

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: RULE TITLE:

5E-1.003 Labels or Tags

PURPOSE AND EFFECT: The revision dates for forms DACS-13220 and DACS-13203 are being updated to reflect the current form. The forms were revised to incorporate fee increases enacted by the legislature in Section 41, SB 1744 (2009) amending 576.021, F.S.

SUBJECT AREA TO BE ADDRESSED: References to forms to be utilized for Application for Specialty Fertilizer Registration.

RULEMAKING AUTHORITY: 570.07(23), 576.181 FS.

LAW IMPLEMENTED: 576.021; 576.031, 576.181 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: Mr. Bruce Nicely, Chief, Bureau of Compliance Monitoring; 3125 Conner Boulevard, Building #8, Tallahassee, Florida 32399; (850)488-8731

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: RULE TITLE:

5E-4.014 Seed Dealer Registration Fees

PURPOSE AND EFFECT: To provide a reference for the Application for Registration as a Seed Dealer (DACS-13204, Rev. 06/09), not previously referenced in rule language.

SUBJECT AREA TO BE ADDRESSED: The form utilized for the registration of Seed Dealers.

RULEMAKING AUTHORITY: 570.07(23), 578.11(2)(i) FS.

LAW IMPLEMENTED: 578.08(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Bruce Nicely, Chief of Bureau of Compliance Monitoring; 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399; (850)487-8731

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.0404 Zero Tolerance for School Related
Violent Crime

PURPOSE AND EFFECT: The purpose of the rule development is to update the existing rule language to include provisions enacted since the rule was initially adopted. The effect will be a rule that is more clearly defined for school districts to appropriately comply with state zero-tolerance requirements.

SUBJECT AREA TO BE ADDRESSED: Zero Tolerance for School Crime and Victimization.

RULEMAKING AUTHORITY: 1000.03, 1001.02, 1006.07, 1006.09, 1008.345, 1012.797 FS.

LAW IMPLEMENTED: 1006.13 FS.

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

DATE AND TIME: August 13, 2009, 10:00 a.m. – 12:30 p.m.

PLACE: Florida Department of Education, 325 West Gaines Street, Suite 1721/1725, Tallahassee, Florida 32399-0400

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Brooks Rumenik, Director, Office of Safe Schools, Florida Department of Education, 325 West Gaines Street, Suite 554, Tallahassee, Florida 32399, (850)245-0749, (850)245-9978 fax, or Brooks.Rumenik@fldoe.org. TO REQUEST A RULE DEVELOPMENT WORKSHOP CONTACT: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

EXECUTIVE OFFICE OF THE GOVERNOR

RULE CHAPTER NO.: 27-10
 RULE CHAPTER TITLE: Direct Support Organization
 RULE NOS.: 27-10.001
 RULE TITLES: Direct-Support Organization
 Function, Bylaws and Services Contract
 27-10.002 Governance
 27-10.003 Disposition of Funds
 27-10.004 Budget
 27-10.005 Use of Commission Property and Facilities
 27-10.006 Use of Personal Services

PURPOSE AND EFFECT: The proposed rule is intended to implement requirements governing the procedures and operation of direct support organization approved by the Commission.

SUBJECT AREA TO BE ADDRESSED: Procedures and operations of direct support organization approved by the Commission.

RULEMAKING AUTHORITY: 14.29(13), 14.29(9) FS.

LAW IMPLEMENTED: 14.29 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: Tom Linley, 401 South Monroe Street, Tallahassee, FL 32301, e-mail tom@volunteerflorida.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

COMMISSION ON COMMUNITY SERVICE
DIRECT-SUPPORT ORGANIZATION

27-10.001 Direct-Support Organization Functions, Bylaws and Services Contract.

(1) An organization may request approval of the Commission to become a DSO. The requesting organization must fulfill the requirements of Section 14.29, Florida Statutes.

(2) In order to be considered for certification as a DSO, an organization must fulfill the requirements of Section 14.29, Florida Statutes, and must have Articles of Incorporation and Bylaws that together provide that the:

(a) DSO is organized and operated exclusively to support or benefit the Commission.

