

## Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF STATE**

**Division of Historical Resources**

RULE NOS.:	RULE TITLES:
1A-39.001	Division of Historical Resources Grant Programs
1A-39.002	Definitions
1A-39.003	Grant Funding
1A-39.004	Grant Programs
1A-39.005	Non-Allowable Costs
1A-39.006	Match Contributions
1A-39.007	Application Procedures
1A-39.008	Application Review
1A-39.009	Grant Award Agreement
1A-39.010	Reporting Requirements
1A-39.011	Restrictive Covenant
1A-39.012	Preservation Agreement

**PURPOSE AND EFFECT:** The purpose of the rule is to establish administrative procedures for Division of Historical Resources historic preservation grant programs conducted pursuant to Section 267.0617, F.S., and shall apply to all applications received for grant assistance and all grant awards made following the date of adoption.

**SUBJECT AREA TO BE ADDRESSED:** This rule will provide guidance and information regarding the Historic Preservation Small Matching and Special Category Grant programs administered by the Division, including: explanation of the federal and state sources of grant funding, descriptions of the two grant programs and their respective grant categories, identification of non-allowable grant expenditures, explanation of required match contributions (including Rural Economic Development waivers and reductions), description of application submission and review procedures and key provisions of the Historic Preservation Grant Award Agreement that establishes the administrative procedures governing grants, explanation of Grantee reporting requirements (expenditure documentation, project progress reporting, photographic documentation and compliance with the Florida Single Audit Act), and the restrictive covenants and preservation agreement required as a condition of receipt of grant funds.

**RULEMAKING AUTHORITY:** 267.031(1) FS.

**LAW IMPLEMENTED:** 267.0617(2) FS.

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

**DATE AND TIME:** Friday, May 8, 2009, 10:00 a.m.

**PLACE:** Room 307, R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250

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: Lynnsey Weissenberger; (850)245-6451 or 1(800)847-PAST. 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:** David Ferro; (850)245-6363 or 1(800)847-PAST

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

**DEPARTMENT OF LEGAL AFFAIRS**

**Division of Victim Services and Criminal Justice Programs**

RULE NOS.:	RULE TITLES:
2A-5.005	Minimum Safety Standards for Convenience Businesses
2A-5.011	Enforcement

**PURPOSE AND EFFECT:** The Division proposes the development of rule amendments to address rule language which is out of date with regard to changes in the industry.

**SUBJECT AREA TO BE ADDRESSED:** Amendments to convenience business rules.

**RULEMAKING AUTHORITY:** 812.176 FS.

**LAW IMPLEMENTED:** 120.57, 812.173 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:** Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

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

**DEPARTMENT OF LEGAL AFFAIRS**

**Division of Victim Services and Criminal Justice Programs**

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

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

**SUBJECT AREA TO BE ADDRESSED:** Benefits to be paid beginning July 1, 2009.

RULEMAKING AUTHORITY: 112.19 FS.  
 LAW IMPLEMENTED: 112.19 FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:	RULE TITLE:
6A-1.09981	Implementation of Florida’s System of School Improvement and Accountability

PURPOSE AND EFFECT: The purpose of the rule development is to amend the sections of rule pertaining to the calculation of school grades.

SUBJECT AREA TO BE ADDRESSED: School Grades.

RULEMAKING AUTHORITY: 1008.34(8) FS.

LAW IMPLEMENTED: 1008.34 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:

DATES AND TIMES: May 11, 2009, 9:00 a.m. – 12:00 p.m.; May 12, 2009, 9:00 a.m. – 12:00 p.m.; May 15, 2009, 9:00 a.m. – 12:00 p.m.

PLACE: May 11, 2009, The School District of Palm Beach County, Fulton-Holland Educational Services Center, 3300 Forest Hill Boulevard, Thurber B Conference Room, West Palm Beach, Florida 33406; May 12, 2009, The Educational Leadership Center for Orange County Public Schools, 445 West Amelia Street, Orlando, Florida 32801; May 15, 2009, Knott Building, 400 South Monroe Street, Room 412, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juan Copa, Chief, Bureau of Research and Evaluation, 325 West Gaines Street, Room 844, Tallahassee, Florida 32399-0400. 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](mailto:lynn.abbott@fldoe.org) or <https://app1.fldoe.org/rules/default.aspx>

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

**DEPARTMENT OF REVENUE**

**Division of Child Support Enforcement**

RULE NOS.: RULE TITLES:

12E-1.0052	Unidentifiable Collections
12E-1.014	Internal Revenue Service Tax Refund Offset Program; Passport Denial; Administrative Offset Program; Internal Revenue Service Full Collection Services

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12E-1.014, F.A.C., is to reflect the change in 42 USC Section 664(c) which now allows the certification of past-due amounts for Internal Revenue Service Tax Refund Offset in non-public assistance cases where the child has emancipated. The amendment also changes the certification threshold for passport denial from \$5000 to amounts over \$2500 as allowed by Section 409.2564(10), F.S., as amended July 1, 2007. Other amendments provide new exception criteria for restoring passport privileges to an obligor who owes more than \$2500. The effect of the proposed rule is to inform the public the Department will certify past-due amounts for non-public assistance cases for a child for Internal Revenue Service Tax Refund Offset, even if the child has emancipated. The rule also informs the public that the certification threshold for past-due support for passport denial has changed from \$5000, to past-due support of more the \$2500. Finally, the rule informs the public the Department may consider exceptions to restoring an obligor’s passport even if the obligor was not certified in error and has not paid the past-due support balance amount below \$2500. The purpose of creating proposed Rule 12E-1.0052, F.A.C., is to provide guidance to the public about the Department’s procedures for resolving unidentifiable Title IV-D support payments received by the State Disbursement Unit. The proposed rule also provides information to the public about how to reclaim unidentifiable collections. The effect of the proposed rule is to provide: (1) information on identifying support payments that could not be processed because there was not enough information to identify who the payment was for; (2) information on how a noncustodial parent may seek the return of a payment which was never processed; and (3) guidance on how the Department will process payment return requests.

SUBJECT AREA TO BE ADDRESSED: Rule 12E-1.014, F.A.C.: The subject of this workshop is: (1) the certification threshold amount for passport denial; (2) the certification of past-due support amounts for Internal Revenue Service Tax Refund Offset; and (3) the exception criteria for restoring passport privileges. Rule 12E-1.0052, F.A.C.: The subject of this workshop is: (1) to develop procedures for determining a

collection to be unidentifiable; and (2) to provide a method of retrieving unidentifiable collections when the collection becomes identified.

RULEMAKING AUTHORITY: 409.2557(3)(i), 409.2557(3)(j), 409.2558(4), 409.2558(9) FS.

LAW IMPLEMENTED: 61.17, 409.2558(3), 409.2558(4), 409.2564 FS.

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

DATE AND TIME: May 11, 2009, 1:00 p.m.

PLACE: Room 301, 4070 Esplanade Way, Tallahassee, Florida  
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: For information concerning the proposed changes to Rule 12E-1.014, F.A.C., contact Steve Robinson, Government Analyst II, Child Support Enforcement Program, Department of Revenue, P. O. Box 8030, Tallahassee, Florida 32314-8030; telephone (850)922-9716; e-mail [robinsos@dor.state.fl.us](mailto:robinsos@dor.state.fl.us), and for information concerning proposed new Rule 12E-1.0052, F.A.C., contact Phil Scuggs, Government Analyst II, Child Support Enforcement Program, Department of Revenue, P. O. Box 8030, Tallahassee, Florida 32314-8030; telephone (850)922-9558; e-mail [scruggsp@dor.state.fl.us](mailto:scruggsp@dor.state.fl.us). The draft rules are published on the department's Internet site at [myflorida.com/dor/rules](http://myflorida.com/dor/rules)

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

#### **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

#### **STATE BOARD OF ADMINISTRATION**

RULE NO.: 19-7.002  
RULE TITLE: Investment Policy Guidelines

PURPOSE AND EFFECT: To adopt the revised Investment Policy Guidelines approved by the Trustees effective July 1, 2008, reflecting the addition of information as to investment strategies, risks, and other changes.

SUBJECT AREA TO BE ADDRESSED: Investment Policy Guidelines for the Local Government Surplus Funds Trust Fund.

RULEMAKING AUTHORITY: 218.412 FS.

LAW IMPLEMENTED: 218.405(1), (2), (3), (4), 218.409(2), (9), 218.415(17) 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: Monday, May 11, 2009, 9:00 a.m. – 11:00 a.m.

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tina Joanos, Agency Clerk, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1197; [tina.joanos@sbafla.com](mailto:tina.joanos@sbafla.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ruth A. Smith, Assistant General Counsel, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1182; [ruth.smith@sbafla.com](mailto:ruth.smith@sbafla.com).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

##### 19-7.002 Investment Policy Guidelines.

The Local Government Investment Pool (Non-Qualified) Investment Policy Guidelines, as approved by the Trustees of the State Board of Administration and made effective July 1, 2008, are hereby adopted and incorporated by reference. The Investment Policy Guidelines may be obtained by contacting: State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308; Attn.: Local Government Investment Pool Program, or by accessing the [sbafla.com](http://sbafla.com) website, clicking on Local Government Investment Pool under the Related Websites section and then clicking on Investment Policy Guidelines under the Documents section.

Rulemaking Authority 218.412 FS. Law Implemented 218.405(1), (2), (3), (4), 218.409(2), 218.409(9), 218.415(17) FS. History—New

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

**RULE NO.:** 40D-1.139  
**RULE TITLE:** Americans With Disabilities Act and Discrimination in Federally Funded Programs Public Grievance Procedures

**PURPOSE AND EFFECT:** To amend Rule 40D-1.139, F.A.C., to rename it and merge the requirements of the two incorporated public grievance procedures into one entitled, Public Grievance Procedure: Americans With Disabilities Act and Discrimination in District Programs and Activities. Currently the District has a procedure to satisfy the requirements for a public grievance process under the Americans with Disabilities Act (ADA) and another for the Rehabilitation Act of 1973. The new procedure will combine the two procedures, designate an ADA Compliance Coordinator and provide updated contact, address and email information to provide prompt and equitable resolution of grievances alleging that the District has violated any provision of the referenced federal regulations.

**SUBJECT AREA TO BE ADDRESSED:** Agency Procedures.

**RULEMAKING AUTHORITY:** 373.044, 373.113 FS.

**LAW IMPLEMENTED:** 286.26, 373.083, FS., 28 C.F.R. §§35.106 and 35.107

**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:** Lori Tetreault, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899; (352)796-7211, extension 4659

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Agency for Workforce Innovation**

**RULE NO.:** 60BB-8.205  
**RULE TITLE:** Advance Payment and Reconciliation for the Voluntary Prekindergarten Education Program

**PURPOSE AND EFFECT:** The purpose of the proposed rule development is to implement the authority of the Agency for Workforce Innovation to adopt a rule related to advance payment of early learning coalitions and Voluntary Prekindergarten Education (VPK) providers in conformance with recently revised legislation.

**SUBJECT AREA TO BE ADDRESSED:** The subject areas to be addressed by the proposed rule include the process by which coalitions will receive advance payments and by which VPK providers may receive an advance payment for each VPK class.

**RULEMAKING AUTHORITY:** 1002.75(2)(h), 1002.75(4), 1002.79(2) FS.

**LAW IMPLEMENTED:** 1002.71(5)(b), 1002.75(2)(h), 1002.75(4) FS.

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

**DATE AND TIME:** May 8, 2009, 1:30 p.m. – 3:00 p.m. or until conclusion of business

**PLACE:** Agency for Workforce Innovation, 107 East Madison Street, Tallahassee, Florida 32399-4128

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Kristin R. Harden, Agency for Workforce Innovation, Office of General Counsel, 107 E. Madison Street, MSC # 110, Tallahassee, Florida 32399-4128, (850)245-7150

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:** available online at <http://www.florida.jobs.org/earlylearning/index.html> or from the contact person listed above.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

**RULE NO.:** 64B8-8.011  
**RULE TITLE:** Notice of Noncompliance  
**PURPOSE AND EFFECT:** The Board proposes the development of rule amendments to address initial offenses of minor violations which are appropriate for the issuance of a notice of noncompliance.

**SUBJECT AREA TO BE ADDRESSED:** Notices of Noncompliance.

**RULEMAKING AUTHORITY:** 456.073(3), 458.309 FS.

**LAW IMPLEMENTED:** 456.0575, 456.073(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.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Larry

McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

## DEPARTMENT OF HEALTH

### Board of Medicine

RULE NO.:                   RULE TITLE:  
64B8-30.005               Physician Assistant Licensure  
                                  Renewal and Reactivation

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address requirements and credit for continuing medical education (CME) with regard to physician assistants.

SUBJECT AREA TO BE ADDRESSED: Requirements for continuing medical education.

RULEMAKING AUTHORITY: 456.013, 456.031(1)(a), 456.033(1), 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.031(1), 456.033, 456.036, 458.347 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

## DEPARTMENT OF HEALTH

### Board of Medicine

RULE NO.:                   RULE TITLE:  
64B8-30.013               Notice of Noncompliance

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address minor violations which are appropriate for issuance of notices of noncompliance.

SUBJECT AREA TO BE ADDRESSED: Violations which are appropriate for notices of noncompliance.

RULEMAKING AUTHORITY: 456.073(3), 458.309, 458.347(7)(e), (g), (12) FS.

LAW IMPLEMENTED: 456.073(3), 458.331, 458.347(7)(g), (12) 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

## DEPARTMENT OF HEALTH

### Board of Osteopathic Medicine

RULE NO.:                   RULE TITLE:  
64B15-6.0035             Physician Assistant Licensure  
                                  Renewal and Reactivation

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address credit for continuing medical education (CME) with regard to physician assistants.

SUBJECT AREA TO BE ADDRESSED: Credit for continuing medical education.

RULEMAKING AUTHORITY: 456.013, 456.033(1), 459.005, 459.022 FS.

LAW IMPLEMENTED: 456.013, 456.031, 459.022(7)(b), (c) 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 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.:                   RULE TITLE:  
64B15-6.0105             Notice of Noncompliance

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address minor violations which are appropriate for issuance of notices of noncompliance.

SUBJECT AREA TO BE ADDRESSED: Violations which are appropriate for notices of noncompliance.

RULEMAKING AUTHORITY: 456.073(3), 459.005, 459.022(7)(f), (12) FS.

LAW IMPLEMENTED: 456.073(3), 458.347(7)(f), (12), 459.015 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 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 Respiratory Care**

RULE NO.: 64B32-2.001  
 RULE TITLE: License by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendment to: add the rule number to the form as required by Section 120.55(1)(a)4., F.S.; provide that the Licensure Verification Form be submitted to both state and countries where the applicant has held a “license” to practice respiratory care; to delete from the form the question “Is there any derogatory information?” and replacing it with “Has any other action been taken against this applicant?” on the application.

SUBJECT AREA TO BE ADDRESSED: License by Endorsement.

RULEMAKING AUTHORITY: 468.353(1), 468.358(3) FS.

LAW IMPLEMENTED: 468.358(2),(3), 468.365 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Respiratory Care Specialists/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B32-2.001 License by Endorsement.

(1) Applicants for licensure as a Registered Respiratory Therapist or Certified Respiratory Therapist in the State of Florida shall apply on Form DH-MQA 1145, Application by

Endorsement, Revised 1/09, incorporated herein as this Board’s application form and available from the Department of Health, Board of Respiratory Care, 4052 Bald Cypress Way, BIN CO5, Tallahassee, FL 32399-3255 or on the web at <http://www.doh.state.fl.us/mqa/respiratory/index.html>. A properly completed application must be submitted with the appropriate fee as set forth in Rule 64B32-2.003, F.A.C.

(2) No change.

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

(d) An applicant who has ~~been out of the~~ not practiced of respiratory care for 2 years or more must complete a Board-approved comprehensive review course or be recredentialed in the level in which he or she is applying to practice in order to ensure that he or she has the sufficient skills to re-enter the profession. Board-approved comprehensive course means any course or courses which includes, at a minimum, fourteen (14) hours in the topics and numbers of hours as follows:

Patient assessment	3 hours
Hemodynamics	2 hours
Pulmonary Function	1 hour
Arterial blood gases	1 hour
Respiratory equipment	2 hours
Airway Care	1 hour
Mechanical ventilation	2 hours
Emergency care/special procedures	1 hour
General respiratory care (including medication)	1 hour

Rulemaking Specific Authority 468.353(1), 468.358(3) FS. Law Implemented 468.358(2), (3), 468.365 FS. History–New 4-29-85, Formerly 21M-34.02, 21M-34.002, 61F6-34.002, 59R-71.002, 64B8-71.002, Amended 7-22-02, 8-28-05, 6-12-07, 5-15-08,

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE NO.: 64B32-6.004  
 RULE TITLE: Procedures for Approval of Attendance at Continuing Education Courses

PURPOSE AND EFFECT: The Board proposes the rule amendment to approve for continuing education credit FEMA courses that meet the requirements set forth in paragraph 64B32-6.004(3)(b), F.A.C.

SUBJECT AREA TO BE ADDRESSED: Continuing education credit requirements.

RULEMAKING AUTHORITY: 468.353(1), 468.361(2) FS.

LAW IMPLEMENTED: 468.361(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Respiratory Care Specialists/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NOS.:	RULE TITLES:
64E-15.002	Sites – Mobile Home, Lodging, and Recreational Vehicle Parks
64E-15.003	Water Supply
64E-15.004	Sewage Disposal
64E-15.006	Plumbing
64E-15.007	Garbage and Refuse Disposal
64E-15.009	Recreational Camp Standards

PURPOSE AND EFFECT: Develop rules to bring incorporated references current; incorporate necessary modifications to avert waterborne pathogen transmission; and remove certain language to eliminate the need for variances being filed by the regulated community.

SUBJECT AREA TO BE ADDRESSED: Areas to be discussed include but are not limited to: water supply, sewage disposal, plumbing, garbage and refuse disposal, and electrical wiring in recreational camps.

RULEMAKING AUTHORITY: 381.0011(4), 381.006(14), 513.05 FS.

LAW IMPLEMENTED: 513.05 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: David B. Wolfe, Department of Health, Bureau of Community Environmental Health Programs, HSEC, 4052 Bald Cypress Way, Bin # A08, Tallahassee, FL 32399-1710

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

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE NO.:	RULE TITLE:
64F-1.0015	Materials Incorporated by Reference

PURPOSE AND EFFECT: This rule adopts and incorporates by reference federal regulations governing the Special Supplemental Food Program for Women, Infants and Children.

SUBJECT AREA TO BE ADDRESSED: The Food Program for Women, Infants and Children.

RULEMAKING AUTHORITY: 383.011(2)(b), 120.54(6) FS.  
LAW IMPLEMENTED: 383.011(2)(b) 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: Earl B. (“Brad”) Christy, Jr., Department of Health, 4052 Bald Cypress Way, Bin #A-17, Tallahassee, FL 32399-1703; telephone (850)245-4005

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64F-1.0015 Materials Incorporated by Reference.

Title 7 Code of Federal Regulations Part 246 and Title 7 Code of Federal Regulations Parts 3015 and 3016, as published in the January ~~2007~~ 2008 edition of the Code of Federal Regulations are hereby adopted and incorporated by reference. A copy of these portions of the federal regulations can be located at <http://www.gpoaccess.gov/cfr/index.html> or can be obtained from the Department of Health, Bureau of WIC and Nutrition Services, 4052 Bald Cypress Way, Bin #A-16, Tallahassee, Florida 32399-1726.

Rulemaking Specific Authority 383.011(2)(b), 120.54(6) FS. Law Implemented 383.011(2)(b) FS. History–New 12-6-07, Amended

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE NO.:	RULE TITLE:
64F-17.001	Materials Incorporated by Reference

PURPOSE AND EFFECT: Rule Chapter 64F-17, F.A.C., will be revised and amended to adopt new and revised manuals by reference, to update, clarify and expand existing rules that will assure the efficient administration of the Child Care Food Program while promoting program integrity and the quality of food and service provided to children.

SUBJECT AREA TO BE ADDRESSED: The Child Care Food Program.

RULEMAKING AUTHORITY: 383.011 FS.

LAW IMPLEMENTED: 383.011 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: Earl B. (“Brad”) Christy, Jr., Department of Health, 4052 Bald Cypress Way, Bin #A-17, Tallahassee, FL 32399-1703; telephone (850)245-4005

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64F-17.001 Materials Incorporated by Reference.

(1) Title 7 Code of Federal Regulations, Part 226, as published January 1, ~~2008~~ 2007, and Title 7 Code of Federal Regulations, Parts 3015 and 3016, as published January 1, ~~2008~~ 2007, are incorporated by reference.

(2) The Department of Health’s publications entitled “Procedure Manual for Sponsors of Unaffiliated Centers,” dated August 1, 2006, the “Procedure Manual for Sponsors of Day Care Homes,” dated April 1, 2007, and the “Procedure Manual for Sponsors of Affiliated Child Care Centers,” dated September, 2007 are incorporated by reference.

(3) The Department of Health’s publication entitled “Afterschool Snack Program Procedure Manual,” dated February 2009 is incorporated by reference.

(4) The Department of Health’s publication entitled “Procedure Manual for Independent Child Care Centers,” dated July 2008 is incorporated by reference.

(5) ~~(3)~~ Copies of materials incorporated by reference may be obtained from [www.doh.state.fl.us/ccfp](http://www.doh.state.fl.us/ccfp) or by writing to the Department of Health, 4052 Bald Cypress Way, Bin #A-17, Tallahassee, Florida 32399-1727.

Rulemaking Specific Authority 383.011(2)(c) FS. Law Implemented 383.011(1)(i) FS. History–New 7-22-99, Amended 2-20-04, 4-10-07, 12-6-07, \_\_\_\_\_.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE NO.: 65A-4.209                      RULE TITLE: Income

PURPOSE AND EFFECT: The proposed rule amendment amends policy to exclude Workforce Investment Act earned income for a child, amends language defining a child and removes the verification requirement for a sponsoring agency or organization. Included in this proposed rule amendment are some wording changes and technical changes of a non-substantive nature improving the overall content of the rule.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment amends and clarifies income requirements and policy for the Temporary Cash Assistance Program.

RULEMAKING AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.095 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:

TIME AND DATE: May 11, 2009, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room, 455 Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cindy Keil, ACCESS Florida Program Policy, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700; (850)410-3291

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NOS.:	RULE TITLES:
68A-6.0011	Possession of Wildlife in Captivity; Permit Requirements
68A-6.002	Categories of Captive Wildlife
68A-6.0021	Possession or Transfer of Class I Wildlife as Personal Use Wildlife; Transfer of Wildlife
68A-6.0022	Possession of Class I, II, or III Wildlife in Captivity; Permit Requirements
68A-6.0023	General Regulations Governing Possession of Captive Wildlife
68A-6.0024	Commercialization of Wildlife; Public Contact; Bonding or Financial Responsibility Guarantee
68A-6.0025	Captive Wildlife Sanctuaries; Retired Performing Wildlife Identification Facility and Structural Caging Requirement for Class I, II and III Wildlife
68A-6.003	Standard Caging Requirements for Captive Wildlife
68A-6.004	Exceptions to Standard Caging Requirements for Captive Wildlife
68A-6.0041	Transportation Requirements for Wildlife; Caging Requirements for Performing and Non-Performing Animals
68A-6.005	Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern
68A-6.007	Record Keeping and Reporting Requirements
68A-6.0071	



**PURPOSE AND EFFECT:** The purpose and effect of this rule development is to address the possession, housing and transportation of captive wildlife. The proposed rules will clarify record keeping, documentation of experience, and housing requirements for the possession of captive wildlife. The proposed rules will address changes in classification of captive wildlife and public contact with captive wildlife. Additionally, the proposed new rule establishes requirements for the operation of captive wildlife sanctuaries.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas to be covered in the proposed rules include possession, transportation and housing of captive wildlife; public contact with captive wildlife; and captive wildlife sanctuaries.

**RULEMAKING AUTHORITY:** Art. IV, Sec. 9, Florida Constitution

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution

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: Captain Linda Harrison, Division of Law Enforcement, Investigations Section, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600; (850)488-6253

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

**RULE NO.:** 68A-9.006 **RULE TITLE:** Wildlife Rehabilitation Permit

**PURPOSE AND EFFECT:** The purpose and effect of this rule development is to address the rehabilitation of injured, orphaned or otherwise impaired wildlife. The proposed rule will clarify the length of time wildlife may be possessed for rehabilitation purposes and final disposition of such wildlife. The rule will be considered together with proposed changes to Rule Chapter 68A-6, F.A.C., relating to wildlife in captivity.

**SUBJECT AREA TO BE ADDRESSED:** Subject area to be covered in the proposed rule includes the rehabilitation of native wildlife.

**RULEMAKING AUTHORITY:** Art. IV, Sec. 9, Florida Constitution

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution

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: Captain Linda Harrison, Division of Law Enforcement, Investigations Section, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600; (850)488-6253

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

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
690-149.003	Rate Filing Procedures
690-149.005	Reasonableness of Benefits in Relation to Premiums
690-149.007	Annual Rate Certification (ARC) Filing Procedures

**PURPOSE AND EFFECT:** To provide more pooling of cancer forms and to make a few clarifications to existing provisions.

**SUBJECT AREA TO BE ADDRESSED:** Florida law requires rates for health insurance to be reasonable in relation to the benefits. Section 627.410(6)(b), F.S., provides that the Commission may establish by rule procedures to be used in ascertaining the reasonableness of filed rates. These rules provide guidelines for insurers so they can be assured the rates they charge comply with this mandate. There are three amendments to the rules. The first, in Rule 690-149.003, F.A.C., establishes rules for pooling of cancer claims. The second, in Rule 690-149.005, F.A.C., prohibits an insurer knowingly pricing an individual rate to be charged to an insured to be excessive. The third tightens up the requirements for rate certifications, to make sure that when an insurer annually states its rates meet Florida law, that statement is true. The rule does this by setting forth the steps an insurer must take to rectify the problem if the Office determines a rate certification was inaccurate. Pursuant to the rule, knowingly filing a false rate certification constitutes an unfair and deceptive trade practice in violation of Section 626.9541(1)(e), F.S.

**RULEMAKING AUTHORITY:** 624.424, 627.410 FS.

**LAW IMPLEMENTED:** 627.9175 FS.

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

DATE AND TIME: May 27, 2009, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gerry Smith, Office of Insurance Regulation, e-mail Gerry.Smith@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gerry Smith, Office of Insurance Regulation; e-mail Gerry.Smith@flor.com

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

## Section II Proposed Rules

### DEPARTMENT OF STATE

#### Division of Cultural Affairs

RULE NO.: IT-1.001                      RULE TITLE: Division of Cultural Affairs

PURPOSE AND EFFECT: This amendment limits each organization to one application per funding cycle, requires that grant applicants be funded in order of score, reduces the minimum qualifying score from 85 to 80 points, and incorporates the program guidelines and required grant forms.

SUMMARY: This amendment limits the number of applications an organization may submit, revises the grant funding method, and incorporates the program guidelines and required grant forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: There are no regulatory costs associated with this amendment and it does not have an impact on small business. Any person who wishes to provide information regarding the statement of regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

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.

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.

RULEMAKING AUTHORITY: 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1), (6), 265.2861(2)(b), (f), 265.2865(6), 265.605(1), 265.608(1), 265.609(1), (4), 265.701(5), 265.702(8) FS.

LAW IMPLEMENTED: 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.601-.603, 265.605-.607, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25, 288.0656, 288.06561 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: May 18, 2009, 11:00 a.m.

PLACE: Room 307, 3rd Floor, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Morgan Lewis, Division of Cultural Affairs, (850)245-6470. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Morgan Lewis, Division of Cultural Affairs; (850)245-6470

THE FULL TEXT OF THE PROPOSED RULE IS:

IT-1.001 Division of Cultural Affairs.

(1) through (12) No change.

(13) Culture Builds Florida Grant Program (Notice: for complete program information and application instructions, see the Culture Builds Florida Program Guidelines and Instructions, and the following forms, all of which are required for administration of this program, hereby incorporated by reference and available on the Division's web site at [www.florida-arts.org](http://www.florida-arts.org): Application (CA2E141, eff. \_\_\_\_\_); Grant Agreement (CA2E140, eff. \_\_\_\_\_); Grant Amendment Request Form (CA2E002, eff. \_\_\_\_\_); and State Grant Funds Expenditure Log (CA2E136, eff. \_\_\_\_\_)). This program supports projects, with grants up to \$25,000, that strengthen the role that arts and culture play in make connections between the arts and the key areas of the Division's Strategic Plan which are: ~~of~~ learning and wellness, strengthening the economy, leadership, and design and development.

(a) In addition to the basic eligibility requirements in subsection (5) of this rule, the following are required: (i) the proposed grant must either fund a new project or initiative in at least one of the four key areas above, or fund a new facet of an existing project program in at least one key area; (ii) only one organization may apply for those organizations working in partnership on one project; (iii) organizations may submit only one application each funding cycle; and (iv)(iii) the cash match

requirement is \$1 to \$1, with no more than 25% of the match from in-kind revenues. Cash match waivers will allow in-kind substitutions of up to 100% of the cash match requirement for REDI designated counties. See subparagraph (5)(e)4. of this rule for further information on cash match waivers.

(b) Application review, scoring, and funding recommendations. Applications will be evaluated by a multidisciplinary review panel based on (i) Cultural and Artistic Excellence of the Project; (ii) Sustainability of the Project; and (iii) Program Management for the Project, including planning and evaluation procedures. After each eligible application has been reviewed and scored by each member of the grant review panel, the scores of each panel member for each application will be averaged. The maximum total average score is 100 and an average minimum average score of ~~80~~ 85 is required to be considered for funding. ~~A minimum average score of 80~~ 85 will not guarantee funding, if available funding will not allow. Once the Panel has assigned an average panel score to each application, it will provide a list, ranked in order of score, to the Florida Arts Council for review and recommendation. The Florida Arts Council will submit their recommended list, in order of score, to the Secretary of State for review and approval. Applications on the ranked list shall be funded for the amount recommended by the Panel and the Council, and approved by the Secretary of State in order of score, from the top down until appropriated funds are depleted. If awarded project funds are returned to the Division, it shall award these funds to the next grant application on the approved list.

(14) through (20) No change.

Rulemaking Specific Authority 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1), (6), 265.2861(2)(b), (f), 265.2865(6), 265.605(1), 265.608(1), 265.609(1), (4), 265.701(5), 265.702(8) FS. Law Implemented 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.601-.603, 265.605-.607, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25, 288.0656, 288.06561 FS. History—New 11-23-82, Formerly IT-1.01, Amended 10-1-96, 2-2-97, 6-2-97, 7-17-97, 9-10-97, 1-4-98, 7-26-98, 8-2-98, 10-5-98, 10-25-98, 8-17-99, 8-1-02, 12-29-02, 10-14-03 (17), 10-14-03 (20), 11-16-03, 2-5-05, 5-16-05, 6-21-05, 12-20-05, 5-22-06, 6-5-06, 6-27-07, 8-20-07, 9-16-07, 1-8-08, 7-8-08, 9-8-08, 3-5-09, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Morgan Lewis, Division of Cultural Affairs

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Sandy Shaughnessy, Director, Division of Cultural Affairs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 20, 2009

**DEPARTMENT OF EDUCATION**

**State Board of Education**

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

PURPOSE AND EFFECT: The purpose of the rule amendment is to adopt the 2009-2010 Course Code Directory and Instructional Personnel Assignments. Courses which are no longer offered have been deleted and new/revised courses relating to career and technical education, science, physical education, foreign languages, and the International Baccalaureate Middle Years Program have been added. In addition, language relating to English for Speakers of Other Languages Certification, Training, and Reporting Requirements has been amended. The effect will be a complete listing of courses which may be reported for funding purposes through the Florida Education Finance Program.

SUMMARY: The rule is amended to include new/revised courses, delete obsolete courses, and address changes relating to English for Speakers of Other Languages Certification, Training, and Reporting Requirements.

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.

RULEMAKING AUTHORITY: 1001.02(1), 1009.53(3), 1011.62(1)(r) FS.

LAW IMPLEMENTED: 1009.531, 1009.534, 1009.535, 1009.536, 1011.62(1) FS.

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

DATE AND TIME: May 19, 2009, 9:00 a.m.

PLACE: Hillsborough Community College, Dale Mabry Campus, Dale Mabry Highway, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Heather Sherry, Director, Office of Articulation, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400; (850)245-9483

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09441 Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation.

For student membership in a program or course to generate

funding through the Florida Education Finance Program and for the student to receive elective or required credit toward high school graduation for such a program or course, the following conditions shall be met:

(1) The program in which the student is in membership shall be one of the programs listed in Section 1011.62(1)(c), F.S.

(2) The course or program in which the student is in membership shall be an educational activity which constitutes a part of the instructional program approved by the district school board.

(3) The student shall be under the supervision of an instructional staff member as defined in Rule 6A-1.0501, F.A.C.

(4) The course or program shall be listed in the "Course Code Directory and Instructional Personnel Assignments" for the year in which the student is in membership.

(5) The "Course Code Directory and Instructional Personnel Assignments 2009-2010," is ~~2008-2009," and Course Code Directory and Instructional Personnel Assignments 2008 Supplement,~~ are hereby incorporated by reference and made a part of this rule. The Commissioner may publish the documents in appropriate and useful formats such as printed copy, electronic database access, or electronic disc. The ~~directory directories~~ may be obtained from K-12 Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The Commissioner of Education may approve additional courses and course descriptions for which funding could be generated through the Florida Education Finance Program. Such additional course listings will be made available as approved.

Rulemaking Specific Authority 1001.02(1), 1009.53(3), 1011.62(1)(r) FS. Law Implemented 1009.531, 1009.534, 1009.535, 1009.536, 1011.62(1) FS. History—New 12-20-83, Formerly 6A-1.9441, Amended 2-6-86, 12-28-86, 4-4-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 7-13-93, 10-18-94, 8-28-95, 4-18-96, 7-17-97, 8-12-98, 5-3-99, 5-3-01, 10-15-01, 7-30-02, 4-21-05, 11-21-05, 7-27-06, 1-18-07, 5-19-08, 1-5-09,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Heather Sherry, Director, Office of Articulation, Department of Education

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric J. Smith, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 6, 2009

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-4.0021  
 RULE TITLE: Florida Teacher Certification Examinations

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt changes to the competencies and skills passing scores for selected subject area examinations, effective October 1, 2009. Additionally, revisions to the registration form and to the examination fee structure are proposed. The effect of these changes will be updated competencies and skills for the Florida Teacher Certification Examinations and a fee structure more aligned with the real cost of the examinations.

SUMMARY: The proposed amendment will adopt the new edition of the Competencies and Skills Required for Teacher Certification in Florida, Fourteenth Edition, the revised registration form, the revised fee structure, and new passing scores for selected subject area examinations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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.

RULEMAKING AUTHORITY: 1012.56(9), 1012.59(1) FS.

LAW IMPLEMENTED: 1012.56, 1012.59 FS.

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

DATE AND TIME: May 19, 2009, 9:00 a.m.

PLACE: Hillsborough Community College, Dale Mabry Campus, Student Center, Dale Mabry Highway, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Michael Jones, Chief, Bureau of Postsecondary Assessment, Office of Assessment, Accountability, Research, and Measurement, 325 West Gaines Street, Suite 414, Tallahassee, Florida 32399-0400; (850)245-0513

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0021 Florida Teacher Certification Examinations.

(1) Scope. This rule governs the written examinations for teacher certification. Additional requirements for certification are specified in Chapter 6A-4, F.A.C.

(2) Description of the examinations and competencies to be demonstrated.

(a) The Florida Teacher Certification Examinations shall be developed by the Commissioner of Education.

(b) The written examinations shall include subtests of reading, writing, mathematics, professional skills, and subject area specialty. These examinations may contain multiple-choice questions and questions requiring the examinee to write an answer or demonstrate a proficiency.

(c) The following competencies are to be demonstrated by means of the written examinations:

1. Before October 1, ~~2009~~ ~~2008~~, the general knowledge competencies and skills as contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, ~~Thirteenth~~ ~~Twelfth~~ Edition." Beginning with the October 1, ~~2009~~ ~~2008~~, test administration, the general knowledge competencies and skills as contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, ~~Fourteenth~~ ~~Thirteenth~~ Edition." Copies of these publications may be obtained from Florida Teacher Examinations, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399, at a price to be established by the Commissioner not to exceed actual cost.

2. Before October 1, ~~2009~~ ~~2008~~, the professional education test competencies and skills contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, ~~Thirteenth~~ ~~Twelfth~~ Edition," which is hereby incorporated by reference and made a part of this rule. Beginning October 1, ~~2009~~ ~~2008~~, the professional education test competencies and skills contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, ~~Fourteenth~~ ~~Thirteenth~~ Edition," which is hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained as described in subparagraph (2)(c)1. of this rule, and

3. Before October 1, ~~2009~~ ~~2008~~, the subject area competencies and skills contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, ~~Thirteenth~~ ~~Twelfth~~ Edition," which is hereby incorporated by reference and made a part of this rule. Beginning October 1, ~~2009~~ ~~2008~~, the subject area competencies and skills contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, ~~Fourteenth~~ ~~Thirteenth~~ Edition," which is hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained as described in subparagraph (2)(c)1. of this rule.

(d) Before July 1, 2002, the College Level Academic Skills Test or the Praxis I: Academic Skills Assessment as described in subsection (13) of this rule shall be used to demonstrate mastery of general knowledge for an individual who holds a bachelor's or higher degree as specified in Rules 6A-4.004, 6A-4.050, and 6A-4.066, F.A.C.

(3) No change.

(4) Registration, late registration and refunds.

(a) Registration for the examinations shall be for the initial examinations or for one (1) or more examinations not previously passed. To register to take the examinations, an applicant shall submit a completed application which shall be received by the test administration agency at least fifty (50) days preceding the examination date.

