processing activities are adjacent to the Miami River, Miami-Dade County, Sections 27, 28, 33, 34, 35 Township 53 South, Range 41 East and Section 38 Township 54 South, Range 41 East, Class III Waters, within the Biscayne Bay Aquatic Preserve, Outstanding Florida Waters. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 5050 West Tennessee Street, Building B, Tallahassee, Florida 32304-9201.

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

Mediation under Section 120.573, Florida Statutes, is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

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, 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.

In the event that 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. Any intervention will be only at the discretion of the presiding judge upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsection 28-106.111(2) and subparagraph 62-110.106(3)(a)(1), F.A.C., 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.

In accordance with Rule 28-106.301, F.A.C., 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, including an explanation of how the alleged facts relate to the specific rules or statutes; 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 (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 action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. 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; 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 final order is filed with the Clerk of the Department.

A copy of the Order may be obtained by contacting: Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, FL 32399.

DEPARTMENT OF HEALTH

The Board of Dentistry hereby gives notice that it has received a petition, filed on July 18, 2008, by Edwin Bayo on behalf of Maritza Vega, D.D.S., seeking a waiver or variance of subsection 64B5-2.0146(2), F.A.C., with respect to the requirement that each applicant for a Florida dental license successfully completes supplemental remedial education to the level of a graduating senior; and/or subsection 64B5-7.003(4), F.A.C., with respect to the unacceptability of experience obtained by an individual pursuant to a permit issued under the authority of Rule 64B5-7.003, F.A.C. and Section 466.025, F.S., for the purpose of fulfilling the supplemental education program set forth in Section 466.006(3)(b), F.S.

Comments on this petition should be filed with the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on July 17, 2008, the Board of Medicine, received a petition for Variance or Waiver submitted by Terri L. Hartsfield, seeking a permanent waiver or variance from subsection 64B8-52.003(5), F.A.C., with regard to the restriction on the number of home study hours

permitted for the purposes of continuing education. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on July 16, 2008, the Board of Pharmacy, received a petition for Hadya Alameddine, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that the applicant be certified by the Foreign Pharmacy Graduate Examination Committee to have passed the FPGEE, the Test of English as a Foreign Language, and the Test of Spoken English. Petitioner is also seeking a variance or waiver of subsection 64B16-26.204(4), F.A.C., which requires compliance with Rule 64B16-26.205, F.A.C.

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, or telephone (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 July 8, 2008, the Board of Pharmacy, received a petition for Lesbia Diaz, seeking a variance or waiver of paragraph 64B16-26.203(3)(a), Florida Administrative Code, which requires that candidates for licensure by examination reapply if all requirements for licensure are not met within one year of the receipt of the application.

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, or telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida Agriculture in the Classroom, Inc.** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, August 14, 2008, 1:00 p.m. – 4:00 p.m.; Friday, August 15, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Don CeSar Resort, 3400 Gulf Blvd., St. Pete Beach, FL 33706

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Agriculture in the Classroom, Inc., Board of Directors will meet for its annual retreat.

A copy of the agenda may be obtained by contacting: Lisa Gaskalla by calling (352)846-1391 or emailing gaskalla@ufl.edu.

The **Florida Agricultural Horse Park and Agricultural Center Authority** announces a public meeting to which all persons are invited.

DATE AND TIMES: Tuesday, August 19, 2008, 3:00 p.m. and 5:30 p.m.

PLACE: Wachovia Bank, 2001 Southwest 17th Street, Ocala, Florida 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: The 3:00 p.m. meeting is for the various committees of the authority. The 5:30 p.m. meeting is a full board meeting to discuss general authority business.

A copy of the agenda may be obtained by contacting: Richard Gunnels at (850)488-3022 or gunnelr@doac.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 2 days before the workshop/meeting by contacting: Richard Gunnels at (850)488-3022 or gunnelr@doacs.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: September 9, 2008, 10:00 a.m.

PLACE: Hawthorne-Hyatt Suites, 7450 Augusta National Drive, Orlando, Florida (adjacent to Hilton Garden Inn Airport location)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting of the Florida Amusement Device and Attraction Advisory Committee.

A copy of the agenda may be obtained by contacting: Robert H. Jacobs, 3125 Conner Blvd., Suite N, Tallahassee, Florida 32399-1650, or by calling Robert Jacobs at (850)488-9790.

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: Robert Jacobs at (850)488-9790. 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 EDUCATION

The **State Committee of Vendors** announces a public meeting to which all persons are invited.

DATES AND TIMES: August 8, 2008, 10:30 a.m. – 5:00 p.m.; August 9, 2008, 8:30 a.m. – 12:00 Noon

PLACE: Embassy Suites International Drive Convention Center, 8978 International Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Administration for the Business Enterprises Program will discuss: TBA. The State Committee of Vendors will present reports from their subcommittees and other topics: TBA. General Topics of interest brought up by the District Representatives at the meeting.

A copy of the agenda may be obtained by contacting: <http://dbs.myflorida.com>.

The **Distance Learning Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: August 18, 2008, 9:00 a.m. – 3:00 p.m.

PLACE: 325 West Gaines Street, Room 1721/1725, Turlington Building, Tallahassee, Florida 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Develop cross-sector distance learning policy.

A copy of the agenda may be obtained by contacting Dr. John Opper at jopper@distancelearn.org.

The **State College Pilot Project** announces a public meeting to which all persons are invited.

DATE AND TIME: August 20, 2008, 8:30 a.m. – 5:00 p.m.

PLACE: St. Petersburg College EpiCenter, 13805 58th Street, North, Largo, Florida 33760-3768

GENERAL SUBJECT MATTER TO BE CONSIDERED: Identify guiding principles for State College System and plan for further meetings.

A copy of the agenda may be obtained by contacting Kasongo Butler at Kasongo.butler@fldoe.org.

DEPARTMENT OF COMMUNITY AFFAIRS

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

DATE AND TIME: August 12, 2008, 9:00 a.m.

PLACE: 2555 Shumard Oak Boulevard, Room 305, Tallahassee, Florida 32399-2100, (850)487-1824

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Special Occupancy Technical Advisory Committee.

A copy of the agenda may be obtained by contacting: Ms. Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Ms. Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

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

DATE AND TIMES: August 12, 2008, 1:00 p.m. and 3:00 p.m.

PLACE: Meeting to be conducted using Communications Media Technology, specifically Conference Call Telephone Number: 1(888)808-6959, Passcode: 9221867. Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1:00 p.m. Meeting of the Mechanical Technical Advisory Committee.

3:00 p.m. Meeting of the Plumbing Technical Advisory Committee.

A copy of the agenda may be obtained by contacting: Ms. Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824,

or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Ms. Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

The **Florida Building Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 20, 2008, 8:30 a.m. or as soon thereafter as the matter comes before the Commission in accordance with its agenda

PLACE: Naples Grand Resort and Club Hotel, 475 Seagate Drive, Naples, Florida 34103

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is an additional workshop of Rule 9B-3.047, Florida Administrative Code, and supplements the information provided in the Notice of Proposed Rule Development published on June 6, 2008. The purpose of this workshop is to consider additional proposed changes to the Florida Building Code as well as comments from the public and Technical Advisory Committees. The proposed changes to be considered by the Commission can be viewed online at http://www.florida-building.org/BCISold/bc/bc_comm_srch.asp.

A copy of the agenda may be obtained by contacting: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)921-2247.

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: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)921-2247. 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: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)921-2247.

DEPARTMENT OF REVENUE

The Florida **Department of Revenue** announces a public meeting to which all persons are invited.

DATE AND TIME: August 12, 2008, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish a Notice of Intended Action (Notice of Proposed Rulemaking) to amend Rule 12B-8.006, F.A.C. (State Fire Marshal Regulatory Assessment and Surcharge; Levy and Amount).

A copy of the agenda may be obtained by contacting Larry Green at (850)922-4830.

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

The Florida **Department of Revenue** announces a public meeting to which all persons are invited.

DATE AND TIME: August 12, 2008, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Approval of the proposed amendments to Rule Chapter 12B-6, F.A.C. (Gross Receipts Tax). Notice of this proposed adoption was published in the Florida Administrative Weekly on May 16, 2008 (Vol. 34, No. 20, pp. 2524-2531).

A copy of the agenda may be obtained by contacting Larry Green at (850)922-4830.

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

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation**, Florida's Turnpike Enterprise announces a hearing to which all persons are invited.

DATE AND TIMES: August 26, 2008, Open House: 5:30 p.m. – 7:00 p.m.; Formal Presentation: 7:00 p.m.

PLACE: Reception Palace Ballrooms, 14375 S. W. 42nd Street (Bird Road), Miami, Florida 33175 (In the event that severe weather or other unforeseen conditions cause the hearing to be postponed, it will be held on the alternate date of September 9, 2008 at the same time and location.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to allow interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic and environmental effects of the proposed project Financial Project ID Number: 415051-1, Homestead Extension of Florida's Turnpike (HEFT)/SR 821 Widening project from SR 874 to SR 836, Project Development and Environment (PD&E) Study. This Hearing will present the proposed improvements to the HEFT, evaluated under this PD&E Study, from south of Kendall Drive (S. W. 88th Street) to SR 836.

A copy of the agenda may be obtained by contacting: Mr. Imran Ghani, P.E., Project Development Engineer at Florida's Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761-3069, or by e-mail at imran.ghani@dot.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 7 days before the workshop/meeting by contacting Mr. Imran Ghani, P.E., Project Development Engineer at (407)264-3802. 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 Transportation** announces a hearing to which all persons are invited.

DATE AND TIMES: Tuesday, August 26, 2008, Open House: 6:00 p.m.; Formal Presentation: 6:30 p.m.; Access Reclassification Hearing following Public Hearing

PLACE: Kissimmee Civic Center, Oak & Sable Conference Rooms, 201 East Dakin Avenue, Kissimmee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons an opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID Number: 418403-1-22-01 otherwise known as the SR 600 (John Young Parkway) Project Development and Environment (PD&E) Study in Osceola County, Florida. The project considers the corridor from Pleasant Hill Road to US 192 in regards to the impacts and conceptual design of widening the roadway from four (4) to six (6) lanes.

Following the Public Hearing for the project a Reclassification Public Hearing will be held for SR 600 from Pleasant Hill Road to Martin Circle. This Public Hearing will address the reclassification of the existing access management classification from an Access Class 3 to an Access Class 5, per Rule 14-97.005, F.A.C., and FDOT Procedure 525-030-155-c.

An Access Class 5 designation would allow full median openings every one-quarter mile (1,320 feet) and directional openings every one-eighth mile (660 feet). The ability to add these additional features are subject to operational and safety conditions. This Public Hearing is being conducted to give all interested parties an opportunity to comment on the proposed access management reclassification for the above listed project limits on SR 600.

This project is being developed in compliance with Title VI of the Civil Rights Act of 1964 and related statutes. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Ms. Colleen Jarrell, PE, HNTB Corporation, 300 Primera Boulevard, Lake Mary, Florida 32764, 1(800)889-8237.

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: Ms. Colleen Jarrell, PE, HNTB Corporation, 300 Primera Boulevard, Lake Mary, Florida 32764, 1(800)889-8237. 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 Transportation**, District Seven announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, August 28, 2008, 5:00 p.m. – 7:00 p.m.

PLACE: Madison Square, 4035 Madison Street, New Port Richey, Florida 34652

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation, District Seven invites you to attend and participate in a public hearing for the Project Development and Environment (PD&E) study for proposed improvements to US 19 (SR 55) from south of Alternate 19 to north of County Line Road (CR 578) in Pasco County, Florida; FPN Segment: 418860-1 and FAP No.: S138-001-R.

PURPOSE: This public hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements to US 19. The study evaluated engineering and environmental effects associated with interchange concepts at four locations along the project corridor: SR 54, Ridge Road, SR 52, and County Line Road. The project length is 19.7 miles.

A copy of the agenda may be obtained by contacting: Robert M. Clifford, AICP, Department Head, Intermodal Systems Development, 11201 N. McKinley Drive, MS 7-500, Tampa, FL 33612-6456.

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: Mr. Manuel Santos, Project Manager at 1(800)226-7220, (813)975-6173 or manuel.santos@dot.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: Mr. Manuel Santos, Project Manager at 1(800)226-7220, (813)975-6173 or manuel.santos@dot.state.fl.us.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

The **Florida Prepaid College Board** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, August 7, 2008, 2:00 p.m., recessing at the end of each session and reconvening, as necessary, the next business day at 9:00 a.m., or such other time and date as is posted at the meeting room prior to 9:00 a.m. of the day proceeding the day of the meeting, until business has been concluded

PLACE: Florida Prepaid College Board Office, 2nd Floor, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and score responses received to the Invitation to Negotiate for Customer Services and Records Administration Services, ITN #08-01.

A copy of the agenda may be obtained by Faxing a written request to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board at (850)488-3555.

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 faxing a written request to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board at (850)488-3555. 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.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: *August 18, 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: Monday, August 18, 2008, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 070691-TP – Complaint and request for emergency relief against Verizon Florida, LLC for anticompetitive behavior in violation of Sections 364.01(4), 364.3381 and 364.10, F.S., and for failure to facilitate transfer of customers' numbers to Bright House Networks Information Services (Florida), LLC, and its affiliate, Bright House Networks, LLC.

Docket No. 080036-TP – Complaint and request for emergency relief against Verizon Florida, L.L.C. for anticompetitive behavior in violation of Sections 364.01(4), 364.3381 and 364.10, F.S., and for failure to facilitate transfer of customers' numbers to Comcast Phone of Florida, L.L.C. d/b/a Comcast Digital Phone. The purpose of this prehearing is to consider (1) the simplification of the issues; (2) the identification of the positions of the parties on these issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; and (6) such other matters as may aid in the disposition of the action. If settlement of the case or a named

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770.

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: August 19, 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 the 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 the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

EXECUTIVE OFFICE OF THE GOVERNOR

The Executive Board of **Volunteer Florida Foundation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, July 23, 2008, 3:00 p.m.

PLACE: Contact Frances Rhodes at (850)410-0696 or frances.rhodes@vfffund.org for conference line phone number and pass code.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Foundation Business.

A copy of the agenda may be obtained by contacting: Frances Rhodes at (850)410-0696 or frances.rhodes@vfffund.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting Frances Rhodes at (850)410-0696. 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: Frances Rhodes at (850)410-0696.

The **Governor's Commission on Volunteerism and Community Service** (Volunteer Florida) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, August 22, 2008, 3:30 p.m. – until business is complete

PLACE: Conference Call: 1(888)808-6959, Passcode 9215144

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Commission Business.

A copy of the agenda may be obtained by contacting: Kristin Mullikin at (850)414-0092 or kristin@volunteerflorida.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Kristin Mullikin at (850)414-0092.

The Governor's Commission on Volunteerism and Community Service (Volunteer Florida) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, September 9, 2008, 8:00 a.m. – 5:00 p.m.

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the Commission's Committees.

A copy of the agenda may be obtained by contacting: Kristin Mullikin at (850)921-5172 or kristin@volunteerflorida.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting Ms. Mullikin. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Kristin Mullikin at (850)921-5172 or kristin@volunteerflorida.org.

The Office Statewide Suicide Prevention announces a public meeting to which all persons are invited.

DATE AND TIME: October 28, 2008, 1:00 p.m. – 4:00 p.m.

PLACE: Room 2103, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suicide Prevention.

A copy of the agenda may be obtained by contacting Erin MacInnes at (850)922-0498.

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 Erin MacInnes at (850)922-0498. 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: Erin MacInnes at (850)922-0498.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: August 15, 2008, 10:30 a.m.