(b) Bylaws shall describe the operating procedures and specific individual responsibilities of the DSO's governing board, committees, and officers of the organization.

(c) DSO governing board shall consist of not less than nine members and not more than fifteen members each serving a term of three years.

(d) Members of the DSO's governing board shall be appointed by the Commission; a minimum of two members of the Commission, appointed by the Commission Chairman, shall serve on the DSO's governing board as voting members; a minimum of one Commission member shall serve on the executive board of the DSO governing board.

(e) Director of the DSO shall be selected by the DSO's governing board subject to approval of the Commission; the director of the DSO shall be a direct report to the Commission or a designee reporting directly to the Commission.

(f) DSO shall conduct its business in full compliance with Florida statutes and regulations including the Florida Sunshine Law, Public Records Law, and applicable Florida Administrative Code (FAC) Administrative Rules.

(3) The DSO shall operate under written services contract with the Commission as outlined in Section 14.29(10), Florida Statutes, the contract period shall not exceed three years.

(4) The organization shall provide equal employment opportunities for all persons regardless of race, color, religion, gender, age, or national origin.

(5) The DSO shall have personnel policies consistent with Commission personnel policies.

Rulemaking Authority 14.29(13), 14.29(9) FS. Law Implemented 14.29 FS. History--New _____.

27-10.002 Governance.

(1) The Commission shall annually review and approve all programs administered by the DSO. The Commission shall evaluate and approve all new programs prior to any informal commitment, formal contract or other legal commitment.

(2) The DSO governing board shall meet quarterly which may include telephonically.

(3) The DSO shall provide to the Commission minutes and supporting documents from all governing board meetings, executive board meetings, committee meetings and advisory board meetings within 30 days of the meetings.

Rulemaking Authority 14.29(13), 14.29(9) FS. Law Implemented 14.29 FS. History--New _____.

27-10.003 Disposition of Funds.

If the Commission determines that the DSO is no longer complying with the Services Contract and in a manner consistent with the goals and purposes of the Commission and in the best interest of the state, the Commission may decertify the DSO and thereafter the organization may not use the name of or any trademarked names of the Commission. Decertification shall include a plan for disposition of the DSO's assets and liabilities in accordance with Section 14.29(10)(d), Florida Statutes.

Rulemaking Authority 14.29(13), 14.29(9) FS. Law Implemented 14.29 FS. History--New _____.

27-10.004 Budget.

(1) The DSO shall have the authority to amend its budget. Budget amendment requests for more than 10% of the total amount of the annual budget or more than \$50,000 shall require the approval of the DSO's governing board and the Commission.

(2) The DSO shall provide for an annual audit in accordance with Section 215.981, F.S., which shall be submitted to the Commission for review and approval.

(3) The DSO shall provide for compliance and/or operational audits when directed by the Commission; the scope of audit shall be approved by the Commission or designee.

(4) The DSO shall prepare and submit to the Commission monthly expense reports.

(5) The DSO shall prepare and submit to the Commission quarterly expenditure plans that separately delineate planned actions which represent a significant commitment of the resources of the DSO, including:

(a) Major fund raising events, grants, and campaigns and their purpose.

(b) Other major commitments of the resources of the organization.

Rulemaking Authority 14.29(13), 14.29(9) FS. Law Implemented 14.29 FS. History--New _____.

27-10.005 Use of Commission Property and Facilities.

(1) The DSO may lease office space from the Florida Department of Management Services or another entity. The lease agreement shall be between the DSO and the lessor. Payment for leased space is the responsibility of the DSO.

(2) The Commission and the DSO may share facilities. The DSO's use of the Commission's facilities and vice versa shall be with the approval of the organization holding the lease on said space.

Rulemaking Authority 14.29(13), 14.29(9) FS. Law Implemented 14.29 FS. History--New _____.

27-10.006 Use of Personal Services.

The Commission and the DSO may share personal services. Personnel sharing costs shall be in compliance with funding sources and a written personnel sharing agreement.

Rulemaking Authority 14.29(13), 14.29(9) FS. Law Implemented 14.29 FS. History--New _____.