1. A completed application shall consist of the following:

a. A completed application Form CG-20-04, Registration Application: Certification Examinations for Florida Educators, which includes the applicant's signature. Form CG-20-04 is hereby incorporated by reference and made a part of this rule to become effective ~~September 1, 2009~~ ~~August 1, 2008~~. This form may be obtained without cost from the Bureau of Educator Certification, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399 or may be submitted online via the Florida Teacher Certification Examinations/Florida Educational Leadership Examination Program Web site at <http://www.fldoe.org/edcert/apply.asp>.

b. ~~Before January 1, 2009, a twenty-five (25) dollar fee for each registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination, each registration for the professional skills examination, and each registration for the general knowledge test or any combination of subtests for the general knowledge test.~~ Beginning January 1, 2009, a fifty (50) dollar fee for each first-time registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination, each first-time registration for the professional education test ~~skills examination~~, and each first-time registration for the general knowledge test or any combination of subtests for the general knowledge test. A fee of one hundred (100) dollars for each retake registration for a subject area specialty examination, the professional education test ~~skills examination~~, or the general knowledge test, effective January 1, 2009. Beginning September 1, 2009, a one-hundred (100) dollar fee for each first-time or retake registration for the general knowledge test or any combination of subtests for the general knowledge test, each first-time or retake registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination, and a one-hundred (100) dollar fee for each first-time or retake registration for the professional education test.

c. A charge of one hundred (100) dollars in addition to the fees described in sub-subparagraph 6A-4.0021(4)(a)1.b., F.A.C., for certification applicants taking a supplemental examination.

2. An incomplete application shall be returned to the applicant. Applications which are completed and resubmitted to the test administration agency after the fifty (50) day deadline shall be acceptable only if the applicant complies with requirements specified in paragraph 6A-4.0021(4)(b), F.A.C.

(b) Late registration for the examinations shall be for the initial examinations or for one (1) or more examinations not previously passed. An applicant who did not submit a completed application to the test administration agency within the fifty (50) day deadline may register for the examinations by completing the requirements listed in subparagraph 6A-4.0021(4)(a)1., F.A.C., and submitting a fifteen (15) dollar late charge for each registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination; each registration for the professional education ~~test examination~~; and each registration for the general knowledge examination or any combination of the general knowledge subtests. All items shall be received by the test administration agency at least thirty (30) days preceding the examination date. Late registrations shall be accepted on a space available basis.

(c) Refunds. Fees shall be refunded provided written requests for refunds are received by the test administration agency at least thirty (30) days preceding the examination date. Failure to appear for or to complete an examination shall result in forfeiture of fees.

(5) through (7) No change.

(8) Scoring the professional ~~education test skills examination~~.

(a) Effective July 2003, the passing score for the professional education test shall be a scaled score of at least two hundred (200). This scaled score shall be equivalent to an examination raw score that results in an examinee passing rate of ninety-one (91) percent, which was the passing rate of teacher candidates who took the Professional Education ~~Test Examination~~ for the first time during the 2001-2002 examination administration year. In the event that fewer than fifty (50) examinees are tested in the July 2003 administration, the passing score shall be sixty (60) percent of the items.

(b) Effective July 1, 2005, the passing score for the professional education test shall be a scaled score of at least two hundred (200). This scaled passing score will be equivalent to eighty (80) correct items on the July and October 2003 test administrations.

(9) Scoring of the subject area specialty examinations.

(a) through (q) No change.

(r) The Commissioner of Education shall review the passing score for each of the General Knowledge Subtests, each of the subject area specialty examinations, and the Professional Education ~~Test Examination~~ not less than once every five (5) years and determine whether to recommend to the State Board of Education to maintain or change the existing passing scores.

(s) Effective October 1, 2009, the passing scores for the subject area specialty examinations listed below shall be a scaled score of at least two hundred (200):

1. Elementary Education K-6 Examination. In addition to the scaled score of at least two hundred (200), examinees must pass each of the five (5) sections of the examination: Language Arts and Reading; Social Science; Music, Visual Arts, Physical Education, and Health; Science and Technology; and Mathematics. The passing score for each section shall be a scaled score of at least sixty-four (64).

2. Middle Grades Integrated Curriculum (MGIC) 5-9 Examination. In addition to the scaled score of at least two hundred (200), examinees must pass each of the four (4) sections of the MGIC: English, General Science, Mathematics, and Social Science. The passing score for each section shall be a scaled score of at least sixty-four (64).

(10) through (11) No change.

(12) Review.

(a) Requests for Manual Scoring and Verification. An examinee who fails one (1) or more examination(s) may file a written request with the test administration agency for manual scoring of the multiple-choice sections of the examination(s) failed. A written request may also be made to verify the scores for computer-based tests and performance components of failed examinations, including essays, short-answer sections, and verbal responses, to ensure that the scores assigned were recorded accurately. The request shall be filed within thirty (30) days of the date the score report was mailed by the test administration agency. The fee for manual scoring, verification, or both, of one (1) or more examinations shall be ~~twenty-five (25) dollars that amount necessary for the test administration agency to perform the service as agreed in the contract between the agency and the Florida Department of Education.~~ The test administration agency shall notify the examinee of the results of the request within thirty (30) days of receipt of the request and fee.

(b) No change.

(13) through (15) No change.

Rulemaking Specific Authority 1012.55(1), 1012.56, 1012.59 FS. Law Implemented 1012.56 FS. History—New 8-27-80, Amended 1-11-82, 1-6-83, 5-3-83, 10-5-83, 10-15-84, Formerly 6A-4.021, Amended 12-25-86, 4-26-89, 4-16-90, 7-10-90, 4-22-91, 10-3-91, 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99, 7-17-00, 7-16-01, 3-24-02, 7-16-02, 3-24-03, 7-21-03, 12-23-03, 7-13-04, 5-24-05, 5-23-06, 5-21-07, 5-19-08, 7-21-08, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jeff Sellers, Interim Deputy Commissioner for Accountability, Research, and Measurement

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric J. Smith, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 6, 2009

**DEPARTMENT OF EDUCATION****Florida School for the Deaf and the Blind**

RULE NO.: 6D-7.006  
 RULE TITLE: Student Progression Plan and Requirements for Graduation

**PURPOSE AND EFFECT:** The purpose of this Rule is to indicate that the Florida School for the Deaf and the Blind has a Student Progression Plan and Requirements for Graduation which complies with state mandates.

**SUMMARY:** This rule establishes guidelines for promotion and graduation of students attending the Florida School for the Deaf and the Blind, in accordance with state and federal mandates.

**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.

**RULEMAKING AUTHORITY:** 1002.36(4)(c) FS.

**LAW IMPLEMENTED:** 1002.36(1), 1003.49 FS.

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

**DATE AND TIME:** Friday, June 5 2009, 9:00 a.m.

**PLACE:** Center for Leadership and Development, Moore Hall, FSDB Campus, St. Augustine, 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: If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

**THE FULL TEXT OF THE PROPOSED RULE IS:**

6D-7.006 Student Progression Plan and Requirements for Graduation.

(1) Graduation and promotion requirements adopted by the Board of Trustees for the Florida School for the Deaf and the Blind pursuant to the provisions of Section 1003.49, Florida Statutes, are contained in the Florida School for the Deaf and the Blind Student Progression Plan, revised February 2009 ~~October 2006~~, which is hereby incorporated by this rule and made a part of the rules of the Board of Trustees.

(2) Copies of the Student Progression Plan may be obtained from the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, Florida 32084 at a cost set by state law.

**Rulemaking Specific Authority** 1002.36(4)(c) FS. Law Implemented 1003.49, 1002.36(1) FS. History—New 2-17-81. Amended 9-17-85, 8-26-86, 4-12-90, 12-6-92, 3-16-98, 1-15-07, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Margaret Van Ormer

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** L. Daniel Hutto, President

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** February 20, 2009

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** April 3, 2009

**DEPARTMENT OF EDUCATION****Florida School for the Deaf and the Blind**

RULE NO.: 6D-8.002  
 RULE TITLE: Food Service Staff

**PURPOSE AND EFFECT:** The purpose of this Rule is to establish personnel who work in the Department as well as the Top Administrator who supervises it.

**SUMMARY:** This rule establishes supervisor and other personnel of the department.

**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.

**RULEMAKING AUTHORITY:** 1002.36(4)(c) FS.

**LAW IMPLEMENTED:** 1002.36(4)(e) FS.

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

**DATE AND TIME:** Friday, June 5, 2009, 9:00 a.m.

**PLACE:** Center for Leadership and Development, Moore Hall, Florida School for the Deaf and the Blind, St. Augustine, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

**THE FULL TEXT OF THE PROPOSED RULE IS:**

6D-8.002 Food Service Staff.

(1) The staff includes the services of a trained and experienced food service director, food service administrator, assistant food service administrators, dietitian, food service workers and support service aides.

(2) This department is under the direct supervision of the Administrator of Business Services ~~Business Manager~~.

Rulemaking Specific Authority 1002.36(4)(c) 242.331(3) FS. Law Implemented 1002.36(4)(d) 242.331(4), 120.53(1)(a) FS. History--New 12-19-74, Amended 8-26-86, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Bruce Fulton  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: L. Daniel Hutto, President  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 3, 2009

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE NO.: 6D-8.003  
RULE TITLE: Food Service Responsibilities

PURPOSE AND EFFECT: The purpose of this Rule is to establish responsibilities of the Department.

SUMMARY: This rule establishes guidelines and responsibilities for the supervisor and other personnel of the department.

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.

RULEMAKING AUTHORITY: 1002.36(4)(c) FS.  
LAW IMPLEMENTED: 1002.36(4)(e) FS.

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

DATE AND TIME: Friday, June 5, 2009, 9:00 a.m.  
PLACE: Center for Leadership and Development, Moore Hall, Florida School for the Deaf and the Blind, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-8.003 Food Service Responsibilities.

(1) It is the responsibility of this Department to plan, develop, and administer the complete food service program.

(2) Nutritionally balanced meals shall be served at all times.

(3) Modification of student menus for religious purposes shall be provided to the extent possible, when requested by the parent/guardian of the student, or the student, if 18+ years of age. Modifications of menus for students with medical needs shall be provided upon receipt of a written diet order provided by a licensed Florida health care provider. This is to include physicians, physician's assistants, and nurse practitioners, (ARNPs). Menus shall be reviewed periodically by the Business Manager, the School physician, and the President to see that they meet food requirements in accordance with school food service regulations.

~~(4) Special dietetic menus will be provided only in emergency situations as requested by the School physician and approved by the Director of Student Life.~~

~~(4)(5) Approved sanitary conditions must be maintained in food preparation and food services. All kitchens and dining rooms must be kept neat and sanitary.~~

~~(5)(6) The Food Service Director shall be responsible for the following:~~

~~(a) Reviewing inspection reports from the health department, taking corrective action and reporting to the Administrator of Business Services Business Manager.~~

~~(b) Issuing food as requested for approved and scheduled School activities.~~

~~(c) Serving meals to authorized staff and guests of the School.~~

~~(d) Maintaining an accurate count of students and others served meals daily and reporting to the Business Office on forms provided by the Business Manager.~~

Submit a meal claim to the State Department of Food and Nutrition each month for all means meeting the criteria for reimbursement under the National School Lunch and Breakfast Program.

~~(e) Ensuring that no unauthorized person is served meals in the dining facilities of the School.~~

~~(f) Collecting meal tickets or cash payment from visitors and employees when the cost of such meals is not a payroll deduction.~~

Rulemaking Specific Authority 1002.36(4)(c) 242.331(3) FS. Law Implemented 1002.36(4)(d) 242.331(4) FS. History--New 12-19-74, Amended 8-26-86, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Bruce Fulton  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: L. Daniel Hutto, President  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 3, 2009



**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**

**RULE NO.:** 19-8.028  
**RULE TITLE:** Reimbursement Premium Formula  
**PURPOSE AND EFFECT:** This rule is promulgated to implement Section 215.555, F.S., regarding the Florida Hurricane Catastrophe Fund, for the 2009-2010 contract year.  
**SUMMARY:** Proposed amended Rule 19-8.028, F.A.C., establishes the premium formula and adopts the rates for the 2009-2010 contract year.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The Board has prepared a statement and found the cost to be minimal.

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.

**RULEMAKING AUTHORITY:** 215.555(3) FS.  
**LAW IMPLEMENTED:** 215.555(2), (3), (4), (5), (6), (7) FS.  
**A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**  
**DATE AND TIME:** May 18, 2009, 2:00 p.m. – 5:00 p.m. (ET)  
**PLACE:** Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tracy Allen, Senior Attorney, Florida Hurricane Catastrophe Fund, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; telephone (850)413-1341. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Tracy Allen at the address listed above

**THE FULL TEXT OF THE PROPOSED RULE IS:**

- 19-8.028 Reimbursement Premium Formula.
- (1) through (3)(k) No change.
- (l) For the 2009-2010 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2009 Ratemaking Formula Report to the State Board of Administration of Florida, March 20, 2009" is hereby adopted and incorporated by reference. The basic premium rates developed in accordance with the

Premium Formula methodology approved by the Board on April 14, 2009, are hereby adopted and incorporated by reference in Form FHCF-Rates 2009, "Florida Hurricane Catastrophe Fund Proposed 2009 Rates, March 20, 2009." These incorporated documents may be obtained directly from the SBA website, [www.sbafla.com/fhcf](http://www.sbafla.com/fhcf) or by contacting the SBA by mail, P. O. Box 13300, Tallahassee, FL 32317-3300, with a request for the documents.

- (4)(a) through (d) No change.
- (5) All the forms adopted and incorporated by reference in this rule may be obtained from: Administrator, Florida Hurricane Catastrophe Fund, Paragon Strategic Solutions Inc., 8200 Norman Center Drive, Bloomington 3600 American Boulevard West, Suite 700, Minneapolis, Minnesota 55437 55431.

Rulemaking Specific Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7) FS. History--New 9-20-99, Amended 7-3-00, 9-17-01, 7-17-02, 7-2-03, 7-29-04, 7-17-05, 7-6-06, 7-17-07, 6-16-08,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Jack E. Nicholson, FHCF Chief Operating Officer, State Board of Administration

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** The Trustees of the State Board of Administration of Florida

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** April 14, 2009

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** December 19, 2008, Vol. 34, No. 51

**STATE BOARD OF ADMINISTRATION**

**RULE NOS.:** 19-8.029, 19-8.030  
**RULE TITLES:** Insurer Reporting Requirements, Insurer Responsibilities

**PURPOSE AND EFFECT:** The State Board of Administration, Florida Hurricane Catastrophe Fund, seeks to amend the rules listed above to implement Section 215.555, F.S.

**SUMMARY:** Form FHCF C-1, Company Contact Information, incorporated into Rule 19-8.029, F.A.C., and referred to in Rule 19-8.030, F.A.C., is being revised to remove the notarization requirement. This change necessitates changes to Rules 19-8.029 and 19-8.030, F.A.C. In addition, language is added to Rule 19-8.029, F.A.C., providing for voluntary commutation earlier than 36 months under certain circumstances as provided for in the Reimbursement Contract.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The Board has prepared a statement and found the cost of the proposed amendments to be minimal. 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.

RULEMAKING AUTHORITY: 215.555(3) FS.  
 LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7), (10), (16), (17) 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: Tracy Allen, Senior Attorney, Florida Hurricane Catastrophe Fund, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; telephone (850)413-1341

THE FULL TEXT OF THE PROPOSED RULES IS:

- 19-8.029 Insurer Reporting Requirements.
  - (1) through (2)(a) No change.
  - (b) Commutation means that period of time which is not less than 36 months or more than 60 months after the end of the Contract Year during which the loss occurrence took place. The Reimbursement Contract, adopted and incorporated into Rule 19-8.010, F.A.C., may provide for voluntary commutation earlier than the 36 month period under certain circumstances.
  - (c) through (7) No change.
  - (8) Company Contact Information: Companies must submit Form FHCF C-1, Company Contact Information, rev. 05/09 new 05/08, by June 1 of each Contract Year. This form must be updated by the Company as the information provided thereon changes. The FHCF shall have the right to rely upon the information provided by the Company to the FHCF on this form until receipt by the FHCF of a new properly completed ~~and notarized~~ FHCF C-1 from the Company. The form may be obtained from the Fund's Administrator at the address stated in subsection (6) above.

Rulemaking Specific Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7), (15) FS. History--New 5-17-99, Amended 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, 5-19-04, 8-29-04, 5-29-05, 5-10-06, 5-8-07, 6-8-08, 3-30-09, \_\_\_\_\_.

- 19-8.030 Insurer Responsibilities.
  - (1) through (11) No change.
  - (12) Company Contact Information: Companies must submit Form FHCF-C1, Company Contact Information, by June 1 of each Contract Year to the FHCF Administrator, Paragon Strategic Solutions Inc., 8200 Norman Center Drive, Bloomington, Minnesota 55437. This form must be updated by the Company as the information provided thereon changes. The FHCF shall have the right to rely upon the information provided by the Company to the FHCF on this form until receipt by the FHCF of a new properly completed ~~and notarized~~ FHCF C-1 from the Company.

Rulemaking Specific Authority 215.555(3) FS. Law Implemented 215.555 FS. History--New 5-13-03, Amended 5-19-04, 5-29-05, 5-10-06, 5-8-07, 8-13-07, 6-8-08, 3-30-09, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack E. Nicholson, FHCF Chief Operating Officer, State Board of Administration  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration of Florida  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 2009  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 20, 2009, Vol. 35, No. 11

**COMMISSION FOR THE TRANSPORTATION DISADVANTAGED**

RULE NO.: 41-2.002                      RULE TITLE: Definitions  
 PURPOSE AND EFFECT: The amendments made to the rule brings the rule into compliance with the new legislative changes.  
 SUMMARY: The amendments made to the rule brings the rule into compliance with the new legislative changes.  
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed amendments would not have an impact on small business.

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.

RULEMAKING AUTHORITY: 476.064(4) FS.  
 LAW IMPLEMENTED: 455.225(3) 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: Bobby Jernigan, Interim Executive Director, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0405

THE FULL TEXT OF THE PROPOSED RULE IS:

- 41-2.002 Definitions.
 

For purposes of this rule chapter, the following definitions will apply:

  - (1) No change.
  - (2) ~~“Annual Budget Estimate” means a budget estimate of funding resources available for providing transportation services to the transportation disadvantaged, and which is prepared annually to cover a period of one state fiscal year. The estimate shall identify local, state, and federal government transportation disadvantaged funds available from all agencies and local and federal transportation disadvantaged funds from the Official Planning Agency.~~

~~(2)~~<sup>(3)</sup> “Coordination Contract” means a written contract between the Community Transportation Coordinator and an agency who receives transportation disadvantaged funds and performs some, if not all, of its own transportation services, as well as transportation services to others, when shown to be more effective and more efficient from a total system perspective. The contract reflects the specific terms and conditions that will apply to those agencies who perform their own transportation, as well as joint utilization and cost provisions for transportation services to and from the community transportation coordinator.

~~(3)~~<sup>(4)</sup> “Designated Official Planning Agency” means the official body or agency designated by the Commission to fulfill the functions of transportation disadvantaged planning in areas not covered by a Metropolitan Planning Organization. The Metropolitan Planning Organization shall serve as the designated official planning agency in areas covered by such organizations.

~~(4)~~<sup>(5)</sup> “Designated Service Area” means a geographical area recommended by a designated official planning agency, subject to approval by the Commission, which defines the community where coordinated transportation services will be provided to the transportation disadvantaged.

~~(5)~~<sup>(6)</sup> “Emergency” means any occurrence, or threat thereof, whether accidental, natural or caused by man, in war or in peace, which results or may result in substantial denial of transportation services to a designated service area for the transportation disadvantaged population.

~~(6)~~<sup>(7)</sup> “Emergency Fund” means transportation disadvantaged trust fund monies set aside to address emergency situations and which can be utilized by direct contract, without competitive bidding, between the Commission and an entity to handle transportation services during a time of emergency.

~~(7)~~<sup>(8)</sup> “Florida Coordinated Transportation System” (FCTS) means a transportation system responsible for coordination and service provisions for the transportation disadvantaged as outlined in Chapter 427, Florida Statutes.

~~(8)~~<sup>(9)</sup> “Local Government” means an elected and/or appointed public body existing to coordinate, govern, plan, fund and administer public services within a designated, limited geographic area within the state.

~~(9)~~<sup>(10)</sup> “Local Government Comprehensive Plan” means a plan that meets the requirements of Sections 163.3177 and 163.3178, Florida Statutes.

~~(10)~~<sup>(11)</sup> “Memorandum of Agreement” is the state contract for transportation disadvantaged services purchased with federal, state or local government transportation disadvantaged funds. This agreement is between the Commission and the Community Transportation Coordinator and recognizes the Community Transportation Coordinator as

being responsible for the arrangement of the provision of transportation disadvantaged services for a designated service area.

~~(11)~~<sup>(12)</sup> “Public Transit” means the transporting of people by conveyances or systems of conveyances, traveling on land or water, local or regional in nature, and available for use by the public. Public transit systems may be governmentally or privately owned. Public transit specifically includes those forms of transportation commonly known as “paratransit”.

~~(12)~~<sup>(13)</sup> “Regional Planning Council (RPC)” means the organization created under the provisions of Section 186.504, Florida Statutes.

~~(13)~~<sup>(14)</sup> “Reserve Fund” means transportation disadvantaged trust fund monies set aside each budget year to insure adequate cash is available for incoming reimbursement requests when estimated revenues do not materialize.

~~(14)~~<sup>(15)</sup> “State Fiscal Year” means the period from July 1 through June 30 of the following year.

~~(15)~~<sup>(16)</sup> “Transportation Disadvantaged Service Plan” means an annually updated plan jointly developed by the designated official planning agency and the Community Transportation Coordinator which contains a development plan, service plan, and quality assurance components. The plan shall be approved and used by the local Coordinating Board to evaluate the Community Transportation Coordinator.

~~(16)~~<sup>(17)</sup> “Transportation Operator” means one or more public, private for profit or private nonprofit entities engaged by the community transportation coordinator to provide service to transportation disadvantaged persons pursuant to a coordinated transportation development plan.

~~(17)~~<sup>(18)</sup> “Transportation Operator Contract” means a written contract between the Community Transportation Coordinator and the Transportation Operators, as approved by the Commission, that outlines the terms and conditions for any services to be performed.

~~(18)~~<sup>(19)</sup> “Trust Fund” means the Transportation Disadvantaged Trust Fund authorized in Section 427.0159, Florida Statutes, and administered by the Commission.

Rulemaking Specific Authority 427.013(9) FS. Law Implemented 427.011-427.017 FS. History—New 5-2-90, Amended 6-17-92, 1-4-94, 7-11-95, 5-1-96, 10-1-96, 3-10-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Commission for the Transportation Disadvantaged  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commission for the Transportation Disadvantaged  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2008  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 13, 2009

**COMMISSION FOR THE TRANSPORTATION DISADVANTAGED**

RULE NO.: 41-2.007  
 RULE TITLE: Reporting Requirements

PURPOSE AND EFFECT: The amendments made to the rule brings the rule into compliance with the new legislative changes.

SUMMARY: The amendments made to the rule brings the rule into compliance with the new legislative changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost was prepared. The Board determined that the proposed amendments would not have a impact on small business.

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.

RULEMAKING AUTHORITY: 476.013(9) FS.

LAW IMPLEMENTED: 427.012(8), 427.013(3), (7), (8), (9), (12), (13), (16), 427.0135(1), 427.015(1) 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: Bobby Jernigan, Interim Executive Director, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0405

THE FULL TEXT OF THE PROPOSED RULE IS:

41-2.007 Reporting Requirements.

(1) Each state agency shall identify in the legislative budget request provided to the Governor each year for the General appropriations Act the specific amount of money the purchasing agency will allocate to provide transportation disadvantaged services provide to the Commission prior to each state fiscal year, an estimate of all transportation disadvantaged funds anticipated to be available to each state agency's state fiscal year budget. The estimate shall include the following information identified by county:

- (a) ~~A brief description of the project or program;~~
- (b) ~~The dollar amount of transportation disadvantaged funds reported by categories of Coordinated, Non Coordinated, Transportation Alternatives, or Other; and~~
- (c) ~~The estimated number of one way passenger trips to be provided by categories of Coordinated, Transportation Alternatives, or Other.~~

(2) through (9) No change.

Rulemaking Specific Authority 427.013(9) FS. Law Implemented 427.012(8), 427.013(3), (7), (8), (9), (12), (13), (16), 427.0135(1), 427.015(1) FS. History—New 5-2-90, Amended 6-17-92, 11-17-92, 1-4-94, 7-11-95, 5-1-96, 3-10-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Commission for the Transportation Disadvantaged

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commission for the Transportation Disadvantaged

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 13, 2009

**COMMISSION FOR THE TRANSPORTATION DISADVANTAGED**

RULE NO.: 41-2.0162  
 RULE TITLE: Chronological Listing of Report Dates

PURPOSE AND EFFECT: The amendments made to the rule brings the rule into compliance with the new legislative changes.

SUMMARY: The amendments made to the rule brings the rule into compliance with the new legislative changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost was prepared. The Board determined that the proposed amendment would not have an impact on small business.

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.

RULEMAKING AUTHORITY: 476.013(9) FS.

LAW IMPLEMENTED: 476.013 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: Bobby Jernigan, Interim Executive Director, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0405

THE FULL TEXT OF THE PROPOSED RULE IS:

41-2.0162 Chronological Listing of Report Dates.

The following reports are listed in chronological order by due date and the recipient of the report:

- (1) No change.
- (2) ~~June 30 Annual Budget Estimates due from State Agencies and Official Planning Agencies.~~
- (2)(3) September 15 – Annual Operating Report of Community Transportation Coordinator due to Commission.
- (3)(4) September 15 – Transportation Improvement Programs in urbanized areas due to Commission.

~~(4)~~(5) September 15 – Annual report of the actual amount of funds expended and trips purchased due from each state agency.

~~(5)~~(6) September 15 – Annual report accounting for all local government and direct federal funds for transportation for the disadvantaged expended in its jurisdiction due from each designated official planning agency or metropolitan planning organization.

Rulemaking Specific Authority 427.013(9) FS. Law Implemented 427.013 FS. History–New 6-17-92, Amended 6-15-93, 1-4-94, 7-11-95, 5-1-96, 3-10-98,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Commission for the Transportation Disadvantaged  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commission for the Transportation Disadvantaged  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2008  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 13, 2009

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-9.060  
 RULE TITLE: Utilization Control in Institutional Care Facilities

PURPOSE AND EFFECT: The purpose is to repeal Rule 59G-9.060, F.A.C., Utilization Control in Institutional Care Facilities, because it is obsolete. The institutional care facility policies for Medicaid are governed by the institutional-specific Medicaid rules in Chapter 59G-4, F.A.C. The Health Quality Assurance institutional licensure policies are governed by the licensure rules in Chapter 59A, F.A.C. The effect will be to repeal Rule 59G-9.060, F.A.C., Utilization Control in Institutional Care Facilities.

SUMMARY: The purpose is to repeal Rule 59G-9.060, F.A.C., Utilization Control in Institutional Care Facilities, because it is obsolete.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency.

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.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.026(1), (6), 409.266 FS.

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

DATE AND TIME: Wednesday, May 27, 2009, 1:00 p.m.  
 PLACE: Agency for Health Care Administration, Building 3, Conference Room 2316, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Girard, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407; (850)488-9711; girardk@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-9.060 Utilization Control in Institutional Care Facilities.

Rulemaking Specific Authority 409.266(15) FS. Law Implemented 409.026(1), (6), 409.266 FS. History–Revised 7-16-79, Amended 7-5-81, 1-2-84, 10-15-85, Formerly 10C-7.58, Amended 12-21-87, 5-17-90, Formerly 10C-7.058, Repealed\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen Girard  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Holly Benson, Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 9, 2009

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement – Local Retirement**

RULE NO.: 60T-1.005  
 RULE TITLE: Review of Actuarial Reports and Actuarial Impact Statements

PURPOSE AND EFFECT: The purpose is to repeal Rule 60T-1.005, F.A.C., Review of Actuarial Reports and Actuarial Impact Statements.

SUMMARY: The proposed repeal of this rule is prompted by the substantial changes the Legislature has made to Section 112.63(4), F.S.

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

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

RULEMAKING AUTHORITY: 112.665(1) FS.

LAW IMPLEMENTED: 112.661(9), 112.61, 112.625, 112.63, 112.665, 112.64, 112.661(9) FS.

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

DATE AND TIME: May 26, 2009, 9:00 a.m.

PLACE: Division of Retirement, 1317 Winewood Blvd, Bldg. 8, Room 205, Tallahassee, FL 32399-1560

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: Garry Green, Operations and Management Consultant Manager, Department of Management Services, Division of Retirement, 1317 Winewood Blvd., Bldg. 8, Tallahassee, FL 32399-1560; (850)488-5706. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Garry Green, Operations and Management Consultant Manager, Department of Management Services, Division of Retirement, 1317 Winewood Blvd., Bldg. 8, Tallahassee, FL 32399-1560; (850)488-5706

THE FULL TEXT OF THE PROPOSED RULE IS:

60T-1.005 Review of Actuarial Reports and Actuarial Impact Statements.

Rulemaking Specific Authority 112.665(1) (e) FS. Law Implemented 112.63 FS. History–New 5-6-81, Formerly 22D-1.05, 22D-1.005, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gary Green  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: David Faulkenberry, Deputy Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Barbers’ Board**

RULE NO.: 61G3-21.012                      RULE TITLE: Notice of Non-Compliance

PURPOSE AND EFFECT: The proposed rule amendment requires the consumer laminate and display their license until the license is inactive.

SUMMARY: The proposed rule amendment imposes penalties on licensees who do not laminate their licenses accordance with Rule 61G3-19.009, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Costs has been prepared. The Board determined the proposed change to the rule is not expected to have an impact on small businesses, unless a citation is issued for non-compliance.

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.

RULEMAKING AUTHORITY: 476.064(4) FS.

LAW IMPLEMENTED: 455.225(3) 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: Robyn Barineau, Executive Director, 1940 North Monroe Street Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-21.012 Notice of Non-Compliance.

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

(c) Rule 61G3-19.009, F.A.C. – failure to laminate and display license as long as license is current.

(d) through (2) No change.

Rulemaking Specific Authority 476.064(4) FS. Law Implemented 455.225(3) FS. History–New 12-22-94, Amended 2-14-96, 5-1-96, 11-6-97, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers’ Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Barbers’ Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2008

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Chiropractic**

RULE NO.: 64B2-11.001                      RULE TITLE: Application for Licensure Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the application form by reference and to update the requirements for the licensure examination.

SUMMARY: The application form will be incorporated into the rule and the requirements for the licensure examination will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 460.405, 460.406 FS.

LAW IMPLEMENTED: 460.406 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: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-11.001 Application for Licensure Examination.

(1) Any person desiring to be licensed as a chiropractor shall apply to the Department of Health ~~to take the licensure examination. The application shall be made on board approved form DH-MQA 1147, (Rev 11/08), Application for Chiropractic Examination and Initial Licensure prepared and furnished by the Department, which is hereby incorporated by reference, and may be obtained from the Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.~~

(2) The licensure examination approved by the Board for licensure are the examinations developed and administered by the National Board of Chiropractic Examiners (hereafter NBCE) which consist of the Parts I, II, and III of the written examination, and beginning July 1, 2009, the Physiotherapy examination and Part IV, the practical examination; and the examination developed and administered by the Department of Health which measures and applicant's knowledge of Chapters 456 and 460, F.S., and the rules promulgated thereunder ("laws and rules examination"). A score of three hundred seventy-five (375) shall be necessary on each section of Parts I, II, III, and IV of the National Board Written Examination. A score of three hundred seventy-five (375) shall be necessary on the Physiotherapy Examination. A score of seventy-five percent (75%) is required on the Department of Health laws and rules examination. The board shall certify to the Department as eligible for to take the licensure examination only those applicants who have completed the application form, remitted the application and examination fee required by Chapter 64B2-12, F.A.C., to the Department and who have demonstrated to the Board the they:

(a) Are at least eighteen (18) years of age;

~~(b) Have completed, prior to matriculation in a chiropractic college, the equivalent of sixty (60) semester hours of resident college work toward a baccalaureate degree at a college or university accredited by an accrediting agency recognized and approved by the United State Department of Education, or for those who matriculate in a chiropractic college on or after July 1, 1990, shall have been granted, prior to being certified by the board to sit for the examination a bachelor's degree based upon four (4) academic years of study by a college or university accredited by a regional accrediting agency which is a member of the Commission on Recognition of Post secondary Accreditation, Effective July 1, 2000, completed, prior to matriculation in a chiropractic college, at least three (3) years of residence college work, consisting of a minimum of ninety (90) semester hours leading to a bachelor's degree in a liberal arts college or university accredited by an accrediting agency recognized and approved by the United States Department of Education. Applicants who matriculated in a chiropractic college after July 1, 2000, shall have been granted a bachelor's degree from an institution holding accreditation for that degree from a regional accrediting agency which is recognized by the United States Department of Education. The applicant's chiropractic degree must consist of credits earned in the chiropractic program and may not include academic credit for courses from the bachelor's degree. matriculation is defined as a student who is registered and enrolled in a chiropractic college;~~

~~(c) Are graduates of a chiropractic college which accredited by or has status with the Council on Chiropractic Education or its predecessor Department;~~

~~(d) Shall have successfully completed and passed the examination developed and administered by the National Board of Chiropractic Examiners (hereafter NBCE) which consists of the written examination and the Written Clinical Competency Examination. A sealed score of seventy-five (75) shall be necessary on each section of Part I, II and III, of the National Board Written Examination and a sealed score of seventy-five (75) shall be necessary on the Written Clinical competency Examination. These examinations shall be successfully completed within ten (10) years immediately preceding application to the department for licensure.~~

(3) In order that the Board may timely certify to the Department of Health those applicants eligible for licensure, to take the examination, all applications, fees, and supporting documentation including transcripts, NBCE examination results, fingerprint card, verification of licensure from other jurisdictions and, if applicable, certified copies of court records evidencing a criminal conviction, plea, or other disposition, must be on file with the Board no later than March 1st of each year for those candidates applying for the May Examination and September 1st for the November examination.

(4) Upon written request from an applicant, the Department shall provide a translated version of the laws and rules examination into a language other than English. If no such translated examination exists however, the Department shall require the applicant to pay the cost of the translation before employing translators to perform the task.

Rulemaking Specific Authority 460.405, 460.406 FS. Law Implemented 460.406 FS. History–New 1-10-80, Amended 3-15-81, 10-10-85, Formerly 21D-11.01, Amended 2-19-86, 10-6-86, 1-28-87, 2-1-88, 4-19-89, 12-31-89, 5-7-90, 7-8-90, 7-15-91, 2-2-93, Formerly 21D-11.001, Amended 4-18-94, Formerly 61F2-11.001, Amended 2-20-95, Formerly 59N-11.001, Amended 11-4-98, 3-23-00, 2-3-08, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Chiropractic Medicine  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 16, 2009

**DEPARTMENT OF HEALTH**

**Board of Chiropractic**

RULE NO.: 64B2-13.004  
RULE TITLE: Continuing Education  
PURPOSE AND EFFECT: The Board proposes the rule amendment in order to include additional ways of earning continuing education credits.

SUMMARY: Additional ways of obtaining continuing education credits will be included in the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 456.025(7), 460.408(3) FS.  
LAW IMPLEMENTED: 456.013(6), 456.025(7), 456.036(10), 460.408 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: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-13.004 Continuing Education.

(1) through (10) No change.

(11) In addition to the continuing chiropractic education credits authorized above, test examiners who have passed their trainee period and were used by the Department during the biennium and test consultants who assist the department in writing and reviewing the questions for the laws and rules examination will receive two eight hours of laws and rules continuing education credit for the biennium.

(12) In addition to the continuing chiropractic education credits authorized above, former Board members will receive thirteen eight hours of continuing education credit for the required hours in laws and rules, risk management, prevention of medical errors, boundaries and ethics, and record-keeping and documentation per biennium for annual service on a Probable Cause Panel.

(13) Board members shall receive thirteen hours of continuing education for the required hours in laws and rules, risk management, prevention of medical errors, boundaries and ethics, and record-keeping and documentation credit for each full or partial biennium served ~~the two risk management hours that relate to the laws and rules of the Board during their~~ on the Board.

Rulemaking Specific Authority 456.025(7), 460.408(3) FS. Law Implemented 456.013(6), 456.025(7), 456.036(10), 460.408 FS. History–New 1-10-80, Amended 11-25-80, 1-13-82, Formerly 21D-13.04, Amended 6-22-86, 7-5-87, 1-25-88, 10-17-90, 10-15-92, Formerly 21D-13.004, Amended 10-26-93, Formerly 61F2-13.004, Amended 3-16-95, 7-18-95, 6-11-96, Formerly 59N-13.004, Amended 6-24-98, 8-4-99, 7-11-02, 11-30-03, 4-17-05, 11-14-06, 11-13-07, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Chiropractic Medicine  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 20, 2009

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-3.001  
RULE TITLE: General Requirements of Clinical Laboratory Personnel Training Programs

PURPOSE AND EFFECT: The purpose of this amendment is to incorporate: (1) a new form to be utilized by applicants seeking approval to be clinical laboratory personnel training programs; (2) a new form for the self study document required of clinical laboratory personnel training programs; and (3) a new form for reporting a trainee’s status change.



SUMMARY: Rule 64B3-3.001, F.A.C., sets forth the requirements imposed on Clinical Laboratory Personnel Training Programs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 483.805(4), 483.811(2) FS.

LAW IMPLEMENTED: 483.800, 483.809, 483.811 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-3.001 General Requirements of Clinical Laboratory Personnel Training Programs.

(1) Each clinical laboratory personnel training program, hereinafter referred to as program, shall be approved by the Board of Clinical Laboratory Personnel and pay the fee set forth in subsection 64B3-9.001(3)(8), F.A.C. An applicant for approval shall apply to the Department on Form # DH-MQA 3007 (11/08) "Training Program Instructions" which is incorporated by reference herein, copies of which can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or from its website at <http://www.doh.state.fl.us/mqa/ClinLab/index.html>.