PLACE: Lake City Water Plant, 144 Southeast Ozone Loop, Lake City, Florida

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

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, FL 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 contacting (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: August 20, 2008, 12:00 Noon

PLACE: North Central Florida Regional Planning Council Office, 2009 N. W. 67 Place, Gainesville, Florida

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

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

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 contacting: (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 **Withlacoochee Regional Planning Council**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 21, 2008, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council including review of Regional Report and Recommendations for the Landstone Communities DRI.

A copy of the agenda may be obtained by contacting: Executive Director, Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323.

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

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

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC Board will be holding its regular monthly meeting to discuss and take action on regional issues affecting Southwest Florida.

A copy of the agenda may be obtained by contacting: Mrs. Nichole Gwinnett at (239)338-2550, ext. 232 or email ngwinnett@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mrs. Deborah Kooi at (239)338-2550 ext. 210 or email dkooi@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mrs. Nichole Gwinnett at (239)338-2550, ext. 232 or email ngwinnett@swfrpc.org or visit our website at www.swfrpc.org.

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

DATE AND TIME: Thursday, August 21, 2008, 11:30 a.m. or immediately following the adjournment of the Council meeting

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council's Lower West Coast Watersheds Subcommittee will meet to discuss water quality and water quantity issues affecting Southwest Florida.

A copy of the agenda may be obtained by contacting: Mr. David Crawford at (239)338-2550, ext. 226 or email dcrawford@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ms. Deborah Kooi at (239)338-2550, ext. 210 or dkooi@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Jim Beever at (239)338-2550, ext. 224 or email jbeever@swfrpc.org or visit our website at www.swfrpc.org.

The **Southwest Florida Regional Planning Council**, Region IX, Local Emergency Planning Committee (LEPC) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 28, 2008, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Region IX, Local Emergency Planning Committee (LEPC) will meet to discuss and implement provisions of the Emergency Planning and Community Right To Know Act.

A copy of the agenda may be obtained by contacting: Mr. John Gibbons, Principal Planner at (239)338-2550, ext. 229 or email jgibbons@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mrs. Deborah Kooi at (239)338-2550, ext. 210 or email dkooi@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. John Gibbons, Principal Planner at (239)338-2550 ext. 229 or email jgibbons@swfrpc.org or visit our website at www.swfrpc.org.

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: August 12, 2008, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – to consider District business, and conduct public hearings on regulatory and land acquisition matters.

Public hearing is in accordance with Section 373.59, F.S., concerning the proposed acquisition of the Faith Place et al./Otter Springs Property, 636 acres in Gilchrist County, with Funds from the Florida Forever Trust Fund; also the proposed acquisition of the Suwannee Land & Timber, Inc./Willow Bend Subdivision Lot 21, 0.7 acres, Madison County, with Funds from the Florida Forever Trust Fund.

A copy of the agenda may be obtained by contacting: Lisa M. Cheshire at (386)362-1001 or the District's Website at Mysuwanneeriver.com.

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: Lisa Cheshire, 9225 CR 49, Live Oak, FL 32060, (386)362-1001, lmc@srwmd.org.

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: August 14, 2008, 1:30 p.m.

PLACE: Holiday Inn Daytona, 2620 W. International Speedway Blvd., Daytona Beach, FL 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Agricultural Advisory Committee to discuss rulemaking for permit fee increases and proposed rule amendments for irrigation.

A copy of the agenda may be obtained by contacting Vince Singleton at (386)329-4197.

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 Vince Singleton at (386)329-4197. If you are

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

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

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

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

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Hillsborough River Basin Board meeting to consider Basin business including adoption of Fiscal Year 2009 final millage rate and budget. Ad Order 38603.

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 SWFWMD Executive Department at the address above.

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

DATE AND TIME: Monday, August 11, 2008, 3:00 p.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 166, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Task Force business for the Citrus County Task Force of the Citrus/Hernando Waterways Restoration Council and including the discussion of the Barge Canal Western Terminus and the Lower Withlacoochee River.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida only), extension 4227.

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: (352)796-7211 or 1(800)423-1476 (Florida only), extension 4226; TDD: 1(800)231-6103 (Florida only); Fax: (352)797-5806. 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 **Water Resources Advisory Commission (WRAC)** Recreation Issues Workshop announces a public meeting to which all persons are invited.

DATE AND TIME: August 11, 2008, 5:00 p.m. – 8:00 p.m.

PLACE: SFWMD, 3301 Gun Club Road, Building B-1, Auditorium, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding recreation issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

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

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

Project & Lands Committee Meeting

DATE AND TIME: August 13, 2008, 8:30 a.m.

PLACE: SFWMD Headquarters, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406

Audit & Finance Committee Meeting

DATE AND TIME: August 13, 2008, 10:00 a.m.

PLACE: SFWMD Headquarters, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406

Human Resources & Outreach Committee Meeting

DATE AND TIME: August 13, 2008, 11:30 a.m.

PLACE: SFWMD Headquarters, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406

Workshop

DATE AND TIME: August 13, 2008, 1:00 p.m.

PLACE: SFWMD Headquarters, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406

Regular Business Meeting

DATE AND TIME: August 14, 2008, 9:00 a.m.

PLACE: SFWMD Headquarters, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the Business Meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes. If Workshop items are not discussed on August 13, 2008, the items may be discussed on August 14, 2008.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters, and may include an amendment to the District's Fiscal Year 2008 budget to revise revenues and expenditures.

A copy of the agenda may be obtained by contacting: Jacki McGorty at (561)682-2087 or at https://my.sfwmd.gov/portal/page?_pageid=2574,13014318&_dad=portal&_schema=PORTAL.

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

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

For more information, you may contact District Clerk's Office at (561)682-2087.

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

DATE AND TIME: August 13, 2008, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: August 14, 2008, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2007), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 02-80309-CV-Altonaga/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, P. Huck, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: the District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

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

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

For more information, you may contact: the District Clerk's Office at (561)682-2087.

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

DATE AND TIME: August 13, 2008, 9:00 a.m. – completed
PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: July 10, 2008, 9:00 a.m. – completed
PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2007), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in Natural Resources Defense Council, Inc., et al. v. Van Antwerp, et al., United States District Court, Southern District of Florida, Case No. 07-80444-CIV-Middlebrooks. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, P. Huck, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: the District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

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

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

For more information, you may contact: the District Clerk's Office at (561)682-2087.

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

DATE AND TIME: August 13, 2008, 9:00 a.m. – completed
PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: August 14, 2008, 9:00 a.m. – completed
PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2007), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in United States of America v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, P. Huck, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, C. Kowalsky, K. Rizzardi, K. Burns.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: the District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

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

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

For more information, you may contact the District Clerk's Office at (561)682-2087.

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

DATE AND TIME: Wednesday, August 13, 2008, 9:00 a.m.

PLACE: Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Manasota Basin Board meeting to consider Basin business including adoption of Fiscal Year 2009 final millage rate and budget. Ad Order 38603.

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 SWFWMD Executive Department at the address above.

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

DATE AND TIME: Thursday, August 14, 2008, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville

GENERAL SUBJECT MATTER TO BE CONSIDERED: Withlacoochee River Basin Board meeting to consider Basin business including adoption of Fiscal Year 2009 final millage rate and budget. Ad Order 38603.

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.

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

DATE AND TIME: Thursday August 14, 2008, 1:00 p.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Coastal Rivers Basin Board meeting to consider Basin business including adoption of Fiscal Year 2009 final millage rate and budget. Ad Order 38603.

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 SWFWMD Executive Department at the address above.

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

Modeling Peer Review for the Kissimmee Basin Modeling and Operations Study (KBMOS)

DATE AND TIME: Thursday, August 14, 2008, 10:00 a.m. – 12:00 Noon (Meeting ID Number 4278)

DATE AND TIME: Thursday, August 21, 2008, 10:00 a.m. – 12:00 Noon (Meeting ID Number 9781)

PLACE: These are teleconferenced meetings. You may call into the teleconference by dialing either of the following telephone numbers: (561)682-6700, 1(866)433-6299. You will be prompted to dial the meeting ID number associated with the meeting above. South Florida Water Management District, Building B-1, Everglades Conference Room, 3301 Gun Club Rd., West Palm Beach, Florida 33406.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The South Florida Water Management District (District or SFWMD) has selected three experts to participate in a peer review panel to evaluate the Kissimmee Basin Hydrologic Assessment, Modeling and Operations Study (KBMOS) model and application to identify alternative structure operating criteria to meet the flood control, water supply, aquatic plant management, and natural resource operations objectives of the Upper and Lower Kissimmee Basin and its associated water resource projects. These teleconferenced meetings are a continuation of the peer review.

The agendas for the conference call meetings will be posted seven (7) days before the meeting and can be accessed at the KBMOS website link: https://my.sfwmd.gov/portal/page?_pageid=2294,4946313,2294_4947316:2294_11158145&_dad=portal&_schema=PORTAL.

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

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

For more information, you may contact the District Clerk’s Office at (561)682-2087.

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

WRAC – Lake Okeechobee Committee - Called Meeting

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

PLACE: SFWMD, Lower West Coast Service Center, 2301 McGregor Blvd., Ft. Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Northern Everglades Plan: River Watershed Protection Plans Update.

A copy of the agenda may be obtained by contacting Rick Smith at (561)682-6517.

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

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

For more information, you may contact the District Clerk’s Office at (561)682-2087.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water Regional Water Supply Authority** announces a public meeting to which all persons are invited.

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

PLACE: 2575 Enterprise Road, Clearwater, Florida 33763

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

A copy of the agenda may be obtained by contacting Tampa Bay Water at (727)796-2355.

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 Holly Wells at (727)796-2355. 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 Records Department at (727)796-2355.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 20, 2008 (EST), 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4142155

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the initiatives that the advisory council and the department wish to undertake.

A copy of the agenda may be obtained by contacting: Whitney Hults-Richartz, Department of Elder Affairs, Office of Legislative Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, Email: hultsw@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Whitney Hults-Richartz, Department of Elder Affairs, Office of Legislative Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, Email: hultsw@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Whitney Hults-Richartz, Department of Elder Affairs, Office of Legislative Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, Email: hultsw@elderaffairs.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Florida Local Advocacy Council** in Service Area 14 announces meetings for all Local Advocacy Council members, including the Chair and Vice-Chair, and administrative office staff. Parts of the meetings are open to the public.

Multi-Program Council meetings

DATES AND TIME: August 25, 2008; September 22, 2008; October 27, 2008; November 24, 2008; January 26, 2009; February 23, 2009; March 23, 2009; April 27, 2009; June 22, 2009, 5:30 p.m.

PLACE: Miami Dade Police Department, 7875 N. W. 12 St., Doral, FL. Please call 1(800)342-0825 to confirm the time and place of the meeting.

A copy of the agenda may be obtained by contacting: Penina Popper (954)713-1263 or Penina.Popper@myflorida.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Penina Popper at (954)713-1263. 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: Penina Popper.

The **Florida Local Advocacy Councils** in Service Area 12 announce meetings for all Local Advocacy Council members, including the Chair and Vice-Chair, and administrative office staff. Parts of the meetings are open to the public.

Developmental Disabilities Council Meetings

DATES AND TIME: September 3, 2008; November 5, 2008; January 7, 2009; February 4, 2009; March 4, 2009; April 1, 2009; May 6, 2009; June 3, 2009, 10:00 a.m.

PLACE: Coalition for Independent Living Options (CILO) on 6800 Forrest Hill Blvd., West Palm Beach, FL

Multi-Program Meetings

DATES AND TIME: September 15, 2008; October 13, 2008; November 10, 2008; January 12, 2009; February 9, 2009; March 9, 2009; April 20, 2009; May 11, 2009; June 8, 2009, 9:30 a.m.

PLACE: United Way of PB County at 2600 Quantum Blvd., Boynton Beach, FL

Mental Health Meetings

DATES AND TIME: September 8, 2008; October 13, 2008; November 17, 2008; January 12, 2009; February 16, 2009; March 16, 2009; April 20, 2009; May 18, 2009; June 15, 2009, 10:00 a.m.

PLACE: United Way of Palm Beach County Conference Center, 2600 Quantum Blvd., Boynton Beach, FL. Please call 1(800)342-0825 to confirm the time and place of the meeting.

A copy of the agenda may be obtained by contacting: Penina Popper at (954)713-1263.

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 Penina Popper at (954)713-1263. 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: Penina Popper at Penina.Popper@myflorida.gov.

The **Florida Local Advocacy Councils** in Service Area 13 announce meetings for all Local Advocacy Council members, including the Chair and Vice-Chair, and administrative office staff. Parts of the meetings are open to the public. Developmental Disabilities Council Meetings

DATES AND TIME: September 3, 2008; November 12, 2008; January 14, 2009; February 11, 2009; March 11, 2009; May 13, 2009; June 10, 2009, 6:00 p.m.

PLACE: 201 W. Broward Blvd., Ste. 506, Fort Lauderdale, FL 33301.

Multi-Program Meetings

DATES AND TIME: September 4, 2008; October 23, 2008; November 13, 2008; January 8, 2009; February 12, 2009; March 12, 2009; April 23, 2009; May 14, 2009; June 11, 2009, 12:00 Noon

PLACE: 201 W. Broward Blvd., Ste. 506, Fort Lauderdale, FL 33301

Mental Health Meetings

DATES AND TIME: September 16, 2008; October 28, 2008; November 18, 2008; January 20, 2009; February 17, 2009; March 17, 2009; April 21, 2009; May 19, 2009; June 16, 2009, 2:00 p.m.

PLACE: Geo Care Inc./South Florida State Hospital. 800 East Cypress Drive, Pembroke Pines, FL 33025. Please call 1(800)342-0825 to confirm the time and place of the meeting.

A copy of the agenda may be obtained by contacting: Penina Popper at (954)713-1263.

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 Penina Popper at (954)713-1263. 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: Penina Popper.

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

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

PLACE: Conference Call: 1(888)808-6959, Conference Code: 8504149707

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss applications before the Governors Panel on Excellence in Long-Term Care for recommendation for the Gold Seal award.

For more information, you may contact: Barbara Dombrowski of the Long Term Care Unit at (850)488-5861.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a public meeting to which all persons are invited.

DATE AND TIME: August 14, 2008, 10:00 a.m.

PLACE: The Capitol Building, Cabinet Meeting Room LL03, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Council on Efficient Government meeting.

A copy of the agenda may be obtained by contacting Suzanne Keele at (850)414-9200.

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

The **Department of Management Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 19, 2008, 9:00 a.m. – 10:00 a.m.

PLACE: 4050 Esplanade Way, Conference Room 101, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. To vote on appointments to the local steering committees
2. Recap of 2008 applications
3. Discuss scheduling for 2008 undesignated funds determinations

This will be a conference call meeting. The call-in number is 1(888)808-6959, code number 4139503#.

A copy of the agenda may be obtained by contacting: Erin Thoresen at erin.thoresen@dms.myflorida.com or call (850)922-1274.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Erin Thoresen at erin.thoresen@dms.myflorida.com or call (850)922-1274. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Erin Thoresen at erin.thoresen@dms.myflorida.com or call (850)922-1274.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation, Construction Industry Licensing Board** hereby gives notice that, pursuant to Section 120.54(3)(c)1., F.S., a Public Hearing will held in person on Rule 61G4-12.011, F.A.C. at the time, date and place listed below:

DATE AND TIME: Thursday, August 14, 2008, 5:00 p.m. or as soon thereafter as possible

PLACE: Four Seasons Hotel, 2800 South Ocean Blvd., Palm Beach, Florida 33480

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed amendment to Rule 61G4-12.011, F.A.C.

Any person wishing to appear by phone must contact the Board office to have their name placed on an attendance list.

A copy of the agenda and the rule being considered by the Board may be obtained by writing: Department of Business and Professional Regulation Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399, or emailing a request to the Board Office GW.Harrell@dbpr.state.fl.us or by calling (850)487-1395.

All written materials must be received by the Board office no later than August 8, 2008.