DEPARTMENT OF ELDER AFFAIRS

Community Care for the Elderly

RULE NO.: 58C-1.0031
 RULE TITLE: Lead Agency Dispute Resolution
 PURPOSE AND EFFECT: The purpose of the proposed amendments to the rule is to add language for clarification; delete the phrase "stop the solicitation...process"; amend the minimum requirements for decisionmaker; and include language which delineates the party responsible for the costs involved in dispute resolution proceedings.

SUBJECT AREA TO BE ADDRESSED: The rule amendments develop a standard for determining the party responsible for the costs involved in dispute resolution proceedings; amend the minimum qualifications for decisionmaker; delete the phrase "stop the solicitation...process"; and include additional clarifying language.

DOEA Form CCE-001, CCE Impartial Decisionmaker Application, incorporated by reference in the rule, is available on the following website under the heading "Community Care for the Elderly, Rule 58C-1.0031, F.A.C., CCE Lead Agency Dispute Resolution":

<http://elderaffairs.state.fl.us/english/rulemaking.php>.

RULEMAKING AUTHORITY: 430.203(9)(a) FS.

LAW IMPLEMENTED: 430.203(9)(a) FS.

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

DATE AND TIME: August 19, 2009, 9:30 a.m. – 1:00 p.m. EST

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 301, Tallahassee, Florida 32399-7000

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, Telephone number: (850)414-2000. Email address: crochetj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, Telephone number: (850)414-2000. Email address: crochetj@elderaffairs.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 58C-1.0031 follows. See Florida Administrative Code for present text.)

58C-1.0031 Lead Agency Dispute Resolution.

(1) AREA AGENCY ON AGING PROCEDURES.

(a) In order to meet the requirement set forth in Section 430.203(9)(a)1., F.S., an area agency on aging must specify in its request for proposal that the notice of intent to award will be published in the same manner as the request for proposal was published.

(b) In addition, an area agency on aging (AAA) must comply with the bid process standards set forth in Section 430.203(9)(a), F.S., and this rule.

(c) The AAA must post the notice of intent to award pursuant to paragraph (a) of this subsection upon selection of a lead agency or lead agencies. This notice must include information that substantially affected parties will have an opportunity to request a hearing challenging the proposed action and instruction on how to request a hearing. The notice must also include the following statement: "Failure to file a notice of protest as described in subsection (4) of Rule 58C-1.0031, Florida Administrative Code (F.A.C.), shall constitute a waiver of proceedings under Rule 58C-1.0031, F.A.C."

(2) IMPARTIAL DECISIONMAKERS.

(a) Upon the effective date of this rule, the AAA must solicit and maintain a registry of impartial decisionmakers. The decisionmaker must meet the minimum qualifications below:

1. Be a member in good standing of The Florida Bar;

2. Have at least 5 years experience in the practice of administrative law, preferably with experience in government procurement procedures;

3. Have not been directly involved, or have any family member who was directly involved, in the intended award of the bid under protest; and

4. Not be currently employed by, or have a family member currently employed by, the AAA awarding the bid, or any lead agency or other agency that has filed a bid for lead agency designation with the AAA awarding the bid; and

5. Not have any other conflict of interest that would affect the decisionmaker's impartiality in the specific proceedings.

(b) Individuals interested in designation as an impartial decisionmaker must complete DOEA Form CCE-001, CCE Impartial Decisionmaker Application, _____, 2009, which is hereby incorporated by reference. The form may be obtained from the following website: <http://elderaffairs.state.fl.us/english/ruleforms/CCE-001.doc>.

(3) STANDARDS FOR BID PROTEST.

(a) In a protest to the notice of award, the following shall apply:

1. No submissions made after the bid or proposal opening that amend or supplement the bid or proposal shall be considered.

2. The burden of proof shall rest with the party protesting the proposed AAA intent to award.

(b) In a protest, the decisionmaker must conduct a de novo proceeding to determine whether the AAA's proposed action is contrary to its governing statutes or rules, or to the solicitation specifications. The standard of proof for the protestor must be whether the AAA's action was clearly erroneous, contrary to competition, arbitrary or capricious.

(4) PROTESTING PARTY PROCEDURES.