(2) No change.

(3)(a) Programs shall submit a self study at the time of the initial application and shall update the self study within six (6) months of any major change in curriculum, sponsorship, faculty, student enrollment or clinical sites. The self study shall be submitted to the Department on Form #DH-MQA 1167 (11/08) "Clinical Laboratory Training Program Self Study Document for Programs not Nationally Accredited" which is incorporated by reference herein, copies of which can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or from its website at <http://www.doh.state.fl.us/mqa/ClinLab/index.html> ~~document shall be prepared on a form provided by the Department entitled "Clinical Laboratory Training Program Self Study Document," DH1261 10/08, effective 1-11-99 which is hereby incorporated by reference and may be obtained from the Board office. If the program is accredited by the National Accrediting Agency for Clinical Laboratory Science (NAACLS), the~~

Council on Accreditation of Allied Health Education Programs (CAAHEP), or the Accrediting Bureau of Health Education Schools (ABHES), proof of accreditation may be substituted in lieu of the self study document.

(b) No change.

(4) All trainee's names shall be reported to the Board upon acceptance into the clinical laboratory personnel training program and at the time of the program's biennial renewal. The program director shall also report to notify the Board when a trainee withdraws. These reports shall be submitted to the Board on Form # DH-MQA 1166 (revised 11/08) "Notice of Trainee Status Change" which is incorporated by reference herein, copies of which can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or from its website at <http://www.doh.state.fl.us/mqa/ClinLab/index.html>.

(5) through (6) No change.

~~Rulemaking Specific~~ Authority 483.805(4), 483.811(2) FS. Law Implemented 483.800, 483.809, 483.811 FS. History--New 12-28-94, Amended 7-12-95, 4-24-96, Formerly 59O-3.001, Amended 1-11-99, 11-15-99, 9-29-02, 2-2-04, 12-5-04, 2-23-06, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-4.001                      RULE TITLE: Trainee Registration

PURPOSE AND EFFECT: The purpose of this amendment is to: (1) incorporate a new form to be utilized by applicants seeking trainee registration; (2) move the language setting forth the requirements imposed on trainees and trainee applicants; (3) incorporate a new form to be utilized for requesting an extension of trainee registration; and (4) amend the language governing the circumstances under which a trainee registration may be extended beyond its expiration date. SUMMARY: The proposed rule will govern how applicants become registered for enrollment in a clinical laboratory training program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.809(3), 483.811(2), (3), (4), 483.825 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-4.001 Trainee Registration.

(1) No change.

(2) An applicant for trainee registration shall apply to the Department on Form # DH-MQA 3005 (11/08) "Clinical Laboratory Trainee" forms ~~DH 1083 (10/97), Clinical Laboratory Trainee Application, effective 2-15-01,~~ which is incorporated by reference herein copies of which, and which can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 Department or from its website at <http://www.doh.state.fl.us/mqa/ClinLab/index.html> [www.DOH.state.fl.us/mqa](http://www.DOH.state.fl.us/mqa).

(3) Upon graduation from a Board approved training program, a student who intends to work in a laboratory licensed under Chapter 483, Part I, Florida Statutes, shall apply for licensure.

(4) Individuals enrolled in a Board-approved histology program shall be issued a two-year trainee registration.

(5) All trainee applicants shall submit either a certified copy of a high school diploma or its equivalent, or an official transcript sent directly to the Department.

~~(6)(3) If the trainee is unable to complete the training by the date indicated on the application for initial registration due to the reasons set forth in subsection (7), then the training program coordinator must submit to the Board of Clinical Laboratory Personnel Form # DH-MQA 1165 (11/08) "Request to Extend Trainee Registration" which is incorporated by reference herein, copies of which can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or from its website at <http://www/doh/state/fl/us/mqa/ClinLab/index.html>, based on extenuating circumstances such as the applicant's surgery, serious illness or injury, hospitalization, pregnancy or a death in the applicant's family, a letter must be submitted from the training program coordinator to the Board of Clinical Laboratory Personnel explaining the reasons. Failure to submit such a letter shall result in a denial of the request for renewal.~~

~~(7)(4) Trainee registration may not be extended beyond its expiration date except upon recommendation of the program director and approval by the Board based upon one of the following circumstances:~~

~~(a) Approved training program failed to commence on the date indicated in the training program's application for approval.~~

~~(b) Trainee withdrew from approved training program and reentered the same or another approved training program at a later date.~~

~~(c) Training program ceases to operate after trainee's registration.~~

~~(d) Trainee is unable to complete the approved program requirements prior to the expiration date of the trainee's registration because of extenuating circumstances.~~

~~(5) Upon graduation from a Board approved training program, a student who intends to work in a laboratory licensed under Chapter 483, Part I, Florida Statutes, shall apply for licensure. Individuals enrolled in a Board approved histology program shall be issued a two year trainee registration.~~

~~(6) All trainee applicants shall submit either a certified copy of a high school diploma or its equivalent, or an official transcript sent directly to the Department.~~

Rulemaking Specific Authority 483.805(4) FS. Law Implemented 483.809(3), 483.811(2), (3), (4), 483.825, ~~483.827~~ FS. History--New 7-20-93, Formerly 21KK-4.001, 61F3-4.001, Amended 4-10-96, 7-3-97, Formerly 59O-4.001, Amended 3-19-98, 2-15-01, 3-24-02, 3-30-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NOS.:	RULE TITLES:
64B3-5.002	Supervisor
64B3-5.003	Technologist
64B3-5.007	Director; Limitations and Qualifications
64B3-5.008	Public Health Laboratory Personnel

PURPOSE AND EFFECT: The purpose of this notice is to: (1) incorporate a new version of the application form for those seeking licensure as Public Health Laboratory Scientists; (2) require those seeking initial licensure as a Clinical Laboratory Director to complete a 2-hour course on the prevention of medical errors; (3) amend the requirements for those seeking

licensure as Public Health Laboratory Personnel; (4) add molecular pathology as a specialty for technicians; and (5) require that those seeking licensure as Clinical Laboratory Supervisors, Technologists, Technicians, or Directors complete a course on HIV/AIDS.

SUMMARY: The proposed rules: (1) incorporate a new version of the application form for those seeking licensure as Public Health Laboratory Scientists; (2) require those seeking initial licensure as a Clinical Laboratory Director to complete a 2-hour course on the prevention of medical errors; (3) amend the requirements for those seeking licensure as Public Health Laboratory Personnel; (4) add molecular pathology as a specialty for technicians; and (5) require that those seeking licensure as Clinical Laboratory Supervisors, Technologists, Technicians, or Directors complete a course on HIV/AIDS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034(3), 483.800, 483.809, 483.811(2), 483.812, 483.815, 483.823, 483.824 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULES IS:

64B3-5.002 Supervisor.

Qualifications and Responsibilities.

(1) Qualification. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or by foreign education equated pursuant to subsection 64B3-6.002(6), F.A.C. In order to be licensed as a supervisor, an applicant shall be licensed or meet the requirements for licensure as a technologist, and have a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, patient safety, complete an educational course acceptable to the Department on human immunodeficiency virus and acquired immune deficiency syndrome, and one of the following:

- (a) through (f) No change.
- (2) through (4)(i) No change.

Rulemaking Specific Authority 483.805(4), 483.823 FS. Law Implemented 381.0034(3), 483.800, 483.809, 483.815, 483.823 FS. History–New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 590-5.002, Amended 5-26-98, 1-11-99, 6-10-99, 3-11-01, 9-19-01, 5-23-02, 10-14-02, 9-16-03, 4-20-04, 2-23-06, 5-25-06, 7-9-07, 2-7-08,\_\_\_\_\_.

64B3-5.003 Technologist.

(1) Technologist Qualifications. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or, if foreign education, equated pursuant to subsection 64B3-6.002(6), F.A.C. Applicants for technologist licensure in the categories of microbiology, serology/immunology, chemistry, hematology, immunohematology, histocompatibility, blood banking, cytology, cytogenetics, histology, molecular pathology, andrology and embryology shall have a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety, and such applicants shall complete an educational course acceptable to the Department on human immunodeficiency virus and acquired immune deficiency syndrome.

(2) through (3)(h) No change.

Rulemaking Specific Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034(3), 483.800, 483.809, 483.811(2), 483.815, 483.823 FS. History–New 12-6-94, Amended 7-12-95, 9-10-95, 12-4-95, Formerly 590-5.003, Amended 5-26-98, 1-11-99, 7-5-01, 3-24-02, 10-29-02, 8-16-04, 5-15-05, 12-19-05, 5-25-06, 7-9-07, 2-7-08,\_\_\_\_\_.

64B3-5.007 Director; Limitations and Qualifications.

(1) All applicants for a Director license must have the qualifications for a High Complexity Laboratory Director, listed in 42 CFR 493.1443 as published on October 1, 2007, and complete a Board-approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety. Such applicants shall also complete an educational course acceptable to the Department on human immunodeficiency virus and acquired immune deficiency syndrome.

(2) No change.

Rulemaking Specific Authority 483.805(4) FS. Law Implemented 381.0034(3), 483.809, 483.823(1), 483.824 FS. History–New 6-6-85, Formerly 10D-41.67, Amended 3-11-90, Formerly 10D-41.067, Amended 7-1-97, Formerly 590-5.007, Amended 5-26-98, 3-2-99, 3-24-02, 10-14-02, 4-20-04, 2-23-06, 3-17-08,\_\_\_\_\_.

64B3-5.008 Public Health Laboratory Personnel.

(1) Applicants for director level licensure in the category of public health must meet the requirements in Rule 64B3-5.007, F.A.C., for licensees at the Director level in chemistry or microbiology who are registered by the National

~~Registry in Clinical Chemistry or the American Society for Microbiology shall pass the supervision and administration examination.~~

(2) Applicants for supervisor level licensure in the category of public health must meet the requirements in Rule 64B3-5.002, F.A.C., for licensure at the supervisory level who are registered by the National Registry in Clinical Chemistry or the American Society for Microbiology at the technologist level shall pass the supervision and administration examination.

(3) No change.

(4) All applicants for licensure as a Public Health Laboratory Scientist shall apply to the Department on Form # DH-MQA 3001 (11/08) "Applicant for Public Health Laboratory Scientist" which is incorporated by reference herein, copies of which can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or from its website at <http://www.doh.state.fl.us/mqa/ClinLab/index.html>.

Rulemaking Specific Authority 483.805(4) FS. Law Implemented 483.809(2), 483.812 FS. History--New 5-26-98, Amended 4-20-04,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NOS.:                   RULE TITLES:  
64B3-6.001                   Manner of Application  
64B3-6.002                   Documentation for Licensure

PURPOSE AND EFFECT: The purpose of this notice is to amend Rule 64B3-6.001, F.A.C., in order to: (1) incorporate an amended version of an application form; and (2) set forth a more precise statutory citation which makes the disclosure of social security numbers mandatory. This notice is also intended to amend Rule 64B3-6.002, F.A.C., in order to clarify the type of supporting documentation that must be submitted with licensure applications.

SUMMARY: Rule 64B3-6.001, F.A.C., sets forth the manner by which applicants can apply for licensure as Clinical Laboratory Personnel Directors, Supervisors, Technologists, or Technicians. Rule 64B3-6.002, F.A.C., describes the type of documentation that must be submitted with licensure applications.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 456.013, 483.815, 483.823 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULES IS:

64B3-6.001 Manner of Application.

(1) All applicants for licensure as a Clinical Laboratory Personnel Director, Supervisor, Technologist, or Technician shall apply to the Department on Form # DH-MQA 3000 (11/08) "Application for Clinical Laboratory Personnel Director, Supervisor, Technologist, and Technician" All persons applying for licensure shall submit an application signed under oath to the Board on Form #DH-MQA3000 10/09, Application for Clinical Laboratory Licensure which is incorporated by reference herein, copies of which and which can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 Department or from its website at <http://www.doh.state.fl.us/mqa/ClinLab/index.html> the web address [www.doh.state.fl.us/mqa](http://www.doh.state.fl.us/mqa). The application must be accompanied by the appropriate application fee required by Rule 64B3-9.001, F.A.C.

(2) No change.

(3) With regard to persons who have been issued a social security number by the Federal Government, disclosure of a social security number is mandatory pursuant to Section 456.013(1)(a), F.S. Sections 456.004(9), 409.2577 and 409.2598, F.S., and social security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations.

Rulemaking Specific Authority 456.013, 483.805(4) FS. Law Implemented 456.013, 483.815, 483.823 FS. History--New 12-29-93, Formerly 61F3-6.001, Amended 5-29-95, 8-1-95, Formerly 59O-6.001, Amended 8-27-97, 9-20-98, 1-5-00, 3-24-02, 4-13-04,

64B3-6.002 Documentation for Licensure.

The following is a list of acceptable documents which shall be submitted to the Board as appropriate for the type of license sought in order to show eligibility for the license:

- (1) Official transcript sent directly from the institution.
- (2) A civil notarized ~~Notarized~~ copy of high school diploma.
- (3) Certified copy of a diploma, training certificate or Department of Defense form DD-214 or any other document which verifies pertinent education and experience.
- (4) A civil notarized ~~Notarized~~ copy of certificate of attendance or ~~notarized~~ documentation of training required pursuant to Chapters 64B3-4 and 64B3-3, F.A.C., and continuing education required pursuant to Chapter 64B3-11, F.A.C., including HIV/AIDS continuing education, and the 2-hour course on medical error prevention.
- (5) Civil notarized ~~Certified~~ copies of documents of foreign education and translation, if appropriate.
- (6) Foreign credentials evaluation which includes a breakdown of all college level courses by credit hours and subject sent directly to the board office by one of the following evaluators:
  - (a) A regionally accredited U.S. college or university.
  - (b) American Society for Clinical Pathology Board of Registry.
  - (c) National Accrediting Agency for Clinical Laboratory Sciences.
  - (d) Center for Applied Research, Evaluation & Education, Inc.
  - (e) Foundation for International Services, Inc.
  - (f) Educational Credential Evaluators, Inc.
  - (g) International Consultants of Delaware, Inc.
  - (h) Education Evaluators International, Inc.
  - (i) International Education Research Foundation, Inc.
  - (j) Education International.
  - (k) Josef Silney & Associates International Educational Consultants.
    - (l) Foreign Academic Credentials Services, Inc.
    - (m) World Education Services, Inc.
- (7) Individuals with a baccalaureate degree in accredited medical technology programs from accredited institutions in the Philippines need only submit official transcripts sent directly by the institution to the Board office. No foreign credentials evaluation is necessary.
- (8) Applicants with a degree from a regionally accredited U.S. college or university whose major is not a chemical or biological science may submit an evaluation of the applicant's academic record from the chairperson of a chemical or biological science department of a regionally accredited U.S. college or university to demonstrate that the applicant's education is equivalent to a U.S. degree in the chemical or biological sciences.

Rulemaking Specific Authority 483.805(4) FS. Law Implemented 483.815, 483.823 FS. History--New 1-9-94, Amended 7-13-94, Formerly 61F3-6.002, Amended 12-28-94, 5-29-95, Formerly 59O-6.002, Amended 8-27-97, 10-14-02, 4-13-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Clinical Laboratory Personnel  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-9.0035  
RULE TITLE: Additional Specialty Fee  
PURPOSE AND EFFECT: The purpose of this new rule is to impose a \$25.00 fee on those clinical laboratory personnel licensees seeking to add a specialty to an existing license.  
SUMMARY: The proposed rule imposes a \$25.00 fee on those clinical laboratory personnel licensees seeking to add a specialty to an existing license.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 456.025(3), 483.805(4), 483.807(1) FS.

LAW IMPLEMENTED: 456.025, 483.807(1) 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-9.0035 Additional Specialty Fee.

The fee for adding a specialty to an existing license shall be \$25.00.

Rulemaking Authority 456.025(3), 483.805(4), 483.807(1) FS. Law Implemented 456.025, 483.807(1) FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Clinical Laboratory Personnel  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Board of Clinical Laboratory Personnel  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: November 14, 2008  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: March 27, 2009

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.:                      RULE TITLE:  
64B3-9.008                    Request to Extend Trainee  
  Registration

PURPOSE AND EFFECT: The purpose of this new rule is to impose a \$25.00 fee on those clinical laboratory personnel trainees seeking to extend their registration.

SUMMARY: The proposed rule would impose a \$25.00 fee on those clinical laboratory personnel trainees seeking to extend their registration.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 456.025(3), 483.805(4), 483.807 FS.

LAW IMPLEMENTED: 456.025, 483.807(1), 483.809(3) 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-9.008 Request to Extend Trainee Registration.  
The fee for extending trainee registration shall be \$25.00.

Rulemaking Authority 456.025(3) FS. Law Implemented 483.807(1), 483.809(3) FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Clinical Laboratory Personnel  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Board of Clinical Laboratory Personnel  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: November 14, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: March 27, 2009

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.:                      RULE TITLE:  
64B3-9.011                    Delinquency Fee

PURPOSE AND EFFECT: The purpose of this notice is to amend Rule 64B3-9.011, F.A.C., so that the fee for a delinquent licensee applying for active or inactive status shall be equal to the applicable renewal set forth in Rule 64B3-9.004, F.A.C.

SUMMARY: The amended rule will establish that the fee for a delinquent licensee applying for active or inactive status shall be equal to the applicable renewal fee set forth in Rule 64B3-9.004, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 456.025, 456.036, 483.807(1) FS.

LAW IMPLEMENTED: 456.025, 456.036, 483.807 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-9.011 Delinquency Fee.

The fee for a delinquent licensee applying for active or inactive status shall be equal to the renewal fee set forth in Rule 64B3-9.004, F.A.C. ~~\$100.~~

Rulemaking Specific Authority 456.025, 456.036, 483.807(1) FS. Law Implemented 456.025, 456.036, 483.807 FS. History--New 12-26-94, Formerly 590-9.011, Amended 5-26-98, 9-6-00, 2-24-04,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Clinical Laboratory Personnel  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Board of Clinical Laboratory Personnel  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: November 14, 2008  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: March 27, 2009

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-11.001  
 RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The purpose of this amendment is to change the type of documentation that must be submitted by licensees when the Department is conducting an audit to verify compliance with the continuing education requirement.

SUMMARY: Rule 64B3-11.001, F.A.C., sets forth provisions governing the continuing education requirement that must be satisfied by Clinical Laboratory Personnel.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 456.013, 483.821 FS.

LAW IMPLEMENTED: 456.013, 483.821 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: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-11.001 Continuing Education.

(1) through (6)(d) No change.

(7) A random sample of licensees shall be audited by the Department to determine compliance with the continuing education requirement. Within 30 calendar days of notification of selection, licensees selected for audit shall submit to the Department ~~an original or~~ certified copy of each certificate of attendance provided to the licensee under subsection 64B3-11.003(5), F.A.C., since the date of the last license renewal.

(8) through (9) No change.

Rulemaking Specific Authority 483.805(4) FS. Law Implemented 483.815, 483.823 FS. History—New 1-9-94, Amended 7-13-94, Formerly 61F3-6.002, Amended 12-28-94, 5-29-95, Formerly 59O-6.002, Amended 8-27-97, 10-14-02, 4-13-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-25.001  
 RULE TITLE: Examination Requirements

PURPOSE AND EFFECT: The proposed rule amendment is to adopt and incorporate by reference a new Application for Licensure.

SUMMARY: The rule amendment adopts and incorporates a new application for licensure which reflects changes to the application.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has been prepared. The proposed changes do not impose additional costs on applicants or small business.

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.

RULEMAKING AUTHORITY: 456.013(7), 456.017(1)(c), 456.034, 480.035(7), 480.041(2), 480.042(1) FS.

LAW IMPLEMENTED: 456.013(7), 456.017(1)(c), 456.034, 480.041, 480.042 FS.

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

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: Kay Howerton, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kay Howerton, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-25.001 Examination Requirements.

(1) The Department shall issue a license to a person who:

(a) No change.

(b) Submits a completed application on form DH-MQA 1115, "Application For Licensure," (Rev. 7/08 ~~11/07~~). The form and the attached instructions are incorporated herein by reference and may be obtained from the Board Office at 4052



Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399 or from the website located at <http://www.doh.state.fl.us/mqa/massage/>.

- (c) through (f) No change.
- (2) No change.

Rulemaking Specific Authority 456.013(7), 456.017(1)(c), 456.034, 480.035(7), 480.041(2), 480.042(1) FS. Law Implemented 456.013(7), 456.017(1)(c), 456.034, 480.041, 480.042 FS. History–New 11-27-79, Amended 9-2-80, 10-9-85, Formerly 21L-25.01, Amended 12-22-92, 3-24-93, 5-20-93, Formerly 21L-25.001, Amended 8-12-93, 6-28-94, 8-18-96, Formerly 61G11-25.001, Amended 5-20-98, 7-30-02, 3-31-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Massage Therapy  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 16, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 16, 2009

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-25.004  
RULE TITLE: Endorsements

PURPOSE AND EFFECT: The proposed rule amendment is to adopt and incorporate by reference a new Application for Licensure.

SUMMARY: The rule amendment adopts and incorporates a new application for licensure which reflects changes to the application.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has been prepared. The proposed changes do not impose additional costs on applicants or small business.

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.

RULEMAKING AUTHORITY: 456.013(2), 480.035(7), 480.041(4)(c) FS.

LAW IMPLEMENTED: 456.013(2), 480.041(4)(c) FS.

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

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: Kay Howerton, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06,

Tallahassee, Florida 32399-3256. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kay Howerton, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-25.004 Endorsements.

(1) The Department shall issue a license by endorsement to a person who:

(a) Pays to the Department the initial licensure fee set forth in subsection 64B7-27.008(2), F.A.C.; and

(b) Submits a completed application on form DH-MQA 1115, "Application For Licensure," (~~Rev 7/08~~ ~~4/07~~). The form and the attached instructions are incorporated herein by reference and may be obtained from the Board Office at 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399 or from the website located at <http://www.doh.state.fl.us/mqa/massage/>; and

(c) Is currently licensed and has practiced massage under the laws of another state, and was required, in order to be so licensed to meet standards of education or apprenticeship training substantially similar to, equivalent to, or more stringent than those required for licensure by Florida law and these rules; and

(d) Demonstrates that his out-of-state license was issued upon the satisfactory completion of an examination comparable to the examination approved by the Board; and

(e) Has no outstanding or unresolved complaints filed against him or her in the jurisdiction of licensure.

(f) Completes a current curriculum course from a Board approved school covering the Florida Statutes and rules related to massage therapy.

(g) Completes the HIV/AIDS course requirement in Rule 64B7-25.0012, F.A.C.

(h) Completes a course relating to the prevention of medical errors as required by Section 456.013(7), F.S.

(2) The Department may interview an applicant for licensure by endorsement to determine whether he qualifies for such endorsement.

Rulemaking Specific Authority 456.013(2), 480.035(7), 480.041(4)(c) FS. Law Implemented 456.013(2), 480.041(4)(c) FS. History–New 11-27-79, Amended 7-9-80, 8-29-83, 10-9-85, Formerly 21L-25.04, Amended 6-12-88, 8-15-89, 2-11-93, Formerly 21L-25.004, Amended 9-15-94, 1-9-95, 8-18-96, 1-29-97, Formerly 61G11-25.004, Amended 6-22-99, 12-6-06, 3-31-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Massage Therapy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy



DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 24, 2008  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 16, 2009.

## DEPARTMENT OF HEALTH

### Board of Opticianry

RULE NO.: 64B12-9.002  
 RULE TITLE: Re-Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to adopt the Re-Examination Application and to provide the form number and the website address where the form can be downloaded.

SUMMARY: The rule amendment will adopt the Re-Examination Application and to provide the form number and the website address where the form can be downloaded.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined that small businesses would not be affected by this rule.

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.

RULEMAKING AUTHORITY: 456.017(2), 484.005 FS.

LAW IMPLEMENTED: 456.017(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 RULE IS: Sue Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

#### 64B12-9.002 Re-Examination

An applicant who fails any portion of the state examination for licensure shall be required to pay the re-examination fee as set forth in Rule ~~64B-1.016~~ ~~64B12-11.004~~, F.A.C., and to retake only that portion of the examination on which the applicant has not yet achieved a passing grade. However, an applicant may only retake any portion twice and must complete the allowed retakes within 2 years of the original failed examination date. An applicant who has not achieved a passing score on all portions of the original examination within 2 years of the original examination date must apply for and take the entire current licensure examination excluding ABO and NCLE, provided current certification is maintained. An applicant seeking to retake any portion of the state examination for licensure as described above shall submit to the Board a completed application on Form DH-MQA 1190, Re-Examination Application (revised 03/09), hereby adopted

and incorporated by reference, which can be obtained from the Board of Opticianry's website at [www.doh.state.fl.us/mqa/opticianry](http://www.doh.state.fl.us/mqa/opticianry).

Rulemaking Specific Authority 456.017(2), 484.005 FS. Law Implemented 456.017(2) FS. History—New 12-6-79, Amended 8-29-85, Formerly 21P-9.02, Amended 3-10-86, 3-5-87, Formerly 21P-9.002, Amended 5-2-94, Formerly 61G13-9.002, 59U-9.002, Amended 8-28-05, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Opticianry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 31, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

## DEPARTMENT OF HEALTH

### Board of Respiratory Care

RULE NO.: 64B32-6.001  
 RULE TITLE: Continuing Education Requirement

PURPOSE AND EFFECT: The Board proposes the rule amendment to disallow Basic Life Support (BLS) classes as continuing education as it is too basic to constitute continuing education for respiratory care professional.

SUMMARY: The rule amendment will disallow Basic Life Support (BLS) classes as continuing education as it is too basic to constitute continuing education for respiratory care professional.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has been prepared and is available by contacting Allen Hall, Executive Director, at the address below.

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.

RULEMAKING AUTHORITY: 456.013(8), 468.361(2) FS.

LAW IMPLEMENTED: 468.361 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: Allen Hall, Executive Director, Board of Respiratory Care Specialists/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-6.001 Continuing Education Requirement.  
 (1) through (5) No change.

(6) A licensee needs twenty-four (24) hours of Continuing Education each biennium in order to renew a Respiratory Care License. None of these hours can be obtained by taking Basic Life Support (BLS) training.

Rulemaking Specific Authority 456.013(8), 468.361(2) FS. Law Implemented 468.361 FS. History—New 4-29-85, Formerly 21M-38.01, Amended 9-29-86, Formerly 21M-38.001, Amended 1-2-94, Formerly 61F6-38.001, Amended 11-1-94, Formerly 59R-75.001, Amended 6-9-99, Formerly 64B8-75.001, Amended 5-15-05, 10-28-07, 5-15-08, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Respiratory Care Specialists  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Respiratory Care Specialists  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 20, 2009

**DEPARTMENT OF FINANCIAL SERVICES  
Division of Consumer Services**

RULE NO.: 69J-7.003  
RULE TITLE: Free Wind Inspection  
PURPOSE AND EFFECT: Section 215.5586, F.S., created the My Safe Florida Home Program to provide free home inspections and grants to certain homeowners to undertake hurricane mitigation work on their homes.

SUMMARY: The proposed rule implements Section 215.5586, F.S., by setting forth the procedure for applying for a free wind inspection, the criteria for eligible homeowners, and the information required to be in the inspection report provided to the homeowner.

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.

RULEMAKING AUTHORITY: 215.5586(6) FS.  
LAW IMPLEMENTED: 215.5586 FS.

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

DATE AND TIME: May 18, 2009, 2:00 p.m.  
PLACE: Room 142, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting: Ellen Simon; (850)413-4270 or ellen.simon@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ellen Simon, Chief Counsel, Division of Legal Services, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0333; (850)413-4270 or ellen.simon@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-7.003 Free Wind Inspections.

(1) The process to apply for a free wind inspection is for a homeowner to apply on-line at <http://www.mysafefloridahome.com/NewApplicant.asp> or by telephone at 1(866)513-6734.

(2) The application for a free wind inspection will be approved if the homeowner lives in a single-family, site-built, detached home. Properties that are ineligible for a free wind inspection include mobile homes, manufactured homes, apartments, condominiums, multi-family dwellings and businesses.

(3) An application number will be assigned to each applicant. The application number will be utilized for identification purposes for all services in the My Safe Florida Home Program.

(4) If approved, the homeowner will be contacted by an approved inspection firm or inspector by telephone within three weeks to schedule the free inspection.

(5) As part of the inspection, the inspector will review any documents the homeowner has on their opening protections (such as shutters, impact resistant windows or garage door). The inspector will also review any documents in regards to roofs under five years old. If the inspector is unable to determine the wind protection rating or building code approval number of the existing shutters or roof shingles, and the homeowner is unable to provide documentation to substantiate this information, then the inspector will not be able to confirm that the homeowner has hurricane-rated opening protection or roof covering.

(6) The inspector will take photos of the applicant's home during the inspection if the inspector believes that the photos will facilitate the preparation of the inspection report.

(7) At the end of the inspection, the homeowner will be asked to sign a form verifying an inspection was conducted. After the inspection, the inspector shall send the homeowner a free inspection report within 45 days. The report shall include the following information:

(a) An outline of improvements that could be made to the home to increase resistance to hurricane wind damage;

(b) An estimate of how much each improvement would cost to complete;

(c) An estimate of insurance discounts that may be available, if insurance information was provided when applying for the inspection; and

(d) A hurricane resistance rating that shows the home's current ability, and future ability with improvements, to withstand hurricanes.

~~The standards and procedures for determination of eligibility for a free home inspection pursuant to Section 215.5586, F.S., are set forth in Florida Department of Financial Services Florida Comprehensive Hurricane Damage Mitigation Program My Safe Florida Home Program Homeowner's Guide to Free Home Inspections, Booklet 829 B, (Eff. 1/31/07), which is hereby incorporated by reference into this rule. The booklet may be obtained by contacting the Department's Division of Consumer Services at 1(800)342-2762 or it may be downloaded from the Department's website at <http://www.mysafefloridahome.com/>.~~

Rulemaking Specific Authority 215.5586(6) FS. Law Implemented 215.5586 FS. History--New 1-31-07, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ellen Simon, Chief Counsel, Division of Legal Services, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 8, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 13, 2009

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Funeral, Cemetery, and Consumer Services**

RULE NO.: 69K-6.009  
 RULE TITLE: Identification Tags-Acceptable Materials, Locations, and Methods of Affixing

PURPOSE AND EFFECT: Section 497.171, F.S., authorizes the Board to adopt rules specifying acceptable materials, locations, and methods to affix identification tags to caskets, alternative containers, cremation containers, outer burial containers, and cremation internment containers.

SUMMARY: The proposed rule amendment will add, as an acceptable material for an identification tag, the use of an electronic identification marker that uses a passive radio frequency signal to communicate between the marker and a hand held receiver to identify the deceased.

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.

RULEMAKING AUTHORITY: 497.103(1)(n), (5)(a), 497.171 FS.

LAW IMPLEMENTED: 497.103(1)(n), 497.171 FS.

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

DATE AND TIME: May 18, 2009, 2:00 p.m.

PLACE: Alexander Building, 2020 Capital Circle, S. E., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Doug Shropshire; (850)413-3039 or [doug.shropshire@myfloridacfo.com](mailto:doug.shropshire@myfloridacfo.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Doug Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Alexander Building, 2020 Capital Circle S. E., Tallahassee, Florida 32399-0361; (850)413-3039

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-6.009 Identification Tags – Acceptable Materials, Locations, and Methods of Affixing.

(1) Caskets.

(a) Acceptable materials for an identification tag for a casket shall include only the following:

1. through 5. No change.

6. An electronic identification marker encased in plastic which uses a passive radio frequency signal to allow for communication between the marker and a hand held receiver, that will identify the deceased.

(b) through (c) No change.

(2) Alternative Containers.

(a) Acceptable materials for an identification tag for an alternative container shall include only the following:

1. through 5. No change.

6. An electronic identification marker encased in plastic which uses a passive radio frequency signal to allow for communication between the marker and a hand held receiver, that will identify the deceased.

(b) through (c) No change.

(3) Cremation Containers.

(a) Acceptable materials for an identification tag for a cremation container shall include only the following:

1. through 5. No change.

6. An electronic identification marker encased in plastic which uses a passive radio frequency signal to allow for communication between the marker and a hand held receiver, that will identify the deceased.

(b) through (c) No change.

(4) Outer Burial Containers.

(a) Acceptable materials for a tag or permanent marker for outer burial containers shall include only the following:

1. through 3. No change.

4. An electronic identification marker encased in plastic which uses a passive radio frequency signal to allow for communication between the marker and a hand held receiver, that will identify the deceased.

(b) No change.

(5) Cremation Interment Containers.

(a) Acceptable materials for a tag or permanent marker for cremation interment containers shall include only the following:

1. through 3. No change.

4. An electronic identification marker encased in plastic which uses a passive radio frequency signal to allow for communication between the marker and a hand held receiver, that will identify the deceased.

(b) No change.

Rulemaking Specific Authority 497.103(1)(n), (5)(a), 497.171 FS. Law Implemented 497.103(1)(n), 497.171 FS. History—New 2-6-07, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Doug Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Funeral, Cemetery, and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 8, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 23, 2009

### Section III Notices of Changes, Corrections and Withdrawals

#### DEPARTMENT OF EDUCATION

##### State Board of Education

RULE NO.:

6A-6.0907

RULE TITLE:

Inservice Requirements for  
Personnel of Limited English  
Proficient Students

#### 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. 35, No. 5, February 6, 2009 issue of the Florida Administrative Weekly.

Paragraph (1)(a) is amended to read:

(1)(a) Any teacher using ESOL strategies to teach mathematics, science, social studies, or computer literacy assigned to instruct English Language Learners on September 15, 1990, or for the first time in any given school year thereafter shall complete at least sixty points of inservice training or three semester hours of college credit in methods of teaching English to speakers of other languages, ESOL curriculum and materials development, cross-cultural communications and understanding, and ~~or~~ testing and evaluation of ESOL by September 15 of the following year.

#### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

#### DEPARTMENT OF CORRECTIONS

RULE NO.:

33-501.401

RULE TITLE:

Admissible Reading Material

#### 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. 35, No. 7, February 20, 2009 issue of the Florida Administrative Weekly.

33-501.401 Admissible Reading Material.

(1) through (16) No change.

(17) Bindings and covers.

(a) Bindings

1. through 2. No change.

3. If a publication is only available with a metal or spiral binding and no alternatives exist to allow access to it, the inmate may receive the publication only after the metal or spiral binding has been removed. The inmate shall make the decision whether to return the publication to the sender or to receive it after the institution has excised the metal or spiral binding, and the inmate may appeal an institution's determination that the metal or spiral binding must be excised or returned. The institution shall not take any action to excise the metal or spiral binding or return the publication to sender until the inmate's appeal is concluded or the time for appeal has passed. Documentation of the inmate agreeing to the removal of the metal or spiral bid shall be obtained prior to removal of the binding. This documentation shall at a minimum be filed in the inmate file. If the inmate does not agree or does not provide documentation that he wishes to have the metal or spiral binding removed, the publication shall be returned to the publisher or sender.

(b) Covers.

1. Due to security concerns, inmates at Florida State Prison Main Unit or in death row or close management status in any institution shall not be allowed to receive hard-cover publications. However, if a publication is unavailable in soft-cover and no alternatives exist to allow access to the publication, the inmate may receive the publication only after the hard cover has been removed. The inmate shall make the decision whether to return the publication to the sender or to receive ~~it~~ ~~the admissible portions~~ after the institution has excised the hard-cover, and the inmate may appeal an institution's determination that the hard cover must be excised or returned. The institution shall not take any action to excise the hard-cover or return the publication to sender until the inmate's appeal is concluded or the time for appeal has passed. Documentation of the inmate agreeing to the removal of the hard-cover shall be obtained prior to removal of the cover. This documentation shall at a minimum be filed in the inmate file. If the inmate does not agree or does not provide documentation that he wishes to have the cover removed, the publication shall be returned to the publisher or sender.

2. No change.

(18) through (25) No change.

~~Rulemaking Specific~~ Authority 944.09, 944.11 FS. Law Implemented 944.11 FS. History--New 10-8-76, Amended 3-3-81, 9-24-81, Formerly 33-3.12, Amended 6-9-87, 3-11-91, 12-17-91, 3-30-94, 11-2-94, 5-10-98, 10-20-98, Formerly 33-3.012, Amended 3-21-00, 8-10-00, 10-13-02, 7-2-03, 12-30-04, 9-5-05, 8-1-06, Amended \_\_\_\_\_.

**DEPARTMENT OF ELDER AFFAIRS**

**Training Requiring Provider and Curriculum Approvals**

RULE NOS.:	RULE TITLES:
58T-1.201	Purpose of Assisted Living Facility (ALF) Core Training Provider and Curriculum Approvals

58T-1.203	ALF Core Training Provider Qualifications
58T-1.205	ALF Minimum Core Training Curriculum Requirements
58T-1.207	ALF Core Training Provider Initial Registration Process
58T-1.209	Process for Maintaining ALF Core Training Provider Registration
58T-1.211	Registered ALF Core Training 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. 35, No. 11, March 20, 2009 issue of the Florida Administrative Weekly.

58T-1.201 Purpose of Assisted Living Facility (ALF) Core Training Provider and Curriculum Approvals.

The purpose of Rules 58T-1.203 through 58T-1.211, F.A.C., is to comply with the ALF core training provider and curriculum requirements as specified in Section 429.52, F.S.

Rulemaking Authority 429.52 FS. Law Implemented 429.52 FS. History--New \_\_\_\_\_.

58T-1.203 ALF Core Training Provider Qualifications.

(1) **PRIMARY REQUIREMENTS.** In order to register as an assisted living facility core training provider (hereafter referred to as "core training provider," "training provider," or "provider"), all applicants must meet the requirements outlined in Section 429.52(9), F.S.; The requirements are as follows which include proof of the following:

(a) No change.