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

The **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 26, 2008, 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4878197#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement Committee meeting.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe Street, Tallahassee, FL. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by

contacting the Board office. 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 ENVIRONMENTAL PROTECTION

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

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: August 14, 2008, 9:00 a.m.

PLACE: Jacksonville City Hall (St. James Building), Exam Room 3, 117 West Duval Street, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lower St. Johns River Tributaries (LSJRT) Fecal Coliform Basin Management Action Plan (BMAP) Technical Working Group was formed to provide a forum for stakeholders to discuss issues related to the LSJRT TMDLs, including development, allocation, and implementation of the TMDLs. Topics for this meeting include discussion of the Lower St. Johns River Tributaries Fecal Coliform Basin Management Action Plan.

A copy of the agenda may be obtained by contacting: Ms. Amy Tracy, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Planning and Coordination Section, MS 3565, Tallahassee, Florida 32399-2400 or by calling her at (850)245-8506.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Ms. Amy Tracy at (850)245-8506. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection, Division of Water Resource Management** announces a public meeting to which all persons are invited.

DATES AND TIMES: August 20, 2008, 10:00 a.m. – 5:30 p.m.; August 21, 2008, 9:00 a.m. – 1:00 p.m. (ET)

PLACE: Science Applications International Corp. (SAIC), Science Bldg. II, Florida Room, 12901 Science Drive, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: During this two-day meeting, the Technical Advisory Committee will consider development of a new Chapter 62-347, F.A.C., to update stormwater quality treatment design and performance standards for stormwater treatment systems, with particular emphasis on reducing nutrient discharges. This meeting was noticed on May 9, 2008, to be a one-day meeting. A copy of the agenda may be obtained by contacting: Mary VanTassel, Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, 2600 Blair Stone Road, MS 2500, Tallahassee, FL 32399-2400, (850)245-8486, e-mail: Mary.VanTassel@dep.state.fl.us or Facsimile (850)245-8499. (OGC No. 07-0552).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Mary VanTassel at (850)245-8486. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a hearing to which all persons are invited.

DATE AND TIME: August 22, 2008, 9:00 a.m. – 5:00 p.m. or until completion of business

PLACE: Sunken Gardens, the Garden Room, 1825 4th Street North, St. Petersburg, Florida 33704

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Governor's Action Team on Energy and Climate Change to continue discussion of policy issues regarding the development of a comprehensive Energy and Climate Change Action Plan that will address statewide greenhouse gas reductions specified in Executive Order 07-127.

A copy of the agenda may be obtained by contacting: Florida Department of Environmental Protection, Attn: Allena Nelson (allena.nelson@dep.state.fl.us), Office of Strategic Planning, 3900 Commonwealth Blvd., M.S. 18, Tallahassee, Florida 32399-3000 or by calling (850)245-2002.

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: Florida Department of Environmental Protection, Attn: Allena Nelson (allena.nelson@dep.state.fl.us), Office of Strategic Planning, 3900 Commonwealth Blvd., M.S. 18, Tallahassee, Florida 32399-3000 or by calling (850)245-2002. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Department of Environmental Protection, Attn: Allena Nelson (allena.nelson@dep.state.fl.us), Office of Strategic Planning, 3900 Commonwealth Blvd., M.S. 18, Tallahassee, Florida 32399-3000 or by calling (850)245-2002.

The **Department of Environmental Protection**, Office of Submerged Lands and Environmental Resources announces a workshop to which all persons are invited.

DATE AND TIME: Monday, August 25, 2008, 10:00 a.m. (EDT)

PLACE: Department of Environmental Protection, Bob Martinez Center (formerly Twin Towers Office), Room 609, 2600 Blair Stone Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on the revision of an existing environmental resource noticed general permit in Rule 62-341.417, F.A.C., regarding boat ramps. This rulemaking is proposed in partial fulfillment of the requirements of Section 373.118(5), F.S. A second Notice of Development of Rulemaking for this rule was published July 18, 2008, in the Florida Administrative Weekly.

A copy of the agenda may be obtained by contacting: Ann Lazar, Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8495 or e-mail: ann.lazar@dep.state.fl.us. Further information and updates on this rule development also may be obtained from the Department's web site at: <http://www.dep.state.fl.us/water/wetlands/erp/rules/rulestat.htm>. (OGC Number 05-1659).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Mary Van Tassel at (850)245-8486. 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 **Bureau of Beaches and Coastal Systems** announces a workshop to which all persons are invited.

DATE AND TIME: September 16, 2008, 9:00 a.m.

PLACE: Bureau of Beaches and Coastal Systems, Building B, Room 309 (Training Room), 5050 West Tennessee Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Coastal Armoring.

A copy of the agenda may be obtained by contacting: Rosaline Beckham, Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Blvd., Mail Station 300, Tallahassee, FL 32399, (850)488-7815, email: Rosaline.Beckham@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Rosaline Beckham as cited 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).

DEPARTMENT OF HEALTH

The **Department of Health, Board of Medicine**, Dietetic and Nutrition Practice Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 12, 2008, 9:30 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, when prompted, enter conference code 1022351047 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255 or by calling the council office at (850)245-4373, ext. 3473.

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, Board of Medicine**, Dietetics and Nutrition Practice Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 19, 2008, 9:30 a.m. or soon thereafter

PLACE: The Meet Me Number: 1(888)808-6959. After dialing the meet me number, enter conference code 1022351047 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255.

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 council 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 **Board of Chiropractic Medicine** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 22, 2008, 8:30 a.m.

PLACE: Gaylord Palms, 6000 West Osceola Parkway, Orlando, Florida 34746

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/chiro/index.html.

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

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

The **Board of Dentistry** announces a public meeting to which all persons are invited.

DATES AND TIMES: September 11, 2008, 3:00 p.m.; September 12, 2008, 8:00 a.m.

PLACE: Crown Plaza Orlando Universal, 7800 Universal Blvd., Orlando, FL 32819, (407)355-0550

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

A copy of the agenda may be obtained by contacting Sarah Walls, (850)245-4474, at least five calendar days prior to the meeting.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Sarah Walls, (850)245-4474, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Walls using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771(TDD).

The **Board of Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, September 3, 2008, 12:00 Noon (EST)

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board.

This meeting may be cancelled prior to the meeting date. Please check the Board Web Site at www.Floridashealth.com for cancellations or changes to meeting dates, or call the Board of Medicine at (850)245-4131 for more information.

A copy of the agenda may be obtained by contacting: Gwyn Willis at Gwyn_Willis@doh.state.fl.us or (850)245-4131, ext. 3532.

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: Gwyn Willis at Gwyn_Willis@doh.state.fl.us or (850)245-4131, ext. 3532. 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 Medicine**, Expert Witness Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, September 3, 2008, immediately following the Board of Medicine Telephone Conference Call scheduled to begin at 12:00 Noon (EST). If the Board of Medicine Telephone Conference Call meeting is cancelled, the Expert Witness Committee meeting will begin at 12:00 Noon

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board.

A copy of the agenda may be obtained by contacting: Gwyn Willis at (850)245-4131, ext. 3532 or Gwyn_Willis@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: Gwyn Willis at (850)245-4131, ext. 3532 or Gwyn_Willis@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).

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 Medicine**, Dietetics-Nutrition and Electrolysis Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, September 3, 2008, immediately following the Expert Witness Committee meeting. Meetings will begin at 12:00 Noon (EST) – until complete. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.Floridashealth.com for cancellations or changes to the meeting dates

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board.

A copy of the agenda may be obtained by contacting: Gwyn Willis at (850)245-4131, ext. 3532 or Gwyn_Willis@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: Gwyn Willis at (850)245-4131, ext. 3532 or Gwyn_Willis@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).

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

The Florida **Board of Nursing**, South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 21, 2008, 2:00 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number 1(888)808-6959, Passcode 2458182

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by writing: Rick García, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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 at (850)245-4125. 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 Probable Cause Panel of the **Board of Osteopathic Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, August 21, 2008, 10:00 a.m. or soon thereafter

PLACE: Conference Call Number: 1(888)808-6959, Conference Code: 2454587

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing: Blake Hunter, Senior Attorney, Department of Health, Prosecution Services, 4052 Bald Cypress Way, #C-65, Tallahassee, FL 32399.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Practitioner Regulation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Practitioner Regulation Section may be contacted at 4052 Bald Cypress Way, #C-65, Tallahassee, FL 32399, 1(800)955-8771 (TDD) or 1(800)955-8770 via Florida Relay Service.

The Florida **Board of Osteopathic Medicine** announces a public meeting to which all persons are invited.

DATES AND TIMES: Friday, August 22, 2008, 4:00 p.m., or shortly thereafter; Saturday, August 23, 2008, 9:00 a.m. or shortly thereafter

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board business.

A copy of the agenda may be obtained by contacting: Pamela King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)245-4161. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Christy Robinson, (850)245-4161, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Christy Robinson using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

The **Board of Pharmacy** announces a telephone conference call to which all persons are invited.

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

PLACE: Conference Call Number: 1(888)808-6959, Conference Code 5642037

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to discuss general board business.

A copy of the agenda may be obtained by contacting: Board of Pharmacy, 4052 Bald Cypress Way, Bin C-04, Tallahassee, FL 32399-3254. The agenda will also be available one week prior to the meeting date at www.doh.state.fl.us/mqa/pharmacy.

The **Department of Health, Board of Physical Therapy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 15, 2008, 9:00 a.m. or soon thereafter

PLACE: Meet Me Number: 1(888)808-6959. After dialing the meet me number, enter conference code 1022351047 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Physical Therapy Practice, 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, Board of Physical Therapy announces a public meeting to which all persons are invited.

DATES AND TIMES: September 4, 2008, 4:00 p.m. or soon thereafter; September 5, 2008, 8:00 a.m. or soon thereafter

PLACE: Renaissance Orlando Hotel Airport, 5445 Forbes Place, Orlando, FL 32812, (407)240-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting and Rules Review.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Physical Therapy Practice, 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, Board of Physical Therapy announces a public meeting to which all persons are invited.

DATES AND TIMES: December 4, 2008, 4:00 p.m. or soon thereafter; December 5, 2008, 8:00 a.m. or soon thereafter

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting and Rules Review.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Physical Therapy Practice, 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, Board of Psychology announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 11, 2008, 8:00 a.m. or soon thereafter

PLACE: Meet Me Number: 1(888)808-6959. After dialing the meet number, enter conference code 4246812343 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Psychology, 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, Board of Psychology announces a public meeting to which all persons are invited.

DATES AND TIMES: October 23, 2008, 3:00 p.m. or soon thereafter; October 24, 2008, 9:00 a.m. or soon thereafter

PLACE: Crowne Plaza Orlando Universal, 7800 Universal Blvd., Orlando, FL 32819, (407)355-0550

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting and General Business Meeting. A copy of the agenda may be obtained by contacting: Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255.

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 **Board of Speech-Language Pathology and Audiology** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 21, 2008, 9:00 a.m. or soon thereafter

PLACE: Renaissance Orlando Hotel Airport, 5445 Forbes Place, Orlando, FL 32812, (407)240-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by contacting: Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399-3256.

Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Speech-Language Pathology and Audiology, (850)245-4161 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Respiratory Care** announces that an emergency meeting of the Board was held. The following Board members were in attendance: Morfia (Joy) Nunez, Ellen Weiss, Michele Grassi, Deborah Waggoner, David Rappa, Shawnta Friday-Stroud. In addition to the Board members listed above, Board counsel, Board staff, Department of Health Prosecutor, applicants and members of the public were also in attendance.

DATE AND TIME: July 21, 2008, 8:30 a.m.

PLACE: Meet-me Number: 1(888)808-6959, Conference Call Code: 1022351047

REASONS WHY AN EMERGENCY MEETING WAS NECESSARY: The meeting of the Board of Respiratory Care held on July 11, 2008, at the Tampa Airport Marriott was not noticed in the Florida Administrative Weekly 7 days in advance of the meeting as required by Section 120.525(1), F.S. As a result, it became necessary to hold an emergency meeting via teleconference pursuant to Section 120.525(3), F.S., in order to protect the health, safety, and welfare of the public. Two licensees who were charged with sexual misconduct in disciplinary cases that were presented to the Board and whose licenses the Board revoked, remain licensed. One of them was charged with repeated sexual battery of a helpless patient who was unable to speak or move. The other failed to report a criminal conviction for a sexual assault in Wisconsin. These licensees present a danger to the health, safety and welfare of the citizens of Florida, wherefore an emergency meeting is necessary to protect the public and permit the Board to impose whatever discipline is appropriate.

Further, applications for licenses as respiratory therapists were reviewed. The applicants are members of the public, too. Many of the applicants had jobs lined-up and risk losing those jobs because the licenses that were granted at the July 11, 2008 meeting, are a nullity. The welfare of these citizens is in danger if they are required to spend three additional months either un or under employed waiting for the next Board of Respiratory Care meeting. In addition, the agencies or hospitals or other medical service providers who were counting on these new hires to complete their staffing requirements may find themselves understaffed thereby constituting an immediate danger to the health, safety and welfare of the public. In order to protect the health, safety, and welfare of the applicants, the respiratory care service providers and the citizens who require the respiratory care, the licensure decisions need to be made.

The Board notified all parties on its "interested party list" and all the major wire services of the time, date, place and purpose of the meeting pursuant to the requirements of Rule 28-102.003, Florida Administrative Code. The agency published notice of the meeting on its web site, notified the Tallahassee Democrat, a newspaper of general circulation in Tallahassee where the teleconference meeting would be held, and notified all individuals whose cases were to be decided. It then published this notice as prescribed by Section 120.54(3), F.S., noticing the time date, and place of the meeting, including a statement of the reasons why an emergency meeting was necessary and a statement setting forth the action taken at the meeting, in addition to the notice requirement of Section 120.525(3)(c), F.S., all as prescribed by Rule 28-102.003, F.A.C.

ACTIONS TAKEN: The license of Donald Jackson, C.R.T., number TT3274, was permanently revoked. The license of Dennis Spaulding, C.R.T., number TT2394, was permanently revoked.

Unencumbered licenses were granted to:
Wilkinson Bertrand, Certified Respiratory Therapist
Robyn N. Bigler, Registered Respiratory Therapist
Dawn Rose Bussey, Registered Respiratory Therapist
Holly Elkin, Certified Respiratory Therapist
Janice E. Honiker, Registered Respiratory Therapist
Jana Lynn Jones, Registered Respiratory Therapist
John Andrew League, Registered Respiratory Therapist
Frankie McFarland, Certified Respiratory Therapist
Nikole Peters, Certified Respiratory Therapist
Auriesheaua A. Bell, Certified Respiratory Therapist
Gregory W. Hughes, Registered Respiratory Therapist
Timothy Gill, Certified Respiratory Therapist

Conditional Licenses were granted to:
Leonard Campbell, Certified Respiratory Therapist
The application of Trina Leigh Stoehr was withdrawn.

The **Department of Health, Board of Respiratory Care** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 26, 2008, 12:00 Noon or soon thereafter

PLACE: Conference Call: 1(888)808-6959, enter conference code 1022351047 in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting and Rules Review.

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

DATE AND TIME: October 10, 2008, 8:30 a.m. or soon thereafter

PLACE: Renaissance Orlando Hotel, 5445 Forbes Place, Orlando, FL 32812, (407)240-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting and Rules Review.

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 **Division of Children’s Medical Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 8, 2008, 1:00 p.m. – 4:00 p.m.

PLACE: Capital Circle Office Center, 4025 Esplanade Way, Room 301, Tallahassee, FL 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida KidCare Coordinating Council, an advisory body appointed by the Florida Department of Health. To discuss Florida KidCare, the state children’s health insurance program. The Council is charged with making recommendations to the Department, the Governor and the Legislature, as well as other state government groups about possible changes and adjustments to the Florida KidCare Program which may result in recommendations for legislative action, state agency rule change, federal agency rule or policy change or Congressional action.