(a) Any party who is substantially affected by the AAA's intended decision to award a contract for lead agency must file a written notice of protest with the AAA within 72 hours after the posting of the notice of award, excluding weekends and state holidays. A substantially affected party is any party who bid on the AAA's request for proposal for designation as a lead agency.

(b) A formal written protest must be filed within 10 calendar days after the date the notice of protest is filed, unless the 10th day falls on a weekend or state holiday, in which case the deadline shall be the next business day.

(c) The formal written protest must state, with particularity, the facts and law upon which the protest is based.

(d) Failure to file a notice of protest or failure to file a formal written protest shall constitute a waiver of proceedings.

(e) If any substantially affected party, decides to participate in the protest proceedings, that party must give notice within 3 business days of the posting of the initial notice of protest by the AAA.

(5) PROCEDURES FOR BID PROTEST.

Upon receipt of a timely filed notice of protest, the AAA must take the following steps:

(a) Stop the contract award process until the subject of the protest is resolved by final action as required by Section 430.03(9)(a)2., F.S.

(b) Immediately post the notice of protest in the same manner as the notice of intended award was posted.

(c) Select an impartial decisionmaker as required by Section 430.203(9)(a), F.S., from the registry referenced in subsection (2) of this rule.

1. The decisionmaker must be randomly selected.

2. The AAA must immediately provide the protesting party with the name of the appointed impartial decisionmaker.

3. If the protesting party has an objection to the selected decisionmaker, the protesting party must raise the objection in writing with the AAA within 48 hours, excluding weekends and state holidays, or the objection is deemed to be waived. However, if any party or the decisionmaker later discovers that the decisionmaker has a conflict of interest, the party may raise

that objection in writing to the AAA within 48 hours of acquiring knowledge of the conflict, excluding weekends and state holidays, or the objection is deemed to be waived.

4. Upon receipt of a timely objection, the AAA must randomly select another decisionmaker.

(d) Provide an opportunity to resolve the protest by mutual agreement between the parties within 7 days, excluding weekends and state holidays. If the subject of a protest is not resolved by mutual agreement within the time frame set forth in this paragraph, a proceeding must be conducted as set forth in subsection (6) of this rule.

(6) DISPUTE RESOLUTION.

(a) If the protest is not resolved pursuant to paragraph (5)(d) of this rule, the impartial decisionmaker must commence a hearing within 30 calendar days after the AAA receives the formal written protest, unless the 30th day falls on a weekend or state holiday, in which case the deadline shall be the next business day. The provisions of this subsection may be waived only upon stipulation by all parties.

(b) In addition to the provisions included in Section 430.203(9)(a)3., F.S., which outline the rights of all substantially affected parties, the following procedures shall apply:

1. In any bid protest, the service of discovery may begin immediately upon filing of the formal written protest. Responses shall be due within 5 business days of receipt, not counting the day of receipt of any discovery requirement.

a. All discovery must be concluded at least 48 hours prior to the scheduled hearing date.

b. All discovery requests must be commenced in a manner that allows discovery to be concluded at least 48 hours prior to the scheduled hearing.

2. The decisionmaker shall have the authority to issue subpoenas.

3. All depositions must have at least 3 business days notice.

4. If a party fails to comply with the discovery rules provided herein, the decisionmaker must exclude such evidence from the hearing, unless just cause is shown as specified in subparagraph (d)1. of this subsection.

5. Should any party be prejudiced by another party's failure to provide discovery, the decisionmaker may continue the hearing for a period not to exceed 5 business days. The non-complying party must comply with the requested discovery within 48 hours after the decision to continue the hearing.

(c) The decisionmaker must render a written decision within 30 calendar days after the hearing if no transcript of the proceedings is requested, or within 30 days after receipt of the hearing transcript by the decisionmaker. If the 30th day falls on a weekend or state holiday, the deadline shall be the next business day. The provisions of this paragraph may be waived only upon stipulation by all parties.

1. The written decision must include findings of fact and conclusions of law. Based on these findings and conclusions, the decisionmaker may affirm or reject the AAA's intended award.