(b) Successful passage of the competency test, which requires a minimum score of 75%; and

(c) No change.

(2) **ADDITIONAL REQUIREMENTS.** In addition to meeting the 3 primary requirements set forth in subsection (1) of this rule, applicants must meet one of the requirements outlined in Section 429.52(10), F.S., or one of the requirements established in this subsection. The requirements are as follows which include the following:

(a) through (e) No change.

Rulemaking Authority 429.52 FS. Law Implemented 429.52 FS. History--New \_\_\_\_\_.

58T-1.205 ALF Minimum Core Training Curriculum Requirements.

(1) No change.

(2) **MONITORING.** The department ~~or its designee~~ (hereafter referred to as "approval authority") reserves the right to do the following:

(a) through (c) No change.

Rulemaking Authority 429.52 FS. Law Implemented 429.52 FS. History–New \_\_\_\_\_.

58T-1.207 ALF Core Training Provider Initial Registration Process.

(1) No change.

(a) Before core training can be conducted, an applicant must meet the training provider qualifications outlined in Section 429.52(9), F.S., and Rule 58T-1.203, F.A.C. Additionally, an applicant must register with, and obtain from, the ~~department approval authority~~ a unique provider registration number as set forth in this subsection.

(b) No change.

(2) APPROVAL PROCESS. Within 30 calendar days after receiving a core training provider application, the ~~department approval authority~~ must submit written notification approving or denying the application, or requesting supplemental information or clarification.

(a) If the application is approved, the ~~department approval authority~~ must include a unique provider registration number in the notice.

(b) If the application is denied, the ~~department approval authority~~ must provide the reason or reasons for denial in the notice.

(c) If the application is determined to require supplemental information or clarification, the ~~department approval authority~~ must state the supplemental information or clarification that is being requested.

1. If the ~~department approval authority~~ does not receive the requested information within 30 calendar days of the request, the application will be deemed incomplete and closed.

2. If the ~~department approval authority~~ receives the requested information within 30 calendar days of the request, the ~~department approval authority~~ must process the training provider application within 30 calendar days after all required information is received.

Rulemaking Authority 429.52 FS. Law Implemented 429.52 FS. History–New \_\_\_\_\_.

58T-1.209 Process for Maintaining ALF Core Training Provider Registration.

(1) MAINTAINING ALF CORE TRAINING PROVIDER REGISTRATION.

(a) After receiving the initial core training provider registration, the approved provider must re-register with the ~~department approval authority~~ every 2 years by submitting documentation of his or her compliance with the continuing education requirement as specified in Section 429.52(4), F.S., and this rule.

(b) No change.

(2) APPROVAL AUTHORITY PROCESS.

(a) Within 30 calendar days after receiving the required continuing education documentation, the ~~department approval authority~~ must notify the provider in writing that the continuing education requirement:

1. through 2. No change.

3. Has omissions or additional information is requested.

a. If the ~~department approval authority~~ does not receive the omitted or additional information as ~~requested~~ within 30 calendar days of the request, the provider’s registration shall be cancelled. The ~~department approval authority~~ must provide written notification of its decision, including the reason for the cancellation, no later than 30 60 calendar days after the deadline for the request for the omitted or additional information from the date of the original request.

b. If the ~~department approval authority~~ receives the omitted or additional information as requested within the 30 calendar day time period, the ~~department approval authority~~ must process the core training provider’s registration within 30 calendar days after all required information is received. The ~~department approval authority~~ must provide written notification to the provider of its decision.

(b) Failure to submit proof of the continuing education requirement as specified in this rule shall result in cancellation of the core training provider’s registration. The ~~department approval authority~~ must provide written notification of such action no later than 30 calendar days after the information was due.

(c) No change.

Rulemaking Authority 429.52 FS. Law Implemented 429.52 FS. History–New \_\_\_\_\_.

58T-1.211 Registered ALF Core Training Provider Responsibilities.

The following are the responsibilities of a registered core training provider:

(1) USE OF MINIMUM CORE TRAINING CURRICULUM. A registered core training provider is responsible for the following:

(a) Conducting core training using the minimum core training curriculum required by pursuant to Rule 58T-1.205, F.A.C.; and

(b) No change.

(2) through (5) No change.

Rulemaking Authority 429.52 FS. Law Implemented 429.52 FS. History– New \_\_\_\_\_.

This notice of change as well as the original text can be found on the department’s website at: <http://elderaffairs.state.fl.us/english/rulemaking.php> under the heading “Assisted Living

Facilities, Rule Chapter 58T-1, F.A.C., Core Training Rules. Minor changes to DOEA Form ALFCT-002 may also be found on this website.

**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:
62-520.310	General Provisions for Ground Water
62-520.470	Permit Renewal and Modification Procedures for Installations Discharging to Ground Water
62-520.500	Exemptions for Installations Discharging Into Class G-I or G-II Ground Water
62-520.600	Ground Water Monitoring Requirements and Exemptions

**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. 26, June 27, 2008 issue of the Florida Administrative Weekly.

62-520.310 General Provisions for Ground Water.

(1) through (9) No change.

(10) Discharges that may cause an imminent hazard to the public or the environment through contamination of underground supplies of drinking water or surface water affected by the ground water because of the proximity and nature of the contaminants, shall not be allowed a zone of discharge.

62-520.470 Modification Procedures for Zones of Discharge or Monitoring Requirements.

(1) At any time, including the time of permit renewal, the Department ~~shall may~~ order or a permittee may petition for modification of the zone of discharge or monitoring requirements for any of the following reasons, or reasons contained in Rule 62-4.080, F.A.C.

(a) through (f) No change.

(2) through (3) No change.

62-520.500 Water Quality Criteria Exemptions for Installations Discharging Into Class G-I or G-II Ground Water.

(1) In order for a specific installation to seek an exemption from water quality criteria, which include the primary and secondary standards and minimum criteria set forth in this chapter, the permittee or permit applicant must file a petition with the agency clerk in the Department's Office of General Counsel, 3900 Commonwealth Blvd., MS 35, Tallahassee, Florida 32399-3000. The petitioner must provide the fee of

\$6000 per parameter with the petition. The petition shall include alternative compliance levels for the parameters from which an exemption is being sought. The petitioner will be granted the exemption if the petitioner ~~must~~ affirmatively demonstrates each of the following:

(a) through (f) No change.

(2) through (3) No change.

62-520.600 Ground Water Monitoring Requirements and Exemptions.

(1) The purpose of a ground water monitoring plan is to provide the data needed to evaluate an installation's compliance with the ground water requirements contained in this chapter. Unless otherwise exempted by Department rule, any installation discharging into ground water shall establish a monitoring program as described in subsection (3) below. Subsection 62-520.310(4), F.A.C., provides that other Department rules with different ground water requirements for specific types of installations will supersede these generally applicable requirements. If requested by the permittee, a monitoring program instituted under some other state, federal, or local government regulation or permit shall be substituted for this program if it is in substantial compliance with subsection (3) below. All field and laboratory activities performed under a monitoring program ~~and~~ shall meet the quality assurance requirements in Chapter 62-160, F.A.C.

(2) No change.

(3) Monitoring Plan Contents. Unless otherwise specified in program-specific Department rules, the installation owner shall provide the Department with a plan containing findings and recommendations for ground water monitoring derived from site-specific information. Any information submitted as part of a permit application does not have to be resubmitted as part of the ground water monitoring plan. The plan shall evaluate facility operations, discharges, actual and potential environmental risk, and provide a design that ensures compliance with applicable program-specific rules and water quality criteria depending on where the discharge will take place. The design shall be such that the permittee can detect and monitor adverse impact upon ground water and upon surface waters affected by ground water by facility activities. Design of a ground water monitoring plan is variable and dependant on the complexity of the site hydrogeology, type of facility, and method and characteristics of the discharge. The Department's document, Guidance for Ground Water Monitoring Plan Design, 2008, is adopted as guidance to assist permittees and installation owners in designing and placing monitoring wells to demonstrate whether compliance with the requirements in this chapter are being achieved. Copies of this document are available from the Department of Environmental Protection, Bureau of Water Facilities Regulation, MS 3580, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or at the Department Internet site at <http://www.dep.state.fl.us/water/groundwater/pubs.htm>. Pursuant to Chapters 492 and

471, F.S., the ground water monitoring plan shall be signed and sealed by the professional geologist or professional engineer who prepared or approved it. The Department shall evaluate the adequacy of the plan upon submittal; however, the applicant should arrange a pre-application meeting with the Department to resolve the needed information at an early stage. The plan shall:

(a) through (h) No change.

(i) Identify the location and use of all wells within 1000 ~~500~~ feet of the site ~~and all wells within the installation's property boundary.~~

(4) Plan Approval. The plan shall be approved if it will provide the data needed to evaluate an installation's compliance with the ground water requirements contained in this chapter. If the plan is approved, it will become part of the permit. If a permit is not associated with the plan, a letter of approval, denial, or request for modification will be sent to the applicant. A letter of approval or denial shall have a notice of rights for an administrative hearing under Sections 120.569 and 120.57, F.S.

(5) No change.

(6) Location, Design, and Construction of Monitoring Wells to Detect Migration of Contaminants. Monitoring wells shall be as follows:

(a) through (k) No change.

(l) If any monitoring well becomes inoperable or damaged to the extent that sampling or well integrity may be affected, the permittee shall notify the Department's office that issued the permit within two business days from discovery and a detailed written report shall follow within seven days. The written report shall detail what problem has occurred and remedial measures that have been taken to prevent recurrence or request approval for replacement of the monitoring well. All monitoring well design and replacement shall be approved by the Department before installation.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Funeral, Cemetery, and Consumer Services**

RULE NO.: 69K-17.0035      RULE TITLE: Education Required for Operational Personnel and Non-Licensed Individuals

**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. 43, October 24, 2008 issue of the Florida Administrative Weekly.

When adopted, Rule 69K-17.0035, F.A.C., will read:

(1) All operational personnel as defined in Rule 69K-15.005, F.A.C., shall successfully complete one Board approved course on communicable diseases, within 10 days after the date they are employed by any entity that is subject to Chapter 497, F.S. The course shall be at least two (2) hours and

may include the use of approved video-cassette courses, or other types of audio, video, Internet, or home study courses. All persons subject to this rule shall maintain a certificate of completion showing proof of meeting the communicable disease education requirement as a condition of employment with any establishment, facility or service regulated under Chapter 497, F.S.

(2) Courses approved for two (2) or more hours pursuant to paragraph 69K-17.0042(3)(c), F.A.C., can be used to fulfill the two (2) hour communicable disease educational requirement. The name, address, telephone number and email address for approved continuing education providers that offer courses that will satisfy this communicable disease educational requirement can be found on the Department's website ([http://www.myfloridacfo.com/Funeral Cemetery](http://www.myfloridacfo.com/Funeral%20Cemetery)).

**FINANCIAL SERVICES COMMISSION**

**Finance**

RULE NO.: 69V-560.1000      RULE TITLE: Disciplinary Guidelines

**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. 51, December 19, 2008 issue of the Florida Administrative Weekly.

A notice of change for this rule was previously published in Vol. 35, No. 8, February 27, 2009, issue of the Florida Administrative Weekly. The final hearing on the proposed rule was held on April 14, 2009. Prior to the final hearing, the Financial Services Centers of Florida submitted written comments recommending clarifying changes to the introductory paragraph of the proposed rule and the introductory paragraph to subsection (148). The rule was amended to adopt the written recommendations. These changes were approved by the Financial Services Commission at the final hearing on April 14, 2009.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

69V-560.1000 Disciplinary Guidelines.

Pursuant to Section 560.1141, F.S., listed below are disciplinary guidelines applicable to each ground for disciplinary action that may be imposed by the Office against a Chapter 560, F.S., licensee for a material violation of Chapter 560, F.S. In determining an appropriate penalty within the range of penalties prescribed in this rule for each violation as based upon the citation number, the Office shall consider the circumstances set forth in subsection (148). For purposes of this rule, the term "citation" means any written notice provided to and received by the licensee that specifies a violation of Chapter 560, F.S., or any rule promulgated under that chapter.



	<u>Statute</u>	<u>Violation Description</u>	<u>1st Citation</u>	<u>2nd Citation</u>	<u>3rd Citation</u>
(1)	<u>560.109(3)(a)</u>	<u>Failure to make available to the Office within 3 days all required books and records after written notice.</u>	<u>Fine: A</u> <u>Suspension: A</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(2)	<u>560.109(7)</u>	<u>Failure to pay reasonable and necessary costs for exams or investigations based on actual costs incurred.</u>	<u>Fine: A</u> <u>Suspension: A</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(3)	<u>560.1092(1)</u>	<u>Failure to pay to the Office the expenses of an examination at a rate adopted by rule.</u>	<u>Fine: A</u> <u>Suspension: A</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(4)	<u>560.1105</u>	<u>Failure to maintain all records for 5 years.</u>	<u>Fine: A</u> <u>Suspension: A</u> <u>Revocation</u>	<u>Fine: B</u> <u>Suspension: B</u> <u>Revocation</u>	<u>Fine: C</u> <u>Suspension: C</u> <u>Revocation</u>
(5)	<u>560.1105(1)</u>	<u>Failure to make books and records available to the Office within 3 business days after receipt of a written request.</u>	<u>Fine: A</u> <u>Suspension: A</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(6)	<u>560.111(1)(a)</u>	<u>Receiving or possessing property, except in payment of a just demand, and, with intent to deceive or defraud, to omit to make or to cause to be made a full and true entry thereof in its books and accounts, or to concur in omitting to make any material entry thereof.</u>	<u>Fine: C</u> <u>Revocation</u>	<u>N/A</u>	<u>N/A</u>
(7)	<u>560.111(1)(b)</u>	<u>Embezzle, abstract, or misapply any money, property, or other thing of value belonging to the money services business, an authorized vendor, or customer with intent to deceive or defraud.</u>	<u>Fine: C</u> <u>Revocation</u>	<u>N/A</u>	<u>N/A</u>
(8)	<u>560.111(1)(c)</u>	<u>Making false entry in books and records with intent to deceive or defraud another person, appropriate regulator, or authorized third party appointed by the Office to examine or investigate a licensee or its authorized vendor.</u>	<u>Fine: C</u> <u>Suspension: C</u> <u>Revocation</u>	<u>N/A</u>	<u>N/A</u>
(9)	<u>560.111(1)(d)</u>	<u>Engaging in acts that violate 18 U.S.C. s. 1956., 31 U.S.C. s. 5324, or any law or rule of another state or the United States relating to a money services business, deferred presentment provider, or usury which is a ground for the denial or revocation of a money services business or deferred presentment provider or its equivalent.</u>	<u>Fine: C</u> <u>Revocation</u>	<u>N/A</u>	<u>N/A</u>
(10)	<u>560.111(1)(e)</u>	<u>Filing with the Office, signing as a duly authorized representative, or delivering or disclose to the Office any books and records known to be fraudulent or false as to any material matter.</u>	<u>Fine: C</u> <u>Revocation</u>	<u>N/A</u>	<u>N/A</u>
(11)	<u>560.111(1)(f)</u>	<u>Placing among a money services business any note, obligation, or security that the money services business or its authorized vendor does not own or is known to be fraudulent or otherwise worthless or to represent to the Office that these documents are known to be fraudulent or otherwise worthless.</u>	<u>Fine: C</u> <u>Revocation</u>	<u>N/A</u>	<u>N/A</u>
(12)	<u>560.114 (1)(a)</u>	<u>Failure to comply with any order of the Office or any written agreement entered into with the Office.</u>	<u>Fine: B</u> <u>Suspension: B</u> <u>Revocation</u>	<u>Fine: C</u> <u>Suspension: C</u> <u>Revocation</u>	<u>Fine: C</u> <u>Revocation</u>
(13)	<u>560.114(1)(b)</u>	<u>Fraud, misrepresentation, deceit, or gross negligence in any transaction by a money services business, regardless of reliance thereon by, or damage to, a customer.</u>	<u>Fine: C</u> <u>Suspension: C</u> <u>Revocation</u>	<u>Fine: C</u> <u>Revocation</u>	<u>N/A</u>

(14)	560.114(1)(c)	<u>Fraudulent misrepresentation, circumvention, or concealment of any matter that must be stated or furnished to a customer pursuant to Chapter 560, F.S., regardless of reliance thereon by, or damage to, such customer.</u>	Fine: C <u>Revocation</u>	N/A	N/A
(15)	560.114(1)(d)	<u>False, deceptive, or misleading advertising.</u>	Fine: C <u>Suspension: C</u>	Fine: C <u>Suspension: C</u> <u>Revocation</u>	Fine: <u>Suspension: C</u> <u>Revocation</u>
(16)	560.114(1)(e)	<u>Failure to maintain, preserve, keep available for examination, and produce all books, accounts, files, or other documents required by Chapter 560, F.S.</u>	Fine: A <u>Suspension: A</u>	Fine: B <u>Suspension: B</u> <u>Revocation</u>	Fine: C <u>Suspension: C</u> <u>Revocation</u>
(17)	560.114(1)(f)	<u>Refusing to allow the examination or inspection of books, accounts, files, or other documents by the Office pursuant to Chapter 560, F.S., or to comply with a subpoena issued by the Office.</u>	Fine: B <u>Suspension: B</u> <u>Revocation</u>	Fine: C <u>Revocation</u>	<u>Revocation</u>
(18)	560.114(1)(g)	<u>Failure to pay a judgment recovered in any court by a claimant in an action arising out of a money transmission transaction within 30 days after the judgment became final.</u>	Fine: A <u>Suspension: A</u>	Fine: B <u>Suspension: B</u>	Fine: C <u>Revocation</u>
(19)	560.114(1)(h)	<u>Engaging in acts prohibited under Section 560.111, F.S.</u>	Fine: C <u>Revocation</u>	N/A	N/A
(20)	560.114(1)(i)	<u>Insolvency</u>	Fine: A <u>Suspension: A</u> <u>Revocation</u>	Fine: B <u>Suspension: B</u> <u>Revocation</u>	Fine: C <u>Suspension: B</u> <u>Revocation</u>
(21)	560.114(1)(j)	<u>Failure to remove an affiliated party after the Office has issued and served a final order setting forth a finding that the affiliated party has violated a provision of Chapter 560, F.S.</u>	Fine: A <u>Suspension: A</u> <u>Revocation</u>	Fine: B <u>Suspension: B</u> <u>Revocation</u>	Fine: C <u>Suspension: C</u> <u>Revocation</u>
(22)	560.114(1)(k)	<u>Making a material misstatement, misrepresentation, or omission in an application, amendment, or appointment of an authorized vendor.</u>	Fine: A <u>Suspension: A</u> <u>Revocation</u>	Fine: B <u>Suspension: B</u> <u>Revocation</u>	Fine: C <u>Suspension: C</u> <u>Revocation</u>
(23)	560.114(1)(l)	<u>Committing any act that results in a license, or its equivalent, to practice any profession or occupation, being denied, suspended, revoked, or otherwise acted against by a licensing authority in any jurisdiction.</u>	Fine: A <u>Suspension: A</u> <u>Revocation</u>	Fine: B <u>Suspension: B</u> <u>Revocation</u>	Fine: C <u>Suspension: C</u> <u>Revocation</u>
(24)	560.114(1)(m)	<u>Being the subject of final agency action or its equivalent, issued by an appropriate regulator, for engaging in unlicensed money services business or deferred presentment provider activity in any jurisdiction.</u>	Fine: C	Fine: C <u>Suspension: C</u>	Fine: C <u>Suspension: C</u>
(25)	560.114(1)(n)	<u>Committing any act resulting in a license or its equivalent to practice any profession or occupation being denied, suspended, revoked, or otherwise acted against by a licensing authority in any jurisdiction for a violation of 18 U.S.C. s. 1956, 18 U.S.C. s. 1957, and 18 U.S.C. s. 1960, 31 U.S.C. s. 5324, or any law or rule of another state or the United States relating to a money services business, deferred presentment provider, or usury.</u>	Fine: C <u>Suspension: C</u> <u>Revocation</u>	Fine: C <u>Suspension: C</u> <u>Revocation</u>	Fine: C <u>Suspension: C</u> <u>Revocation</u>

(26)	560.114(1)(o)	<u>Having been convicted of, or entered a plea of guilty or nolo contendere to any felony or crime punishable by imprisonment of 1 year or more under the law of any state of the United States which involves fraud, moral turpitude, or dishonest dealing, regardless of adjudication.</u>	Fine: C Revocation	N/A	N/A
(27)	560.114(1)(p)	<u>Having been convicted of, or entered a plea of guilty or nolo contendere to a crime under 18 U.S.C. s. 1956 or 31 U.S.C. s. 5324 regardless of adjudication.</u>	Fine: C Revocation	N/A	N/A
(28)	560.114(1)(q)	<u>Having been convicted of, or entered a plea of guilty or nolo contendere to misappropriation, conversion, or unlawful withholding of moneys belonging to others, regardless of adjudication.</u>	Fine: C Revocation	N/A	N/A
(29)	560.114(1)(r)	<u>Failure to inform the Office in writing within 30 days after having pled guilty or nolo contendere to, or being convicted of, any felony or crime punishable by imprisonment of 1 year or more under the law of any state or the US, or any crime involving fraud, moral turpitude, or dishonest dealing.</u>	Fine: B	Fine: C Revocation	N/A
(30)	560.114(1)(s)	<u>Aiding, assisting, procuring, advising, or abetting any person in violating a provision of Chapter 560, F.S., or any order or rule of the Office or Commission.</u>	Fine: B Suspension: B Revocation	Fine: C Suspension: C Revocation	N/A
(31)	560.114(1)(t)	<u>Failure to pay any fee, charge, or cost imposed or assessed under Chapter 560, F.S.</u>	Fine: A Suspension: A	Fine: B Suspension: B	Fine: C Revocation: C
(32)	560.114(1)(u)	<u>Failure to pay a fine assessed by the Office within 30 days after the due date as stated in the final order.</u>	Fine: B Suspension: B Revocation	Fine: C Revocation	Fine: C Revocation
(33)	560.114(1)(v)	<u>Failure to pay any judgment entered by any court within 30 days after the judgment becomes final.</u>	Fine: A Suspension: A	Fine: B Suspension: B	Fine: C Suspension: C
(34)	560.114(1)(x)	<u>Payment to the Office for a license or other fee, charge, cost, or fine with a check or electronic transmission of funds that is dishonored by the applicant's or licensee's financial institution.</u>	Fine: A Suspension: A	Fine: B Suspension: B	Fine: C Revocation
(35)	560.114(1)(y)	<u>Violations of 31 C.F.R. ss. 103.20, 103.22, 102.23, 103.27, 103.28, 103.29, 103.33, 103.37, 103.41, and 103.125, and United States Treasury Interpretative Release 2004-1. Note: For purposes of the application of this violation, the distinct federal codes referenced shall be treated as separate violations and penalties shall be applied separately for each code violation cited.</u>	Fine: B Suspension: B Revocation	Fine: C Suspension: C Revocation	Fine: C Suspension: C Revocation
(36)	560.114(1)(z)	<u>Engaging in any practice or conduct that creates the likelihood of material loss, insolvency, or dissipation of assets of a money services business or otherwise materially prejudices the interests of its customers.</u>	Fine: C Suspension: C Revocation	Fine: C Suspension: C Revocation	Fine: C Suspension: C Revocation
(37)	560.114(2)	<u>Immediate Suspension for failure to provide required records upon written request.</u>	Fine: A Suspension: A	Fine: B Suspension: B	Fine: C Suspension: C

(38)	560.118(1)	Failure to file annual financial audit reports with the Office pursuant to this Chapter 560, F.S., or related rules.	Fine: C Revocation if later than 90 days from due date	Fine: C Revocation if later than 90 days from due date	Fine: C Revocation if later than 90 days from due date
(39)	560.118(2)	Failure to submit quarterly reports to the Office in the format specified by rule.	Fine: A Suspension: A	Fine: B Suspension: B	Fine: C Suspension: C Revocation
(40)	560.123(3)	Failure to maintain a record of every transaction, which occurs in this state that involves currency greater than \$10,000, in one or in aggregate in one day, and involves the proceeds of unlawful activity or is designed to evade reporting requirements of Section 560.123, F.S. or Chapter 896, F.S.	Fine: C Revocation	N/A	N/A
(41)	560.123(3)(c)	Failure to file a currency transaction report for every transaction noted in Section 560.123(3), F.S.	Fine: A Suspension: A Revocation	Fine: B Suspension: B Revocation	Fine: C Suspension: C Revocation
(42)	560.123(4)	Failure to comply with the money laundering, enforcement, and reporting provisions of Section 655.50, F.S., involving currency transactions and payment instruments, and Chapter 896, F.S., concerning offenses relating to financial transactions.	Fine: A Suspension: A Revocation	Fine: B Suspension: B Revocation	Fine: C Suspension: C Revocation
(43)	560.1235(1)	Failure to comply with all state and federal laws and rules relating to money laundering, including Section 560.123, F.S.; and 31 C.F.R. ss. 103.20, 103.22, 103.23, 103.27, 103.28, 103.29, 103.33, 103.37, and 103.41.	Fine: A Suspension: A Revocation	Fine: B Suspension: B Revocation	Fine: C Suspension: C Revocation
(44)	560.1235(2)	Failure to maintain, review, and update an anti-money laundering program.	Fine: A Suspension: A Revocation	Fine: B Suspension: B Revocation	Fine: C Suspension: C Revocation
(45)	560.1235(3)	Failure to comply with United States Treasury Interpretive Release 2004-1.	Fine: B Suspension: B Revocation	Fine: B Suspension: B Revocation	Fine: C Suspension: C Revocation
(46)	560.126(1)(a)	Failure to provide the Office notice within 30 days after occurrence of a bankruptcy filing.	Fine: C Suspension: C	Fine: C Suspension: C	Fine: C Suspension: C
(47)	560.126(1)(b)	Failure to provide the Office notice within 30 days after occurrence of the commencement of an administrative or judicial suspension, revocation, or denial of a license from any other state in the United States.	Fine: A Suspension: A	Fine: B Suspension: B	Fine: C Suspension: C
(48)	560.126(1)(c)	Failure to provide the office notice within 30 days after occurrence of a felony indictment relating to a money services business or deferred presentment provider involving the licensee, a vendor, or affiliated party. Note: Any licensee suspended under this provision shall be suspended until a final disposition has been reached by the court for the case defined in the suspension order. Any rights to appeal with not be considered in the application of this section.	Fine: B Suspension: B	Fine: C Suspension: C	Fine: C Suspension: C
(49)	560.126(1)(d)	Failure to provide the office notice within 30 days after occurrence of a felony conviction, guilty plea, or plea of nolo contendere, regardless of adjudication, of a licensee, vendor, or affiliated party.	Revocation	Revocation	Revocation

(50)	<u>560.126(1)(e)</u>	<u>Failure to provide the office notice within 30 days after occurrence of an interruption of any corporate surety bond required.</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(51)	<u>560.126(1)(g)</u>	<u>Failure to provide the office with written notice sent by registered mail within 30 days after the occurrence or knowledge of the notification by law enforcement or a prosecutorial agency that the licensee or vendor is under criminal investigation.</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>
(52)	<u>560.126(2)</u>	<u>Failure to report to the Office any change in application or renewal information on Form OFR 560-01, which is incorporated by reference in Rule 69V-560.1012, F.A.C., within 30 days after the change.</u>	<u>Fine: A</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(53)	<u>560.126(3)</u>	<u>Failure to report any change in ownership, control, or responsible persons of the licensee.</u>	<u>Fine: A</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(54)	<u>560.128(1)</u>	<u>Failure to provide each customer with a toll-free number or the office's toll-free number and address for consumer contact.</u>	<u>Fine: A</u>	<u>Fine: A</u>	<u>Fine: B</u>
(55)	<u>560.208(4)</u>	<u>Failure to place assets that are the property of a customer in a segregated account in a federally insured institution or the failure to maintain separate accounts for operating capital and the clearing of customer funds.</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Revocation</u>
(56)	<u>560.208(5)</u>	<u>Failure to ensure that money transmitted is available to the designated recipient within 10 business days after receipt.</u>	<u>Fine: B</u>	<u>Fine: C</u>	<u>Fine: C</u> <u>Suspension: C</u>
(57)	<u>560.208(6)</u>	<u>Failure to immediately upon receipt of currency or payment instrument provide a confirmation or sequence number to the customer verbally, by paper, or electronically.</u>	<u>Fine: A</u>	<u>Fine: C</u>	<u>Fine: C</u> <u>Suspension: C</u>
(58)	<u>560.2085(1)</u>	<u>Failure to notify the Office within 60 days after a vendor commences or terminates licensed activity.</u>	<u>Fine: A</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(59)	<u>560.2085(2)</u>	<u>Failure to enter into a written contract with an authorized vendor, signed by the licensee and the authorized vendor.</u>	<u>Fine: A</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(60)	<u>560.2085(2)(a)</u>	<u>The vendor contract must set forth the nature and scope of the relationship between the licensee and the vendor, including rights and responsibilities of the parties</u>	<u>Fine: A</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(61)	<u>560.2085(2)(b)</u>	<u>Failure to enter into a written contract that includes requirements of Section 560.2085(2)(b)1.-8., F.S.</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(62)	<u>560.2085(3)</u>	<u>Failure to develop and implement written policies and procedures to monitor compliance with applicable state and federal law by a licensee's authorized vendors.</u>	<u>Fine: B</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(63)	<u>560.209(1)</u>	<u>Failure to maintain at all times net worth of at least \$100,000 plus and additional \$10,000 for each location up to \$2 million. Note: Suspension will be ordered until adequate net worth has been obtained and accepted by the Office</u>	<u>Fine: B</u> <u>Suspension: B</u> <u>Revocation</u>	<u>Fine: B</u> <u>Suspension: B</u> <u>Revocation</u>	<u>Fine: C</u> <u>Suspension: C</u> <u>Revocation</u>
(64)	<u>560.209(2)</u>	<u>Failure to obtain an annual financial audit report and submit it to the Office within 120 days after the end of the licensee's fiscal year end.</u>	<u>Fine: B</u> <u>Suspension: B</u> <u>Revocation</u>	<u>Fine: B</u> <u>Suspension: B</u> <u>Revocation</u>	<u>Fine: C</u> <u>Suspension: C</u> <u>Revocation</u>

(65)	560.209(3)(a)-(b)	Failure to provide and pledge to the Office a surety bond not less than \$50,000 or more than \$2 million.	Fine: C Revocation	N/A	N/A
(66)	560.209(3)(c)	Canceling a surety bond without written notice to the Office by registered mail or a canceling a bond within 30 days after receipt by the Office of the written notice. Note: Suspension will be ordered until adequate surety device has been obtained and accepted by the Office	Fine: C Suspension: C	Fine: C Suspension: C	Fine: C Suspension: C
(67)	560.209(3)(e)	Failure to furnish a new or additional surety bond so that the total or aggregate principal sum of the bond equals the required bond under Section 560.209(3)(e), F.S.	Fine: C Suspension: C	Fine: C Suspension: C	Fine: C Suspension: C
(68)	560.209(4)(a)-(b)	Failure to deposit collateral cash, securities, or alternative security devices as provided by Rule 69V-560.402, F.A.C., in at least the amount required by Form OFR-560-07.	Fine: C Suspension: C	Fine: C Suspension: C	Fine: C Suspension: C
(69)	560.209(4)(c)	Failure to pledge collateral cash, securities, or alternative security devices on Form OFR-560-05, which is incorporated by reference in Rule 69V-560.1012, F.A.C., or to maintain such collateral in an insured financial institution as set forth in Rule 69V-560.402, F.A.C.	Fine: C Suspension: C	Fine: C Suspension: C	Fine: C Suspension: C
(70)	560.210(1)	Failure to possess, at all times, permissible investments with an aggregate market value of at least the aggregate face amount of all outstanding money transmissions and payment instruments issued or sold by the licensee or authorized vendor in the United States.	Fine: B	Fine: B Suspension: B	Fine: C Revocation
(71)	560.211(1)	Failure to maintain all records required to be kept by Section 560.211, F.S., for 5 years.	Fine: B Suspension: B	Fine: B Suspension: B	Fine: C Revocation
(72)	560.211(1)(a)	Failure to maintain a daily record of payment instruments sold and money transmitted.	Fine: B Suspension: B	Fine: B Suspension: B	Fine: C Revocation
(73)	560.211(1)(b)	Failure to maintain a general ledger containing all asset, liability, capital, income, and expense accounts, which must be posted at least monthly.	Fine: B Suspension: B	Fine: B Suspension: B	Fine: C Revocation
(74)	560.211(1)(c)	Failure to maintain daily settlement records received from authorized vendors.	Fine: B Suspension: B	Fine: B Suspension: B	Fine: C Revocation
(75)	560.211(1)(d)	Failure to maintain monthly financial institution statements and reconciliation records.	Fine: B Suspension: B	Fine: B Suspension: B	Fine: C Revocation
(76)	560.211(1)(e)	Failure to maintain records of outstanding payment instruments and money transmitted.	Fine: B Suspension: B	Fine: B Suspension: B	Fine: C Revocation
(77)	560.211(1)(f)	Failure to maintain records of each payment instrument paid and money transmission delivered.	Fine: B Suspension: B	Fine: B Suspension: B	Fine: C Revocation
(78)	560.211(1)(g)	Failure to maintain a list of the names and addresses of all of the licensee's authorized vendors.	Fine: B Suspension: B	Fine: B Suspension: B	Fine: C Revocation
(79)	560.211(1)(h)	Failure to maintain records that document the establishment, monitoring, and termination of relationships with authorized vendors and foreign affiliates.	Fine: B Suspension: B	Fine: B Suspension: B	Fine: C Revocation

(80)	<u>560.211(1)(i)</u>	<u>Failure to maintain any records, as prescribed by rule, designed to detect and prevent money laundering as set forth in Rules 69V-560.608, 69V-560.609, 69V-560.610, 69V-560.702, 69V-560.703, and 69V-560.706, F.A.C.</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Revocation</u>
(81)	<u>560.213</u>	<u>Failure of each payment instrument sold or issued by a licensee, directly or through its authorized vendor, to bear the name of the licensee.</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Revocation</u>
(82)	<u>560.303(3)</u>	<u>Charging fees in excess of those provided by Section 560.309, F.S., by a person exempt from licensure under Chapter 560, Part III, F.S.</u>	<u>Fine: A</u> <u>Restitution</u>	<u>Fine: B</u> <u>Restitution</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Revocation</u>
(83)	<u>560.309(1)</u>	<u>Failure to transact business under Chapter 560, Part III, F.S., under the legal name under which the person is licensed.</u>	<u>Fine: B</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Revocation</u>
(84)	<u>560.309(2)</u>	<u>Failure to endorse a payment instrument that is accepted or cashed by the licensee using the legal name under which the licensee is licensed.</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Revocation</u>	<u>N/A</u>
(85)	<u>560.309(3)</u>	<u>Failure to deposit payment instruments into a commercial account at a federally insured financial institution or sell payment instruments within 5 business days after the acceptance of the payment instrument.</u>	<u>Fine: B</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Revocation</u>
(86)	<u>560.309(4)</u>	<u>Accepting or cashing multiple payment instruments from a person who is not the original payee, unless the person is licensed to cash payment instruments pursuant to Chapter 560, Part III, F.S., and all payment instruments accepted are endorsed with the legal name of the person.</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Revocation</u>	<u>N/A</u>
(87)	<u>560.309(5)</u>	<u>Failure to report all suspicious activity to the office in accordance with the criteria set forth in 31 C.F.R. s. 103.20.</u>	<u>Fine: B</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Revocation</u>
(88)	<u>560.309(6)</u>	<u>Failure to equip each location of a licensee where checks are cashed with a security camera system that is capable of recording and retrieving an image in order to assist in identifying and apprehending an offender unless the licensee has installed a bulletproof or bullet-resistant partition or enclosure in the area where checks are cashed.</u>	<u>Fine: B</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Revocation</u>
(89)	<u>560.309(7)</u>	<u>Failure to post a notice listing the charges for cashing payment instruments.</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Revocation</u>
(90)	<u>560.309(8)(a)</u>	<u>Charged fees, except otherwise provided by Section 560.309, F.S., and exclusive of the direct costs of verification in excess of 5 percent of the face amount of the payment instrument, or \$5, whichever is greater.</u>	<u>Fine: A</u> <u>Restitution</u>	<u>Fine: B</u> <u>Restitution</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Restitution</u> <u>Revocation</u>
(91)	<u>560.309(8)(b)</u>	<u>Charged fees, except otherwise provided by Section 560.309, F.S., and exclusive of the direct costs of verification in excess of 3 percent of the face amount of the payment instrument, or \$5, whichever is greater for a payment instrument that is any kind of state public assistance or federal social security benefit payable to the bearer of the payment instrument.</u>	<u>Fine: A</u> <u>Restitution</u>	<u>Fine: B</u> <u>Restitution</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Restitution</u> <u>Revocation</u>