A copy of the agenda may be obtained by contacting: Gail Vail, Department of Health, (850)245-4200, ext. 2238, Gail_Vail@doh.state.fl.us.

The Florida **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 15, 2008, 1:00 p.m. – 5:00 p.m.

PLACE: Children’s Medical Services Area Office, 2390 Phillips Road, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Health Care Transition Services Task Force for Youth and Young Adults with Disabilities. To discuss the plan for healthcare transition services for youth with disabilities according to CS for SB 988.

A copy of the agenda may be obtained by contacting: Phyllis Sloyer, Department of Health, (850)245-4218, Phyllis_Sloyer@doh.state.fl.us.

The Florida **Department of Health, Division of Health Access and Tobacco** announces a public meeting to which all persons are invited.

DATE AND TIME: September 8, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: Room 301, Building 4025, 4052 Bald Cypress Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of an Advisory Council required by Florida Statute 381.84, F.S. The council meets four times per year to provide advice to the Department of Health relating to the Comprehensive Tobacco Education and Use Prevention Program. The meeting will provide updates for the council about the program's first year's progress, as well as additional information about the media, tobacco cessation, and community program contracts which are underway. There will be additional discussion in the Advisory Council Subcommittee breakout sessions.

A copy of the agenda for this meeting may be obtained by contacting: Carlos Martinez, (850)413-6844 (carlos_martinez@doh.state.fl.us) or by going to the Department of Health Tobacco website at <http://www.doh.state.fl.us/tobacco/TAC.html> prior to the meeting.

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: Carlos A. Martinez, (850)245-4444, ext. 2473 or email: carlos_martinez@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).

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: Carlos A. Martinez, (850)245-4444, ext. 2473 or email: carlos_martinez@doh.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Heart of Florida Community Alliance of the **Department of Children and Family Services**, Circuit 10 announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 13, 2008, 2:30 p.m.

PLACE: United Way of Central Florida, 5605 U. S. Hwy. 98 S., Highland City, FL 33846

GENERAL SUBJECT MATTER TO BE CONSIDERED: Heart of Florida Community Alliance.

A copy of the agenda may be obtained by contacting: Diane Dvorak, Department of Children and Family Services, (863)619-4100.

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: Diane Dvorak, Department of Children and Family Services, (863)619-4100. 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: Diane Dvorak, Department of Children and Family Services at (863)619-4100.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: August 8, 2008, following the Board Meeting at a time to be announced at the conclusion of the Board Meeting

PLACE: Jacksonville Hyatt Regency, 225 East Coast Line Drive, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive comments and suggestions from interested persons relative to Rule Chapters 67-21 and 67-48, F.A.C., and the competitive funding programs of the Corporation, including the Multifamily Mortgage Revenue Bond Program, the State Apartment Incentive Loan (SAIL) Program, the HOME Investment Partnerships (HOME Rental) Program, and the Housing Credit (HC) Program.

A copy of the agenda may be obtained by contacting Blake Carson-Poston or viewing the FHFC Website.

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 Blake Carson-Poston, (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).

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, August 12, 2008, 9:00 a.m.
 PLACE: 401 Senate Office Building, Florida Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: State Farm Florida Insurance Company has requested a 47.1 percent overall increase for new and renewal homeowners' insurance policies, effective December 1, 2008 for new policies and March 1, 2009 for renewal policies. The rate increases are not uniform and some areas are subject to higher rate increases.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to ratehearings@fldfs.com. The subject line of your email should read "State Farm Florida."

A copy of the agenda may be obtained by contacting: Veronica Moss at (850)413-2616 or veronica.moss@flor.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Veronica Moss, (850)413-2616 or veronica.moss@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Veronica Moss, (850)413-2616 or veronica.moss@flor.com or Stephen Thomas, Esq. at stephen.thomas@flor.com.

The **Financial Services Commission, Office of Insurance Regulation** announces a public meeting to which all persons are invited.

DATE AND TIME: August 22, 2008, 1:00 p.m. – 5:00 p.m.
 PLACE: 110 Senate Office Building, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is the first meeting of the Autism Workgroup and the Autism Advisory Workgroup. Pursuant to the "Window of Opportunity Act," Section 624.916, F.S. the Office of Insurance Regulation (the Office) has been charged with convening a workgroup by August 31, 2008 to develop and execute a compact relating to insurance coverage and access to services for persons with developmental disabilities. The

Office is also charged with convening a consumer advisory workgroup to provide a forum for comment on the negotiated compact.

Relevant forms, documents and updates will be posted to <http://www.flor.com/Autism.aspx>.

A copy of the agenda may be obtained by contacting Amy Hardee at autism@flor.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Amy Hardee at autism@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Amy Hardee, autism@flor.com or connect to <http://www.flor.com/Autism.aspx>.

SOIL AND WATER CONSERVATION DISTRICTS

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

DATES AND TIME: August 5, 2008, September 2, 2008; October 7, 2008; November 14, 2008; December 2, 2008; January 6, 2009; February 3, 2009; March 3, 2009; April 7, 2009; May 5, 2009, 6:30 p.m.

PLACE: USDA Service Center, Bronson, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- I. Call To Order
- II. Adoption of Minutes
- III. Correspondence
- IV. Budget Report
- V. Staff Report
- VII. Partner Report
- VIII. New Business
- IX. Old Business
- X. Public Comments
- XI. Adjourn

A copy of the agenda may be obtained by contacting: Darlene Smith at (352)486-2672, 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 7 days before the workshop/meeting by contacting: Darlene Smith, (352)486-2672, 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).

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: (352)486-2672, ext. 3.

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

DATE AND TIME: August 7, 2008, 7:30 a.m.

PLACE: 6285 Dogwood Dr., Milton, FL 32570

GENERAL SUBJECT MATTER TO BE CONSIDERED: General District Business.

A copy of the agenda may be obtained by contacting: Candice A. Tritt.

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

DATES AND TIME: August 12, 2008; September 9, 2008; October 14, 2008; November 11, 2008; December 9, 2008; January 13, 2009; February 10, 2009; March 10, 2009, April 14, 2009; May 12, 2009, 6:30 p.m.

PLACE: December 9, 2008 meeting: Dixie County Public Library; all other meetings at Cypress Inn Restaurant, Cross City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- I. Call To Order
- II. Adoption of Minutes
- III. Correspondence
- IV. Budget Report
- V. Staff Report
- VI. Partner Report
- VIII. New Business
- IX. Old Business
- X. Public Comments
- XI. Adjourn

A copy of the agenda may be obtained by contacting Darlene Smith at (352)486-2672, 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 7 days before the workshop/meeting by contacting: Darlene Smith, (352)486-2672, 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).

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 (352)486-2672, ext. 3.

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

DATES AND TIME: August 19, 2008; September 16, 2008; October 21, 2008; November 18, 2008; December 16, 2008; January, 20, 2009; February 17, 2009; March 17, 2009; April 21, 2009; May 19, 2009, 7:00 p.m.

PLACE: December 16, 2008 meeting: Bell High School FFA Building; all other meetings at Akins BBQ Restaurant, Bell, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- I. Call To Order
- II. Adoption of Minutes
- III. Correspondence
- IV. Budget Report
- V. Staff Report
- VI. Partner Report
- VII. Old Business
- VIII. New Business
- IX. Public Comments
- X. Adjourn

A copy of the agenda may be obtained by contacting: Darlene Smith, (352)486-2672, 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 7 days before the workshop/meeting by contacting: Darlene Smith, (352)486-2672, 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).

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: (352)486-2672, ext. 3.

VOLUNTEER FLORIDA FOUNDATION

The **Florida Faith-based and Community-based Advisory Council**, Family Subcommittee announces a public meeting to which all persons are invited.

DATE AND TIME: August 7, 2008, 1:00 p.m.
PLACE: Florida Catholic Conference, 201 W. Park Avenue, Tallahassee, FL 32301, (850)222-3803. Conference Call: 1(888)808-6959, Pass code: 4130909

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to adoption and protection of children in Florida.

A copy of the agenda may be obtained by contacting: Suzanne Yack, suzanne.yack@vfffund.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Suzanne Yack. 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: suzanne.yack@vfffund.org.

HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

The **Hardee County Economic Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: August 12, 2008, 8:30 a.m.

PLACE: 412 West Orange Street, Room 102, Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: regular meeting and will hear applicants presentations.

A copy of the agenda may be obtained by contacting: Sandy Meeks, (863)773-9430.

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: Sandy Meeks, (863)773-9430. 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: Sandy Meeks at (863)773-9430.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The **Center for Independent Living in Central Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 12, 2008, 4:00 p.m.

PLACE: Center for Independent Living in Central Florida, Inc., 720 North Denning Drive, Winter Park FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: Luana Kutz at (407)623-1070 or lkutz@cilorlando.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Luana Kutz, (407)623-1070 or lkutz@cilorlando.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WORKFORCE FLORIDA

The **Workforce Florida**, Board of Directors announces a public meeting to which all persons are invited.

Partners' Meeting

DATE AND TIME: August 13, 2008, 10:00 a.m. – 12:00 Noon (EDT)

Orientation Meetings

DATE AND TIME: August 13, 2008, 1:00 p.m. – 5:30 p.m. (EDT)

Board of Directors' meeting

DATE AND TIME: August 14, 2008, 8:00 a.m. – 1:00 p.m. (EDT)

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL 32301, (850)224-5000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workforce Florida announces their quarterly Board of Directors' and related meetings.

For more information contact: Peggy Dransfield at (850)921-1119.

A copy of the agenda may be obtained by contacting: www.workforceflorida.com.

FLORIDA COMPREHENSIVE HEALTH ASSOCIATION

The **Florida Comprehensive Health Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 13, 2008, 1:00 p.m.

PLACE: Florida Comprehensive Health Association, 820 E. Park Avenue, D-200, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Director's Meeting.

A copy of the agenda may be obtained by contacting: Brenda DeYounks, Florida Comprehensive Health Association, 820 E. Park Avenue, D-200, Tallahassee, FL 32301, (850)309-1200 or brenda@flcomphealth.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Brenda DeYounks, (850)309-1200 or brenda@flcomphealth.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).

STATEWIDE GUARDIAN AD LITEM OFFICE

The **Statewide Guardian ad Litem Office** announces a public meeting to which all persons are invited.

DATE AND TIME: August 14, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Department of Juvenile Justice, Alexander Building, Room 1217, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting will be held to identify innovative ways for state leaders and their agencies to work together and within local communities to recruit volunteers to advocate for abused, abandoned, and neglected children. Members of the Children's Cabinet will be attending the meeting and recruitment of child advocates is also an issue before the Children's Cabinet. The public is invited to attend. This meeting will be held in the sunshine and is open to the public according to Section 286.011, Florida Statutes (2007). If you have any questions, please do not hesitate to contact the Statewide Guardian ad Litem Office, (850)922-7203.

A copy of the agenda may be obtained by contacting: Deborah Moore, (850)922-7203.

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: Deborah Moore, (850)922-7203. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Deborah Moore at (850)922-7203.

FLORIDA INDEPENDENT LIVING COUNCIL, INC.

The **Florida Independent Living Council, Inc.** announces a telephone conference call to which all persons are invited.

MEETING: FILC/ABLETRUST Disability Mentoring Discussion

DATE AND TIME: Thursday, August 14, 2008, 10:00 a.m.

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

MEETING: Finance Committee

DATE AND TIME: Thursday, August 21, 2008, 1:30 p.m.

PLACE: FILC, Inc. Administrative Offices, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the council.

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Molly Gosline at the council address.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1018 Thomasville Road, Suite 100A, Tallahassee, Florida 32303-6271, (850)488-5624 or Toll Free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

FLORIDA NETWORK OF YOUTH AND FAMILY SERVICES

The **Florida Network of Youth and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 15, 2008, 10:00 a.m. – 1:30 p.m.

PLACE: 2310 N. E. 24th Street, Ocala, Florida 34470

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items:

1. Committee Structure
2. Annual Calendar Planning
3. Determination of term limits for the Board Members
4. Voting on Officers
5. Fiscal Policies

A copy of the agenda may be obtained by contacting: Mary D. Richter, Executive Director, Florida Network of Youth and Family Services, (850)922-4324.

PASCO-PINELLAS AREA AGENCY ON AGING

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

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

PLACE: 9887 4th St., N., Suite 100, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Elizabeth Laubach, 9887 4th St., N., Suite 100, St. Petersburg, FL 33702, (727)570-9696.

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: Elizabeth Laubach, (727)570-9696. 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: Elizabeth Laubach, 9887 4th St., N., Suite 100, St. Petersburg, FL 33702, (727)570-9696.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Robert Jamieson, on behalf of Underwriters Laboratories, Inc., on July 15, 2008. Petitioner, Underwriters Laboratories, acting as a Product Validation Entity, seeks clarification of its obligations under Chapter 9B-72, F.A.C., specifically as to the Administration Validation Checklist adopted pursuant thereto. It has been assigned the number DCA08-DEC-204.

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

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Richard Mihalich on July 3, 2008, regarding whether sections 1006.1.1, and 1205.3, Florida Building Code, Building volume (2004 as amended) requires the provision 10 foot candles of illumination within windowless toilets and private tanning rooms in a commercial business tanning salon in the event of a utility power outage.

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

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Michael J. Schultz, P.E., on behalf of Buckeye Technologies, Inc., on July 11, 2008, regarding whether the Petitioner's concrete reinforcement product (called UltraFiber 500) is within the scope of Chapter 9B-72, F.A.C. It has been assigned the number DCA08-DEC-201.

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Jossy Puechavy, Jean-Louis Puechavy and Fillippo Ciarletti, Petitioners, In RE: The Colonnade at Dadeland S. W. Condominium Association, Inc., Docket No. 2008040815. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, as it applies to the petitioner.

Whether an attorney fee shifting provision in a condominium purchase contract containing a binding arbitration clause for all disputes conflicts with Sections 718.503 and 718.506, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Heron at Destin West Beach & Bay Resort Condominium Association, Inc., Docket No. 2008027432 on April 29, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because the petitioner withdrew its petition.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Philip Monte, Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Eileen and John Reigert, Petitioners, In RE: Villas on the Gulf Condominium Association, Inc., Docket No. 2008040824. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, as it applies to the petitioner.

Whether Villas on the Gulf Condominium Association, Inc. complied with Section 718.111(11), Florida Statutes, in the purchase of flood insurance and the distribution of insurance proceeds in repairing the damage caused by Hurricane Ivan in 2005.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Construction Industry Licensing Board hereby gives notice that on June 5, 2008, it received a Petition for Declaratory Statement filed by Roger W. LaJoie on behalf of Timothy Sullivan. The petition seeks the Board's interpretation of Section 489.105(3)(a), Florida Statutes, and whether Condominium owner is required to hire a General Contractor for electric and plumbing connections, or whether subcontractors can be hired directly.

Copies of the petition may be obtained from: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

NOTICE IS HEREBY GIVEN THAT on July 14, 2008, the Board of Accountancy has received the petition for declaratory statement from G. J. Hernandez, CPA, on behalf of Valiente Hernandez, P.A. The petition seeks the agency's opinion as to the applicability of Sections 473.318, 119.073 and 190.009, F.S., as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 473.318, Florida Statutes, and a determination of whether that section has precedence over Sections 119.073 and 190.009, F.S., concerning the disclosure of public records for a CPA firm.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

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:

NONE

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

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO DESIGN/BUILDER:

The University of Florida Board of Trustees announces that Design/Build services will be required for the project listed below:

Project: UF-310, East Campus Office Building (Gainesville, FL)

The project consists of constructing a 3 to 5 story office building that will include approximately 80,000 gross square feet of office space. This facility will house various office and administrative functions of the university. Some functions will relocate from the main campus to help increase on-campus space for academic needs. Other functions will move to the facility from office space currently leased in other buildings. This building will serve as a significant cornerstone in the development of the East Campus as well as east Gainesville.