(92)	560.309(8)(c)	<u>Charged fees, except otherwise provided by Section 560.309, F.S., and exclusive of the direct costs of verification in excess of 10 percent of the face amount for personal checks or money orders, or \$5, whichever is greater.</u>	<u>Fine: C Restitution</u>	<u>Fine: C Restitution Suspension: C</u>	<u>Fine: C Restitution Revocation</u>
(93)	560.309(9)	<u>Assessed the cost of collections, other than fees for insufficient funds provided by law, without judgment from a court of competent jurisdiction.</u>	<u>Fine: A Restitution</u>	<u>Fine: B Restitution Suspension: B</u>	<u>Fine: C Restitution Revocation</u>
(94)	560.309(10)	<u>Failed to comply with the provisions of Section 68.065, F.S., and failed to comply with the prohibitions against harassment or abuse, false or misleading representations, and unfair practices in the Fair Debt Collections Act, U.S.C. ss. 1692d, 1692e, 1692f.</u>	<u>Fine: B Suspension: B</u>	<u>Fine: C Suspension: C</u>	<u>Fine: C Revocation</u>
(95)	560.310(1)(a)	<u>Failed to maintain customer files on all customers who cash corporate or third-party payment instruments exceeding \$1,000, as required by paragraph 69V-560.704(4)(d), F.A.C.</u>	<u>Fine: B Suspension: B</u>	<u>Fine: C Suspension: C</u>	<u>Fine: C Revocation</u>
(96)	560.310(1)(b)1.	<u>Failed to maintain a copy of the personal identification as used as identification as presented by the customer for a payment instrument accepted having a face value of \$1,000 or more.</u>	<u>Fine: B Suspension: B</u>	<u>Fine: C Suspension: C</u>	<u>Fine: C Revocation</u>
(97)	560.310(1)(b)2.	<u>Failed to maintain a thumbprint of the customer, taken by the licensee, for a payment instrument accepted having a face value of \$1,000 or more.</u>	<u>Fine: B Suspension: B</u>	<u>Fine: C Suspension: B</u>	<u>Fine: C Revocation</u>
(98)	560.310(1)(c)	<u>Failed to maintain an electronic payment instrument log which reports aggregate payment instruments whose total cashed is greater than \$1,000.</u>	<u>Fine: B Suspension: B</u>	<u>Fine: C Suspension: B</u>	<u>Fine: C Revocation</u>
(99)	460.404(1)	<u>Failed to document each deferred presentment transaction in a written agreement signed by the deferred presentment provider and the drawer.</u>	<u>Fine: B</u>	<u>Fine: C Suspension: C</u>	<u>Fine: C Revocation</u>
(100)	560.404(2)	<u>Each deferred presentment transaction agreement failed to be executed on the day the deferred presentment provider furnishes currency or a payment instrument to the drawer.</u>	<u>Fine: A</u>	<u>Fine: B Suspension: B</u>	<u>Fine: C Suspension: C</u>
(101)	560.404(3)(a)	<u>Each deferred presentment transaction agreement failed to contain the name or trade name, address, and telephone number of the deferred presentment provider and the name and title of the person who signs the agreement on behalf of the provider.</u>	<u>Fine: A</u>	<u>Fine: B Suspension: B</u>	<u>Fine: C Suspension: C</u>
(102)	560.404(3)(b)	<u>Each deferred presentment transaction agreement failed to contain the date the deferred presentment transaction was made.</u>	<u>Fine: A</u>	<u>Fine: B Suspension: B</u>	<u>Fine: C Suspension: C</u>
(103)	560.404(3)(c)	<u>Each deferred presentment agreement failed to contain the amount of the drawer's check.</u>	<u>Fine: A</u>	<u>Fine: B Suspension: B</u>	<u>Fine: C Suspension: C</u>
(104)	560.404(3)(d)	<u>Each deferred presentment agreement failed to contain the length of the deferment period.</u>	<u>Fine: A</u>	<u>Fine: B Suspension: B</u>	<u>Fine: C Suspension: C</u>
(105)	560.404(3)(e)	<u>Each deferred presentment agreement failed to contain the last day of the deferment period.</u>	<u>Fine: A</u>	<u>Fine: B Suspension: B</u>	<u>Fine: C Suspension: C</u>



(106)	560.404(3)(f)	<u>Each deferred presentment agreement failed to contain the address and telephone number of the office.</u>	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(107)	560.404(3)(g)	<u>Each deferred presentment agreement failed to contain a clear description of the drawer's payment obligations under the deferred presentment transaction.</u>	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(108)	560.404(3)(h)	<u>Each deferred presentment agreement failed to contain the transaction number assigned by the office's database.</u>	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(109)	560.404(4)	<u>Failed to furnish a copy of the deferred presentment transaction agreement to the drawer.</u>	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(110)	560.404(5)	<u>Accepting a check for a deferred presentment transaction where the face amount of the check taken exceeds \$500 exclusive of the fees allowed under Part IV of Chapter 560, F.S.</u>	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(111)	560.404(6)	<u>Charging fees that exceed 10 percent of the currency or payment instrument provided for a deferred presentment transaction.</u>	Fine: A Restitution	Fine: B Restitution Suspension: B	Fine: C Restitution Revocation
(112)	560.404(7)	<u>Collecting the fees authorized for a deferred presentment transaction before the drawer's check is presented or redeemed.</u>	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(113)	560.404(8)	<u>Accepting a deferred presentment transaction for a term longer than 31 days or less than 7 days.</u>	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(114)	560.404(9)	<u>Requiring a drawer to provide additional security or guaranty for a deferred presentment transaction.</u>	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(115)	560.404(10)(a)	<u>Including a hold harmless clause in a deferred presentment agreement.</u>	Fine: A	Fine: B Suspension: B	Fine: C Suspension: B
(116)	560.404(10)(b)	<u>Including a confession of judgment clause in a deferred presentment agreement.</u>	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(117)	560.404(10)(c)	<u>Including an assignment of or order for a payment of wages or other compensation for services in a deferred presentment agreement.</u>	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(118)	560.404(10)(d)	<u>Including a provision in which the drawer agrees not to assert any claim or defense arising out of the agreement in a deferred presentment agreement.</u>	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(119)	560.404(10)(e)	<u>Including a waiver of any provision of Chapter 560, Part IV, F.S., in a deferred presentment agreement.</u>	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(120)	560.404(11)	<u>A deferred presentment provider shall immediately provide the drawer with the full amount of any check to be held, less only the fee allowed by Section 560.404, F.S.</u>	Fine: B	Fine: C Suspension: C	Fine: C Revocation
(121)	560.404(12)	<u>Holding a deferred presentment agreement or a drawer's check that is altered, the date is deleted, or fails to bear the same date for a deferred presentment transaction.</u>	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(122)	560.404(13)	<u>Failure to ensure that each deferred presentment transaction complies with the disclosure requirements of 12 C.F.R., part 226, relating to the federal Truth-in-Lending Act, and Regulation Z of the Board of Governors of the Federal Reserve Board.</u>	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C

(123)	560.404(14)	Accepting or holding an undated check or a check dated on a date other than the date on which the deferred presentment provider agreed to hold the check and signed the deferred presentment transaction agreement.	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(124)	560.404(15)	Failure to hold the drawer's check for the agreed number of days, unless the drawer chose to redeem the check before the presentment date.	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(125)	560.404(16)	Charging an additional fee for issuing or cashing a deferred presentment provider's payment instrument, if licensed under Part II of Chapter 560, F.S.	Fine: B Restitution	Fine: B Restitution Suspension: B	Fine: B Restitution Revocation
(126)	560.404(17)	Requiring a drawer to accept a payment instrument issued by the licensee in lieu of currency in a deferred presentment transaction.	Fine: A	Fine: B Suspension: B	Fine: C Suspension: C
(127)	560.404(18)	Engaging in the rollover of a deferred presentment agreement. Redeeming, extending, or otherwise consolidating a deferred presentment agreement with the proceeds of another deferred presentment transaction made by the same deferred presentment provider or an affiliate.	Fine: B Restitution of any fees received for each subsequent rollover	Fine: B Restitution of any fees received for each subsequent rollover Suspension: B	Fine: C Restitution of any fees received for each subsequent rollover Revocation
(128)	560.404(19)	Entering into a deferred presentment transaction with a drawer who has an outstanding deferred presentment transaction with that provider or with any other deferred presentment provider, or with a person whose previous deferred presentment transaction with that provider or with any other provider has been terminated for less than 24 hours.	Fine: B Restitution of any fees received for each subsequent rollover	Fine: B Restitution of any fees received for each subsequent rollover Suspension: B	Fine: C Restitution of any fees received for each subsequent rollover Revocation
(129)	560.404(19)(a)	Failure to verify whether the deferred presentment provider or an affiliate has an outstanding deferred presentment transaction with a particular person or has terminated a transaction with that person within the previous 24 hours.	Fine: B Restitution of any fees received for each subsequent rollover	Fine: B Restitution of any fees received for each subsequent rollover Suspension: B	Fine: C Restitution of any fees received for each subsequent rollover Revocation
(130)	560.404(19)(b)	Failure to access the office's database and verify whether any other deferred presentment provider has an outstanding deferred presentment transaction with a particular person or has terminated a transaction with that person within the previous 24 hours.	Fine: B Restitution of any fees received for each subsequent rollover	Fine: B Restitution of any fees received for each subsequent rollover Suspension: B	Fine: C Restitution of any fees received for each subsequent rollover Revocation
(131)	560.404(20)	Failure to provide the notice defined in Section 560.404(20), F.S., in a prominent place on each deferred presentment agreement in at least 14-point type in substantially the form provided by Section 560.404(20), F.S., and must obtain the signature of the drawer where indicated.	Fine: A	Fine: B	Fine: C Suspension: C
(132)	560.404(21)	Presenting a drawer's check if the drawer informs the provider in person that the drawer cannot redeem or pay in full in cash the amount due and owing the deferred presentment provider or charging an additional fee or penalty by virtue of any misrepresentation made by the drawer as to the sufficiency of funds in the drawer's account.	Fine: A Restitution	Fine: B Restitution Suspension: B	Fine: C Restitution Revocation

(133)	560.404(22)	<u>Failure to provide a grace period extending the term of an agreement for an additional 60 days after the original termination date, without any additional charge if by the end of the deferment period, the drawer informs the deferred presentment provider in person that the drawer cannot redeem or pay in full in cash the amount due and owing.</u>	<u>Fine: B</u> <u>Restitution</u>	<u>Fine: C</u> <u>Restitution</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Restitution</u> <u>Revocation</u>
(134)	560.404(22)(a)	<u>Failure to comply with and adhere to, including depositing the drawer's check before the end of the 60-day grace period, a repayment plan that a drawer agrees to comply with and adhere to, which was approved by a credit counseling agency. Discouraging a drawer from using the 60-day grace period.</u>	<u>Fine: B</u> <u>Restitution</u>	<u>Fine: C</u> <u>Restitution</u> <u>Suspension: C</u>	<u>Fine: C</u> <u>Restitution</u> <u>Revocation</u>
(135)	560.404(22)(b)1.	<u>Failure to provide verbal notice of the availability of the 60-day grace period consistent with the written notice in Section 560.404(20), F.S.</u>	<u>Fine: A</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(136)	560.404(22)(b)2.	<u>Failure to provide a drawer a list of approved consumer credit counseling agencies prepared by the office.</u>	<u>Fine: A</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(137)	560.404(22)(b)3.	<u>Failure to provide a drawer the written notice in Section 560.404(22)(b)3., F.S., in at least 14-point type in substantially the form in the section detailing the drawer's rights under the 60-day grace period.</u>	<u>Fine: A</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(138)	560.404(22)(c)	<u>Failure to pay one-half of the drawer's fee for a deferred presentment agreement to the consumer credit counseling agency if a drawer completes an approved payment plan.</u>	<u>Fine: A</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(139)	560.404(23)	<u>Failure to submit data, including but not limited to the drawer's name, social security number or employment authorization alien number, address, driver's license number, amount of the transaction, date of transaction, the date that the transaction is closed, and such additional information as is required by rule before entering into each deferred presentment transaction in order to verify whether any deferred presentment transactions are outstanding for a particular person.</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(140)	560.404(24)	<u>Accepting more than one check or authorization to initiate more than one automated clearinghouse transaction to collect on a deferred presentment transaction for a single deferred presentment transaction.</u>	<u>Fine: A</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(141)	560.405(1)	<u>Presenting a drawer's check before the end of the deferment period, as reflected in the deferred presentment transaction agreement.</u>	<u>Fine: A</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(142)	560.405(2)	<u>Failure to endorse a drawer's check with the name under which the deferred presentment provider is doing business before the deferred presentment provider presents the drawer's check.</u>	<u>Fine: A</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>

(143)	560.405(3)	<u>Failure to return a drawer's check, upon redemption, and provide a signed, dated receipt showing that the drawer's check has been redeemed.</u>	<u>Fine: A</u>	<u>Fine: B</u>	<u>Fine: C</u> <u>Suspension: C</u>
(144)	560.406(1)	<u>Sending or collecting on collection notices containing references to treble damages and criminal prosecution used for the collection of worthless check in a deferred presentment transaction.</u>	<u>Fine: A</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Revocation</u>
(145)	560.406(2)	<u>Failure to comply with the prohibitions against harassment or abuse, false or misleading representations, and unfair practices that are contained in the Fair Debt Collections Practices Act, 15 U.S.C. ss. 1692d, 1692e, 1692f.</u>	<u>Fine: B</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Revocation</u>
(146)	560.406(3)	<u>Assessing the cost of collection, other than charges for insufficient funds as allowed by law, without a judgment from a court of competent jurisdiction for a deferred presentment transaction.</u>	<u>Fine: A</u> <u>Restitution</u>	<u>Fine: B</u> <u>Restitution</u> <u>Suspension: B</u>	<u>Fine: C</u> <u>Restitution</u> <u>Revocation</u>

(147) In accordance with this rule:

(a) Depending on the severity and repetition of specific violations, the Office may impose an administrative fine, suspension of a license, or revocation of a license or any combination thereof;

(b) The Office may impose a cease and desist order in conjunction with and in addition to any of the designated sanctions set forth in this rule when appropriate under the circumstances;

(c) Notwithstanding this rule, the Office may, when appropriate, enter orders of removal or prohibition or orders denying applications, and may seek the entry of an injunction and appointment of a receiver by a court of competent jurisdiction; and

(d) The Office will consider the licensee's disciplinary history for the past five years in determining an appropriate penalty, and may impose a more severe penalty when the disciplinary history includes past violations.

(148) In accordance with Sections 560.1141(2) and (3), F.S., the Office shall consider the following circumstances in determining an appropriate penalty within the range of penalties prescribed in this rule for each violation as based upon the citation number. The Office also shall consider these circumstances in determining a penalty that deviates from the range of penalties prescribed for each violation and citation number as a result of such circumstances:

(a) Whether the violation rate is less than 5% when compared to the overall sample size reviewed;

(b) The degree of harm to the customers or the public;

(c) The disciplinary history of the licensee;

(d) Whether the licensee detected and voluntarily instituted corrective responses or measures to avoid the recurrence of a violation prior to detection and intervention by the Office;

(e) Whether the licensee's violation was the result of willful misconduct or recklessness;

(f) Whether at the time of the violation, the licensee had developed and implemented reasonable supervisory, operational or technical procedures, or controls to avoid the violation;

(g) Where the violation is attributable to an individual officer, director, responsible person, or authorized vendor, whether the licensee removed or otherwise disciplined the individual prior to detection and intervention by the Office;

(h) Whether the licensee attempted to conceal the violation or mislead or deceive the Office;

(i) The length of time over which the licensee engaged in the violations;

(j) Whether the licensee engaged in numerous violations or a pattern of misconduct;

(k) The number, size and character of the transactions in question;

(l) Whether the licensee provided substantial assistance to the Office in its examination or investigation of the underlying misconduct;

(m) Other relevant, case-specific circumstances.

(149) The list of violations cited in this rule is intended to be comprehensive, but the omission of a violation from the list does not preclude the Office from taking any action authorized by Section 560.114, F.S.

(150) The ranges for administrative fines imposed by this rule are \$1,000 – \$3,500 for an "A" level fine; \$3,500 – \$7,500 for a "B" level fine; and \$7,500 – \$10,000 for a "C" level fine.

(151) The ranges for suspensions imposed by this rule are 3 to 10 days for an "A" level suspension; 10 to 20 days for a "B" level suspension; and 20 to 30 days for a "C" level suspension.

Rulemaking Authority 560.105, 560.1141 FS. Law Implemented 560.109, 560.1105, 560.111, 560.114, 560.1141, 560.118, 560.123, 560.1235, 560.125, 560.126, 560.128, 560.204, 560.208, 560.2085, 560.209, 560.210, 560.211, 560.213, 560.303, 560.309, 560.310, 560.403, 560.404, 560.405, 560.406 FS. History—New

Rulemaking Authority 24.105(9)(i), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History—New 4-10-09.

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

EFFECTIVE DATE: APRIL 10, 2009

## Section IV Emergency Rules

### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

### DEPARTMENT OF THE LOTTERY

RULE NO.:	RULE TITLE:
53ER09-16	Florida POWERBALL® Power Play® Retailer Bonus Sales Commission Promotion.

SUMMARY: Effective April 13, 2009 through May 3, 2009, the Florida Lottery will conduct Florida POWERBALL® Power Play® Retailer Bonus Sales Commission Promotion.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER09-16 Florida POWERBALL® Power Play® Retailer Bonus Sales Commission Promotion.

(1) Beginning April 13, 2009 through May 3, 2009, the Florida Lottery will pay retailers a bonus sales commission of two and one-half percent (2.5%), in addition to the regular commission set forth in Rule 53ER05-14, F.A.C., for each Florida Powerball with Power Play ticket sold in their store.

(2) The bonus sales commissions will be reflected on the retailer's weekly settlement report within three weeks of the end of the promotion. The Lottery reserves the right to apply a bonus commission earned against a retailer's outstanding debt to the Lottery and to award the remaining balance of the bonus commission, if any.

(3) Bonus sales commissions will be considered compensation to the retailer for Internal Revenue Service purposes.

(4) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award shall be paid the bonus commission earned provided said termination or inactivation was not due to noncompliance with Chapter 24, F.S., Chapter 53, F.A.C., or contract terms.

### DEPARTMENT OF MANAGEMENT SERVICES

#### Division of State Employees' Insurance

RULE NO.:	RULE TITLE:
60PER09-1	Employees Not on Payroll/Return to Payroll

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The American Economic Recovery and Reinvestment Act of 2009 (the Act), Pub. L. 111-5, includes a provision under which the federal government will pay a portion of COBRA premiums for certain individuals whose employer group health plan coverage would otherwise end due to an involuntary job loss between September 1, 2008, and December 31, 2009. Given the economic conditions, state employees may suffer layoffs. Those who are in layoff status and cannot afford regular COBRA premiums will lose their health insurance. Health care is a matter of great public concern.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Emergency rulemaking is fair under the circumstances because without the amendment those persons involuntarily in layoff status may not be able to take advantage of the COBRA subsidy that is designed to help people afford the cost of continuing health care insurance. Immediate clarification is necessary to reduce the potential for ambiguity and to ensure that employees in layoff are eligible to receive the nine months of COBRA subsidy provided under the Act.

SUMMARY: This rule amendment clarifies that employees who are involuntarily put in layoff status between September 1, 2008, and December 31, 2009, are "assistance eligible individuals" eligible for 18 months of COBRA followed by an additional 6 months of coverage eligibility under Rule 60P-2.012, F.A.C. This clarification removes the potential for ambiguity and ensures that layoffs are eligible to receive the nine months of COBRA subsidy provided under the Act.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Michelle Robleto, Director, Division of State Group Insurance, Department of Management Services, 4050 Esplanade Way, Tallahassee, FL 32399-0905; telephone (850)921-4658; telecopier (850)488-0252

THE FULL TEXT OF THE EMERGENCY RULE IS:

60PER09-1 (60P-2.012) Employees Not on Payroll/ Return to Payroll.

(1) through (4) No change.

(5) Layoff. An employee who is laid off in accordance with the rules promulgated by the Department shall be eligible to continue coverage while laid off for a period not to exceed twenty-four (24) months ~~two (2) years~~ from the date of layoff, provided the employee pays their ~~the~~ full premiums obligation ~~premiums~~. This coverage is comprised of eighteen (18) months of COBRA eligibility, after which the employee is eligible to participate in the state health insurance program for an additional six (6) months. An employee who does not continue coverage during such period, may only apply for reenrollment in the Health Program after returning to work and by submitting an application in accordance with subsection 60P-2.002(2), F.A.C., to the agency personnel office within thirty-one (31) calendar days after returning to work or during the open enrollment period.

(6) No change.

Rulemaking Specific Authority 110.123(5) FS. Law Implemented 110.123 FS. History–New 10-8-78, Amended 10-22-79, 7-1-80, 9-13-82, Formerly 22K-1.25, Amended 7-16-86, 9-25-86, Formerly 22K-1.212, Amended 8-22-96, Repromulgated 1-31-02, Amended

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

EFFECTIVE DATE: April 15, 2009

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**Section V**  
**Petitions and Dispositions Regarding Rule Variance or Waiver**

**DEPARTMENT OF LAW ENFORCEMENT**

NOTICE IS HEREBY GIVEN THAT on April 9, 2009, the Criminal Justice Standards and Training Commission, received a petition for waiver of subparagraph 11B-27.002(3)(a)2., F.A.C., from Brian Gordon and the Riviera Beach Police Department. Petitioner wishes to waive that portion of the rule that requires agencies to document that new hires have been subject to a thorough background investigation as reported on form CJSTC-77.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**DEPARTMENT OF MANAGEMENT SERVICES**

NOTICE IS HEREBY GIVEN THAT on April 10, 2009, the Agency for Workforce Innovation, received a petition for Variance from subsection 60BB-4.210(1), F.A.C., which provides requirements for maintaining school readiness eligibility and allows an individual to be unemployed for a maximum of 30 days before losing eligibility to receive services. The Petition was filed by the Early Learning Coalition of Indian River, Martin, and Okeechobee Counties, 10 S. E. Central Parkway, Suite 400, Stuart, Florida 34994.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 East Madison Street, MSC 140, Tallahassee, Florida 32399-4120.

NOTICE IS HEREBY GIVEN THAT on April 2, 2009, the Agency for Workforce Innovation, received a petition for Emergency Variance from subsection 60BB-4.210(1), Florida Administrative Code, from the Early Learning Coalition of Okaloosa and Walton Counties, 2018 Lewis Turner Boulevard, Suite C, Fort Walton Beach, Florida 32547.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 E. Madison Street, MSC 140, Tallahassee, Florida 32399-4120.

NOTICE IS HEREBY GIVEN THAT on April 2, 2009, the Agency for Workforce Innovation, received a petition for Emergency Waiver of Rule 60BB-8.201, Florida Administrative Code, from the Early Learning Coalition of Okaloosa and Walton Counties, 2018 Lewis Turner Boulevard, Suite C, Fort Walton Beach, Florida 32547.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 E. Madison Street, MSC 140, Tallahassee, Florida 32399-4120.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that on April 6, 2009, the Board of Accountancy, received a petition for Rachelle Raymond, 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, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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**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."

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NOTICE IS HEREBY GIVEN THAT on April 3, 2009, the Bureau of Beaches and Coastal Systems, received a petition for a variance or waiver, pursuant to Section 120.542, Florida Statutes and Chapter 28-104, F.A.C., from paragraph 62B-33.0051(1)(a), F.A.C., which provides the condition where construction of armoring shall be authorized. The petition was received from Charles R. Garner, on behalf of J. Higdon, W. & M. Walker, and J. Steen, regarding WL-911 AR ATF. The properties are located at 4589, 4579 and 4569, Co., Hwy. 30A, Dune Allen Beach, Walton County, Florida.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rosaline Beckham at (850)488-7815 or by e-mail: [rosaline.beckham@dep.state.fl.us](mailto:rosaline.beckham@dep.state.fl.us). Any comments should be filed in writing: Department of Environmental Protection, 3900 Commonwealth Blvd., MS 300, Tallahassee, Florida 32399-3000, and should be submitted within 14 days of the date of this publication.

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**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT on April 14, 2009, the Board of Medicine, received a petition for waiver or variance filed on behalf of Ismael C. Hernandez, M.D., from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

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.

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**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

NOTICE IS HEREBY GIVEN THAT on April 2, 2009, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Family Preservation Services of Florida, Inc. and Audrey Long, assigned Case No. 09-013W. Subsection 65C-15.017(3), F.A.C., requires agency staff responsible for case work services shall have a bachelor's or master's degree in social work or related area of study from an accredited college or university.

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

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NOTICE IS HEREBY GIVEN THAT on April 10, 2009, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Youth and Family Alternatives, Inc. and Rafael Quinones, assigned Case No. 09-014W. Subsection 65C-15.017(3), F.A.C., requires agency staff responsible for performing casework services shall have a bachelor's or master's degree in social work or a related area of study from an accredited college or university.

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

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**FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN THAT on April 13, 2009, the Florida Housing Finance Corporation, received a petition for Waiver of Part III.D.1.f. of the 2006 Universal Application Instructions to Provide Specific Features in Units Developed for Elderly Residents from Poinciana Grove, LTD, ("Petition"). The Petition is seeking a waiver of the requirement to provide specific flooring in units developed for elderly residents.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Della Harrell, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at: [www.floridahousing.org](http://www.floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day

after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT on April 13, 2009, the Department of Financial Services, Division of State Fire College has issued an order.

The Order has been assigned the number 102844-09-FM. Petitioner sought a variance of Rules 69A-37.084 and 69A-37.085, Florida Administrative Code, which set forth the requirements for firefighter supplemental compensation. Because Petitioner holds a degree from an educational institution which has chosen not to seek accreditation over concerns that it would jeopardize its religious and philosophical distinctive. Petitioner sought a variance from the requirement that an “eligible Bachelor’s Degree” must be conferred by a post-secondary institution that has received accreditation “from an accrediting agency that is recognized by the U.S. Department of Education.” The Department examined the documentation submitted by Petitioner in support of his Petition and determined that a variance or waiver of Rules 69A-37.084 and 69A-37.085, Florida Administrative Code, was warranted to the limited extent that “accredited” does not require “accreditation from an accrediting agency that is recognized by the U.S. Department of Education” under these particular facts and circumstances.

A copy of the Order may be obtained by contacting: Regina Keenan, Senior Attorney, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4236.

**Section VI**

**Notices of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF STATE**

The **Friends of the Museums of Florida History, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 5, 2009, 9:00 a.m. – 12:00 Noon

PLACE: R. A. Gray Building, 500 S. Bronough St., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Elyse Cornelison, Museum of Florida History at (850)245-6400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by

contacting: Elyse Cornelison, Museum of Florida History at (850)245-6400. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Elyse Cornelison, Museum of Florida History at (850)245-6400.

**DEPARTMENT OF LEGAL AFFAIRS**

The **Florida Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, April 30, 2009, 11:30 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Commission on the Status of Women Foundation, Inc.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131.

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 Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131. 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: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The **Florida Agricultural Center and Horse Park Authority** announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesdays, May 5, 12, 19, 26, 2009, 4:00 p.m.

PLACE: Ocala Foxtrotter Ranch, 11800 South Highway 475, Ocala, Florida 34480



GENERAL SUBJECT MATTER TO BE CONSIDERED: The committees of the Florida Agricultural Center and Horse Park Authority will meet every Tuesday in May to discuss committee business.

A copy of the agenda may be obtained by contacting: Richard Gunnels at [gunnelr@doacs.state.fl.us](mailto:gunnelr@doacs.state.fl.us) or (850)488-3022.

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 [gunnelr@doacs.state.fl.us](mailto:gunnelr@doacs.state.fl.us) or (850)488-3022. 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 Viticulture Advisory Council (VAC)** announces a public meeting to which all persons are invited.

DATE AND TIME: May 4, 2009, 1:00 p.m. – 4:00 p.m.

PLACE: Jackson County UF/IFAS Extension office, 2741 Pennsylvania Avenue, Suite 3, Marianna, Florida 32448

DATE AND TIME: May 5, 2009, 9:00 a.m. – 2:00 p.m.

PLACE: Leroy Collins Building, Innovation Park, 2051 East Dirac Drive, Tallahassee, Florida 32310

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual budget meeting.

A copy of the agenda may be obtained by contacting: Tom Thomas at (850)922-9827.

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: Tom Thomas at (850)922-9827. 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: Tom Thomas at (850)922-9827.

The **Florida Alligator Marketing and Education Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 7, 2009, 10:00 a.m.

PLACE: Teleconference, Participants will need to call: 1(888)808-6959, then enter the Conference Code: 4873444

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to conduct general business of the Florida Alligator Marketing and Education Committee, and to discuss marketing and education initiatives for the current and next fiscal year.

A copy of the agenda may be obtained by contacting: John Easley or Martin May at (850)488-0163.

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: John Easley or Martin May at (850)488-0163. 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: John Easley or Martin May at (850)488-0163.

## DEPARTMENT OF EDUCATION

The **Board of Governors**, State University System of Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 7, 2009, 9:00 a.m.

PLACE: 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: University Tuition and Fees, Fall 2009; Legislative Update, Session 2009; Possible Ratification of President, FIU; and other matters pertaining to the Board of Governors.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

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: Office of Access and Equity, DOE at (850)245-9532, Voice. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The **Florida Public Archaeology Network** announces a public meeting to which all persons are invited.

DATE AND TIME: May 8, 2009, 8:00 a.m. (CST)

PLACE: 207 E. Main Street, Pensacola, FL 32502

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the Board of Directors in which the operation of the Network is to be reviewed. Budget cuts and appointment of new board members will also be addressed. An agenda for this meeting will be posted on this website

(www.flpublicarchaeology.org) at least seven days in advance of the meeting and can also be obtained by contacting the FPAN as detailed below.

A copy of the agenda may be obtained by contacting: Cheryl Phelps, Office Administrator, FPAN at (850)595-0050, Fax: (850)595-0052, email: cphelps@uwf.edu.

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: UWF ADA Office at (850)857-6114 (TTY) or (850)473-7469, at least 48 hours before each 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 **Commission for Independent Education** announces a public meeting to which all persons are invited.

DATE AND TIME: May 7, 2009, 9:00 a.m., Rules Committee; Meeting, 12:00 Noon – when business is concluded; Accreditation Review Committee meeting for consideration of Higher Learning Commission of the North Central Association of Colleges and Schools.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Rules Committee will conduct the general committee business of the Rules Committee. The Accreditation Review Committee will conduct the general committee business of the Accreditation Review Committee, including, consideration of the application for recognition of The Higher Learning Commission of the North Central Association of Colleges and Schools, as an accrediting body for the purpose of Licensure by Means of Accreditation, pursuant to Section 1005.32, F.S. and subsection 6E-2.002(3), Florida Administrative Code.

DATE AND TIME: May 8, 2009, 9:00 a.m., Commission Meeting

PLACE: Orlando Marriott – Lake Mary, 1501 International Parkway, Lake Mary, Florida 32646

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission for Independent Education will consider: All Degree Granting Institutions and Non-Degree granting institutions for the following: Disciplinary Matters, Informal Hearings, Institutions Ordered to Appear Back Before the Commission, New Applications for Licensure, Institutional Applications for Program Modifications and Additional Programs, Application for Annual License, Motions for Extension of License, Motions for Request for Extension of Time to Comply with Contingencies, Reports, Approved Applicant Letters Sent, Licenses Sent, Closed Schools, Agent Training Programs, Annual Renewals, Extension of Annual License, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Substantive Change Applications, Name Change Applications, Attorney and Executive Director Reports, Applications for Exemption for

Religious Colleges, Application for recognition of the Higher Learning Commission of the North Central Association of Colleges and Schools as an accrediting body for Licensure by Means of Accreditation pursuant to Section 1005.32 and subsection 6E-2.002(3), Florida Administrative Code.

A copy of the agenda may be obtained by contacting: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. 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: Commission for Independent Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

The Florida **Community College at Jacksonville District**, Board of Trustees announces the following meetings to which the public is invited.

STRATEGIC CONVERSATION:

DATE AND TIME: May 5, 2009, 12:00 Noon – 2:00 p.m.

PLACE: Advanced Technology Center, Room T-140, 401 West State Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Joint meeting with Duval County School Board.

REGULAR MONTHLY BOARD MEETING:

DATE AND TIME: May 5, 2009, 2:00 p.m. – 3:00 p.m.

PLACE: Donald T. Martin Center for College Services, Boardroom 451, 501 West State Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

DISCUSSION OF COLLEGE OPERATIONAL MATTERS:

DATE AND TIME: May 5, 2009, 3:00 p.m. – 5:00 p.m.

PLACE: Donald T. Martin Center for College Services, Room 462, 501 West State Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: As required by law the Board will act on matters involving personnel evaluations, finance, and facilities.

Copies of the agenda for the regular monthly Board meeting will be available for inspection on and after Tuesday, April 28, 2009, and copies will be provided upon written request and the

payment of approved duplicating charges. Any person wishing to address agenda items at the Board of Trustees meeting will be provided an opportunity to do so by appearing before the Board at the meeting. All objections to this notice or the propriety of the scheduled public meetings should be filed in writing with the College President, Florida Community College at Jacksonville, on or before May 5, 2009. All legal issues should be brought to the College's attention and an attempt made to resolve them prior to the public meeting.

Any person wishing to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made. Through the months of May and June, 2009, the Board will hold informal meetings each Thursday from 12:00 Noon to 4:00 p.m. at the Donald T. Martin Center for College Services, Room 462, for the purpose of discussing College business as appropriate.

FCCJ does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action college. If special accommodations are required, please advise human resources 24 hours in advance of the meeting.

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#### DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs, Housing and Community Development**, Community Assistance Section announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 4, 2009, 9:30 a.m. – 1:00 p.m.

PLACE: Florida Department of Elder Affairs, 4040 Esplanade Way, Room 225F, Tallahassee, Florida 32399, (850)414-2000, Tele-conference Number: 1(866)303-0038, Conference ID #: 94661015

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Community Assistance Advisory Council will review the ARRA 2009 WAP State Plan for FFY 2009-12. The Plan is Florida's application for funding from the United States Department of Energy.

A copy of the draft state plan for the Advisory Council meeting may be obtained by contacting: Department of Community Affairs, Mr. Norm Gempel, Manager, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100. Copies may also be obtained by calling (850)488-7541, Fax: (850)488-2488, e-mail: Ms. Rachel White at Rachel.White@dca.state.fl.us or appear in person at the Advisory Council meeting location. A copy will also be available at the Department of Community Affairs' Weatherization Assistance Program website: <http://www.floridacommunitydevelopment.org/wap/index.cfm>.

A copy of the agenda may be obtained by contacting: Department of Community Affairs, Mr. Norm Gempel, Manager, The Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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. Rachel White at Rachel.White@dca.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).

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The **State Emergency Response Commission**, Sub-Committee on Training announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 30, 2009, 10:00 a.m. –12:00 Noon (GMT-05:00) Eastern Time (US & Canada)

PLACE: This is a Telephone Conference but can be attended in person: 2555 Shumard Oak Blvd., Room 325E, Tallahassee, FL. To join by Telephone: Dial (914)339-0016 Access Code, Meeting ID: 983-682-811. Audio PIN shown after joining the meeting.) To attend by internet: <https://www2.gotomeeting.com/join/983682811> (Use your microphone and speakers (VoIP), a headset is recommended.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tox Medic Guidelines Update.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, Technological Hazards Unit, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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: Division of Emergency Management at (850)413-9970. 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).

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The **Florida Communities Trust Governing Board** announces a public meeting to which all persons are invited.

DATE AND TIME: May 7, 2009, 2:00 p.m. – 4:00 p.m. or until business is concluded on that date, whichever time occurs first

PLACE: Department of Community Affairs, 2555 Shumard Oak Boulevard, Kelley Room, 3rd Floor, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review proposed rulemaking of Chapter 9K-9, F.A.C., to review a project plan and conduct other business that the Governing Board deems necessary.

A copy of the agenda may be obtained by contacting: Florida Communities Trust at (850)922-2207.

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 Communities Trust at (850)922-2207. 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.

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## DEPARTMENT OF REVENUE

The **Department of Revenue**, Property Tax Oversight Program announces a public meeting to which all persons are invited.

**DATES AND TIMES:** May 12, 2009, 9:00 a.m. – 5:00 p.m.; May 13, 2009, 9:00 a.m. – 5:00 p.m.; May 14, 2009, 9:00 a.m. – 2:00 or 3:00 p.m. (adjournment will depend on when participants need to leave to travel home)

**PLACE:** Florida Department of Revenue, Training Room D, Building C-1, Taxworld, 5050 West Tennessee Street, Tallahassee, Florida. The public can participate in this meeting by attending it in Tallahassee or by accessing a simultaneous Internet webcast/virtual meeting from their home or office computer where they can view and hear the meeting and comment by email or verbally in real time. Further information on how to participate in this webcast from your home or office will be posted on or before May 1, 2009 on the Department's Internet website: <http://dor.myflorida.com/dor/property/vabwb/vabrules.html> or can be obtained on or after May 1, 2009 by contacting: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, (850)922-7945, e-mail: [ForrestJ@dor.state.fl.us](mailto:ForrestJ@dor.state.fl.us). This information will include the names and contact information for Department employees who can answer questions from the public about how to participate electronically.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is not a rule development workshop, but rather a multi-day public meeting at which participation and the exchange of ideas and information is encouraged. This public meeting will assist the Department in understanding and resolving several issues related to the draft rules on the local value adjustment board process. These issues will be identified on the agenda for this multi-day meeting. Persons who are unable to attend or participate in this multi-day public meeting are encouraged to submit written comments and suggestions concerning the issues identified on the agenda that will be

posted on May 1. Please email your written comments and suggestions to the following Property Tax Oversight Program address: [VAB@dor.state.fl.us](mailto:VAB@dor.state.fl.us).

A copy of the agenda may be obtained by contacting: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, (850)922-7945, e-mail: [ForrestJ@dor.state.fl.us](mailto:ForrestJ@dor.state.fl.us). on or after May 1, 2009. A copy of the agenda will also be posted on or after May 1, 2009 on the Department's Internet website: <http://dor.myflorida.com/dor/property/vabwb/vabrules.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 2 days before the workshop/meeting by contacting: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, (850)922-7945, e-mail: [ForrestJ@dor.state.fl.us](mailto:ForrestJ@dor.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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## DEPARTMENT OF TRANSPORTATION

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

**DATE AND TIME:** May 7, 2009, 2:00 p.m. – until completion of business

**PLACE:** Jaxport, 2831 Talleyrand Avenue, Jacksonville, FL  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Tour of Jaxport.

A copy of the agenda may be obtained by contacting: Cathy Goodman at (850)414-4105.

For more information, you may contact: Florida Transportation Commission, Room 176, MS #9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

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

**DATE AND TIME:** May 8, 2009, 8:30 a.m. – until completion of business

**PLACE:** Jacksonville Transportation Authority, Boardroom, 100 North Myrtle Avenue, Jacksonville, FL  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Florida Transportation Commission Meeting.

A copy of the agenda may be obtained by contacting: Cathy Goodman at (850)414-4105.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Cathy Goodman at (850)414-4105. If you are

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

For more information, you may contact: Florida Transportation Commission, Room 176, MS #9, 605 Suwannee Street, Tallahassee, Florida 32399-0450, (850)414-4105.

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### **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."

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The Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas acting as staff to the **Board of Trustees of the Internal Improvement Trust Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 21, 2009, 11:00 a.m. – 2:00 p.m.

PLACE: Rookery Bay Reserve Environmental Learning Center, 300 Tower Road, Naples, FL 34113

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is for the members of the Advisory Committee to discuss the revision of the Rookery Bay National Estuarine Research Reserve Management Plan.

A copy of the agenda may be obtained by contacting: Brenda Varnes at [brenda.varnes@dep.state.fl.us](mailto:brenda.varnes@dep.state.fl.us) or (239)417-6310.

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 Varnes at [brenda.varnes@dep.state.fl.us](mailto:brenda.varnes@dep.state.fl.us) or (239)417-6310. 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).

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### **REGIONAL PLANNING COUNCILS**

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

DATE AND TIMES: Thursday, May 7, 2009, Planning and Growth Management Committee, 8:30 a.m.; Personnel, Budget and Finance Committee, 9:00 a.m.; Full Board of Directors, 10:00 a.m.; Legislative Committee immediately following the Board Meeting

PLACE: NEFRC, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly meetings.

A copy of the agenda may be obtained by contacting: Sheron Forde at (904)279-0880 or [sforde@nefrc.org](mailto:sforde@nefrc.org).

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

DATE AND TIME: May 13, 2009, 9:30 a.m.

PLACE: Hardee County Civic Center, 515 Civic Center Drive, Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Council and/or its Executive Committee.

A copy of the agenda may be obtained by contacting: Patricia M. Steed, Executive Director.

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

For more information, you may contact: Patricia M. Steed, Executive Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130.

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### **WATER MANAGEMENT DISTRICTS**

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 6, 2009, 10:00 a.m. – 12:00 Noon

PLACE: East Lake County Library, Meeting Room, 31340 South County Road 437, Sorrento, FL 32776

MANAGEMENT REVIEW TEAM TOUR (MRT)

DATE AND TIME: Wednesday, May 6, 2009, 1:00 p.m. – 3:00 p.m.

PLACE: Lake Norris Conservation Area. Meet at the Lake Norris Conservation Area parking lot by 1:00 p.m. To reserve a spot for the tour, you must RSVP by May 4, 2009. Email: [tmashour@sjrwmd.com](mailto:tmashour@sjrwmd.com) or call: (386)329-4855.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Central Recreational Public Meeting and MRT will review land management and land acquisition activities in the Central Region.

A copy of the agenda may be obtained by contacting: Terri Mashour at (386)329-4855.

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: Karen M. Davis at (386)329-4404. 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.

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The **St. Johns River Water Management District**, Projects and Land Committee announces a public meeting to which all persons are invited.

Projects and Land Committee Public Meeting and Tour

DATE AND TIME: Friday, May 8, 2009, 10:00 a.m.

PLACE: Seminole County Public Works – Environmental Services, Reflections Plaza, 500 W. Lake Mary Blvd., Sanford, Florida 32773

GENERAL SUBJECT MATTER TO BE CONSIDERED: Updates of the Middle St. Johns River Basin Surface Water Improvement and Management Program, Wekiva River system water quality restoration challenges, Surface and groundwater nutrient contribution considerations and tour of the District’s Middle St. Johns River Basin.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, (386)329-4347.

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: Heather Barnes at (386)329-4347. 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).

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The **St. Johns River Water Management District** announces a workshop to which all persons are invited.

Governing Board Workshop

DATE AND TIME: Monday, May 11, 2009, 1:00 p.m.

PLACE: District Headquarters, Governing Board Room, Executive Building, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Informational workshop on Communications and Outreach and Review of Administrative Procedures, Chapter 120, F.S.

NOTE: One or more Governing Board members may attend and participate in the meeting by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Missy McDermont, 4049 Reid Street, Palatka, FL 32177, (386)329-4101, or by visiting the District’s website: [www.sjrwmd.com](http://www.sjrwmd.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **St. Johns River Water Management District**, Projects and Land Committee announces a public meeting to which all persons are invited.

Projects and Land Committee Business Meeting

DATE AND TIME: Monday, May 11, 2009, 5:00 p.m.

PLACE: District Headquarters, Room 162, Executive Building, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Projects and Land Committee will discuss agenda items, followed by committee recommendations to be approved by the full Governing Board.

NOTE: In the event a quorum of the Committee is not available for the business meeting at the date, time and place set forth above, the Committee shall meet on Tuesday, May 12, 2009, 8:00 a.m. at District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, (386)329-4347, or by visiting the District’s website: [www.sjrwmd.com](http://www.sjrwmd.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIMES: May 12, 2009

8:15 a.m. Chair's Meeting

8:45 a.m. Finance, Administration and Audit Committee

10:00 a.m. Regulatory Committee

1:00 p.m. Governing Board Meeting and Public Hearing on Land Acquisition

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Marji Hightower, 4049 Reid Street, Palatka, FL 32177, (386)329-4214, or by visiting the District's website: [www.sjrwmd.com](http://www.sjrwmd.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: Monday, May 4, 2009, 3:30 p.m.

PLACE: Springs Coast Environmental Education Center, 9170 Cortez Boulevard, Weeki Wachee, Florida 34607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of task force business for the Hernando County Task Force of the Citrus/Hernando Waterways Restoration Council. Hernando County residents are encouraged to attend and provide suggestions for restoration projects to enhance fish and wildlife habitat.

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 4702, TDD (Florida only) 1(800)231-6103 or email: [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.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 **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 5, 2009, 8:30 a.m.

PLACE: Tampa Convention Center, 333 S. Franklin Street, Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tampa Bay Water Regional Water Shortage Management Workshop: To present water conservation strategies and address current and future drought conditions. Ad Order 49708.

A copy of the agenda may be obtained by contacting: SWFWMD, Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (FL only) 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: SWFWMD, Human Resources Director at the address above or call (352)796-7211, ext. 4702, 1(800)423-1476 (FL only), ext. 4702, TDD (FL only) 1(800)231-6103, email: [ADA\\_Coordinator@swfwmd.state.fl.us](mailto:ADA_Coordinator@swfwmd.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).

NOTICE OF CANCELLATION – The **South Florida Water Management District** hereby gives notice that the rule development workshop scheduled for May 5, 2009, regarding Rules 40E-2.091, 40E-20.091, 40E-10.011, 40E-10.021, 40E-10.031 and 40E-10.051, F.A.C., to establish a water reservation for the portions of the Kissimmee River (upstream of S-65E), Floodplain and Upper Chain of Lakes, has been cancelled and will be rescheduled at a later date.

The **Water Resources Advisory Commission**, Issues Workshop – River of Grass Project Planning Phase 1 announces a public meeting to which all persons are invited.

DATE AND TIME: May 6, 2009, 10:00 a.m. – 4:00 p.m.

PLACE: PBC Fire Rescue, Herman Brice Training Complex, 405 Pike Road, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: All interested parties are invited to participate in a planning workshop for use in configuration of the River of Grass Restoration Plan. 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: Joni Warner at (561)242-5520, ext. 4221.

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 **Water Resources Advisory Commission (WRAC)** announces a public meeting to which all persons are invited.

DATE AND TIME: May 7, 2009, 9:00 a.m. – 4:00 p.m.

PLACE: Royal Palm Beach Cultural Center, 151 Civic Center Way, Royal Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: 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 private closed door attorney-client session.

DATE AND TIME: May 11, 2009, 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: May 13, 2009, 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: May 14, 2009, 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)(2008), 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, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or [www.sfwmd.gov](http://www.sfwmd.gov).

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

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

For more information, you may contact: District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: May 11, 2009, 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: May 13, 2009, 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: May 14, 2009, 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)(2008), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in Florida Wildlife Federation, et al. v. Johnson, et al., United States District Court, Northern District of Florida, Case No. 08-cv-00324-RH-WCS. 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, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt, C. Pettit.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or [www.sfwmd.gov](http://www.sfwmd.gov).

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

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

For more information, you may contact: District Clerk's Office at (561)682-2087.

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The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: May 11, 2009, 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: May 13, 2009, 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: May 14, 2009, 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)(2008), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in South Florida Water Management District v. State of Florida, Fifteenth Judicial Circuit, Palm Beach County, Florida, Case No. 50-2008-CA-031975XXXXMB. 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, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, F. Bartolone, R. Hanna, C. Lamia, K. Artin, F. Springer, J. Nutt.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or [www.sfwmd.gov](http://www.sfwmd.gov).

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

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

For more information, you may contact: District Clerk's Office at (561)682-2087.

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The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: May 11, 2009, 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: May 13, 2009, 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: May 14, 2009, 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)(2008), 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, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt.  
Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or [www.sfwmd.gov](http://www.sfwmd.gov).  
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For more information, you may contact: District Clerk's Office at (561)682-2087.

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The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: May 11, 2009, 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: May 13, 2009, 9:00 a.m. – completed  
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DATE AND TIME: May 14, 2009, 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)(2008), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in Cutler Properties, LC v. South Florida Water Management District, Eleventh Judicial Circuit, Miami-Dade County, Florida, Case No. 08-46701 CA 5. 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, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, M. Compagno, J. Nutt, B. Lewis, S. Martin.  
Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or [www.sfwmd.gov](http://www.sfwmd.gov).  
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For more information, you may contact: District Clerk's Office at (561)682-2087.

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The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: May 11, 2009, 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: May 13, 2009, 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: May 14, 2009, 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)(2008), 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, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, K. Burns, J. Nutt.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or [www.sfwmd.gov](http://www.sfwmd.gov).

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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.

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

DATE AND TIME: May 14, 2009, 9:00 a.m.

PLACE: South Florida Water Management District, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Continuation of public hearing from April 9, 2009 to adopt amendments to Rules 40E-2.051, 40E-2.061, 40E-2.091, 40E-2.331, 40E-24.011, 40E-24.101, 40E-24.201, 40E-24.301, 40E-24.401, 40E-24.501, 40E-20.091, 40E-20.331, F.A.C., regarding year-round landscape irrigation conservation measures. District staff is proposing to adopt amendments to the landscape irrigation conservation measures currently in place in Lee, Collier and portions of Charlotte County and to expand those conservation measures throughout the region of the South Florida Water Management District. District staff is also proposing to adopt amendments to create a general permit by rule for landscape irrigation use and to allow modification of such a permit that does not allow more cumulative days and time to conduct landscape irrigation than those provided under Chapter 40E-24, F.A.C. Lastly, the District is proposing to adopt amendments to the water conservation measures in the "Basis of Review for Water Use Permit Applications within the South Florida Water Management District" to be consistent with the landscape irrigation conservation measures set forth in Chapter 40E-24, F.A.C.

A copy of the agenda may be obtained by contacting: South Florida Water Management District Clerk at 1(800)432-2087 or (561)682-2087.

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

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

For more information, you may contact: Jesus Rodriguez, Lead Water Conservation Officer, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6060 or (561)682-6060, email: [jerodrig@sfwmd.gov](mailto:jerodrig@sfwmd.gov). For procedural issues contact: Jan Sluth, Senior Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6299 or (561)682-6299, email: [jsluth@sfwmd.gov](mailto:jsluth@sfwmd.gov).

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**AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Agency for Health Care Administration**, on behalf of the Florida Health Choices Corporation Board announces a public meeting to which all persons are invited.

DATE AND TIME: May 8, 2009, 1:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be an organizational meeting for the Florida Health Choices Corporation.

A copy of the agenda may be obtained by contacting: Elizabeth Tull or Carol Barr Platt in the Bureau of Managed Health Care at (850)487-0640.

For more information, you may contact: Elizabeth Tull or Carol Barr Platt, Bureau of Managed Health Care at (850)487-0640.

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The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 7, 2009, 1:00 p.m. – 4:00 p.m. (EST)

PLACE: Agency for Health Care Administration, Fort Knox Office Complex, 2727 Mahan Drive, Bldg. 3, Conference Room A, Tallahassee, FL 32308. Dial In Number: 1(877)328-7346, Conference ID: 90967298.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Technical Advisory Panel Meeting.

A copy of the agenda may be obtained by contacting: dilmores@ahca.myflorida.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 7 days before the workshop/meeting by contacting: ruisj@ahca.myflorida.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).

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**DEPARTMENT OF MANAGEMENT SERVICES**

The **Department of Management Services** announces a joint meeting of the Standard Operating Procedures and Technical Committees of the Joint Task Force on State Agency Enforcement Communications announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 5, 2009, 8:30 a.m. – 5:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Pin: 4108307. Woodcrest Office Complex, Building K, 325 John Knox Road, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss operational matters of the Statewide Law Enforcement Radio System.

A copy of the agenda may be obtained by contacting: An agenda will be forwarded to expected participants when available.

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: Vic Cullars, Florida Department of Law Enforcement at (850)410-8307 or Todd Preston, Fish and Wildlife Conservation Commission at (850)410-0656, ext. 17120.

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The Florida **Commission on Human Relations** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, May 12, 2009, 9:00 a.m.

PLACE: Conference Call: 1(888)808-6959, when prompted enter the VCS Conference Code: 1021548, followed by the # key. Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 200, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases that have come before the Commission for determination.

A copy of the agenda may be obtained by contacting: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 200, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

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: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 200, Tallahassee, FL 32301, (850)488-7082, ext. 1032. 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: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 200, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The **Board of Auctioneers** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 12, 2009, 9:00 a.m.

PLACE: This meeting will be held via conference call. Conference Call: 1(888)808-6959, Conference Code: 4879597

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: Board of Auctioneers at (850)922-5012 or via Fax: (850)921-2321.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Auctioneers at (850)922-5012 or via Fax: (850)921-2321. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Auctioneers at (850)922-5012 or via Fax: (850)921-2321.

The **Department of Business and Professional Regulation, Barbers Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 18, 2009, 9:00 a.m. or soon thereafter

PLACE: Hyatt Regency Jacksonville-Riverfront, 225 East Coastline Drive, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the board to conduct regular business.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Barbers Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)922-6096.

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: Barbers Board Office, Robyn Barineau, Executive Director at (850)922-6096. 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 Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 4, 2009, 9:00 a.m. or soon thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Division of Real Estate, Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5632. 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 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: May 7, 2009, 9:00 a.m.

PLACE: City of Jacksonville-City Hall, Exam Room 3, Mezzanine Level, 117 W. Duval Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lower St. Johns River Tributaries Basin Working Group was formed to provide a forum for stakeholders to provide recommendations to the Department of Environmental Protection regarding development of the Lower St. Johns River Tributaries Basin Management Action Plan (BMAP). The BMAP is the means for implementation of the Lower St. Johns River Tributaries Fecal Coliform Total Maximum Daily Loads (TMDLs). Topics for this meeting include an overview of the sufficiency of effort evaluation, review of the draft BMAP document, and discussion regarding future recommendations by the Basin Working Group.

A copy of the agenda may be obtained by contacting: Mrs. 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: Mrs. 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).

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The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2009, 3:00 p.m.

PLACE: Florida Department of Environmental Protection, Southwest District Office, 13051 North Telecom Parkway, Temple Terrace, Florida 33637

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a public meeting to discuss issues related to the Hillsborough River Fecal Coliform Basin Management Action Plan (BMAP). The primary topic of discussion during this meeting will be the Finalization of the BMAP document that will be proposed for adoption by Secretarial Order.

A copy of the agenda may be obtained by contacting: Mr. Terry Hansen, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3500, Tallahassee, Florida 32399-2400, or by e-mail: terry.hansen@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: Terry Hansen at (850)245-8561. 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).

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## DEPARTMENT OF HEALTH

The **Department of Health**, Office of Public Health Nursing announces a public meeting to which all persons are invited.

DATE AND TIME: May 4, 2009, 1:00 p.m. – 5:00 p.m.

PLACE: Florida Department of Health, 4052 Bald Cypress Way, Room 301, Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** [Rules 64-3.010](#), Definitions; [64-3.020](#), Eligibility Criteria for Special Needs Shelters; [64-3.030](#), Guidelines for Special Needs Shelter Staffing Levels; [64-3.040](#), Definition of Special Needs Shelter Supplies and Equipment; [64-3.050](#), Special Needs Shelter Registration; [64-3.060](#), Addressing the Needs of Families; [64-3.070](#), Pre-event Planning Activities; [64-3.080](#), Service Reimbursement, F.A.C. The Special Needs Shelter Interagency Committee Meeting is being hosted by the Department of Health, Office of Public Health Nursing, to identify and resolve challenges related to special needs shelters

that are not currently addressed in the state comprehensive plan. The meeting shall also serve as a forum to develop policies and procedures which support sheltering best practices throughout the state. The continuation of the committee work assures the best quality service to clients with special medical needs and Florida's vulnerable population.

A copy of the agenda may be obtained by contacting: Denita Mitchell at (850)245-4444, ext. 2168 or email: Denita\_Mitchell@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: Denita Mitchell at (850)245-4444, ext. 2168 or email: Denita\_Mitchell@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).

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The **Board of Chiropractic Medicine**, Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, May 12, 2009, 9:30 a.m.

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 9849329103. Department of Health, 4042 Bald Cypress Way, Room 115C, Tallahassee, Florida 32399-3257

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** For cases previously heard by the panel.

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.

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: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257. 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.

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The **Board of Clinical Laboratory Personnel** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, May 11, 2009, 9:00 a.m.

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 9849329103. Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing: [www.doh.state.fl.us/mqa/clinlabs/index.html](http://www.doh.state.fl.us/mqa/clinlabs/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 by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing: [www.doh.state.fl.us/mqa/clinlabs/index.html](http://www.doh.state.fl.us/mqa/clinlabs/index.html). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **Board of Dentistry** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 6, 2009, 12:30 p.m.

PLACE: Conference Call: 1(888)808-6959, when prompted enter Conference Code: 2453454

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general board business.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster at (850)245-4474.

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The **Board of Hearing Aid Specialists** announces a public meeting to which all persons are invited.

DATES AND TIMES: July 16, 2009, 3:00 p.m. (Reconsiderations); July 17, 2009, 9:00 a.m. (General Business)

PLACE: Sheraton Sand Key Resort 1160 Gulf Blvd., Clearwater, FL 33767, (727)595-1611

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
PCP with Reconsiderations and General Business Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster, (850)245-4474 at least one week prior to meeting date.

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The **Board of Medicine**, PCP South Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 8, 2009, 2:00 p.m.

PLACE: To be held via Meet-Me Number: 1(888)808-6959, Conference Code: 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by contacting: Karen Miller at (850)245-4640, ext. 8180 or email: [Karen\\_Miller2@doh.state.fl.us](mailto:Karen_Miller2@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 10 days before the workshop/meeting by contacting: Karen Miller at (850)245-4640, ext. 8180 or email: [Karen\\_Miller2@doh.state.fl.us](mailto:Karen_Miller2@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.

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The **Department of Health, Board of Medicine**, Probation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2009, 8:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the Committee.

A copy of the agenda may be obtained by contacting: Reginald Colston, Medical Compliance Officer, Department of Health, Division of Medical Quality Assurance, Compliance Management Unit, 4052 Bald Cypress Way, Bin C01, Tallahassee, FL 32399-3251 or by visiting the MQA website: [www.doh.state.fl.us/mqa](http://www.doh.state.fl.us/mqa).

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: Reginald Colston at (850)245-4268, ext. 3546 or by e-mail: [Reginald\\_Colston@doh.state.fl.us](mailto:Reginald_Colston@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.

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The **Board of Medicine**, PCP North Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 22, 2009, 2:00 p.m.

PLACE: To be held via Meet-Me Number: 1(888)808-6959, Conference Code: 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

A copy of the agenda may be obtained by contacting: Karen Miller at (850)245-4640, ext. 8180 or email: [Karen\\_Miller2@doh.state.fl.us](mailto:Karen_Miller2@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 10 days before the workshop/meeting by contacting: Karen Miller at (850)245-4640, ext. 8180 or email: [Karen\\_Miller2@doh.state.fl.us](mailto:Karen_Miller2@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.

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The **Board of Nursing Home Administrators**, Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, May 19, 2009, 9:00 a.m.

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 9849329103. Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, 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: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257. 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.

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The Probable Cause Panel of the **Board of Osteopathic Medicine** announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 2009, 10:00 a.m. – 3:00 p.m.

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 agenda may be obtained by contacting: Blake Hunter, Senior Attorney, Department of Health, Prosecution Services, 4052 Bald Cypress Way, #C-65, Tallahassee, FL 32399.

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: Practitioner Regulation Section, 4052 Bald Cypress Way, #C-65, Tallahassee, FL 32399, 1(800)955-8771. 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).

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The **Board of Speech, Language, Pathology and Audiology** announces a telephone conference call to which all persons are invited.



DATE AND TIME: May 4, 2009, 3:00 p.m. or shortly thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454597

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Christy Robinson at (850)245-4565.

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: Christy Robinson at (850)245-4565. 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 **Bureau of Onsite Sewage Programs** announces a public meeting to which all persons are invited.

DATES AND TIMES: May 27, 2009, 1:00 p.m. (EST); May 28, 2009, 10:00 a.m. (EST) until done

PLACE: Florida Onsite Wastewater Association Training Center, 5115 State Road 557, Lake Alfred, FL 33850-7202

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and guide current, proposed, and potential future onsite sewage research projects. On May 27, 2009 the meeting will have a discussion and presentation on the draft report for a study on an Inventory of Onsite Sewage Treatment and Disposal Systems in the State of Florida. On May 28, 2009 the Technology Classification, Ranking, and Prioritization Workshop will be conducted for a study on Nitrogen Reduction Technologies.

A copy of the agenda may be obtained by contacting: Susan Polangin, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, (850)245-4070, e-mail: Susan\_Polangin@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 7 days before the workshop/meeting by contacting: Susan Polangin, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, (850)245-4070, e-mail: Susan\_Polangin@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Susan Polangin, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, (850)245-4070, e-mail: Susan\_Polangin@doh.state.fl.us.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Council on Homelessness** announces a series of conference call meetings of its committees to which all interested parties are invited to participate. The committees are the Executive, Continuum of Care Capacity, Supportive Housing, Education and Training, Data Collection and Legal and Law Enforcement.

Committee: Executive

DATES AND TIME: Monday, May 4, 2009; Monday, June 1, 2009, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760

Committee: Continuum of Care Capacity

DATES AND TIME: Wednesday, May 13, 2009; Wednesday, June 10, 2009, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760

Committee: Supportive Housing

DATES AND TIME: Wednesday, May 20, 2009; Wednesday, June 17, 2009, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760

Committee: Education and Training

DATES AND TIME: Friday, May 1, 2009; Friday, June 5, 2009, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760

Committee: Data Collection

DATES AND TIME: Monday, May 11, 2009; Monday, June 8, 2009, 1:00 p.m. – 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760

Committee: Legal and Law Enforcement

DATES AND TIME: Tuesday, May 12, 2009; Tuesday, June 9, 2009, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees' continued development of policy recommendations and work tasks to address the Council's Strategic Plan to reduce homelessness in Florida.

A copy of the agenda for any of the conference calls may be obtained by contacting: Tom Pierce, Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691, or email: Tom\_Pierce @ dcf.state.fl.us.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who may be in need of special assistance should contact the Office on Homelessness, (850)922-4691 at least 48 hours in advance of the meeting.

**NOTICE OF CHANGE** – The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Rescheduled to Thursday, May 7, 2009, 9:00 a.m. – 3:30 p.m. (Originally published in Vol. 35, No. 14, Notice ID 6988964, for Tuesday, April 21, 2009)

**PLACE:** Second Harvest of Central Florida, 2008 Bregle Avenue, Orlando, Florida 32808

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a planning meeting of the committee co-chairs to focus on the kickoff meeting in late May of the Advisory Committee of Economic Security. Discussion to include: outcome of initial conference call; recommended categories of committee sub-groups; ideas for next meeting agenda.

A copy of the agenda may be obtained by contacting: ACCESS Florida Headquarter's Office at (850)487-8465.

The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, May 21, 2009, 9:00 a.m. – 3:30 p.m.

**PLACE:** Marriott Orlando Downtown, 400 West Livingston Street, Orlando, Florida 32808

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the full Advisory Committee of Economic Security to focus on providing information and data on the ACCESS Program and other eligibility programs in the state.

A copy of the agenda may be obtained by contacting: ACCESS Florida Headquarter's Office at (850)487-8465.

#### **FLORIDA HOUSING FINANCE CORPORATION**

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

**DATES AND TIME:** Tuesday, May 5, 2009; Tuesday, May 12, 2009, 1:00 p.m. (Eastern Time)

**PLACE:** Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301-1329

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The first meeting will be to answer any questions of the Review Committee and to discuss the proposals submitted in response to Florida Housing Finance Corporation's Request for Qualifications #2009-02 for Investment Banking Services. The May 12, 2009 meeting will be to submit the scores and to make a recommendation to the Board of Directors.

A copy of the agenda may be obtained by contacting: Sherry Green at (850)488-4197.

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: Shery Green at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

**DATES AND TIME:** May 11-12, 2009, 10:00 a.m. – 4:00 p.m.

**PLACE:** Tallahassee City Hall, Commission Chambers, 300 South Adams Street, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** May 11, 2009: Application Workshop: Those planning to apply for the first time or who are unfamiliar with the Universal Application process are encouraged to attend the May 11th workshop. During this first workshop, Florida Housing staff will present basic information about using the Universal Application.

May 12, 2009: Application Workshop: The May 12th workshop will be oriented towards persons who are familiar with the Universal Application process. During this second workshop, Florida Housing staff will focus on the changes between the 2008 and 2009 Universal Applications and will address more advanced topics.

Both workshops are open to the public. No pre-registration is required and there is no attendance fee.

The latest drafts of the Universal Application and Instructions, Qualified Allocation Plan (QAP) and Rule Chapters 67-21 and 67-48, F.A.C., which govern the Universal Application Programs, are available on Florida Housing's Website: <http://www.floridahousing.org/Home/Developers/Funding/2009UnivApp/InstructionsAndApplication.htm>.

The final 2009 Universal Application, QAP and Rules will be available on Florida Housing's Website prior to the May 11th workshop. These final documents will be used at the workshops and attendees should print and bring copies, as there will not be copies available for the public at the workshops.

**IMPORTANT:** Due to the complexity of the application process, attendees are encouraged to review the materials ahead of time and be prepared to ask questions at the workshops. If you wish to confirm the dates and times for the workshops or if additional information is needed, please feel free to contact: Blake Carson-Poston at (850)488-4197 or by e-mail: [Blake.Carson-Poston@floridahousing.org](mailto:Blake.Carson-Poston@floridahousing.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: Blake Carson-Poston at (850)488-4197 or by e-mail: Blake.Carson-Poston@floridahousing.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).

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### **FISH AND WILDLIFE CONSERVATION COMMISSION**

The Florida **Fish and Wildlife Conservation Commission** (FWCC) announces a public meeting to which all persons are invited.

DATE AND TIME: May 5, 2009, 6:00 p.m. – 8:00 p.m. (EDT)  
PLACE: Edison State College, Walker Hall, Building A, Room 105, 8099 College Parkway, Fort Myers, Florida 33919

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (FWCC), as part of its deer management strategic plan and in response to input received from the public is considering changes to deer hunting zones and seasons. This meeting is being held to invite members of the public to learn about possible changes and share their views with agency staff on this topic.

A copy of the agenda may be obtained by contacting: Cory R. Morea at (850)410-0656, ext. 17256.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cory R. Morea at (850)410-0656, ext. 17256.

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The Florida **Fish and Wildlife Conservation Commission** (FWCC) announces a public meeting to which all persons are invited.

DATE AND TIME: May 7, 2009, 6:00 p.m. – 8:00 p.m. (EDT)  
PLACE: Crowne Plaza, 1601 Belvedere Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (FWCC), as part of its deer management strategic plan and in response to input received from the public is considering changes to deer hunting zones and seasons. This meeting is being held to invite members of the public to learn about possible changes and share their views with agency staff on this topic.

A copy of the agenda may be obtained by contacting: Cory R. Morea at (850)410-0656, ext. 17256.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cory R. Morea at (850)410-0656, ext. 17256.

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The Florida **Fish and Wildlife Conservation Commission** (FWCC) announces a public meeting to which all persons are invited.

DATE AND TIME: May 20, 2009, 6:00 p.m. – 8:00 p.m. (CDT)

PLACE: Crestview Community Center, 1446 Commerce Drive, Crestview, Florida 33539

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (FWCC), as part of its deer management strategic plan and in response to input received from the public is considering changes to deer hunting zones and seasons. This meeting is being held to invite members of the public to learn about possible changes and share their views with agency staff on this topic.

A copy of the agenda may be obtained by contacting: Cory R. Morea at (850)410-0656, ext. 17256.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cory R. Morea at (850)410-0656, ext. 17256.

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The Florida **Fish and Wildlife Conservation Commission** (FWCC) announces a public meeting to which all persons are invited.

DATE AND TIME: May 27, 2009, 6:00 p.m. – 8:00 p.m. (EDT)

PLACE: Magnolia Building, 702 East Orange Street, Lakeland, Florida 33801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (FWCC), as part of its deer management strategic plan and in response to input received from the public is considering changes to deer

hunting zones and seasons. This meeting is being held to invite members of the public to learn about possible changes and share their views with agency staff on this topic.

A copy of the agenda may be obtained by contacting: Cory R. Morea at (850)410-0656, ext. 17256.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cory R. Morea at (850)410-0656, ext. 17256.

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The Florida **Fish and Wildlife Conservation Commission** (FWCC) announces a public meeting to which all persons are invited.

DATE AND TIME: June 3, 2009, 6:00 p.m. – 8:00 p.m. (EDT)  
PLACE: Columbia County School Board, Auditorium, 372 West Duval Street, Lake City, Florida 32055

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (FWCC), as part of its deer management strategic plan and in response to input received from the public is considering changes to deer hunting zones and seasons. This meeting is being held to invite members of the public to learn about possible changes and share their views with agency staff on this topic.

A copy of the agenda may be obtained by contacting: Cory R. Morea at (850)410-0656, ext. 17256.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cory R. Morea at (850)410-0656, ext. 17256.

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The Florida **Fish and Wildlife Conservation Commission** (FWCC) announces a public meeting to which all persons are invited.

DATE AND TIME: June 10, 2009, 6:00 p.m. – 8:00 p.m. (EDT)

PLACE: Antique Car Museum, 6800 Mahan Drive, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (FWCC), as part of its deer management strategic plan and in response to

input received from the public is considering changes to deer hunting zones and seasons. This meeting is being held to invite members of the public to learn about possible changes and share their views with agency staff on this topic.

A copy of the agenda may be obtained by contacting: Cory R. Morea at (850)410-0656, ext. 17256.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cory R. Morea at (850)410-0656, ext. 17256.

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## DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 11, 2009, 9:00 a.m.

PLACE: The Hermitage Centre, 1801 Hermitage Blvd., Treasury Conference Room 440C, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: [Rule 69C-6.003](#), F.A.C., The Plan; Prescribed Forms. The Deferred Compensation Advisory Council will hold its regular meeting to discuss the Program Plan updates to which all persons are invited.

A copy of the agenda may be obtained by contacting: Kandi Winters, Chief of Deferred Compensation, Division of Treasury, 200 E. Gaines St., Tallahassee, FL 32399-0346, (850)413-3162, Fax: (850)488-7186.

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: Kandi Winters, Chief of Deferred Compensation, Division of Treasury, 200 E. Gaines St., Tallahassee, FL 32399-0346, (850)413-3162, Fax: (850)488-7186. 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).

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## FINANCIAL SERVICES COMMISSION

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: May 13, 2009, 9:00 a.m., during a regular meeting of the Financial Services Commission

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 690-175.008, Florida Administrative Code, published on January 30, 2009, Vol. 35, No. 4, of the 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: Michael Milnes, P&C Product Review, Office of Insurance Regulation, e-mail: Michael.milnes@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: Michael Milnes, P&C Product Review, Office of Insurance Regulation, e-mail: Michael.milnes@flor.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

690-175.008 Unfair Discrimination in Private Passenger Motor Vehicle Insurance Rates – Based on History of Accidents.

(1) No insurer or person authorized to engage in the business of insurance in the State of Florida shall use any motor vehicle accidents which may have occurred at any time in the past except for the 36 months immediately preceding the effective date of the new or renewal policy as a basis for imposing or requesting an additional premium for or for refusing to renew any policy, contract, or certificate of motor vehicle liability, personal injury protection, medical payment, or collision insurance, or any combination thereof. Notwithstanding the above, the imposition of or the request for an additional premium due to at fault motor vehicle accidents referred to in this rule may be imposed on a policy, contract, or certificate of motor vehicle liability, personal injury protection, medical payment, or collision insurance, or any combination thereof in a manner consistent with the processing procedures of an insurer and may not remain in effect in excess of 36 months.

(2)(a) No insurer or person authorized to engage in the business of insurance in the State of Florida shall use any motor vehicle accident which may have occurred at any time in the past as the sole basis for imposing or requesting an additional premium for or for refusing to renew any policy, contract, or certificate of motor vehicle liability, personal injury protection, medical payment, or collision insurance, or any combination thereof unless that insurer's file contains information from which the insurer in good faith determines that the insured was substantially at fault in the accident.

(b) The term "imposing or requesting additional premium" means that the premium charged by the insurer as consideration in exchange for indemnifying the insured is greater than such premium would have been if that motor

vehicle accident had not taken place or the insured had not been substantially at fault in that accident. The term "accident" means any unexpected and unforeseen event that is definite in time and place.

Rulemaking Specific Authority 624.308(1), 626.9611 FS. Law Implemented 624.307(1), 626.9541(1)(o)3.a. FS. History—New 8-1-90, Formerly 4-43.007, 4-175.008, Amended \_\_\_\_\_.

A copy of the agenda may be obtained by contacting: Governor and Cabinet Website at <http://www.myflorida.com/myflorida/cabinet/mart.html>.

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: May 13, 2009, during a regular meeting of the Financial Services Commission

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rules 690-157.302, 690-157.303, 690-157.304, Florida Administrative Code, published on October 24, 2008 in Vol. 34, No. 43, of the 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: Gerry Smith at e-mail: gerry.smith@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Gerry Smith at e-mail: gerry.smith@fldfs.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

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)(1) The following maximum new business rates are effective for ~~2009~~ ~~2006~~ rate increase filings and for ~~2010~~ ~~2007~~ 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.

72	\$2,059.81	\$2,579.92	\$3,576.84
73	\$2,274.97	\$2,868.25	\$3,936.00
74	\$2,502.28	\$3,190.21	\$4,334.52
75	\$2,767.75	\$3,547.64	\$4,777.32
76	\$3,074.08	\$3,942.45	\$5,259.40
77	\$3,415.26	\$4,385.38	\$5,790.76
78	\$3,796.56	\$4,872.71	\$6,435.28
79	\$4,215.98	\$5,416.32	\$7,153.60
80	\$4,683.37	\$6,020.61	\$7,950.64
81	\$5,205.93	\$6,725.28	\$8,836.24
82	\$5,782.36	\$7,499.43	\$9,820.24
83	\$6,313.69	\$8,190.73	\$10,622.20
84	\$6,890.31	\$8,918.80	\$11,488.12
85	\$8,214.34	\$10,442.14	\$12,427.84
86	\$8,930.08	\$11,338.00	\$13,446.28
87	\$9,702.70	\$12,319.18	\$14,543.44
88	\$10,546.42	\$13,380.94	\$15,734.00
89	\$11,461.24	\$14,532.68	\$17,018.12

(2)(3)(a) Facility Only Rates:

Issue Age	3-Yr. Benefit Period	5-Yr. Benefit Period	Unlimited Benefit Period
30	\$244.38	\$296.71	\$324.72
31	\$245.76	\$299.01	\$324.72
32	\$247.18	\$301.32	\$324.72
33	\$248.61	\$303.70	\$324.72
34	\$250.08	\$306.08	\$324.72
35	\$274.33	\$339.84	\$393.60
36	\$275.92	\$342.43	\$393.60
37	\$277.56	\$345.02	\$393.60
38	\$279.19	\$347.65	\$393.60
39	\$280.87	\$350.32	\$393.60
40	\$305.37	\$378.71	\$447.72
41	\$307.09	\$381.46	\$447.72
42	\$308.81	\$384.30	\$447.72
43	\$310.57	\$387.18	\$447.72
44	\$312.37	\$390.10	\$447.72
45	\$362.59	\$455.72	\$575.64
46	\$365.02	\$459.37	\$575.64
47	\$367.49	\$463.12	\$575.64
48	\$370.01	\$466.94	\$575.64
49	\$372.56	\$470.84	\$575.64
50	\$392.25	\$497.62	\$629.76
51	\$403.43	\$510.23	\$649.44
52	\$411.81	\$525.78	\$669.12
53	\$431.63	\$549.95	\$713.40
54	\$454.37	\$579.89	\$762.60
55	\$477.16	\$607.08	\$816.72
56	\$511.89	\$650.81	\$870.84
57	\$547.50	\$695.62	\$934.80
58	\$589.72	\$747.22	\$1,008.60
59	\$632.91	\$805.76	\$1,087.32
60	\$682.93	\$865.57	\$1,170.96
61	\$734.08	\$932.48	\$1,264.44
62	\$789.34	\$1,000.87	\$1,362.84
63	\$859.63	\$1,093.53	\$1,485.84
64	\$937.93	\$1,192.11	\$1,613.76
65	\$1,017.65	\$1,289.90	\$1,756.44
66	\$1,105.08	\$1,399.93	\$1,913.88
67	\$1,200.43	\$1,521.37	\$2,081.16
68	\$1,320.99	\$1,677.23	\$2,322.24
69	\$1,471.97	\$1,856.70	\$2,583.00
70	\$1,637.36	\$2,071.79	\$2,878.20
71	\$1,842.51	\$2,312.52	\$3,207.84

Issue Age	3-Yr. Benefit Period	5-Yr. Benefit Period	Unlimited Benefit Period
35	\$247.43	\$302.74	\$378.50
45	\$363.53	\$446.70	\$555.75
55	\$522.32	\$646.08	\$810.43
65	\$1,126.33	\$1,406.97	\$1,750.61
75	\$3,073.57	\$3,879.00	\$4,769.07

(b) The insurers used to tabulate the above rates are:

Insurer	Weighting Percentage
Bankers Life & Casualty	90.3%
Penn Treaty Network America Insurance Company	9.7%

Rulemaking 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."