The building will be designed as a typical office building according to Florida Building Code. The UF Campus Design and Construction Standards will not be utilized for this building. The construction budget is estimated at \$12,000,000.00, including, but not limited to, site improvements and utilities. Construction shall be "fast-tracked" with final completion no later than December 2009. *Silver LEED (Leadership in Energy and Environmental Design) accreditation by the U.S. Green Building Council is a mandatory minimum.*

The contract for design/build services will consist of two parts. Part one services include design, construction administration, value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) proposal based on 60% Construction Documents, for which the design/builder will be paid a fixed fee.

If the GMP is accepted, part two, the construction phase, will be implemented. In part two of the contract, the design/builder becomes the single point of responsibility for completion of the construction documents, performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for part one of the contract, or

to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the design/builder's contract.

Blanket design professional liability insurance will be required for this project in the amount of \$2,000,000, and will be provided as a part of Basic Services. Plans and specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Applicants will be evaluated on the basis of their past performance, experience, personnel, location, design and construction ability, references, bonding capacity, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant must be licensed to practice as a general contractor in the State of Florida and the applicant or its architectural, landscape architectural, and engineering consultants must possess current design licenses from the appropriate governing board and be properly registered to practice its profession in the State of Florida.

Applicants desiring to provide design/build services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be limited to 60 pages or 30 double-sided, consecutively numbered sheets and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. Company information and signed certification.
3. A completed, project-specific "Design/Builder Qualifications Supplement" (DBQS) proposal. Applications on any other form will not be considered.
4. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff (applicant and consultants).
5. Proof of the applicant's corporate status in Florida (if applicable) and copies of current licenses for all construction, architectural, landscape architectural, and engineering entities (applicant and consultants) from the appropriate governing board.
6. Proof of bonding capacity and proof of all design entities' or consultants' (architecture and engineering) ability to be insured for the level of professional liability coverage demanded for this project.

If the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected design/builder must warrant that it

will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Unsigned proposals or proposals containing expired or invalid licenses will be disqualified. Submittal materials will not be returned.

The project-specific DBQS forms, instructions, Project Fact Sheet, Facilities Program, UF Design Services Guide, standard University of Florida Owner-Design/Builder agreement, and other project and process information can be found on the Facilities Planning and Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning and Construction office by 3:00 p.m. (Local Time) on Friday, August 15, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction
232 Stadium / P. O. Box 115050
Gainesville, FL 32611-5050

Telephone: (352)392-1256, Fax: (352)392-6378

Internet: www.facilities.ufl.edu

INVITATION TO BID

The Florida State University Facilities Purchasing shall receive sealed bids until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Florida State University
Facilities Maintenance, Purchasing
114F Mendenhall, Building A
Tallahassee, Florida 32306

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the

Bid Number	FAC22081-01
Purchasing Agent:	B. J. Lewis, Facilities
Mandatory Pre Bid:	August 18, 2008 Monday, 10:00 a.m.
Location:	Front Entrance of Hoffman Building North Side
Public Bid Opening:	August 28, 2008 Thursday, 2:00 p.m.
Location:	FSU-Facilities Maintenance 969 Learning Way 125 Mendenhall, Building A Tallahassee, Florida 32306-4150 Facilities Maintenance Purchasing

Bid Documents: Halon System Replacement Project,
Locations: Law School Library,
Hoffman Building and Biology Unit I
Building at Florida State University,
Tallahassee FL

Architect/Engineer: Tomlinson Peterson Associates, Inc.
1958-B Commonwealth Lane
Tallahassee, Florida 32303
Phone: (850)576-5899

Contact Person: Purchasing Agent, B.J. Lewis
bewis@admin.fsu.edu

NOTICE TO PROFESSIONAL CONSULTANTS

The College of Visual and Performing Arts, University of South Florida announces that Professional Services in the discipline of Architecture will be required for the project listed below:

PROJECT NUMBER: 551

PROJECT AND LOCATION: Center for Advanced Study of the Visual Arts (CASVA), Tampa, Florida

PROJECT DESCRIPTION:

The USF Center for Advanced Study of the Visual Arts (CASVA) is planned to consist of the planning, design and construction of a 29,700 NASF expansion to the Contemporary Art Museum (CAM), a 26,000 NASF addition for the Graphicstudio and a 28,800 NASF addition for the School of Art and Art History. Currently, the Museum is 12,000 sq. ft. and while each unit is to maintain its own identity, the facility will ensure and make permanent the physical configurations of spaces to enhance the interdisciplinarity being displayed currently by faculty, artists and students in these programs.

The CASVA project is projected to be funded through private and state matching grant funds and while fund raising for the project has begun, it is anticipated to be more successful when visuals representing the design of the project are available to show potential donors. The selected Architect/Engineer Team will work with the CASVA Building Committee members to develop documents to support and enhance fund raising efforts for the project including a facility master plan, conceptual design and visuals, (presentation materials, renderings, etc.) in the initial phase of project development.

Fee payment for the Architect/Engineer services will occur if and when full funding is secured for all or at least the first phase of the project to be developed since there are no funds available for project development at this time.

The Architect/Engineer Team will be selected based on qualifications and will be expected to provide drawings and information which can be used for fund raising purposes. A contract for complete Architect/Engineer services will be negotiated with the selected firm which shall include provisions that payment shall be received for services only if and when funds are available for development of the complete

project or for the complete first phase of the project to be developed. If the funds do not become available under the preceding conditions, no payment shall be made to the Architect/Engineer for services performed or expenses incurred in performing those services.

The construction delivery method is anticipated to be Construction Management. The Construction Manager selection process shall proceed if the private funds for the project are secured and the request has been submitted to obtain the state matching grant funds.

The construction budget is estimated to be approximately \$42,213,000 including site development, LEED certification, and hurricane hardening. Project development, including professional services, is contingent upon availability of funds. If funding is realized, the University has the option to incorporate additional scope/funding under this contract.

The selected firm shall initially provide facility master planning, conceptual design and visuals to assist with phasing strategies and support the fund raising efforts, and shall ultimately provide full Architectural Services subject to availability of funds. The University is seeking to hire a consultant team with experience with museum and art facility design. All disciplines required for the design of the facility are to be provided for this project under the contract with the selected firm, including architecture, engineering, interior design and any specialty consultants. Consultant services for design expertise unique to the Center for Advanced Study of the Visual Arts (CASVA) may be provided by specialty design consultants.

Firm submittals should include descriptions of experience and knowledge of Sustainable Design and Hurricane Hardening. The design services by the selected team shall provide solutions meeting requirements of the program for the facility needs. The selected firm will be required to provide computer drawings according to the standards of the University of South Florida, including computer record drawings reflecting as-built conditions to facilitate the University's space management program. Blanket professional liability insurance will be required for this project in the amount of \$3,000,000 and will be provided as a part of Basic Services. It is the University's responsibility to negotiate a fair, competitive, and reasonable compensation per Section 287.055, F.S. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the short-listed firms based upon a scope of services document to be provided at the time of negotiations.

Selection of finalists for interview will be made on the basis of professional qualifications of the proposed design team, including experience and ability to meet the project requirements and the goals and objectives of the University's Strategic Plan; past experience; design ability; volume of

work; and distance from project. The distance factor for this project will provide a maximum of one point difference in scoring for location between in-state and out-of-state applicants. As part of the University of South Florida's Strategic Plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services.

The plans and specifications for the University of South Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

INSTRUCTIONS:

Firms desiring to apply to provide professional services shall submit one (1) original submittal and six (6) bound copies consisting of the information as required in the "Submittal Requirements" of the Project Fact Sheet including a letter of interest, a completed "USF Professional Qualifications Supplement (PQS)" dated July 2008 for the Center for Advanced Study of the Visual Arts (CASVA) and any required or additional information within the proposal limits. Applications on any other form will not be considered. Submittals are part of the public record. All applicants must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The "Professional Qualifications Supplement (PQS)" for the Center for Advanced Study of the Visual Arts (CASVA), dated July 2008, and "Project Fact Sheet", which includes project information and selection criteria, may be obtained by contacting: Kathy Bennett, Contracts Administrator, University of South Florida, Facilities Planning and Construction, via e-mail at kbennett@admin.usf.edu, by mail at 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550, or by phone at (813)974-3098, (813)974-2625. Interested firms are invited and encouraged to attend a Pre-Submittal Meeting at 10:00 a.m. Eastern Time, on

Thursday, August 14, 2008 at the University of South Florida, Marshall Center Room 296 (Trustee's Terrace) to review the scope and requirements of this project. The University address is 4202 East Fowler Avenue, Tampa, Florida 33620-7550. Requests for meetings by individual firms will not be granted. No verbal communication shall take place between the applicants and the employees of the University of South Florida except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and the request for the PQS and Fact Sheet. Requests for any project information must be in writing to the above e-mail address. The Selection Committee may waive any irregularities and may reject all proposals and stop the selection process at any time. One (1) original and six (6) copies of the requested submittal data, bound in the order listed in the "Submittal Requirements" of the Project Fact Sheet shall be addressed to:

Walter Pestrak, Project Manager
Facilities Planning and Construction
University of South Florida
4202 East Fowler Avenue, FPC 110
Tampa, Florida 33620-7550.

Applications that do not comply with the above instructions may be disqualified. Submittals are to be received in the University of South Florida, Facilities Planning and Construction office, FPC110 by 2:00 p.m. (Eastern Time), Friday, August 29, 2008. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered.

NOTICE TO CONSTRUCTION MANAGERS

The University of Central Florida, announces that construction management services will be required for the project listed below:

Project No. UCF-536

Project and Location: Partnership III Building, Central Florida Research Park, Orlando, Florida 32826.

Project Description: The pre-construction and construction of a new facility that contains approximately 26,992 sq. ft. of research labs, 15,000 sq. ft. of office/computers, and 5,000 sq. ft. of classrooms.

The new building will provide "state of the art" technology for simulation and professional training. In keeping with local structures, the use of pre-cast construction is preferred for speed and feasibility of construction.

This facility will be located adjacent to the Partnership II Building in the Central Florida Research Park. The user groups are made up of a variety of organizations involved in modeling, simulation and advanced distributed learning. The construction cost will be approximately \$16,000,000.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability

analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase (or other phase, if applicable. If so, change this reference). If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, encouraging the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability; qualification of the firm's personnel, staff and consultants. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed University of Central Florida "Construction Manager Qualifications Supplement." Proposals must not exceed 40 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Carefully review the Construction Management Contract and General Condition's documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents.

The Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Gina Seabrook, Office of Facilities Planning, University of Central

Florida, 4000 Central Florida Boulevard, Orlando, FL 32816-3020, Phone: (407)823-2166, Fax: (407)823-5141, Email: gseabroo@mail.ucf.edu. These documents can be found on our website at www.fp.ucf.edu with the advertisement.

Five (5) bound copies of the required proposal data shall be submitted to: Ms. Gina Seabrook, Facilities Planning, 4000 Central Florida Blvd., Post Office Box 163020, Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m. (Local Time), September 12, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

REQUEST FOR QUALIFICATIONS GENERAL CONTRACTING – CONSTRUCTION SERVICES: PRE-QUALIFICATION ≤\$250,000.00 – RFQ# 09-02

NOTICE TO GENERAL CONTRACTORS:

REQUEST FOR QUALIFICATIONS FROM CONSTRUCTION COMPANIES FOR PRE-QUALIFICATION ON UNF CONSTRUCTION PROJECTS BUDGETED UP TO \$250,000.00

University of North Florida requests qualification statements from qualified firms interested in pre-qualifying for UNF construction projects valued up to \$250,000.00. Minority participation is strongly encouraged.

Submission information can be obtained on UNF's website www.unf.edu/dept/purchasing/bids.html. Submission formats and additional information can also be obtained from Evelyn Jenkins Burton, e.jenkins@unf.edu AND Angela Dyal, angela.dyal@unf.edu; UNF Purchasing Department, Bldg. 6, 1 UNF Drive, Jacksonville, FL 32224.

University of North Florida will accept SEALED qualification submittals labeled "RFQ #09-02 GC Construction Services; Pre-Qualification" delivered to University of North Florida, Purchasing Department, Bldg. 6, 1 UNF Drive, Jacksonville, FL 32224 by 2:00 p.m., September 2, 2008. Submit one (1) original and five (5) copies.

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

PUBLIC ANNOUNCEMENT ADVERTISEMENT FOR BIDS FOR GENERAL OR ELECTRICAL CONTRACTORS PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL OR ELECTRICAL CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES. (Project includes all locations combined as one bid).

PROJECT NUMBER: FDVA-26031000

PROJECT NAME: Plug-in Generators, Veterans' Nursing Homes Facilities, Statewide

PROJECT LOCATIONS: Springfield, Port Charlotte, Pembroke Pines, Land-O-Lakes, Daytona Beach, Florida

BID OPENING: August 28, 2008 at 2:00 p.m. (Eastern Standard Time)

ESTIMATED CONSTRUCTION BUDGET: \$825,000.00

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management. For details please visit the Department's website below and click on "Search Advertisement – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF INVITATION TO BID

BID NO. BDC 01-08/09

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Stump Pass Beach State Park – Service Dock and Boardwalk

SCOPE OF WORK: The contractor shall provide the necessary labor, materials, equipment, and supervision to construct a new docking facility and boardwalk extensions at Stump Pass Beach State Park. The work shall include installation of approximately 1,105 square feet of fixed timber dock consisting of a main pier, two finger piers, a dock ramp, signage, two boat lifts, redecking of an existing boardwalk, demolition of an timber/composite boardwalk with associated handrails and components, construction of approximately 1285 square feet of new timber/composite boardwalk extensions consisting of two main walkways, three ramps, and associated handrails and components, installation of electrical and plumbing utilities, and installation of environmental measures that includes the planting of sea grapes.

PARK LOCATION: Stump Pass Beach State Park, South End of Manasota Key, off I-75 Exit 191 (Charlotte County)

PROJECT MANAGER: Richard Reinert, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, Telephone Number: (850)488-5372, Fax Number: (850)488-1141.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity

enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapters 399, 455, 489 or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1-June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Compact Disk (CD) containing the plans and specifications will be available on August 1, 2008 at: Stump Pass Beach State Park c/o Gasparilla Island Administration, 880 Belcher Road, Boca Grande, Florida 33821, Attention: Reginald Norman, Park Manager, Telephone: (941)964-0375.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 3:30 p.m. (ET), Tuesday, August 26, 2008, to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administer, Bureau of Design and Construction, (850)488-3572. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Friday, August 29, 2008, unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Blvd., Tallahassee FL 32399-3000, (850)245-2242, Fax

(850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

**NOTICE OF INVITATION TO BID
BID NO. BDC 02-08/09**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Anclote Key Preserve State Park – Solar Array

SCOPE OF WORK: The Bureau of Design and Construction is requesting contractors, licensed in the State of Florida to provide the necessary labor, supervision, equipment and materials required construct a solar system with a large array that will generate a minimum of 10.5KW's/10,500 Watts of generated power or greater. The project will have full integration with diesel fueled generator system that exists on Anclote Key. The array will consist of module PV panels assembled on an array and a battery system in containment boxes all supported above Base Flood Elevation by a framed structure and proper footings meeting the 130 MPH wind zone in Pinellas County, FL. The installed control system will also have the capabilities of supporting web monitoring.

PARK LOCATION: c/o Honeymoon Island Administration, #1 Causeway Blvd., Dunedin, Florida 34698 (Extreme north end of Island, Pinellas County)

PROJECT MANAGER: Charles Coe, District 4 Office, 1843 S. Tamiami Trail, Osprey, Florida 34229, Telephone Number: (941)483-5944, Fax Number: (941)483-5941.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapters 399, 455, 489 or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the

Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1-June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Compact Disk (CD) containing the plans and specifications will be available on August 1, 2008 at: c/o Honeymoon Island Administration, #1 Causeway Blvd., Dunedin, Florida 34698, Attention: Peter Krulder, Park Manager, Telephone: (727)469-5943, Fax Number: (727)469-5703.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 4:00 p.m. (ET), Tuesday, August 26, 2008, to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administer, Bureau of Design and Construction, (850)488-3572. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m., Friday, August 29, 2008, unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Blvd., Tallahassee FL 32399-3000, (850)245-2242, Fax (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and

120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

NOTICE OF INVITATION TO BID

BID NO. BDC 10-08/09

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Marjorie Harris Carr Cross Florida Greenway (Inglis Lock, Bypass Canal Access Road & Inglis Dam) – Paving and Associated Work

SCOPE OF WORK: The contractor shall provide all labor, materials, equipment and supervision for the roadway resurfacing, roadway realignment and paving at the Inglis Lock and Bypass Canal Access Road in Levy County. Alternate 1 includes resurfacing of southside asphalt road and parking areas at the Inglis Dam, Citrus County, off Riverwood Drive.

PARK LOCATION: Inglis Lock, 4 miles east of the Town of Inglis on Highway 40. Address: 20751 S. E. 90th Avenue, Inglis, Florida

PROJECT MANAGER: Jim Wolfe, Office of Greenways and Trails, 3900 Commonwealth Blvd., MS 795, Tallahassee, Florida 32399-2400, Telephone Number: (850)245-2052.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapters 399, 455, 489 or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1-June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Compact Disk (CD) containing the specifications and plans (hardcopy) will be available on August 1, 2008 at: 3900 Commonwealth Blvd.,

Tallahassee, Florida 32399-2400, Attention: Jim Wolfe, Telephone Number: (850)245-2052, email: Jim.D.Wolfe@dep.state.fl.us.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction, (850)488-5372, at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 4:30 p.m. (ET), Tuesday, August 26, 2008, to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administer, Bureau of Design and Construction, (850)488-3572. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m., Friday, August 29, 2008, unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Blvd., Tallahassee FL 32399-3000, (850)245-2242, Fax (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

DEPARTMENT OF MILITARY AFFAIRS

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED LICENSED GENERAL CONTRACTORS BY THE State of Florida, Department of Military Affairs HEREINAFTER REFERRED TO AS OWNER, FOR CONSTRUCTION OF:

PROJECT NUMBER: 206036

ACCOUNTING CODE: FARP

PROJECT NAME AND LOCATION: Renovation of the Starke National Guard Armory, 720 Edwards Rd., Starke, Florida 32091.

TO VIEW THE ENTIRE SOLICITATION POTENTIAL RESPONDENTS MUST GO TO THE WWW.MY FLORIDA.COM VENDOR BID SYSTEM.

POTENTIAL RESPONDENTS TO THE SOLICITATION ARE ENCOURAGED TO CAREFULLY REVIEW ALL THE MATERIALS CONTAINED HEREIN AND PREPARE RESPONSES ACCORDINGLY.

FOR (PROJECT DESCRIPTION):

Work includes but is not necessarily limited to the following: the Existing Armory, the Class IX Storage Building, Metal Storage Building, Motor Pool and related Stewart. Portions of this work are included Additive Alternates. Construction trades and materials from most of the 16 CSI Divisions are involved.

PREQUALIFICATION: Each bidder whose field is governed by Chapters 399, 455, 489 and 633, Florida Statutes, for licensure or certification must submit prequalification data of their eligibility to submit proposals no later than August 27, 2008, before 4:30 p.m. (Local Time). After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the requirements is included in the Instruction To Bidders under Section B-2 "Bidder Qualification Requirements and Procedures".

BID SECURITY: Bids/Proposals in total excess of \$100,000.00, the bidder must provide with bid, a good faith deposit in the amount of 5% of the bid by way of a bid bond from a surety insurer authorized to do business in the STATE OF FLORIDA as surety or a certified check or cashier's check accompanying the bid.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND'S are required from any persons or parties entering into a formal contract with the STATE OF FLORIDA for contracts in total excess of \$100,000.00 for construction, additions, renovations, repairs, or demolition of any public building pursuant to Section 255.05(1)(a), Florida Statutes.

PROCUREMENT RULES AND INFORMATION:

Technical questions addressed to: Bhide and Hall Architects, Attn.: Sandra Ciciora at Fax: (904)264-3100 or e-mail: sciciora@bhide-hall.com.

Any questions from proposers concerning this solicitation shall be submitted in writing, identifying the submitter, to the contact listed above at the address specified above by email no later than the date August 27, 2008, 4:00 p.m. (Local Time).

All questions and answers/changes to the solicitation will be provided in writing and posted on the DMS Vendor Bid System (VBS). It is the prospective contractor's responsibility to check periodically for any information updates to the solicitations which are posted to the VBS. The Department of Military Affairs bears no responsibility for any delays, or resulting impacts, associated with a prospective contractor's failure to obtain information made available through the DMS Vendor Bid System.

INFORMATION WILL NOT BE AVAILABLE BY TELEPHONE. All information received through any oral communication shall not be binding on the Department of Military Affairs and shall not be relied upon by an offerer.

MANDATORY PRE-BID MEETING:

DATE AND TIME: August 13, 2008, 10:00 a.m. (Local Time)

PLACE: Starke National Guard Armory, 720 Edwards Rd., Starke, Florida 32091

All Contractors interested in bidding on this project must attend.

All Subcontractors interested in bidding on this project are invited to attend.

Sealed bids will be received, publicly opened and read aloud on: **BIDS / RESPONSES TRANSMITTED ELECTRONICALLY WILL NOT BE CONSIDERED. BIDS / RESPONSES RECEIVED AT THE LOCATION DESIGNATED AFTER THE EXACT TIME SPECIFIED FOR RECEIPT WILL NOT BE CONSIDERED.**

DATE AND TIME: September 10, 2008, 10:00 a.m. (Local Time)

PLACE: Starke National Guard Armory, 720 Edwards Rd., Starke, Florida 32091

MARK ENVELOPES: DO NOT OPEN – SEALED BID for Project Number 206036 Renovation of the National Guard Armory, 720 Edwards Rd., Starke, Florida 32091, Attn.: SGM (Ret) K.C. "Butch" Hersey.

Bids submitted prior to the bid opening via courier or mail, are to be delivered in a SEALED package to: State of Florida, Department of Military Affairs-CFMO, Robert F. Ensslin, Jr. Armory, 2305 State Road 207, St. Augustine, Florida 32086, Attn.: SGM (Ret) K. C. "Butch" Hersey. Early Bid shall be received at this address **NO LATER THAN SEPTEMBER 9, 2008, 3:00 p.m. (Local Time).**

BID/PROPOSAL: All responses must be submitted in a sealed package and shall be clearly marked on the outside of package with the above information. Department of Military Affairs is not responsible for the opening of any solicitation package which is not properly marked. It is the respondent's responsibility to assure its response is submitted in the place and time indicated in this solicitation. Also, all responses must be in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, and Non-Technical Specifications, which have been prepared by the Architect-Engineer as listed, and may be obtained as follows:

ARCHITECT-ENGINEER: Bhide & Hall
ARCHITECTS, P.A.
1329 KINGSLEY AVENUE
SUITE C
ORANGE PARK, FL 32073
Attn.: E. WENDELL HALL
AAC-000569
TELEPHONE: (904)264-1919
FAX: (904)264-3100

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, and Non-Technical Specifications, which have been prepared by the Architect-Engineer as listed above, and may be obtained as follows:

Drawings and specifications may be purchased from Bhide & Hall Architects, (904)264-3100, at 1329 Kingsley Ave., Suite C, Orange Park, Florida 32073. Make checks or money orders payable to: Bhide & Hall Architects, P.A. No credit cards are accepted.

FULL SETS of drawings and specifications may be purchased by payment of the printing and handling cost at the rate of \$300.00 per set, with a \$50.00 refund if returned in usable condition.

CONTRACT AWARD: The lowest bid will be the bid from the responsive bidder that has submitted the lowest price for the base bid or base bid plus the additive alternates or less the deductive alternates chosen by the Agency to be included in or excluded from the proposed contract, taken in numerical order listed in the bid documents. The order of the alternates may be selected by the Agency in any sequence so long as such acceptance out of order does not alter the designation of the low bidder. The official Notice of Award Recommendation will be by electronic posting on the Department's website at http://fc.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsible and responsive low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner.

The Non-Technical Specifications Level IV and V are considered to be applicable to this solicitation and award of contract when made and are made a part hereof.

The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

For the purposes of this solicitation, the terms proposer, respondent, offerer and contractor/vendor are used interchangeably and mean a person(s) or firm(s) submitting a response to this solicitation, including joint ventures.

NO VERBAL STATEMENTS MADE BY ANY STATE OF FLORIDA EMPLOYEE OR AGENCY REPRESENTATIVE WILL OPERATE TO SUPERSEDE INFORMATION PUBLISHED IN THIS SOLICITATION. ONLY WRITTEN PUBLISHED AGENDAS, MEETING MINUTES AND ADDENDUMS ISSUED BY THE DEPARTMENT OF MILITARY AFFAIRS CONSTRUCTION AND FACILITY MANAGEMENT OFFICE OR ITS REPRESENTATIVES WILL OPERATE TO ALTER OR OTHERWISE AMEND THIS SOLICITATION.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

Request for Proposals # 2008-IP-7100

The Florida Developmental Disabilities Council, Inc. (FDDC) announces the availability of a Request for Proposals (RFP). Copies of the RFP can be downloaded for the FDDC website (www.fddc.org) or copies may be requested by writing FDDC, 124 Marriott Drive, Suite 203, Tallahassee, Florida 32301, or calling (850)488-4180, 1(800)580-7801 (Toll Free), 1(888)488-8633 (TDD). To register to receive electronic mail (email) notices of future RFPs, please visit our website (www.fddc.org) and click on the "RFPs" button near the top of the page, then click on the "sign up" button and follow the directions.

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2008-IP-7100) is released in order to assist individuals with developmental disabilities and their families to participate in various training opportunities, meetings forums and information sessions that will enable them to become better self-advocates and enhance their quality of life through improved knowledge of many aspects of the disability system. The selected provider will do this by awarding financial assistance and making arrangements for individuals with developmental disabilities and families to attend such events. FDDC has set aside federal funds for a period not to exceed one (1) year for fiscal support of this RFP. Interested parties should obtain a copy of RFP #2008-IP-7100 for specific information related to funding amounts.

The deadline for submitting written questions and letters of intent for this RFP is September 1, 2008, by 4:00 p.m. (EST). In order for your proposal to be considered, your letter of intent must be received by the above referenced deadline. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC

website during the week of September 8, 2008. The deadline for submitting proposals for this RFP to FDDC is October 10, 2008, by 2:00 p.m. (EST).

FLORIDA SHERIFFS ASSOCIATION

BID ANNOUNCEMENT

BID NUMBER: 08-16-0908
 BID TITLE: PURSUIT, ADMINISTRATIVE NON-PURSUIT, UTILITY VEHICLES, TRUCKS AND VANS, AND OTHER FLEET EQUIPMENT
 ADVERTISEMENT DATES: AUGUST 1, 2008 and AUGUST 8, 2008
 PRE-BID CONFERENCE: AUGUST 14, 2008, 8:30 a.m.
 PRE-BID CONFERENCE TO BE HELD AT: MARION COUNTY SHERIFF'S OFFICE JAIL MULTI-PURPOSE ROOM 692 N. W. 30TH AVENUE OCALA, FL 34475-5608
 REPLIES DUE: SEPTEMBER 8, 2008, 12:00 NOON
 BID OPENING TO BE HELD AT: FLORIDA SHERIFFS ASSOCIATION COOPERATIVE BID COORDINATOR'S OFFICE
 TEMPORARY LOCATION: 1983 CENTRE POINTE BLVD., SUITE 101 (32308) P. O. BOX 12519 TALLAHASSEE, FL 32317-2519

BIDS MUST BE SUBMITTED ELECTRONICALLY THROUGH THE FLORIDA SHERIFFS ASSOCIATION'S VEHICLE BID AWARD SYSTEM. SOLICITATION DOCUMENTS AND SPECIFICATIONS CAN BE ACCESSED THROUGH [HTTP://VEBA.FLSHERIFFS.ORG](http://VEBA.FLSHERIFFS.ORG). VENDORS WHO WISH TO PARTICIPATE IN THIS INVITATION TO BID MUST CONTACT LYNN MEEK WITH THE FLORIDA SHERIFFS ASSOCIATION AT lmEEK@flsheriffs.org OR (850)877-2165. YOU WILL BE REQUIRED TO HAVE A USER NAME AND GENERIC PASSWORD BEFORE YOU CAN LOG ON TO THE VEBA SITE.

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

**NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
INTERLOCAL AGREEMENT CONSISTENT WITH
SECTION 163.31777(2), FLORIDA STATUTES
DCA DOCKET NO. 18-01**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Flagler County School Board and each of the following local governments: Cities of Bunnell and Palm Coast, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the City of Bunnell, 200 South Church Street, Bunnell, Florida 32110 and City of Palm Coast, 2 Commerce Blvd., Palm Coast, Florida 32164.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Flagler County School Board, Bunnell and Palm Coast. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

**NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
INTERLOCAL AGREEMENT CONSISTENT WITH
SECTION 163.31777(2) AND (3), FLORIDA STATUTES
DCA DOCKET NO. 23-01**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Gulf County, Port St. Joe, Wewahitchka and the Gulf County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Gulf County Planning Department, 1000 Cecil G. Costin, Sr., Blvd., Room 312, Port St. Joe, Florida 32456.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Gulf County, Port St. Joe, Wewahitchka and the Gulf County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of

Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
 Office of Comprehensive Planning
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
 INTERLOCAL AGREEMENT CONSISTENT WITH
 SECTION 163.31777(2) AND (3), FLORIDA STATUTES
 DCA DOCKET NO. 37-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Leon County School Board and each of the following local governments: Leon County-City of Tallahassee, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Tallahassee-Leon County Planning, 300 South Adams Street, City Hall, Tallahassee, Florida 32301.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Leon County School Board, Leon-Tallahassee. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
 Office of Comprehensive Planning
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
 INTERLOCAL AGREEMENT CONSISTENT WITH
 SECTION 163.31777(2), FLORIDA STATUTES
 DCA DOCKET NO. 53-02

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Polk County School Board and each of the following local governments: Cities of Auburndale and Frostproof, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the City of Auburndale, 1 Bobby Green Plaza, Auburndale, Florida 33823 and City of Frostproof, 111 West First Street, 2nd Floor, Forstproof, Florida 33843.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Polk County School Board, City of Auburndale. Failure to timely file a

petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
 Office of Comprehensive Planning
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE IS HEREBY GIVEN THAT the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-11-2008-001
 DATE RECEIVED: July 18, 2008
 DEVELOPMENT NAME: HOMESTEAD PAVILION
 DEVELOPER/AGENT: Developers Diversified Realty/Jeffrey Bercow
 DEVELOPMENT TYPE: 28-24.031, F.A.C.
 LOCAL GOVERNMENT: Homestead City