(1)(2) The following maximum new business rates are effective for 2009 2006 rate increase filings and for 2010 2007 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 0 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.

(2)(3)(a) Home Health Care Only Rates:

Issue Age	3-Yr. Benefit Period	5-Yr. Benefit Period	Unlimited Benefit Period
30	\$272.61	\$315.91	\$353.52
31	\$272.61	\$315.91	\$353.52
32	\$272.61	\$315.91	\$353.52
33	\$272.61	\$315.91	\$353.52
34	\$272.61	\$315.91	\$353.52
35	\$292.22	\$341.82	\$391.06
36	\$292.22	\$341.82	\$391.06
37	\$292.22	\$341.82	\$391.06
38	\$292.22	\$341.82	\$391.06
39	\$292.22	\$341.82	\$391.06
40	\$324.90	\$380.85	\$434.82
41	\$324.90	\$380.85	\$434.82
42	\$324.90	\$380.85	\$434.82
43	\$324.90	\$380.85	\$434.82
44	\$324.90	\$380.85	\$434.82
45	\$370.83	\$445.80	\$509.73
46	\$370.83	\$445.80	\$509.73
47	\$370.83	\$445.80	\$509.73
48	\$370.83	\$445.80	\$509.73
49	\$370.83	\$445.80	\$509.73
50	\$421.10	\$505.80	\$580.43
51	\$434.17	\$525.23	\$599.12
52	\$453.78	\$538.19	\$624.11
53	\$466.85	\$564.09	\$649.11
54	\$486.64	\$583.70	\$674.02
55	\$531.60	\$638.59	\$728.08
56	\$558.45	\$665.26	\$770.08
57	\$592.02	\$702.21	\$812.26
58	\$632.66	\$752.71	\$867.74
59	\$673.29	\$799.76	\$923.39
60	\$710.48	\$856.73	\$978.95
61	\$757.65	\$907.40	\$1,037.12
62	\$805.00	\$960.84	\$1,098.99
63	\$869.58	\$1,045.35	\$1,187.81
64	\$937.24	\$1,129.94	\$1,286.48
65	\$1,015.07	\$1,221.01	\$1,381.53
66	\$1,092.89	\$1,308.46	\$1,482.81
67	\$1,170.63	\$1,406.00	\$1,590.31
68	\$1,268.77	\$1,523.75	\$1,714.91
69	\$1,373.54	\$1,651.59	\$1,852.13
70	\$1,484.75	\$1,782.46	\$1,995.50
71	\$1,602.50	\$1,923.26	\$2,145.09
72	\$1,720.25	\$2,067.09	\$2,307.23
73	\$1,849.76	\$2,216.67	\$2,457.18
74	\$1,979.08	\$2,369.96	\$2,613.54

75	\$2,118.57	\$2,532.58	\$2,779.57
76	\$2,261.06	\$2,698.82	\$2,948.38
77	\$2,403.54	\$2,867.92	\$3,123.33
78	\$2,587.37	\$3,079.04	\$3,330.88
79	\$2,771.21	\$3,293.78	\$3,544.75
80	\$2,968.20	\$3,511.28	\$3,754.99
81	\$3,171.73	\$3,745.54	\$3,981.31
82	\$3,381.79	\$3,982.57	\$4,213.86
83	\$3,595.48	\$4,223.98	\$4,447.43
84	\$3,819.42	\$4,471.88	\$4,697.07
85	\$4,052.80	\$4,729.19	\$4,943.09
86	\$4,296.34	\$4,996.60	\$5,205.36
87	\$4,542.80	\$5,270.49	\$5,470.06
88	\$4,921.25	\$5,687.82	\$5,849.84
89	\$5,302.62	\$6,111.55	\$6,235.76

(b) The insurers used to tabulate the above rates are:

Insurer	Weighting Percentage
Bankers Life & Casualty Company	97.2%
Colonial American Life Insurance Company	2.3%
Penn Treaty Network America Insurance Company	0.5%

Rulemaking 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."

(1)(2) The following maximum new business rates are effective for 2009 2006 rate increase filings and for 2010 2007 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.

(2)(3)(a) Comprehensive Only Rates:

Issue Age	3-Yr. Benefit Period	5-Yr. Benefit Period	Unlimited Benefit Period
30	\$356.29	\$454.14	\$622.87
31	\$357.87	\$456.21	\$625.56
32	\$359.50	\$458.88	\$628.85
33	\$361.17	\$470.16	\$640.99
34	\$371.48	\$472.96	\$644.48
35	\$394.20	\$488.52	\$681.96
36	\$396.05	\$500.51	\$694.85
37	\$398.42	\$503.55	\$699.14
38	\$400.41	\$507.18	\$703.57
39	\$411.53	\$510.43	\$708.14
40	\$425.67	\$546.94	\$744.90
41	\$431.46	\$553.40	\$754.41
42	\$435.96	\$558.44	\$761.15
43	\$440.16	\$563.69	\$777.40
44	\$453.08	\$569.55	\$785.18
45	\$462.69	\$600.10	\$811.36
46	\$476.62	\$604.61	\$827.36
47	\$481.31	\$609.99	\$834.12
48	\$487.16	\$617.01	\$843.22
49	\$501.72	\$624.68	\$872.16
50	\$510.28	\$643.51	\$885.02
51	\$530.60	\$665.25	\$910.57
52	\$547.56	\$693.85	\$941.52
53	\$565.67	\$712.92	\$972.94
54	\$584.47	\$743.02	\$1,005.11
55	\$604.14	\$754.11	\$1,038.38
56	\$644.88	\$809.63	\$1,098.41
57	\$679.14	\$865.06	\$1,168.20
58	\$724.11	\$932.83	\$1,241.76
59	\$760.97	\$982.81	\$1,327.49
60	\$817.49	\$1,054.33	\$1,406.23
61	\$883.47	\$1,136.02	\$1,518.87
62	\$954.83	\$1,213.95	\$1,634.80
63	\$1,029.20	\$1,304.31	\$1,763.51
64	\$1,101.86	\$1,392.44	\$1,889.04
65	\$1,189.14	\$1,489.02	\$2,039.15

66	\$1,303.22	\$1,638.22	\$2,242.87
67	\$1,439.64	\$1,819.93	\$2,472.25
68	\$1,586.10	\$1,997.01	\$2,717.22
69	\$1,726.79	\$2,189.76	\$2,977.95
70	\$1,882.16	\$2,399.49	\$3,258.58
71	\$2,122.56	\$2,689.46	\$3,650.61
72	\$2,380.33	\$3,011.03	\$4,078.34
73	\$2,643.96	\$3,334.39	\$4,516.90
74	\$2,925.10	\$3,689.09	\$4,989.64
75	\$3,233.67	\$4,080.01	\$5,495.62
76	\$3,622.71	\$4,564.96	\$6,160.74
77	\$4,043.45	\$5,116.80	\$6,891.93
78	\$4,467.54	\$5,674.34	\$7,616.29
79	\$4,913.66	\$6,236.42	\$8,355.38
80	\$5,365.77	\$7,657.61	\$10,904.13
81	\$5,851.19	\$8,314.46	\$11,818.20
82	\$6,360.85	\$9,038.95	\$12,820.94
83	\$6,954.06	\$9,851.27	\$13,927.26
84	\$7,579.36	\$10,744.46	\$15,117.75
85	\$9,393.68	\$11,738.30	\$16,454.06
86	\$10,622.25	\$13,240.69	\$17,976.84
87	\$11,550.00	\$14,432.21	\$19,582.64
88	\$12,554.44	\$15,692.91	\$21,291.57
89	\$13,619.15	\$17,034.25	\$23,112.87

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
Bankers Life & Casualty Insurance Company	52.7%
Blue Cross Blue Shield of Florida	5.1%
Genworth Life Insurance Company	11.5%
Great American Life Insurance Company	9.8%
John Hancock Life Insurance Company	14.2%
Metlife Insurance Company	6.7%

Rulemaking Authority 627.9408(1) FS. Law Implemented 627.9407(7) FS. History—New 11-1-07, Amended \_\_\_\_\_

A copy of the agenda may be obtained by contacting: Governor and Cabinet Website at <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.



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**MOFFITT CANCER CENTER AND RESEARCH INSTITUTE**

The **Moffitt Cancer Center and Research Institute** announces a public meeting to which all persons are invited.

DATE AND TIME: April 29, 2009, 9:00 a.m.

PLACE: Stabile Research Building Trustee Board Room, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by contacting: Ms. Sandon Austhof, Moffitt Cancer Center, 12902 Magnolia Drive – MCC-VP, Tampa, FL 33612.

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: Ms. Sandon Austhof, Moffitt Cancer Center, 12902 Magnolia Drive – MCC-VP, Tampa, FL 33612. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Sandon Austhof, Moffitt Cancer Center, 12902 Magnolia Drive – MCC-VP, Tampa, FL 33612.

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**PRIDE ENTERPRISES**

The **PRIDE Enterprises**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: April 29, 2009, 1:00 p.m.

PLACE: PRIDE Corp Office, St. Petersburg, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance Committee Meeting.

A copy of the agenda may be obtained by contacting: Dee Kiminki at (727)556-3314.

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: (727)556-3314. 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).

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The **PRIDE Enterprises**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: April 30, 2009, 8:30 a.m.

PLACE: PRIDE Corporation Office, St. Petersburg, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting.

A copy of the agenda may be obtained by contacting: Dee Kiminki at (727)556-3314.

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: (727)556-3314. 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).

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**SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION**

The **Sunshine State Governmental Financing Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: April 30, 2009; May 1, 2009, 2:00 p.m.

PLACE: La Fontana Room, Mission Inn Resort, 10400 County Road 48, Howey-in-the-Hills, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Meeting and Biennial Strategic Planning Session.

A copy of the agenda may be obtained by contacting: Richard C. Dowdy, Program Administrator at (850)878-1874 or at the Commission's website: [www.ssgfc.com](http://www.ssgfc.com).

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**SMALL BUSINESS REGULATORY ADVISORY**

The State of Florida, **Small Business Regulatory Advisory Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 1, 2009, 9:00 a.m. (Eastern Time)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4737801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Please see the agenda at website: <http://floridasbrac.org>.

A copy of the agenda may be obtained by contacting: Jennifer Crews at (850)473-7817 or by email: [jennifer.crews@floridasbrac.org](mailto:jennifer.crews@floridasbrac.org).

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**SOIL AND WATER CONSERVATION DISTRICTS**

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

DATE AND TIME: Monday, May 4, 2009, 1:00 p.m.

PLACE: Clay County Extension Office, 2463 State Road 16 West, Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting.

For more information, you may contact: S. Pipkins, P. O. Box 278, Green Cove Springs, FL 32043.

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

DATE AND TIME: May 6, 2009, 5:00 p.m.

PLACE: 6191 Orange Drive, Suite 6181-P, Davie, FL 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the business of the District Board.

A copy of the agenda may be obtained by contacting: (954)584-1306 or Mail@BrowardSWCD.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: (954)584-1306 or Mail@BrowardSWCD.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).

**NATIONAL COUNCIL ON COMPENSATION INSURANCE, INC.**

The **National Council on Compensation Insurance, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: May 5, 2009, 10:00 a.m. – 3:00 p.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, Florida, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Appeals Board meeting is to provide a mechanism by which aggrieved parties may obtain a review of the application of rules of the workers compensation system to their individual workers compensation policy.

A copy of the agenda may be obtained by contacting: No agenda available. Maureen Longanacre, National Council on Compensation Insurance, Inc., 901 Peninsula Corporate Circle, Boca Raton, Florida 33487, (337)462-3328.

**FLORIDA SURPLUS ASSET FUND TRUST**

The **Florida Surplus Asset Fund Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: May 6, 2009, 1:00 p.m.

PLACE: City of Tamarac, City Hall, Room 105, 7525 N. W. 88th Avenue, Tamarac, FL 33321

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular meeting of the Board of Trustees of The Florida Surplus Asset Fund Trust.

Board of Trustees:

Dr. Henry Fishkind

Joseph MacLaren

James Anderson

Mark Mason

Harry Dressler

Fritz Behring

The meeting of the Board of Trustees to consider the following matters related to the Florida Surplus Asset Fund Trust.

- a. Minutes of February 2009 meeting.
- b. Economic update and portfolio structure.
- c. First quarter unaudited financial report.

d. 2008 annual audit.

e. Insurance policy renewal.

f. Securities database review.

g. Investment policy discussion.

h. Marketing activity and plans.

A copy of the agenda may be obtained by contacting: Board of Trustees' office at (407)482-2327 or email: diane@flsafe.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 48 hours before the workshop/meeting by contacting: Judy Minter at (407)382-3256. 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: Diane Cooper at (407)482-2327.

**CITIZENS PROPERTY INSURANCE CORPORATION**

The **Citizens Property Insurance Corporation**, Actuarial and Underwriting Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 11, 2009, 9:00 a.m. (EDT)

PLACE: Via Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, the 2010 rate filings and proposed rules for Citizens' personal residential multiperil program, age of roof and plumbing requirements.

A copy of the agenda may be obtained by contacting: www.citizensfla.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: Fawn Brown at 1(800)807-7647, extension 8331. 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).

**ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY**

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 2009, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace at (407)282-3944.

**VISIT FLORIDA**

The **VISIT FLORIDA**, Board of Directors, Florida Commission on Tourism announces a public meeting to which all persons are invited.

DATES AND TIME: June 17-18, 2009, 8:00 a.m. – 5:00 p.m.

PLACE: Innisbrook Resort and Golf Club, 36750 US Highway 19 North, Palm Bay, FL 34684

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee issues, tourism marketing, Welcome Center business.

A copy of the agenda may be obtained by contacting: Susan Gale at (850)205-3857.

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: Susan Gale at (850)205-3857. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Susan Gale at (850)205-3857.

**Section VII**  
**Notices of Petitions and Dispositions**  
**Regarding Declaratory Statements**

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**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 declined to rule on the petition for declaratory statement filed by Karen L. Best, Petitioner/Unit Owner, In RE: The Preserve at the Savannahs Condominium Association, Inc., Docket No. 2009012097 on March 9, 2009. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because a copy of the association's governing documents were not provided and the Division may not issue a statement without reviewing the documents; a declaration may not address issues that have already occurred; or where there are owners who will be affected by the decision and who are not parties to the 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: 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 Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from George Perry, Petitioner/Unit Owner, In Re: Gulfstream Condominium Association, Inc., Docket No. 2009018577 on April 6, 2009. The petition seeks the agency's opinion as to the applicability of paragraphs 61B-22.003(1)(e) and 61B-22.005(3)(b), F.A.C. and Section 718.112(2), F.S., as it applies to the petitioner.

Whether Gulfstream Condominium Association, Inc. may establish a pooled account for reserve funds under paragraphs 61B-22.003(1)(e) and 61B-22.005(3)(b), F.A.C., by board vote without a majority vote of the unit owners under Section 718.112(2), F.S.

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 32399-1031.

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 Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Gary Ziomek, Petitioner/Unit Owner, In RE: Jupiter Beachcomber Condominium Association, Inc., Docket No. 2009009205 on February 20, 2009. The following is a summary of the agency’s declination of the petition:

The Division declined to issue an order because the division may not address issues that have already occurred.

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: 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.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

The Board of Medicine hereby gives notice that the Petition for Declaratory Statement filed on behalf of Tamara L. Densmore, M.D., on January 22, 2009, has been withdrawn.

The person to be contacted with regard to this petition is: Larry G. McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

NOTICE IS HEREBY GIVEN THAT the Department of Health, Division of Emergency Medical Operations, Bureau of Emergency Medical Services has issued an order disposing of the petition for declaratory statement filed by the City of Orlando, Orlando Fire Department on January 9, 2009. The following is a summary of the agency’s disposition of the petition:

The petition was granted and the Final Order provides the answer to whether Petitioner may allow a driver, who accepts a plea of non-alcohol related reckless driving with adjudication of guilt withheld, to operate an emergency vehicle for the next three years pursuant to Section 401.281(1)(d), F.S.

1. If the charge of reckless driving resulted from the driving of Petitioner’s vehicle, adjudication of guilt withheld means the driver was convicted of reckless driving for purposes of Section 401.281(1)(d), F.S.

2. If the charge of reckless driving resulted while driving a vehicle other than Petitioner’s vehicle, a determination of adjudication of guilt withheld means the driver was not convicted of reckless driving for purposes of Section 401.281(1)(d), F.S.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lisa Walker, Government Analyst II, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin C-18, Tallahassee, FL 32399, Fax: (850)488-9408, e-mail: Lisa\_Walker2@doh.state.fl.us.

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**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**

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

**NONE**

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**Section IX**  
**Notices of Petitions and Dispositions**  
**Regarding Non-rule Policy Challenges**

**NONE**

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**Section X**  
**Announcements and Objection Reports of**  
**the Joint Administrative Procedures**  
**Committee**

**NONE**

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## Section XI Notices Regarding Bids, Proposals and Purchasing

### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

### DEPARTMENT OF MANAGEMENT SERVICES

#### BIDS FOR GENERAL CONTRACTORS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES.

PROJECT NUMBER: DEM-25070333

PROJECT NAME: West Florida High School

PROJECT LOCATION: 2404 Longleaf Drive, Pensacola, Florida

ESTIMATED BASE BID CONSTRUCTION BUDGET: \$1,500,000.00

PROJECT NUMBER: DEM-25070337

PROJECT NAME: Old Town Elementary School

PROJECT LOCATION: Old Town, 221 S. E. 136th Street, Old Town, Florida

ESTIMATED BASE BID CONSTRUCTION BUDGET: \$750,000.00

PROJECT NUMBER: DEM-25070339

PROJECT NAME: Madison Central

PROJECT LOCATION: Highway 90 West, Madison Florida

ESTIMATED BASE BID CONSTRUCTION BUDGET: \$750,000.00

PROJECT NUMBER: DEM-25070351

PROJECT NAME: Sims Middle School

PROJECT LOCATION: 5500 Education Drive, Pace, Florida

ESTIMATED BASE BID CONSTRUCTION BUDGET: \$750,000.00

PREQUALIFIED BIDDERS: Refer to DMS Website (below) for further details

Please visit the Department's Website: [http://fcn.state.fl.us/owa\\_vbs/owa/vbs\\_www.main\\_menu](http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu) and click on "Search Advertisements – Division of Real Estate Development and Management" Look for "Opportunities for Design and Construction Firms" and click on link.

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.

### 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."

#### BID NO. BDC 30-08/09

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids with certified and registered General Contractors who are prequalified with FDOT for the project listed below:

PROJECT NAME: Old Missouri to Little Duck Historic Bridge – Bridge Repairs

SCOPE OF WORK: The contractor shall provide the necessary labor, supervision, equipment and materials to complete all work associated repairs to the Old Missouri to Little Duck Historic Bridge including repair to the entire super structure deck, provide and installation of a aluminum pedestrian railing system, mill/resurface and stripe, and spall/crack repairs according to the plans and specifications.

PROJECT BUDGET: \$670,000.00

PARK LOCATION: Florida Keys Overseas Heritage Trail, Old Missouri to Little Duck Historic Bridge MM 39.6 (Monroe County)

PROJECT MANAGER: Patricia Smith, Office of Greenways and Trails, ADDRESS: 3 La Croix Court, Key Largo, Florida 33037, (305)420-8432, Fax: (305)872-0558.

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 Chapter 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 April 24, 2009 at: Office of Greenways and Trails, Florida Keys Overseas Heritage Trail, 3 La Croix Court, Key Largo, Florida 33037, Attention: Shelley Welch, (305)853-3571, Fax: (305)853-3574, email: Shelley.Welch@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, 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 3:30 p.m. (ET), Wednesday, May 27, 2009, 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 at (850)488-3572. The Department reserves the right to reject any or all bids.

**BID POSTING DATE:** No later than 2:00 p.m., Tuesday, June 9, 2009, 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, email: 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.

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**BID NO.:** BDC 31-08/09

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids with certified and registered General Contractors who are prequalified with FDOT for the project listed below:

**PROJECT NAME:** Old Ohio Bahia Honda Historic Bridge – Bridge Repairs

**SCOPE OF WORK:** The contractor shall provide the necessary labor, supervision, equipment and materials to complete all work associated repairs to the Old Ohio Bahia Honda Bridge including repair to the entire super structure deck, provide and installation of a aluminum pedestrian railing system, mill/resurface and stripe, and spall/crack repairs.

**PROJECT BUDGET:** \$670,000.00

**PARK LOCATION:** Florida Keys Overseas Heritage Trail, Old Ohio-Bahia Honda Bridge, MM 38.7 (Monroe County)

**PROJECT MANAGER:** Patricia Smith, Office of Greenways and Trails, 3 La Croix Court, Key Largo, Florida 33037, (305)420-8432, Fax: (305)872-0558.

**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 Chapter 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 April 24, 2009 at: Office of Greenways and Trails, Florida Keys Overseas Heritage Trail, 3 La Croix Court, Key Largo, Florida 33037, Attention: Shelley Welch, (305)853-3571, Fax: (305)853-3574, email: Shelley.Welch@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, 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 4:00 p.m. (ET), Wednesday, May 27, 2009 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 at (850)488-3572. The Department reserves the right to reject any or all bids.

**BID POSTING DATE:** No later than 2:00 p.m., Monday, June 8, 2009, 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, email: 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.

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**BID NO.:** BDC 32-08/09

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids with certified and registered General Contractors who are prequalified with FDOT for the project listed below:

**PROJECT NAME:** Old Ohio Missouri Historic Bridge – Bridge Repairs

**SCOPE OF WORK:** The contractor shall provide the necessary labor, supervision, equipment and materials to complete all work associated repairs to the Old Ohio Missouri Historic Bridge including repair to the entire super structure deck, provide and installation of a aluminum pedestrian railing system, mill/resurface and stripe, spall/crack repairs, with additional portions as an alternate bid item according to the plans and specifications.

**PROJECT BUDGET:** \$1,210,246.00

**PARK LOCATION:** Florida Keys Overseas Heritage Trail, Old Ohio Missouri Historic Bridge MM 39.1 (Monroe County)

**PROJECT MANAGER:** Patricia Smith, Office of Greenways and Trails, 3 La Croix Court, Key Largo, Florida 33037, (305)420-8432, Fax: (305)872-0558.

**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 Chapter 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 April 24, 2009 at: Office of Greenways and Trails, Florida Keys Overseas Heritage Trail, 3 La Croix Court, Key Largo, Florida 33037, Attention: Shelley Welch, (305)853-3571, Fax: (305)853-3574, email: Shelley.Welch@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, 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), Thursday, May 28, 2009 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 at (850)488-3572. The Department reserves the right to reject any or all bids.

**BID POSTING DATE:** No later than 2:00 p.m., Monday, June 15, 2009, 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, email: 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.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES FOR ENGINEERING**

The Florida Fish and Wildlife Conservation Commission (FWC) announce that professional services in the discipline of civil engineering with specific expertise in hydrology will be required for the project listed below:

**PROJECT NUMBER:** FWC RFSOQ 08/09-104  
**PROJECT NAME:** Camp Branch Creek Hydrologic Restoration

**PROJECT LOCATION:** Putnam County, Florida

**SERVICES TO BE PROVIDED:** The Design Professional is expected to schedule services and design phases (preliminary and final design), request additional services (such as soil borings, surveys, testing, permits, etc...) leading to a design solution with adequate documentation.

**RESPONSE DUE DATE:** May 26, 2009, 3:00 p.m. (EDT)

To request a complete Request For Statement Of Qualifications (RFSOQ), download from the Vendor Bid System (VBS) web site or contact the Commission Engineer:

Mahmoud Madkour, Ph.D., P.E.  
 Division of Habitat and Species Conservation  
 620 South Meridian Street  
 Tallahassee, Florida 32399-1600  
 Tel: (850)488-5531  
 Fax: (850)921-1750  
 email: mahmoud.madkour@myfwc.com

**CITY OF FORT LAUDERDALE**

**NOTICE TO CONTRACTORS**

Sealed bids will be received until 2:00 p.m., Wednesday, May 27, 2009, in the Office of the City Engineer, Public Works Department (Engineering and Architectural Services), City Hall, 100 North Andrews Avenue, 4th Floor, City of Fort Lauderdale, Florida and opened immediately thereafter in the Conference Room, for:

**PROJECT #11444-N – WASTEWATER CONVEYANCE SYSTEM LONG-TERM REMEDIATION PROGRAM PROJECT #15 – BASIN D-37 NORTH LATERALS.**

The work includes: The rehabilitation of sewer laterals identified in the contract documents by using the cured-in-place pipe method for lateral pipes. Acceptable lateral rehabilitation products listed in the Contract Documents. The work includes pre and post television survey, flow monitoring, flow bypass, traffic control, site restoration, and related operations as required resulting in complete and satisfactory rehabilitation of the sewer laterals in Sewer Basin D-37 North.

A pre-bid meeting will be held at 3:00 p.m., Wednesday, April 29, 2009 at: Program Management Team Office, 200 North Andrews Avenue, Suite 300 (Third Floor), Fort Lauderdale, Florida. The pre-bid meeting is recommended but not mandatory.

Bidding blanks may be obtained at the Office of the City Engineer. Specifications are on file in the Office of the City Engineer. Bidders are encouraged to carefully review the project specifications, particularly Sections 02563 CURED-IN-PLACE LATERAL LINER and 02564 CURED-IN-PLACE SECTIONAL CONNECTION SEAL AND LATERAL LINER.

This project may be funded in whole or in part by the Florida Department of Environmental Protection, State Revolving Fund. Bidders are encouraged to become familiar with the provisions of the Supplementary Conditions contained in these documents and in particular the requirements of Article 20, Equal Employment Opportunity.

It will be the sole responsibility of the bidder to clearly mark bid as such, and ensure that his bid reaches the City prior to the bid opening date and time listed.

A certified check, cashier’s check, bank officer’s check or bid bond for 5% of the amount bid, made payable to the City of Fort Lauderdale, Florida, shall accompany each proposal.

The City of Fort Lauderdale reserves the right to waive any informality in any bid and to reject any or all bids. bid results and projects currently out to bid can be obtained by calling the pre-recorded: City of Fort Lauderdale Bid Information Line at (954)828-5688.

For general inquiries please call: (954)828-5772.



## NOTICE TO CONTRACTORS

Sealed bids will be received until 2:00 p.m., Wednesday, May 27, 2009 in the office of the: City Engineer, Public Works Department (Engineering and Architectural Services), City Hall, 100 North Andrews Avenue, 4th Floor, City of Fort Lauderdale, Florida and opened immediately thereafter in the Conference Room, for:

PROJECT #11444-S – WASTEWATER CONVEYANCE SYSTEM LONG-TERM REMEDIATION PROGRAM  
PROJECT #16 – BASIN D-37 SOUTH LATERALS.

The work includes: The rehabilitation of sewer laterals identified in the contract documents by using the cured-in-place pipe method for lateral pipes. Acceptable lateral rehabilitation products listed in the Contract Documents. The work includes pre and post television survey, flow monitoring, flow bypass, traffic control, site restoration, and related operations as required resulting in complete and satisfactory rehabilitation of the sewer laterals in Sewer Basin D-37 South.

A pre-bid meeting will be held at 3:00 p.m., Wednesday, April 29, 2009 at the: Program Management Team Office, 200 North Andrews Avenue, Suite 300 (Third Floor), Fort Lauderdale, Florida. The pre-bid meeting is recommended but not mandatory.

Bidding blanks may be obtained at the Office of the City Engineer. Specifications are on file in the Office of the City Engineer. Bidders are encouraged to carefully review the project specifications, particularly Section 02564 CURED-IN-PLACE SECTIONAL CONNECTION SEAL AND LATERAL LINER.

This project may be funded in whole or in part by the Florida Department of Environmental Protection, State Revolving Fund. Bidders are encouraged to become familiar with the provisions of the Supplementary Conditions contained in these documents and in particular the requirements of Article 20, Equal Employment Opportunity.

It will be the sole responsibility of the bidder to clearly mark bid as such, and ensure that his bid reaches the City prior to the bid opening date and time listed.

A certified check, cashier's check, bank officer's check or bid bond for 5% of the amount bid, made payable to the City of Fort Lauderdale, Florida, shall accompany each proposal.

The City of Fort Lauderdale reserves the right to waive any informality in any bid and to reject any or all bids.

Information on bid results and projects currently out to bid can be obtained by calling the pre-recorded City of Fort Lauderdale Bid Information Line at (954)828-5688.

For general inquiries please call (954)828-5772.

## NOTICE TO CONTRACTORS

NOTICE OF CHANGE – Sealed bids will be received until 2:00 p.m., Wednesday, ~~April 8, 2009~~ April 15, 2009 in the: Office of the City Engineer, Public Works Department (Engineering and Architectural Services), City Hall, 100 North

Andrews Avenue, 4th Floor, City of Fort Lauderdale, Florida and opened immediately thereafter in the Conference Room, for:

PROJECT # 11310 – Pump Stations (3) Poinciana Park South, Twin Lakes and Melrose Manors North.

This project consists of Drawing File No. WS-07-03 consisting of 26 sheets.

The work includes installation of three (3) new wastewater pump stations, and connections to existing sanitary and force main systems.

Bidding blanks may be obtained at the Office of the City Engineer. Plans and specifications are on file in the Office of the City Engineer.

A pre-bid meeting will be held at 2:00 p.m., Wednesday, March 25, 2009 at the: Program Management Team office, 200 North Andrews Avenue, Suite 300 (Third Floor), Fort Lauderdale, Florida. The pre-bid meeting is recommended, but not mandatory.

It will be the sole responsibility of the bidder to clearly mark bid as such, and ensure that his bid reaches the City prior to the bid opening date and time listed.

This project is funded in whole or in part by the Florida Department of Environmental Protection, State Revolving Fund. Bidders are encouraged to become familiar with the provisions of the Supplementary Conditions contained in these documents and in particular the requirements of Article 20, Equal Employment Opportunity.

A certified check, cashier's check, bank officer's check or bid bond for five percent (5%), made payable to the City of Fort Lauderdale, Florida, shall accompany each proposal.

The City of Fort Lauderdale reserves the right to waive any informality in any bid and to reject any or all bids.

Information on bid results and projects currently out to bid can be obtained by calling the pre-recorded City of Fort Lauderdale Bid Information Line at (954)828-5688. For general inquiries please call: (954)828-5772.

### FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL, INC.

#### REQUEST FOR PROPOSALS (FDDC # 2009-CD-8200)

##### Implementation of Universal Educational Practices

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2009-CD-8200) is released in order to ensure Florida's children receive their education in an inclusive general education setting, reflecting natural proportions and age-appropriate heterogeneous groups across core academic and elective/special areas within the school community; students with disabilities are valued members of the classroom and school community and have teachers that prepare all students for success in school and the community; the community at large is educated about universal education; all

teachers, administrators and families support universal education and have the knowledge and supports available to enable them to effectively teach all children; and, all teachers should be provided access to current research and technical assistance in best practices, instructional methods, and supports tailored to individual's needs.

Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP. FDDC has set aside federal funds for a period not to exceed one (1) year for fiscal support of this RFP. The exact amount of this contract will be developed during contract negotiations.

Copies of this RFP can be downloaded from the FDDC website ([www.fddc.org](http://www.fddc.org)) or copies may be requested by writing: FDDC, 124 Marriott Drive, Suite 201, Tallahassee, FL 32301, or by calling (850)488-4180, Toll Free 1(800)580-7801 or TDD Toll Free (888)488-8633.

The deadline for submitting written questions and letters of intent for this RFP is May 15, 2009 by 4:00 p.m. (EST.) Letters of intent are encouraged but not mandatory. 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 May 25, 2009. The deadline for submitting proposals for this RFP to FDDC is June 26, 2009 by 2:00 p.m. (EST.)

The above announcement will appear on the FDDC webpage ([fddc.org](http://fddc.org)) on April 24, 2009.

Please forward all requests for copies of this RFP to: Mallore Cleaver. Questions are to be submitted in written format only. This is a legal process and we cannot answer questions verbal.

#### Competitive Application Announcement Next Chapter Book Club Implementation

The Florida Developmental Disabilities Council, Inc. (FDDC) is seeking to find at least two (2) separate, Florida-based groups or organizations to participate as a pilot site for the Next Chapter Book Club program. This competitive application process is being published to develop authentic opportunities for individuals with disabilities to participate in their communities through local book clubs. The primary objective of the selected applicants will be to develop and initiate two (2) to three (3) local book clubs in their communities based on the national model developed by The Ohio State University Nisonger Center. Each local pilot site will receive training and technical assistance from The Nisonger Center staff to assist with implementation of the model program.

Not-for-profit agencies/businesses, for-profit agencies/businesses, and governmental entities may submit applications in response to this competitive solicitation. FDDC has set aside federal funds for a period not to exceed one (1) year for fiscal support of this initiative. It is anticipated that at least two (2) proposals will be selected for funding. The exact amount of the

contracts awarded will be developed during contract negotiations. The anticipated award for this project is expected to range from \$25,000 to \$40,000 per selected proposal.

Copies of this application may be downloaded from the FDDC website ([www.fddc.org](http://www.fddc.org)) or requested by writing: FDDC, 124 Marriott Drive, Suite 203, Tallahassee, FL 32301, or by calling the toll-free number 1(800)580-7801 or TDD Toll Free 1(888)488-8633. The deadline for submitting written questions and letters of intent for this application process is May 1, 2009 by 4:00 p.m. (EDT). Letters of intent are encouraged, but not mandatory. Letters of intent sent via email will not be accepted. All answers to the submitted written questions will be posted on the FDDC website ([www.fddc.org](http://www.fddc.org)) during the week of May 5, 2009. The deadline for submitting applications to the FDDC is May 15, 2009 by 2:00 p.m. (EDT).

Please forward all requests for copies of this application to Misty Grimm. Questions are to be submitted in written format only. this is a legal process and we cannot answer questions verbally.

#### GAINESVILLE-ALACHUA COUNTY REGIONAL AIRPORT AUTHORITY

##### REQUEST FOR BIDS 09-001 – Apron Crack Sealing, Seal Coating, and Rehabilitation on the General Aviation and Commercial Aprons – Gainesville Regional Airport

The Gainesville-Alachua County Regional Airport Authority (GACRAA) is soliciting sealed bids for the Apron Crack Sealing, Seal Coating, and Rehabilitation on the General Aviation and Commercial Aprons project. The work shall include demolition of asphalt and concrete pavement, excavation of existing base and sub-base soils, construction of stabilized sub-base, new limerock base, and asphalt apron pavement, and sealcoating of asphalt aprons and taxilanes (Thermoplastic Coal-Tar Emulsion Slurry Seal in accordance with FAA Engineering Brief 35-A), pavement marking, and related work.

Complete sets of bid documents will be available for review or purchase beginning April 22, 2009 at the office of:

URS Corporation  
7650 W. Courtney Campbell Causeway  
Tampa, Florida 33607  
Attn.: David E. Schmidgall, P.E.  
Phone: (813)675-6561

A payment of One-Hundred Twenty Five dollars and 00/cents (\$125.00) will be required to purchase each set of the bid documents.

A mandatory pre-bid conference will be held on: Wednesday, April 29, 2009, 10:00 a.m., Gainesville Regional Airport, Passenger Terminal Board Room, 3880 N. E. 39th Avenue, Gainesville, Florida 32609. A site visit of the project areas will be conducted immediately following the pre-bid conference.

Bids must be signed by an authorized official, enclosed in a sealed envelope or package clearly marked:

"Project No. 09-001" – "Apron Crack Sealing, Seal Coating, and Rehabilitation on the General Aviation and Commercial Aprons" and mailed or delivered to:

Authority's Administrative Office  
Gainesville Regional Airport  
Attn.: Chief Executive Officer  
3880 N.E. 39th Avenue, Suite A  
Gainesville, Florida 32609

Bids are due at 3:00 p.m., Wednesday, May 20, 2009 and will be publicly opened at this time. The official clock is located in the Authority's Administrative Office. Bids received after 3:00 p.m., May 20, 2009 will not be considered.

Disadvantaged Business Enterprise (DBE) firms are encouraged to participate.

GACRAA reserves the right to reject any or all bids received in response to this Request for Bids as determined to be in the best interest of the Airport.

For additional information, contact: William R. Prange, URS Corporation at (386)754-9053.

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## TOWER-OHL GROUP

### INVITATION FOR PRE-QUALIFIED CONTRACTORS TO SUBMIT SEALED BIDS

Project: Regional Training Institute, Phase 4  
Camp Blanding  
5629 State Road 16 West  
Starke, Florida 32091

Call for Bids: Tower-OHL Group has been selected by the State of Florida, Department of Military Affairs, Construction and Facility Management Office for negotiations as the Construction Manager at Risk on the above referenced project. Tower-OHL Group is requesting Sealed Bids from Pre-Qualified Trade Contractors for all applicable trades for construction on the above referenced project until 2:00 p.m., Tuesday, May 5, 2009.

Project Scope: RTI, Phase 4 primarily includes construction of the following: 2-story, 20,500sf Billeting Bldg. East Wing; 3-story, 41,500sf Billeting Bldg. West Wing, 6,800sf Dining Facility Expansion, 1,200sf Pre-Engineered Weapons Cleaning Canopy, 7,000sf Pre-Engineered Covered Dining Patio, interconnecting Covered Walkways for all of RTI, Landscaping and Irrigation for all of RTI, two new Chillers, Combative Pit, 1/2 mile Running Track, Emergency Access Road, Milling and Re-Surfacing of Apalachicola and Panama City Roads, Expansion to Parking Lots, Stairway Finish Upgrades at the Phase 2 Billeting Bldg., and Floor Finish Upgrades at the existing RTI Administration Building. Design and construction materials will be consistent with the earlier phased construction of the RTI Complex.