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
 Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Carter Brothers Manufacturing Co., Inc., intends to allow the establishment of Action Mopeds, Inc. d/b/a Action Wheelsport, as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co. Ltd. (SANY) at 5310 66th Street, North, St. Petersburg (Pinellas County), Florida 33702, on or after July 10, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Action Mopeds, Inc. d/b/a Action Wheelsport are dealer operator(s): Daniel J. Lynch, 8901 Oak Street Northeast, St. Petersburg, Florida 33702; principal investor(s): Daniel J. Lynch, 8901 Oak Street Northeast, St. Petersburg, Florida 33702.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jack Mullinax, Carter Brothers Manufacturing Co., Inc., 1871 Highway 231, Brundidge, Alabama 36010.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
 Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group, Inc., intends to allow the establishment of Bayside Auto Sales, Inc., as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 1301 Harrison Avenue, Panama City (Bay County), Florida 32401, on or after July 21, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Bayside Auto Sales, Inc. are dealer operator(s): Larry Bradberry, 1301 Harrison Avenue, Panama City, Florida 32401; principal investor(s): Larry Bradberry, 1301 Harrison Avenue, Panama City, Florida 32401.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lily Ji, Peace Industry Group, Inc., 6600 B. Jimmy Carter Boulevard, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Yuan Cheng International Group, Inc. d/b/a New Star Technology, intends to allow the establishment of Bavarian Motor Sports, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. (SHEN) at 341 Oleadner Way, #5, Casselberry (Seminole County), Florida 32707, on or after July 14, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Bavarian Motor Sports, Inc. are dealer operator(s): Gary Luedecke, 341 Oleadner Way, #5, Casselberry, Florida 32707; principal investor(s): Gary Luedecke, 341 Oleadner Way, #5, Casselberry, Florida 32707.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Cheng, President, Yuan Cheng International Group, Inc. d/b/a New Star Technology, 19877 Quiroz Court, Walnut, California 91789.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Yuan Cheng International Group, Inc. d/b/a New Star Technology, intends to allow the establishment of Bavarian Motor Sports, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 341 Oleadner Way, #5, Casselberry (Seminole County), Florida 32707, on or after July 14, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Bavarian Motor Sports, Inc. are dealer operator(s): Gary Luedecke, 341 Oleadner Way, #5, Casselberry, Florida 32707; principal investor(s): Gary Luedecke, 341 Oleadner Way, #5, Casselberry, Florida 32707.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Cheng, President, Yuan Cheng International Group, Inc. d/b/a New Star Technology, 19877 Quiroz Court, Walnut, California 91789.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Johnny Pag Motorcycles, intends to allow the establishment of Big Boy Toys Florida, LLC, as a dealership for the sale of Johnny Pag motorcycles (PAGS) at 1312 Thomas Drive, Panama City Beach (Bay County), Florida 32408, on or after July 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Big Boy Toys Florida, LLC are dealer operator(s): Rauden Ally Peavy, 4421 Thomas Drive, #902, Panama City Beach, Florida 32408; principal investor(s): Rauden Ally Peavy, 4421 Thomas Drive, #902, Panama City Beach, Florida 32408.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: JR Pag, CEO, Johnny Pag Motorcycles, 1851 McGaw Avenue, Irvine, California 92614.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Dixie Sales Co., Inc., intends to allow the establishment of Cojack Enterprises, LLC d/b/a The Tool

Shack, as a dealership for the sale of motorcycles manufactured by HerChee Industrial Co. Ltd. (HERH) at 3044 Gulf Breeze Parkway, Gulf Breeze (Santa Rosa County), Florida 32563, on or after July 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Cojack Enterprises, LLC d/b/a The Tool Shack are dealer operator(s): John T. Davis, 5801 East Shore Drive, Pensacola, Florida 32563; principal investor(s): John T. Davis, 4724 Kittyhawk Circle, Gulf Breeze, Florida 32563.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lori Caldwell, Dixie Sales Co., Inc., Post Office Box 1408, Greensboro, North Carolina 27402.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Dixie Sales Co., Inc., intends to allow the establishment of Cojack Enterprises, LLC d/b/a The Tool Shack, as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 3044 Gulf Breeze Parkway, Gulf Breeze (Santa Rosa County), Florida 32563, on or after July 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Cojack Enterprises, LLC d/b/a The Tool Shack are dealer operator(s): John T. Davis, 5801 East Shore Drive, Pensacola, Florida 32563; principal investor(s): John T. Davis, 4724 Kittyhawk Circle, Gulf Breeze, Florida 32563.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lori Caldwell, Dixie Sales Co., Inc., Post Office Box 1408, Greensboro, North Carolina 27402.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Dixie Sales Co., Inc., intends to allow the establishment of Cojack Enterprises, LLC d/b/a The Tool Shack, as a dealership for the sale of motorcycles manufactured by Jiangsu Linhai Power Machinery Group (LINH) at 3044 Gulf Breeze Parkway, Gulf Breeze (Santa Rosa County), Florida 32563, on or after July 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Cojack Enterprises, LLC d/b/a The Tool Shack are dealer operator(s): John T. Davis, 5801 East Shore Drive, Pensacola, Florida 32563; principal investor(s): John T. Davis, 4724 Kittyhawk Circle, Gulf Breeze, Florida 32563.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lori Caldwell, Dixie Sales Co., Inc., Post Office Box 1408, Greensboro, North Carolina 27402.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Moto Dealer Import, LLC, intends to allow the establishment of Continental Motor Group, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 885 Southeast Monterey Road, Stuart (Martin County), Florida 34994-4506, on or after July 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Continental Motor Group, Inc. are dealer operator(s): Onofrio Bruno, 885 Southeast Monterey Road, Stuart, Florida 34994-4506; principal investor(s): Onofrio Bruno, 885 Southeast Monterey Road, Stuart, Florida 34994-4506.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jack Lin, President, Moto Dealer Import, LLC, 4998-B, South Royal Atlanta Drive, Tucker, Georgia 30084.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Moto Dealer Import, LLC, intends to allow the establishment of Continental Motor Group, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 885 Southeast Monterey Road, Stuart (Martin County), Florida 34994-4506, on or after July 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Continental Motor Group, Inc. are dealer operator(s): Onofrio Bruno, 885 Southeast Monterey Road, Stuart, Florida 34994-4506; principal investor(s): Onofrio Bruno, 885 Southeast Monterey Road, Stuart, Florida 34994-4506.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jack Lin, President, Moto Dealer Import, LLC, 4998-B, South Royal Atlanta Drive, Tucker, Georgia 30084.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Yuan Cheng International Group, Inc. d/b/a New Star Technology, intends to allow the establishment of Cycle & More, Inc., as a dealership for the sale of motorcycles

manufactured by Shanghai Shenke Motorcycle Co. (SHEN) at 5797 South Ridgewood Avenue, Port Orange (Volusia County), Florida 32127, on or after July 14, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Cycle & More, Inc. are dealer operator(s): Jeanne P. Ciriello, 5797 South Ridgewood Avenue, Port Orange, Florida 32127; principal investor(s): Jeanne P. Ciriello, 5797 South Ridgewood Avenue, Port Orange, Florida 32127.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Cheng, President, Yuan Cheng International Group, Inc. d/b/a New Star Technology, 19877 Quiroz Court, Walnut, California 91789.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Yuan Cheng International Group, Inc. d/b/a New Star Technology, intends to allow the establishment of Cycle & More, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 5797 South Ridgewood Avenue, Port Orange (Volusia County), Florida 32127, on or after July 14, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Cycle & More, Inc. are dealer operator(s): Jeanne P. Ciriello, 5797 South Ridgewood Avenue, Port Orange, Florida 32127; principal investor(s): Jeanne P. Ciriello, 5797 South Ridgewood Avenue, Port Orange, Florida 32127.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Cheng, President, Yuan Cheng International Group, Inc. d/b/a New Star Technology, 19877 Quiroz Court, Walnut, California 91789.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Yuan Cheng International Group, Inc. d/b/a New Star Technology, intends to allow the establishment of Erber Enterprises, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. (SHEN) at 551 North Highway 17 92, Longwood (Seminole County), Florida 32750, on or after July 14, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Erber Enterprises, Inc. are dealer operator(s): Robert Ma, 551 North Highway 17 92, Longwood, Florida 32750; principal investor(s): Robert Ma, 551 North Highway 17 92, Longwood, Florida 32750.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Cheng, President, Yuan Cheng International Group, Inc. d/b/a New Star Technology, 19877 Quiroz Court, Walnut, California 91789.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Yuan Cheng International Group, Inc. d/b/a New Star Technology, intends to allow the establishment of Erber Enterprises, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 551 North Highway 17 92, Longwood (Seminole County), Florida 32750, on or after July 14, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Erber Enterprises, Inc. are dealer operator(s): Robert Ma, 551 North Highway 17 92, Longwood, Florida 32750; principal investor(s): Robert Ma, 551 North Highway 17 92, Longwood, Florida 32750.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

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A copy of such petition or complaint must also be sent by U.S. Mail to: John Cheng, President, Yuan Cheng International Group, Inc. d/b/a New Star Technology, 19877 Quiroz Court, Walnut, California 91789.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group, Inc., intends to allow the establishment of Fishers Auction Service, Inc. d/b/a Fishers Auto & Equipment Sales, as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 402 North Ridgewood Avenue, Edgewater (Volusia County), Florida 32132, on or after July 25, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Fishers Auction Service, Inc. d/b/a Fishers Auto & Equipment Sales are dealer operator(s): Ray Fisher, 402 North Ridgewood Avenue, Edgewater, Florida 32132; principal investor(s): Ray Fisher, 402 North Ridgewood Avenue, Edgewater, Florida 32132.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lily Ji, Peace Industry Group, Inc., 6600 B. Jimmy Carter Boulevard, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Vento North America, LLC, intends to allow the establishment of H. Long Investments Corp. d/b/a Tropical Scooters of Vero, as a dealership for the sale of motorcycles

manufactured by China Jialing Industrial Group Co. Ltd. (JIAL) at 4901 North U.S. Highway 1, Unit J, Vero Beach (Indian River County), Florida 32967, on or after August 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of H. Long Investments Corp. d/b/a Tropical Scooters of Vero are dealer operator(s): Heidi S. Long, 4901 North U.S. Highway 1, Unit J, Vero Beach, Florida 32967; principal investor(s): Heidi S. Long, 4901 North U.S. Highway 1, Unit J, Vero Beach, Florida 32967.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Alma Gonzalez, Vento North America, LLC, 6190 Cornerstone Court, East, Suite #200, San Diego, California 92121.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Vento North America, LLC, intends to allow the establishment of H. Long Investments Corp. d/b/a Tropical Scooters of Vero, as a dealership for the sale of motorcycles manufactured by Qianjaing Motorcycle Group Corp. (QINJ) at 4901 North U.S. Highway 1, Unit J, Vero Beach (Indian River County), Florida 32967, on or after August 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of H. Long Investments Corp. d/b/a Tropical Scooters of Vero are dealer operator(s): Heidi S. Long, 4901 North U.S. Highway 1, Unit J, Vero Beach, Florida 32967; principal investor(s): Heidi S. Long, 4901 North U.S. Highway 1, Unit J, Vero Beach, Florida 32967.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Alma Gonzalez, Vento North America, LLC, 6190 Cornerstone Court, East, Suite #200, San Diego, California 92121.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Adly Moto LLC, intends to allow the establishment of Pine Woods Center, Inc. d/b/a Pasco Cycle, as a dealership for the sale of motorcycles manufactured by HerChee Industrial Co. Ltd. (HERH) at 10312 State Road 52, Hudson (Pasco County), Florida 34669, on or after July 3, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Pine Woods Center, Inc. d/b/a Pasco Cycle are dealer operator(s): Andrew D. Hennosy, 10312 State Road 52, Hudson, Florida 34669 and Connie G. Hennosy, 10312 State Road 52, Hudson, Florida 34669; principal investor(s): Andrew D. Hennosy, 10312 State Road 52, Hudson, Florida 34669 and Connie G. Hennosy, 10312 State Road 52, Hudson, Florida 34669.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be

submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Henry Li, Adly Moto, LLC, 1725 Hurd Drive, Suite 108, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Vento North America, LLC, intends to allow the establishment of Jealse Scooters, Inc., as a dealership for the sale of motorcycles manufactured by China Jialing Industrial Group Co. Ltd. (JIAL) at 512 East Osceola Parkway, Kissimmee (Osceola County), Florida 34744, on or after August 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Jealse Scooters, Inc. are dealer operator(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744; principal investor(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Alma Gonzalez, Vento North America, LLC, 6190 Cornerstone Court, East, Suite #200, San Diego, California 92121.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Vento North America, LLC, intends to allow the establishment of Jealse Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corp. (QINJ) at 512 East Osceola Parkway, Kissimmee (Osceola County), Florida 34744, on or after August 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Jealse Scooters, Inc. are dealer operator(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744; principal investor(s): Fabio Alzate, 512 East Osceola Parkway, Kissimmee, Florida 34744.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Alma Gonzalez, Vento North America, LLC, 6190 Cornerstone Court, East, Suite #200, San Diego, California 92121.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Moto Dealer Import, LLC, intends to allow the establishment of Mopeds & More, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR

Motorcycle Co. Ltd. (JMST) at 1802 North Woodland Boulevard, Deland (Volusia County), Florida 32720, on or after July 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds & More, Inc. are dealer operator(s): Pam Martin, 1802 North Woodland Boulevard, Deland, Florida 32720; principal investor(s): Pam Martin, 1802 North Woodland Boulevard, Deland, Florida 32720.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jack Lin, President, Moto Dealer Import, LLC, 4998-B, South Royal Atlanta Drive, Tucker, Georgia 30084.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Moto Dealer Import, LLC, intends to allow the establishment of Mopeds & More, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 6191 South Pine Avenue, Ocala (Marion County), Florida 34480-7115, on or after July 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds & More, Inc. are dealer operator(s): Brian Martin, 6191 South Pine Avenue, Ocala, Florida 34480-7115; principal investor(s): Brian Martin, 6191 South Pine Avenue, Ocala, Florida 34480-7115.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jack Lin, President, Moto Dealer Import, LLC, 4998-B, South Royal Atlanta Drive, Tucker, Georgia 30084.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Moto Dealer Import, LLC, intends to allow the establishment of Mopeds & More, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 1802 North Woodland Boulevard, Deland (Volusia County), Florida 32720, on or after July 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds & More, Inc. are dealer operator(s): Pam Martin, 1802 North Woodland Boulevard, Deland, Florida 32720; principal investor(s): Pam Martin, 1802 North Woodland Boulevard, Deland, Florida 32720.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jack Lin, President, Moto Dealer Import, LLC, 4998-B, South Royal Atlanta Drive, Tucker, Georgia 30084.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Moto Dealer Import, LLC, intends to allow the establishment of Mopeds & More, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 6191 South Pine Avenue, Ocala (Marion County), Florida 34480-7115, on or after July 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mopeds & More, Inc. are dealer operator(s): Brian Martin, 6191 South Pine Avenue, Ocala, Florida 34480-7115; principal investor(s): Brian Martin, 6191 South Pine Avenue, Ocala, Florida 34480-7115.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jack Lin, President, Moto Dealer Import, LLC, 4998-B, South Royal Atlanta Drive, Tucker, Georgia 30084.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC, intends to allow the establishment of Out of Control Powersports, Inc., as a

dealership for the sale of Tomberlin motorcycles (TOMB) at 4760 South U.S. Highway 1, Fort Pierce (St. Lucie County), Florida 34982, on or after July 17, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Out of Control Powersports, Inc. are dealer operator(s): Sean Cilbirth, 4760 South U.S. Highway 1, Fort Pierce, Florida 34982; principal investor(s): Sean Cilbirth, 4760 South U.S. Highway 1, Fort Pierce, Florida 34982.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michelle Nobles, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Baseline Specialists, Inc. d/b/a Melillimoto, as a dealership for the sale of Piaggio motorcycles (PIAG) at 6810 Southeast 58th Avenue, Ocala (Marion County), Florida 34480, on or after July 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Baseline Specialists, Inc. d/b/a Melillimoto are dealer operator(s): Sebastian DiDato, 6810 Southeast 58th Avenue, Ocala, Florida 34480; principal investor(s): Sebastian DiDato, 6810 Southeast 58th Avenue, Ocala, Florida 34480.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that New Era Trans, Inc., intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 2701 Hollywood Boulevard, Hollywood (Broward County), Florida 33020, on or after June 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Thomas R. McMahon, 31 Northeast 1st Street, Pompano Beach, Florida 33060; principal investor(s): Thomas R. McMahon, 31 Northeast 1st Street, Pompano Beach, Florida 33060.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Zev Kraiem, New Era Trans, Inc., 3350 Lawson Boulevard, Oceanside, New York 11572.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that New Era Trans, Inc., intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 120 South Federal Highway, Pompano Beach (Broward County), Florida 33062, on or after June 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Thomas R. McMahon, 31 Northeast 1st Street, Pompano Beach, Florida 33060; principal investor(s): Thomas R. McMahon, 31 Northeast 1st Street, Pompano Beach, Florida 33060.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Zev Kraiem, New Era Trans, Inc., 3350 Lawson Boulevard, Oceanside, New York 11572.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that New Era Trans, Inc., intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 31 Northeast 1st Street, Pompano Beach (Broward County), Florida 33060, on or after June 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Thomas R. McMahon, 31 Northeast 1st Street, Pompano Beach, Florida 33060; principal investor(s): Thomas R. McMahon, 31 Northeast 1st Street, Pompano Beach, Florida 33060.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