Pre-Qualification: Only bidders that meet pre-qualification criteria will be allowed to bid. Pre-Qualification Packages are available at our Jacksonville office located at 11315 Business Park Blvd., starting April 3, 2009. As part of the pre-qualification an executed original of the Tower-OHL Master Subcontract Agreement must accompany the submission of the fully completed and signed pre-qualification forms. Pre-qualification packages are due to Tower-OHL by 2:00 p.m., Friday, April 10, 2009, to be considered for evaluation. Tower-OHL will review all properly received Pre-Qualification Packages for eligibility to bid. Evaluation of the Pre-Qualification Packages and response by fax to all that submitted Pre-Qualification Packages will be by Thursday, April 16, 2009. Bid packages for the project will be available in our office starting Friday April 17, 2009, for those that have pre qualified.

Minority Program: Minority Business Enterprises (MBE) are encouraged to participate in this Invitation to Bid. Utilization of MBE participation is highly encouraged from all Bidders. MBE's must be certified by the office of Supplier diversity.

Bonding Requirements: 100% labor and performance bonds may be required from successful bidders. The cost of the material and performance bond shall be listed in the space on the proposal form as a net add to the base bid.

Bid Packages: Bid Packages will be available and may be picked up at the office of Tower-OHL/Jacksonville starting Friday, April 17, 2009.

Bid Submittal: Sealed bids will be received on Tuesday, May 5, 2009.

Questions: Questions concerning bidding and project scope are to be sent by Fax to Tower-OHL, Fax: (904)292-4865, Attention: Questions received after Friday, April 24, 2009 will not be accepted. All questions that have been submitted will be answered in an addendum on April 28, 2009.

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## Section XII Miscellaneous

### DEPARTMENT OF REVENUE

NOTICE OF ADOPTION OF COMMUNICATIONS SERVICES TAX ADDRESS/JURISDICTION DATABASE  
Section 202.22(2), F.S., requires the Department of Revenue to create and maintain an electronic situsing database that assigns service addresses to local taxing jurisdictions for purposes of the communications services tax. The update to the Address/Jurisdiction Database, as posted on April 2, 2009, becomes effective on July 1, 2009. The database can be accessed at <http://geotax.state.fl.us>. The next update to the database will be effective January 1, 2010, and is required to be posted 90 days in advance of the effective date. Local governments are required to submit changes and additions for inclusion in the January 1, 2010, update no later than

September 3, 2009. Additional information concerning procedures for requesting changes and additions to the database is available from: Department of Revenue, Local Government Unit, (850)921-9181 or by e-mail: local-govt-unit@dor.state.fl.us. Persons with hearing or speech impairments may call the TDD line at 1(800)367-8331 or (850)922-1115.

**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 Moto Dealer Import, LLC, intends to allow the establishment of Dwight Blankenship d/b/a D & D Auto Sales, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 1304 53rd Avenue, West, Bradenton (Manatee County), Florida 34207-2861, on or after March 31, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Dwight Blankenship d/b/a D & D Auto Sales are dealer operator(s): Dwight Blankenship, 1304 53rd Avenue, West, Bradenton, Florida 34207-2861; principal investor(s): Dwight Blankenship, 1304 53rd Avenue, West, Bradenton, Florida 34207-2861.

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 Country Comfort, Inc. d/b/a Lakeland Motorcycle & ATV, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 3705 US Highway 98 South, Suite 1, Lakeland (Polk County), Florida 33812, on or after March 31, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Country Comfort, Inc. d/b/a Lakeland Motorcycle & ATV are dealer operator(s): Mike Highsmith, 3705 US Highway 98 South, Suite 1, Lakeland, Florida 33812; principal investor(s): Mike Highsmith, 3705 US Highway 98 South, Suite 1, Lakeland, Florida 33812.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jack Lin, President, Moto Dealer Import, LLC, 4998-B, South Royal Atlanta Drive, Tucker, Georgia 30084.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Moto Dealer Import, LLC, intends to allow the establishment of Mojo Power Sports, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 707 West Bay Drive, Largo (Pinellas County), Florida 33770-3307, on or after March 31, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Mojo Power Sports, Inc. are dealer operator(s): Peter Spoto, 707 West Bay Drive, Largo, Florida 33770-3307; principal investor(s): Peter Spoto, 707 West Bay Drive, Largo, Florida 33770-3307.

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.

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#### 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 Shenke Motorcycle Co. Ltd. (SHEN) at 1802 North Woodland Boulevard, Deland (Volusia County), Florida 32720, on or after March 31, 2009.

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.

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#### 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 Shenke Motorcycle Co. Ltd. (SHEN) at 6191 South Pine Avenue, Ocala (Marion County), Florida 34480-7115, on or after March 31, 2009.

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 Moto Dealer Import, LLC, intends to allow the establishment of North Florida Trailers, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 4845 West US Highway 90, Lake City (Columbia County), Florida 32055, on or after March 31, 2009.

The name and address of the dealer operator(s) and principal investor(s) of North Florida Trailers, Inc. are dealer operator(s): Daniel Ogden, 4845 West US Highway 90, Lake City, Florida 32055; principal investor(s): Daniel Ogden, 4845 West US Highway 90, Lake City, Florida 32055.

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 North Florida Trailers, Inc., as a dealership for the sale of motorcycles manufactured by Benzhou Vehicle

Industry Group Co. Ltd. (SHWI) at 4845 West US Highway 90, Lake City (Columbia County), Florida 32055, on or after March 31, 2009.

The name and address of the dealer operator(s) and principal investor(s) of North Florida Trailers, Inc. are dealer operator(s): Daniel Ogden, 4845 West US Highway 90, Lake City, Florida 32055; principal investor(s): Daniel Ogden, 4845 West US Highway 90, Lake City, Florida 32055.

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 Adly Moto, LLC, intends to allow the establishment of Scooter Depot, LLC, as a dealership for the sale of motorcycles manufactured by HerChee Industrial Co. Ltd. (HERH) at 3651 Alafaya Trail, Building 102, Oviedo (Seminole County), Florida 32765, on or after April 13, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Depot, LLC are dealer operator(s): Allan Norris, 3651 Alafaya Trail, Building 102, Oviedo, Florida 32765 and Rob Loisel, 3651 Alafaya Trail, Building 102, Oviedo, Florida 32765; principal investor(s): Allan Norris, 3651 Alafaya Trail, Building 102, Oviedo, Florida 32765 and Rob Loisel, 3651 Alafaya Trail, Building 102, Oviedo, Florida 32765.

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.

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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 Depot, LLC, as a dealership for the sale of motorcycles manufactured by HerChee Industrial Co. Ltd. (HERH) at 250 East Lake Mary Boulevard, Sanford (Seminole County), Florida 32773, on or after April 14, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Depot, LLC are dealer operator(s): Allan Norris, 250 East Lake Mary Boulevard, Sanford, Florida 32773 and Rob Loisel, 250 East Lake Mary Boulevard, Sanford, Florida 32773; principal investor(s): Allan Norris, 250 East Lake Mary Boulevard, Sanford, Florida 32773 and Rob Loisel, 250 East Lake Mary Boulevard, Sanford, Florida 32773.

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.

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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 Scooter Superstore of America, Inc., as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co. Ltd. (SANY) at 1128 3rd Street, North, Jacksonville Beach (Duval County), Florida 32250, on or after April 1, 2009.

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, 4360 Peters Road, Fort Lauderdale, Florida 33317; principal investor(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317.

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 US 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.

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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 Skipper Ltd., as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 988 White Avenue, Graceville (Jackson County), Florida 32440, on or after March 31, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Skipper Ltd. are dealer operator(s): Robert L. Skipper, 988 White Avenue, Graceville, Florida 32440; principal investor(s): Robert L. Skipper, 988 White Avenue, Graceville, Florida 32440.

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 Skipper Ltd., as a dealership for the sale of motorcycles manufactured by Benzhou Vehicle Industry Group Co. Ltd. (SHWI) at 988 White Avenue, Graceville (Jackson County), Florida 32440, on or after March 31, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Skipper Ltd. are dealer operator(s): Robert L. Skipper, 988 White Avenue, Graceville, Florida 32440; principal investor(s): Robert L. Skipper, 988 White Avenue, Graceville, Florida 32440 .

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 Flyscooters, LLC, intends to allow the establishment of Soho Moto Group, LLC d/b/a Soho Scooters, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 401 South Howard Avenue, Tampa (Hillsborough County), Florida 33606, on or after April 24, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Soho Moto Group, LLC d/b/a Soho Scooters are dealer operator(s): Thomas Anderson, 401 South Howard Avenue, Tampa, Florida 33606; principal investor(s): Thomas Anderson, 401 South Howard Avenue, Tampa, Florida 33606.

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: Daniel Pak, Flyscooters, LLC, 7307 Edgewater Drive, Suite H, Oakland, California 94621.

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 Flyscooters, LLC, intends to allow the establishment of Tropical Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 11610 Seminole Boulevard, Largo (Pinellas County), Florida 33778, on or after April 24, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Tropical Scooters, LLC are dealer operator(s): Mark W. Stanley, 11610 Seminole Boulevard, Largo, Florida 33778; principal investor(s): Mark W. Stanley, 11610 Seminole Boulevard, Largo, Florida 33778.

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: Daniel Pak, Flyscooters, LLC, 7307 Edgewater Drive, Suite H, Oakland, California 94621.

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 X-Power Motorsports, 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 Jiangsu Linhai Power Machinery Group (LINH) at 4901 North US Highway 1, Suite J, Vero Beach, (Indian River County), Florida 32967-1552, on or after April 10, 2009.

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 Long, 4901 North US Highway 1, Suite J, Vero Beach, Florida 32967; principal investor(s): Heidi Long, 4901 North US Highway 1, Suite 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: Ronald Ho, President, X-Power Motorsports, 225 Horizon Drive, Suwannee, Georgia 30024.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**BOARD OF TRUSTEES OF THE INTERNAL  
IMPROVEMENT TRUST FUND**

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

The Agency for Health Care Administration has received an application for an emergency service exemption from Bartow Regional Medical Center located at 2200 Osprey Blvd, Bartow,

FL 33831 pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Gastroenterology, Infectious Disease, Neurology, Ophthalmology, Orthopedics, Otolaryngology, Plastic Surgery, Urology and Vascular Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Jessica Munn, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, (850)487-2717 or by e-mail: munnj@ahca.myflorida.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**NOTICE OF QUOTA LIQUOR LICENSE DRAWINGS**

The Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation announces Quota Liquor License Drawings to which all persons are invited for the following counties: ALACHUA (1), BREVARD (1), BROWARD (1), CITRUS (1), CLAY (2), COLLIER (1), COLUMBIA (1), DADE (3), DUVAL (4), FLAGLER (1), HERNANDO (1), HILLSBOROUGH (4), INDIAN RIVER (1), LAKE (2), LEE (4), MANATEE (1), MARION (2), OKALOOSA (1), ORANGE (3), OSCEOLA (1), PALM BEACH (1), PASCO (1), POLK (4), ST JOHNS (1), ST LUCIE (2), SANTA ROSA (1), SARASOTA (1), SEMINOLE (1)SUMTER (1)

DATE AND TIME: May 7, 2009, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, Northwood Centre, Alcoholic Beverages and Tobacco Conference Room, 1940 North Monroe Street, Tallahassee, FL

PURPOSE: To conduct double random computer drawings from the pool of qualified applicants for new quota liquor licenses in each of the above referenced counties and establish each qualified applicant's standing to receive one of the new licenses. Those applicants chosen in the drawings will be notified by certified mail of their eligibility to apply for a license.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**FLORIDA FINDING OF NO SIGNIFICANT IMPACT  
CITY OF DELAND**

The Florida Department of Environmental Protection has determined that the City of DeLand's project for drinking water facility improvements will not adversely affect the environment. The improvements at the proposed Tomoka

Woods Water Treatment Plant will include four new wells, transmission pipe, ground storage tank with aerator, three high service pumps, a pump house building, and chlorination, fluoridation and corrosion inhibitor systems. The total cost of the project is estimated to be \$3,645,046. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

A full copy of the Florida Finding of No Significant Impact can be obtained by writing: Gregg Caro, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or calling (850)245-8546.

**NOTICE OF AVAILABILITY  
FLORIDA FINDING OF NO SIGNIFICANT IMPACT  
HERNANDO COUNTY, FLORIDA**

The Department of Environmental Protection has determined that Hernando County's proposed Glen Wastewater Treatment Facility (WWTF) expansion/upgrade project will not have a significant adverse affect on the environment. The cost of this project is estimated to be \$19,121,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Finding of No Significant Impact can be obtained by writing to: Bhupendra Vora, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, (850)245-8380.

**NOTICE OF AVAILABILITY  
HOLLYWOOD, FLORIDA**

The Department of Environmental Protection has determined that Hollywood's proposed project to repair existing wastewater collection and transmission facilities will not have a significant adverse impact on the environment. The total estimated construction cost is \$12,071,050. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Thomas Montgomery, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, (850)245-8358.

**NOTICE OF AVAILABILITY  
PAHOKEE, FLORIDA**

The Department of Environmental Protection has determined that Pahokee's proposed project to repair existing wastewater collection and transmission facilities will not have a significant adverse impact on the environment. The total estimated

construction cost is \$5,719,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Thomas Montgomery, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, (850)245-8358.

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NOTICE OF AVAILABILITY  
SANFORD, FLORIDA

The Department of Environmental Protection has determined that Sanford's proposed sanitary sewer system rehabilitation project will not have a significant adverse impact on the environment. The total project cost is estimated at \$5,000,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing: Bryan Goff, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8358.

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NOTICE OF AVAILABILITY  
SOUTH BAY, FLORIDA

The Department of Environmental Protection has determined that South Bay's proposed project to repair existing wastewater collection and transmission facilities will not have a significant adverse impact on the environment. The total estimated construction cost is \$627,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Thomas Montgomery, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, (850)245-8358.

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NOTICE OF AVAILABILITY  
SURFSIDE, FLORIDA

The Department of Environmental Protection has determined that Surfside's proposed project for the construction of a green community center will not have a significant adverse impact on the environment. The total construction cost of the loan eligible components is estimated at \$2,300,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing: Bryan Goff, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8358.

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NOTICE OF AVAILABILITY  
TOWN OF LEE, FLORIDA

The Department of Environmental Protection has determined that the Town of Lee's proposed project for the construction of a collection and transmission system will not have a significant adverse impact on the environment. The total project cost is estimated to be \$5,200,700. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Mahnaz Massoudi, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, (850)245-8358.

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NOTICE OF AVAILABILITY OF  
STATEMENT OF ESTIMATED REGULATORY COSTS

The Department of Environmental Protection announces the availability of the Statement of Estimated Regulatory Costs (SERC) prepared for the rulemaking for Chapters 62-520 and 62-522, F.A.C. The Notices of Proposed Rule for these chapters were published in the Florida Administrative Weekly on June 27, 2008, and the adoption hearing was held on July 25, 2008. The summary of the SERC is: The proposed revisions to Chapters 62-520 and 62-522, F.A.C., will affect facilities or installations that discharge into ground water, including wastewater treatment plants, phosphogypsum stacks, and solid waste facilities. For the most part, existing requirements will not change. Only one new requirement will impose regulatory cost. Facilities will now be required to conduct sampling and analysis of one or more monitoring wells prior to permit renewal. An estimated 2,050 facilities may be affected. Depending on the parameters required to be sampled prior to permit renewal, this may be an additional cost of between \$500 and \$1,500 every five years. To obtain a copy of the SERC, contact Cynthia Christen, Senior Attorney, Department of Environmental Protection, MS 35, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2230, email: [Cynthia.christen@dep.state.fl.us](mailto:Cynthia.christen@dep.state.fl.us).

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NOTICE OF AVAILABILITY OF  
STATEMENT OF ESTIMATED REGULATORY COSTS

The Department of Environmental Protection announces the availability of the Statement of Estimated Regulatory Costs (SERC) prepared for the rulemaking for Chapter 62B-56, F.A.C. The Notice of Proposed Rule for this chapter was published in the Florida Administrative Weekly on April 25,

2008, and the adoption hearing was held on May 28, 2008. A Notice of Change for the proposed rule was published in the Florida Administrative Weekly on April 17, 2009. The summary of the SERC is as follows: The proposed Chapter 62B-56, F.A.C., will affect beachfront property owners who choose to apply for coastal armoring in the form of a geotextile container as the core of a reconstructed dune. The permit application fee will be \$5,000 (\$1,500 of which is associated with the maintenance phase of the permit and will be refunded if the permit is denied). A number of costs to the applicant are associated with the project, and vary based on location, size, and other factors. Additional costs include those associated with installation of the geotextile container as the core of a reconstructed dune, and ongoing maintenance of the project. In addition, the applicant is required to provide financial assurance in an amount that would cover costs incurred by the removal of the structure and restoration of the dune if the project failed to meet the permit requirements. The Department reviewed permit applications for similar projects since 2002, and based on the fact that no small businesses or counties have applied during that time, the Department estimates that the impact on small businesses and counties would be minimal.

To obtain a copy of the SERC, contact: Rosaline Beckham, Department of Environmental Protection, Bureau of Beaches and Coastal Systems, MS 300, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000, (850)488-7815 or email: [Rosaline.beckham@dep.state.fl.us](mailto:Rosaline.beckham@dep.state.fl.us).

#### 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://www.dep.state.fl.us/secretary/oip/state\\_clearinghouse/](http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/). For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

#### NOTICE OF PUBLIC OPPORTUNITY TO COMMENT ON AN INITIAL PLAN OF EXPLORATION FOR FEDERAL WATERS OF THE CENTRAL GULF OF MEXICO PLANNING AREA

Interested persons are hereby given notice that a U.S. Department of the Interior, Minerals Management Service, Initial Plan of Exploration submitted by Murphy, for Desoto Canyon Block 927, was received by the State of Florida. Proposed activities include drilling up to four exploration wells in approximately 8,500 feet of water located approximately 150 miles south of Alabama.

The plan is available for inspection at: Florida Department of Environmental Protection (FDEP), Office of Intergovernmental Programs, Room 953 DA, Douglas Building, 3900 Commonwealth Boulevard, MS 47, Tallahassee, Florida 32399-3000, (850)245-2163. Written

comments regarding this activity and its consistency with the Florida Coastal Management Program should be submitted to FDEP, at the address listed above, by May 8, 2009. Contact: Shana Kinsey or Debby Tucker at (850)245-2163, email address: [Shana.Kinsey@dep.state.fl.us](mailto:Shana.Kinsey@dep.state.fl.us) or [Debby.Tucker@dep.state.fl.us](mailto:Debby.Tucker@dep.state.fl.us).

This public notice fulfills the requirements of 15 CFR 930.

#### DEPARTMENT OF HEALTH

On April 13, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Steven Patrick Dinsmore, R.N. license number RN 2617342. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On April 13, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Nora Jean Jacobellis, R.N. license number RN 2508112. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On April 8, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Felix Eugene Lopez, L.P.N. license number PN 1066301. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On April 13, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Lorial M. Nettles, C.N.A. license number CNA 96263. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On April 8, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Regan R. Burke, D.O. license number OS 6868. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF FINANCIAL SERVICES**

DEPARTMENT OF FINANCIAL SERVICES  
DIVISION OF TREASURY  
BUREAU OF COLLATERAL MANAGEMENT  
PUBLIC DEPOSITS SECTION

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FOR PUBLIC DEPOSITORS TO RECEIVE THE PROTECTION FROM LOSS PROVIDED IN CHAPTER 280, FLORIDA STATUTES, THEY SHALL COMPLY WITH THE FOLLOWING ON EACH PUBLIC DEPOSIT ACCOUNT IN ADDITION TO ANY OTHER REQUIREMENTS SPECIFIED IN CHAPTER 280, FLORIDA STATUTES: (1) EXECUTE THE PUBLIC DEPOSIT IDENTIFICATION AND ACKNOWLEDGMENT FORM DFS-J1-1295 WITH THE QUALIFIED PUBLIC DEPOSITORY (QPD), MAINTAIN IT AS A VALUABLE RECORD, AND CONFIRM THE ACCOUNT ANNUALLY; (2) EXECUTE A REPLACEMENT FORM DFS-J1-1295 WHEN THERE IS A MERGER, ACQUISITION, NAME CHANGE, OR OTHER EVENT WHICH CHANGES THE ACCOUNT NAME, ACCOUNT NUMBER, OR NAME OF THE QPD.

THE FOLLOWING QPDS ARE AUTHORIZED TO HOLD PUBLIC DEPOSITS. THE CITIES AND STATES LISTED ARE THE HOME OFFICE LOCATIONS. QPDS MARKED WITH AN ASTERISK HAVE LIMITED THE AMOUNT OF PUBLIC DEPOSITS THEY WILL ADMINISTER AND ARE NOT OPENING ACCOUNTS FOR NEW PUBLIC DEPOSITORS. QPDS HAVING A DATE BESIDE THEIR NAME ARE IN THE PROCESS OF WITHDRAWING FROM THE PROGRAM AND SHALL NOT RECEIVE OR RETAIN PUBLIC DEPOSITS AFTER THE DATE SHOWN.

THEY MAY, HOWEVER, HAVE CERTAIN OBLIGATIONS TO THE PROGRAM AFTER THAT DATE WITH WHICH THEY MUST COMPLY BEFORE CONCLUDING THE WITHDRAWAL PROCESS.

\*\*\*\*\*

**ALABAMA**

**ATMORE**  
UNITED BANK

**BIRMINGHAM**  
COMPASS BANK  
REGIONS BANK  
SUPERIOR BANK

**MOBILE**  
BANKTRUST

**MONTGOMERY**  
COLONIAL BANK \*

**ARKANSAS**

**CONWAY**  
CENTENNIAL BANK

**DELAWARE**

**WILMINGTON**  
TD BANK, N.A.

**DISTRICT OF COLUMBIA**

**WASHINGTON, DC**  
URBAN TRUST BANK

**FLORIDA**

**ARCADIA**  
FIRST STATE BANK OF ARCADIA

**AVENTURA**  
TURNBERRY BANK

**BARTOW**  
COMMUNITY NATIONAL BANK AT BARTOW

**BELLE GLADE**  
BANK OF BELLE GLADE

**BOCA RATON**

1ST UNITED BANK  
FIRST SOUTHERN BANK  
LEGACY BANK OF FLORIDA  
PARADISE BANK  
SUN AMERICAN BANK

**BONIFAY**

BANK OF BONIFAY

**BRADENTON**

FIRST AMERICA BANK  
FLAGSHIP NATIONAL BANK \*

**BRANDON**

PLATINUM BANK

**CARRABELLE**

GULF STATE COMMUNITY BANK

**CHIEFLAND**

DRUMMOND COMMUNITY BANK

**CLEWISTON**

FIRST BANK  
OLDE CYPRESS COMMUNITY BANK

**COCOA BEACH**

SUNRISE BANK

**CORAL GABLES**

BANKUNITED, F.S.B.  
GIBRALTAR PRIVATE BANK & TRUST COMPANY  
THE BANK OF MIAMI, N.A.

**CRAWFORDVILLE**

WAKULLA BANK

**CRESTVIEW**

FIRST NATIONAL BANK OF CRESTVIEW

**DADE CITY**

FIRST NATIONAL BANK OF PASCO

**DANIA BEACH**

COMMUNITY BANK OF BROWARD

**DAVIE**

FLORIDIAN COMMUNITY BANK, INC.  
REGENT BANK

**DAYTONA BEACH**

FLORIDIAN BANK  
GATEWAY BANK OF FLORIDA

**DESTIN**

DESTIN FIRST BANK  
GULFSOUTH PRIVATE BANK

**ENGLEWOOD**

ENGLEWOOD BANK  
PENINSULA BANK

**EUSTIS**

FIRST GREEN BANK

**FERNANDINA BEACH**

CBC NATIONAL BANK  
FIRST COAST COMMUNITY BANK

**FORT LAUDERDALE**

BANKATLANTIC  
LANDMARK BANK, N.A.  
VALLEY BANK

**FORT MYERS**

BUSEY BANK, N.A.  
EDISON NATIONAL BANK  
FINEMARK NATIONAL BANK & TRUST  
FLORIDA GULF BANK  
IRONSTONE BANK  
RELIANCE BANK, F.S.B.  
SOUTHWEST CAPITAL BANK, N.A.

**FORT PIERCE**

OCULINA BANK  
RIVERSIDE NATIONAL BANK OF FLORIDA

**FORT WALTON BEACH**

BEACH COMMUNITY BANK \*  
FIRST CITY BANK OF FLORIDA \*  
FIRST NATIONAL BANK & TRUST

**FROSTPROOF**

CITIZENS BANK & TRUST

**GAINESVILLE**

FLORIDA CITIZENS BANK  
MERCHANTS & SOUTHERN BANK

**GRACEVILLE**

BANK OF JACKSON COUNTY  
PEOPLES BANK OF GRACEVILLE

**HALLANDALE**

DESJARDINS BANK, N.A.

**HOMESTEAD**

1ST NATIONAL BANK OF SOUTH FLORIDA  
COMMUNITY BANK OF FLORIDA

**IMMOKALEE**

FLORIDA COMMUNITY BANK

**INDIANTOWN**

FIRST BANK AND TRUST COMPANY OF INDIANTOWN

**INVERNESS**

BRANNEN BANK

**JACKSONVILLE**

AMERICAN ENTERPRISE BANK OF FLORIDA  
EVERBANK  
FIRSTATLANTIC BANK

**JACKSONVILLE BEACH**

OCEANSIDE BANK

**KEY WEST**

FIRST STATE BANK OF THE FLORIDA KEYS

**KISSIMMEE**

CENTERSTATE BANK CENTRAL FLORIDA, N.A.

**LAKE CITY**

COLUMBIA BANK  
FIRST FEDERAL BANK OF FLORIDA  
PEOPLES STATE BANK

**LAKELAND**

BANK OF CENTRAL FLORIDA  
COMMUNITY SOUTHERN BANK

**LANTANA**

STERLING BANK

**LONGWOOD**

ORLANDO NATIONAL BANK

**MADISON**

MADISON COUNTY COMMUNITY BANK

**MARIANNA**

FIRST CAPITAL BANK

**MAYO**

LAFAYETTE STATE BANK

**MELBOURNE**

PRIME BANK

**MERRITT ISLAND**

COMMUNITY BANK OF THE SOUTH

**MIAMI**

BAC FLORIDA BANK  
CITY NATIONAL BANK OF FLORIDA  
COCONUT GROVE BANK  
CONTINENTAL NATIONAL BANK OF MIAMI  
EASTERN NATIONAL BANK  
ESPIRITO SANTO BANK \*  
EXECUTIVE NATIONAL BANK  
GREAT FLORIDA BANK  
INTERAMERICAN BANK, F.S.B.  
JGB BANK, N.A.  
MELLON UNITED NATIONAL BANK  
METRO BANK OF DADE COUNTY  
NORTHERN TRUST, N.A.  
OCEAN BANK  
SUNSTATE BANK  
TOTALBANK  
TRANSATLANTIC BANK  
U.S. CENTURY BANK

**MILTON**

FIRST NATIONAL BANK OF FLORIDA

**MONTICELLO**

FARMERS & MERCHANTS BANK

**MOUNT DORA**

FIRST NATIONAL BANK OF MOUNT DORA

**NAPLES**

BANK OF NAPLES  
ORION BANK \*  
PARTNERS BANK  
SHAMROCK BANK OF FLORIDA  
TIB BANK

**NEW SMYRNA BEACH**

FRIENDS BANK

**NICEVILLE**

PEOPLES NATIONAL BANK

**NORTH PALM BEACH**

ENTERPRISE BANK OF FLORIDA

**OAKLAND PARK**

AMERICAN NATIONAL BANK

**OCALA**

ALARION BANK  
COMMUNITY BANK & TRUST OF FLORIDA  
GATEWAY BANK OF CENTRAL FLORIDA  
INDEPENDENT NATIONAL BANK

**ORANGE PARK**

HERITAGE BANK OF NORTH FLORIDA

**ORLANDO**

CNLBANK  
FLORIDA BANK OF COMMERCE  
OLD SOUTHERN BANK  
ORANGE BANK OF FLORIDA  
SEASIDE NATIONAL BANK & TRUST

**OVIEDO**

CITIZENS BANK OF FLORIDA

**PALATKA**

FIRST FEDERAL BANK OF NORTH FLORIDA  
PUTNAM STATE BANK

**PALM COAST**

INTRACOASTAL BANK

**PANAMA CITY**

BAY BANK & TRUST COMPANY  
FIRST NATIONAL BANK NORTHWEST FLORIDA  
PEOPLES FIRST COMMUNITY BANK  
SUMMIT BANK, N.A.  
VISION BANK

**PANAMA CITY BEACH**

COASTAL COMMUNITY BANK \*

**PENSACOLA**

BANK OF THE SOUTH  
COASTAL BANK AND TRUST OF FLORIDA  
GULF COAST COMMUNITY BANK

**PERRY**

CITIZENS STATE BANK

**PINELLAS PARK**

FIRST COMMUNITY BANK OF AMERICA

**PORT CHARLOTTE**

CHARLOTTE STATE BANK

**PORT RICHEY**

REPUBLIC BANK

**PORT ST. JOE**

BAYSIDE SAVINGS BANK

**PORT ST. LUCIE**

FIRST PEOPLES BANK \*

**ST. AUGUSTINE**

BANK OF ST. AUGUSTINE  
PROSPERITY BANK \*

**ST. PETERSBURG**

SYNOVUS BANK

**SARASOTA**

LANDMARK BANK OF FLORIDA



**SEBRING**

HEARTLAND NATIONAL BANK  
HIGHLANDS INDEPENDENT BANK

**SOUTH MIAMI**

FIRST NATIONAL BANK OF SOUTH MIAMI

**STARKE**

COMMUNITY STATE BANK

**STUART**

GULFSTREAM BUSINESS BANK  
SEACOAST NATIONAL BANK

**TALLAHASSEE**

CAPITAL CITY BANK  
HANCOCK BANK OF FLORIDA  
PREMIER BANK  
TALLAHASSEE STATE BANK

**TAMPA**

AMERICAN MOMENTUM BANK  
FIRST CITRUS BANK  
FLORIDA BANK  
THE PALM BANK

**THE VILLAGES**

CITIZENS FIRST BANK

**TRINITY**

PATRIOT BANK

**UMATILLA**

UNITED SOUTHERN BANK

**VENICE**

COMMUNITY NATIONAL BANK OF SARASOTA  
COUNTY 02/08/2009  
THE BANK OF VENICE

**WAUCHULA**

FIRST NATIONAL BANK OF WAUCHULA  
WAUCHULA STATE BANK

**WEST PALM BEACH**

FIRST BANK OF THE PALM BEACHES  
FLAGLER BANK  
GRAND BANK & TRUST OF FLORIDA

**WILLISTON**

PERKINS STATE BANK

**WINTER HAVEN**

CENTERSTATE BANK OF FLORIDA, N.A.

**WINTER PARK**

BANKFIRST  
FIRST NATIONAL BANK OF CENTRAL FLORIDA  
RIVERSIDE BANK OF CENTRAL FLORIDA

**ZEPHYRHILLS**

CENTERSTATE BANK, N.A.

**GEORGIA**

**ALBANY**

HERITAGEBANK OF THE SOUTH

**ATLANTA**

SUNTRUST BANK

**COLQUITT**

PEOPLESOUTH BANK

**DARIEN**

SOUTHEASTERN BANK

**MOULTRIE**

AMERIS BANK

**IOWA**

**FORT DODGE**

FIRST AMERICAN BANK

**LOUISIANA**

**NEW ORLEANS**  
WHITNEY NATIONAL BANK

**MASSACHUSETTS**

**BOSTON**  
ONEUNITED BANK

**MICHIGAN**

**GRAND RAPIDS**  
FIFTH THIRD BANK

**MISSISSIPPI**

**JACKSON**  
TRUSTMARK NATIONAL BANK

**KOSCIUSKO**  
MERCHANTS AND FARMERS BANK

**STARKVILLE**  
CADENCE BANK, N.A.

**TUPELO**  
BANCORPSOUTH BANK

**MISSOURI**

**CREVE COEUR**  
FIRST BANK

**NEVADA**

**LAS VEGAS**  
CITIBANK, N.A.

**NEW YORK**

**NEW YORK CITY**  
BANCO POPULAR NORTH AMERICA  
INTERVEST NATIONAL BANK

**NORTH CAROLINA**

**CHARLOTTE**  
BANK OF AMERICA, N.A.  
WACHOVIA BANK, N.A.

**RALEIGH**  
RBC BANK (USA)

**WINSTON-SALEM**  
BRANCH BANKING & TRUST COMPANY

**OHIO**

**CLEVELAND**  
NATIONAL CITY BANK

**WILMINGTON**  
LIBERTY SAVINGS BANK, F.S.B.

**SOUTH CAROLINA**

**GREENVILLE**  
CAROLINA FIRST BANK

**TEXAS**

**HOUSTON**  
ENCORE BANK, N.A.

**WISCONSIN**

**MILWAUKEE**

M&I MARSHALL & ILSLEY BANK

\*\*\*\*\*  
THE FOLLOWING IS A LIST OF INSTITUTIONS THAT HAD A CHANGE SINCE THE LAST PUBLICATION OF THIS REPORT.  
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**CNLBANK, FIRST COAST**

JACKSONVILLE

CNLBANK, FIRST COAST (JACKSONVILLE) WAS MERGED WITH AND INTO CNLBANK (ORLANDO) EFFECTIVE AS OF THE OPENING OF BUSINESS APRIL 20, 2009.

**CNLBANK, SOUTHWEST FLORIDA**

BONITA SPRINGS

CNLBANK, SOUTHWEST FLORIDA (BONITA SPRINGS) WAS MERGED WITH AND INTO CNLBANK (ORLANDO) EFFECTIVE AS OF THE OPENING OF BUSINESS APRIL 20, 2009.

**EAGLE NATIONAL BANK OF MIAMI**

MIAMI

EAGLE NATIONAL BANK OF MIAMI HAS CHANGED ITS NAME TO JGB BANK, N.A.

**MERCANTIL COMMERCEBANK, N.A.**

CORAL GABLES

MERCANTIL COMMERCEBANK, N.A. HAS WITHDRAWN FROM THE PROGRAM EFFECTIVE AS OF FEBRUARY 6, 2009.

**RIVERSIDE BANK OF THE GULF COAST**

CAPE CORAL

RIVERSIDE BANK OF THE GULF COAST (CAPE CORAL) WAS CLOSED ON FEBRUARY 13, 2009 BY THE FLORIDA OFFICE OF FINANCIAL REGULATION. THIS INSTITUTION'S PUBLIC DEPOSITS WERE ASSUMED BY TIB BANK WHICH IS A QUALIFIED PUBLIC DEPOSITORY LOCATED IN NAPLES, FLORIDA.

**THE BANK OF TALLHASSEE**

TALLHASSEE

THE BANK OF TALLHASSEE LOCATED IN TALLHASSEE WAS MERGED WITH AND INTO FLORIDA BANK LOCATED IN TAMPA AS OF THE CLOSE OF BUSINESS MARCH 30, 2009.

**FINANCIAL SERVICES COMMISSION**

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at: <http://www.flofr.com/banking/cufm.asp>. Comments may be submitted to: 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: 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., May 15, 2009):

Name and Address of Applicant: Achieva Credit Union, 1499 Gulf to Bay Boulevard, Clearwater, Florida, 33755

Expansion Includes: Geographic

Received: April 3, 2009

**MID-FLORIDA AREA AGENCY ON AGING**

Senior Nutrition Services Under

the American Recovery and Reinvestment Act

Applications will be received by Elder Options until 4:00 p.m. on May 13, 2009, to provide senior nutrition services under the American Recovery and Reinvestment Act. The counties to be served with this funding are: Alachua, Bradford, Citrus, Columbia, Dixie, Gilchrist, Hamilton, Hernando, Lafayette, Lake, Levy, Marion, Putnam, Sumter, Suwannee, and Union. The application and instructions may be obtained from Elder Options' offices on April 29, 2009 or thereafter. Elder Options' office is located at 5700 S. W. 34th Street, Suite 222, Gainesville, FL.

Elder Options reserves the right to reject any and all applications.

Correspondence concerning this application should be addressed to:

Mr. David Huckabee, Director of Program Operations

Elder Options

5700 S. W. 34th Street, Suite 222

Gainesville, Florida 32608

(352)378-6649

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN April 6, 2009  
 and April 10, 2009

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF CORRECTIONS**

33-204.003	4/7/09	4/27/09	35/7	
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**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

40B-4.1090	4/10/09	4/30/09	35/9	
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**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid Program Office**

59G-4.002	4/8/09	4/28/09	35/5	
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**DEPARTMENT OF HEALTH**

**Board of Dentistry**

64B5-15.002	4/7/09	4/27/09	34/50	
64B5-15.006	4/7/09	4/27/09	34/50	
64B5-16.002	4/7/09	4/27/09	34/50	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**Board of Medicine**

64B8-52.003	4/6/09	4/26/09	35/9	
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**Board of Nursing**

64B9-8.005	4/8/09	4/28/09	35/8	
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**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Consumer Services**

69I-20.0011	4/7/09	4/27/09	34/27	35/6
69I-20.0027	4/7/09	4/27/09	34/27	
69I-20.0028	4/7/09	4/27/09	34/27	35/6
69I-20.0029	4/7/09	4/27/09	34/27	35/6
69I-20.050	4/7/09	4/27/09	34/27	35/6

**Funeral and Cemetery Services**

69K-5.012	4/10/09	4/30/09	35/8	
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