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If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that New Era Trans, Inc., intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 2701 Hollywood Boulevard, Hollywood (Broward County), Florida 33020, on or after June 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Thomas R. McMahon, 31 Northeast 1st Street, Pompano Beach, Florida 33060; principal investor(s): Thomas R. McMahon, 31 Northeast 1st Street, Pompano Beach, Florida 33060.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Zev Kraiem, New Era Trans, Inc., 3350 Lawson Boulevard, Oceanside, New York 11572.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that New Era Trans, Inc., intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 120 South Federal Highway, Pompano Beach (Broward County), Florida 33062, on or after June 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Thomas R. McMahon, 31 Northeast 1st Street, Pompano Beach, Florida 33060; principal investor(s): Thomas R. McMahon, 31 Northeast 1st Street, Pompano Beach, Florida 33060.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

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A copy of such petition or complaint must also be sent by U.S. Mail to: Zev Kraiem, New Era Trans, Inc., 3350 Lawson Boulevard, Oceanside, New York 11572.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that New Era Trans, Inc., intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 31 Northeast 1st Street, Pompano Beach (Broward County), Florida 33060, on or after June 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc. are dealer operator(s): Thomas R. McMahon, 31 Northeast 1st Street, Pompano Beach, Florida 33060; principal investor(s): Thomas R. McMahon, 31 Northeast 1st Street, Pompano Beach, Florida 33060.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Zev Kraiem, New Era Trans, Inc., 3350 Lawson Boulevard, Oceanside, New York 11572.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that A & A Scooter, Inc., intends to allow the establishment of Schaffers Industries, as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 8579 Southwest 56th Avenue Road, Ocala (Marion County), Florida 34476, on or after July 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Schaffer Industries are dealer operator(s): Earl F. Schaffer, Jr., 8579 Southwest 56th Avenue Road, Ocala, Florida 34476; principal investor(s): Earl F. Schaffer, Jr., 8579 Southwest 56th Avenue Road, Ocala, Florida 34476.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Leah Jordan, A & A Scooter, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that A & A Scooter, Inc., intends to allow the establishment of Schaffers Industries, as a dealership for the sale of motorcycles manufactured by Chongqing Lifan

Industry Group Co. Ltd. (CHOL) at 8579 Southwest 56th Avenue Road, Ocala (Marion County), Florida 34476, on or after July 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Schaffer Industries are dealer operator(s): Earl F. Schaffer, Jr., 8579 Southwest 56th Avenue Road, Ocala, Florida 34476; principal investor(s): Earl F. Schaffer, Jr., 8579 Southwest 56th Avenue Road, Ocala, Florida 34476.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Leah Jordan, A & A Scooter, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that A & A Scooter, Inc., intends to allow the establishment of Schaffers Industries, as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 8579 Southwest 56th Avenue Road, Ocala (Marion County), Florida 34476, on or after July 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Schaffer Industries are dealer operator(s): Earl F. Schaffer, Jr., 8579 Southwest 56th Avenue Road, Ocala, Florida 34476; principal investor(s): Earl F. Schaffer, Jr., 8579 Southwest 56th Avenue Road, Ocala, Florida 34476.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Leah Jordan, A & A Scooter, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Adly Moto, LLC, intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of motorcycles manufactured by Herchee Industrial Co. Ltd. (HERH) at 203 Northeast 39 Avenue, Gainesville (Alachua County), Florida 32609, on or after July 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020; principal investor(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Henry Li, Adly Moto, LLC, 1725 Hurd Drive, Suite 108, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Adly Moto LLC, intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of motorcycles manufactured by HerChee Industrial Co. Ltd. (HERH) at 2300 North 23rd Avenue, Hollywood (Broward County), Florida 33020, on or after July 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020; principal investor(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Henry Li, Adly Moto, LLC, 1725 Hurd Drive, Suite 108, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Yuan Cheng International Group, Inc. d/b/a New Star Technology, intends to allow the establishment of Snack Attack Corp., as a dealership for the sale of motorcycles

manufactured by Shanghai Shenke Motorcycle Co. (SHEN) at 2423 South State Road 7, West Park (Broward County), Florida 33023, on or after July 14, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Snack Attack Corp. are dealer operator(s): Daniel Haspel, 2423 South State Road 7, West Park, Florida 33023; principal investor(s): Daniel Haspel, 2423 South State Road 7, West Park, Florida 33023.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Cheng, President, Yuan Cheng International Group, Inc. d/b/a New Star Technology, 19877 Quiroz Court, Walnut, California 91789.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Yuan Cheng International Group, Inc. d/b/a New Star Technology, intends to allow the establishment of Snack Attack Corp., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 2423 South State Road 7, West Park (Broward County), Florida 33023, on or after July 14, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Snack Attack Corp. are dealer operator(s): Daniel Haspel, 2423 South State Road 7, West Park, Florida 33023; principal investor(s): Daniel Haspel, 2423 South State Road 7, West Park, Florida 33023.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Cheng, President, Yuan Cheng International Group, Inc. d/b/a New Star Technology, 19877 Quiroz Court, Walnut, California 91789.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Yuan Cheng International Group, Inc. d/b/a New Star Technology, intends to allow the establishment of Stephanies Design Corporation, as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 1745 West 8th Avenue, Hialeah (Dade County), Florida 33010, on or after July 14, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Stephanies Design Corporation are dealer operator(s): Ernesto Noceda, 1745 West 8th Avenue, Hialeah, Florida 33010; principal investor(s): Ernesto Noceda, 1745 West 8th Avenue, Hialeah, Florida 33010.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Cheng, President, Yuan Cheng International Group, Inc. d/b/a New Star Technology, 19877 Quiroz Court, Walnut, California 91789.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Suckerpunch Sally's, LLC, intends to allow the establishment of Bruce Rossmeyer's Daytona Harley-Davidson, as a dealership for the sale of motorcycles manufactured by Suckerpunch Sally's, LLC (SUKP) at 1637 U.S. Highway 1, Ormond Beach (Volusia County), Florida 32174, on or after July 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Bruce Rossmeyer's Daytona Harley-Davidson are dealer operator(s): Bruce Rosmeyer, 1637 U.S. Highway 1, Ormond Beach, Florida 32174; principal investor(s): Bruce Rossmeyer, 1637 U.S. Highway 1, Ormond Beach, Florida 32174.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Christian Clayton, Suckerpunch Sally's, LLC, 14982 North 83rd Place, Suite 100, Scottsdale, Arizona 85260.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Ridley Motorcycle Company, intends to allow the establishment of Treasure Coast Harley Davidson of Stuart, Inc., as a dealership for the sale of Ridley motorcycles (RIDL) at 4967 Southeast Federal Highway, Stuart (Martin County), Florida 34997, on or after July 10, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Treasure Coast Harley Davidson of Stuart, Inc. are dealer operator(s): Pat Murphy, 4967 Southeast Federal Highway, Stuart, Florida 34997; principal investor(s): Pat Murphy, 4967 Southeast Federal Highway, Stuart, Florida 34997.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Teresa Sullivan, Ridley Motorcycle Company, 35 Northwest 42nd Street, Oklahoma City, Oklahoma 73118.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Baseline Specialists, Inc. d/b/a Melillimoto, as a dealership for the sale of Vespa motorcycles (VESP) at 6810 Southeast 58th Avenue, Ocala (Marion County), Florida 34480, on or after July 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Baseline Specialists, Inc. d/b/a Melillimoto are dealer operator(s): Sebastian DiDato, 6810

Southeast 58th Avenue, Ocala, Florida 34480; principal investor(s): Sebastian DiDato, 6810 Southeast 58th Avenue, Ocala, Florida 34480.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group, Inc., intends to allow the establishment of Wild Hogs Scooters and Motorsports, LLC, as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 3311 West Lake Mary Boulevard, Lake Mary (Seminole County), Florida 32746, on or after July 25, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Wild Hogs Scooters and Motorsports, LLC are dealer operator(s): Jason Rupp, 3311 West Lake Mary Boulevard, Lake Mary, Florida 32746; principal investor(s): Jason Rupp, 3311 West Lake Mary Boulevard, Lake Mary, Florida 32746.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lily Ji, Peace Industry Group, Inc., 6600 B. Jimmy Carter Boulevard, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Keeway America, LLC, intends to allow the establishment of Mobility Tech, Inc. d/b/a Charlie's Scooter Depot, as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (ZHQM) at 5720 North Florida Avenue, #2, Tampa (Hillsborough County), Florida 33604, on or after July 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Mobility Tech, Inc. d/b/a Charlie's Scooter Depot are dealer operator(s): Carlos Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604; principal investor(s): Carlos Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604 and Zenaida Urbizu, 5720 North Florida Avenue, Tampa, Florida 33604.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Zhong Zhuang, President, Keeway America, LLC, 2912 Skyway Circle North, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on July 18, 2008, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Rule 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

CON#	INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)
10009	Approval, establish a comprehensive medical rehabilitation with 40 beds, Marion County, Healthsouth Rehabilitation Hospital of Ocala, LLC, (PRH) Shands Teaching Hospital & Clinics, Inc. d/b/a Shands Rehab Hospital
10009	Approval, establish a comprehensive medical rehabilitation with 40 beds, Marion County, Healthsouth Rehabilitation Hospital of Ocala, LLC, (PRH) Leesburg Regional Medical Center, Inc.
10010	Approval, establish a 35 bed adult inpatient psychiatric hospital, Pasco County, Ten Broeck Tampa, Inc., (PRH) Morton Plant Hospital Association, Inc. d/b/a Morton Plant North Bay Hospital
10011	Denial, establish a 40 bed adult inpatient psychiatric hospital, Pasco County, Morton Plant Hospital Association, Inc. d/b/a Morton Plant North Bay Hospital, (PRH) same as applicant

10012	Denial, establish a 10 bed child/adolescent inpatient psychiatric hospital, Pasco County, Morton Plant Hospital Association, Inc. d/b/a Morton Plant North Bay Hospital, (PRH) same as applicant
10013	Approval, establish a 5 bed adult substance abuse hospital, Pasco County, Ten Broeck Tampa, Inc., (PRH) Morton Plant Hospital Association, Inc. d/b/a Morton Plant North Bay Hospital
10014	Denial, establish a 20 bed adult substance abuse hospital, Pasco County, Morton Plant Hospital Association, Inc. d/b/a Morton Plant North Bay Hospital, (PRH) same as applicant

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF RECEIPT OF APPLICATIONS FOR PERMIT COVERAGE UNDER THE GENERIC PERMIT FOR STORMWATER DISCHARGE FROM PHASE II MUNICIPAL SEPARATE STORM SEWER SYSTEMS

The Department announces the receipt of the applications listed below for permit coverage under the Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems (MS4). The applications are being processed and are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Science Applications International Corporation (SAIC), 2343 Hansen Lane, Tallahassee, Florida 32301, phone number (850)523-1449. Any comments related to the noticed applications or objections to the use of the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice.

Phase II MS4 applications received June 30th–July 17th, 2008

1. Florida Atlantic University – FLR04E094
2. City of Mary Esther- FLR04E081
3. City of Springfield – FLR04E097
4. City of Edgewater – FLR04E016
5. City of Valparaiso- FLR04E038
6. City of Sweetwater – FLR04E090

Comments may be mailed to the following address:

Steven Kelly
 NPDES Stormwater Section
 2600 Blair Stone Road, MS #2500
 Tallahassee, Florida 32399-2400

NOTICE OF INTENT TO GRANT
WATER QUALITY CRITERIA EXEMPTION

The Department of Environmental Protection gives notice of its intent to grant an exemption from the Class G-II ground water standards for color, odor, and iron pursuant to Rule 62-520.500, Florida Administrative Code, as part of the Class V underground injection control operation Permit Number 037679-012-UO for the Tropicana Products, Inc. (Tropicana), 13th Avenue East, Bradenton, Manatee County, Florida 34208. The exemption is for permitted injection to ground water of treated process wastewater to Class G-II ground water. The exemption is granted for the duration of Tropicana's underground injection control operation Permit Number 037679-012-UO, and is made a part of the permit. The applicant, in conjunction with the Permit Number 037679-012-UO, must petition for any future exemptions.

A person whose substantial interests are affected by the Department's proposed exemption decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 21 days of publication of this notice. The petitioner must mail a copy of the petition to the applicant, Paul Carr, Plant Manager, 1001 13th Avenue East, Tropicana Products, Inc., Bradenton, Florida 34206 at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will only be at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the Department case or identification number and the county in which the subject matter or activity is located;
- (b) A statement of when and how each petitioner received notice of the Department action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;

- (f) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (g) Demand for relief (sought by the petitioner, stating precisely the action that the petitioner wants the Department to take).

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 contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the petitions have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 212E, Tallahassee, Florida 32399-2400, telephone Joe Haberfeld at (850)245-8655.

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 July 18, 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 Richard F. Greene, D.C., license number CH 4933. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 18, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Restriction with the regard to the license of Timothy R. Gulsby, D.C., license number CH 7325. This Emergency Restriction Order was predicated upon the

Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 18, 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 Doris Averill Crabtree, L.P.N., license number CNA 5169695. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 17, 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 Tinna M. Lewis, L.P.N., license number CNA 5163880. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 18, 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 James V. McGee, C.N.A., license number CNA 109180. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary

determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 17, 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 Alicia Amber Raulerson, L.P.N., license number CNA 5166282. 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.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a written withdrawal of the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., August 22, 2008):

APPLICATION WITHDRAWN

Application for a New Financial Institution

Applicant and Proposed Location: Cobalt Commercial Bank, 355 Alhambra Circle, Suite 900, Coral Gables, Miami-Dade County, Florida 33134

Date of Application: August 7, 2006

Withdrawn: July 18, 2008

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN July 14, 2008
 and July 18, 2008

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

5E-14.123	7/15/08	8/4/08	34/23	
5E-14.149	7/15/08	8/4/08	34/23	

DEPARTMENT OF CORRECTIONS

33-104.201	7/15/08	8/4/08	34/22	
33-104.202	7/15/08	8/4/08	34/22	
33-104.203	7/15/08	8/4/08	34/22	
33-602.210	7/15/08	8/4/08	34/17	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

61G6-5.008	7/14/08	8/3/08	34/18	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF HEALTH

Board of Nursing

64B9-15.009	7/14/08	8/3/08	34/18	
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Board of Psychology

64B19-11.006	7/15/08	8/4/08	34/21	
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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

65G-8.001	7/18/08	8/7/08	34/8	34/24
65G-8.002	7/18/08	8/7/08	34/8	34/24
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65G-8.011	7/18/08	8/7/08	34/8	34/24
65G-8.012	7/18/08	8/7/08	34/8	34/24