2. If the decisionmaker rejects the AAA's intended award, the AAA must award the designation of lead agency to the next highest scoring party.

3. If the decisionmaker finds that the procurement was flawed only by scoring errors, the AAA must correct such errors.

4. If the decisionmaker finds that the entire procurement was fundamentally flawed and that no intent to award is appropriate, the AAA must reject all bids and begin the procurement process again.

(e) A default must be entered against a party who:

1. Fails to appear at a hearing as directed by the decisionmaker, unless at least one of the following conditions exists:

a. Illness of a party, witness or attorney that would prevent attendance at the hearing;

b. An act of God that would prevent attendance at the hearing.

c. A designated threat to public safety that would prevent attendance at the hearing; or

d. Any other circumstance in the opinion of the decisionmaker that would warrant a continuance of the hearing.

2. Fails to comply with discovery after being granted a continuance as provided in subparagraph (b)5. of this subsection.

(e) An entry of default against a party is deemed the final decision of the decisionmaker and is not subject to the provision of subsection (7) of this rule.

(7) REVIEW OF DECISION.

(a) Pursuant to Section 430.203(9)(a), F.S. in the event a party requests a review of the decision by the decisionmaker, the party must utilize one of the entities referenced in subparagraphs 1. and 2. of this paragraph for this review:

1. An arbitrator with the American Arbitration Association. The arbitrator must have experience with government contracts. Contact information for the association is American Arbitration Association, Bank of America Tower at International Place, 100 S.E. 2nd Street, Suite 2300, Miami, FL 33131, telephone number (305)358-7712.

2. A circuit court civil mediator certified by the Florida Supreme Court, who has experience with government contracts. Contact information for the Florida Supreme Court Dispute Resolution Center is <http://199.242.69.70/pls/drc/> main screen.

(b) This action must be taken within 10 calendar days after the date of the decision from the decisionmaker.

(c) The review shall not be a de novo proceeding, but only a review of the decision based on the record from the hearing.

(d) The written decision of the reviewer must be made within 30 calendar days after the request for review, unless the 30th day falls on a weekend or state holiday, in which case the deadline shall be the next business day. The decision shall be binding upon all parties.

(8) COSTS ASSOCIATED WITH DISPUTE RESOLUTION.

The costs of the dispute resolution proceedings reference in this rule shall be borne by the non-prevailing party. The following are examples of costs associated with these proceedings:

(a) Decisionmaker and reviewer fees and travel, lodging and per diem;

(b) Court reporter fees and travel, lodging and per diem;

(c) Attorney fees;

(d) Witness fees and travel, lodging and per diem;

(e) Supplies, equipment, postage, photocopying and telecommunication;

(f) Staff time for research and photocopying of materials related to discovery, and managing tasks and timelines associated with the dispute resolution proceedings;

(g) Hearing room and equipment rentals associated with the hearing process; and

(h) Other costs directly associated with the dispute resolution process.

Rulemaking Authority 430.203(9)(a) FS. Law Implemented 430.203(9)(a) FS. History—New _____, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: RULE TITLE:

61G3-19.011 Barbershop Requirements

PURPOSE AND EFFECT: To address cleanliness issues in the barbershop.

SUBJECT AREA TO BE ADDRESSED: Barbershop Requirements.

RULEMAKING AUTHORITY: 476.064(4), 477.016 FS.

LAW IMPLEMENTED: 476.184, 477.025 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G3-19.011 Barbershop Requirements.

(1) through (22) No change.

(23) If a licensed barbershop employs a licensed cosmetologist or allows a licensed cosmetologist to practice cosmetology in said barbershop, the barbershop shall comply with subsection (2) of Florida Administrative Code Rule 61G5-20.002, F.A.C., which is incorporated herein by reference.

(24) Any barbershop that employs a licensed cosmetologist or allows a licensed cosmetologist to perform or practice cosmetology or specialty services in the barbershop must display the license of the person performing or practicing cosmetology or specialty services in a conspicuous place within the barbershop and the license must be clearly visible upon entering the barbershop.

(25) The barbershop will display a legible copy of the most recent inspection sheet for the barbershop in a location that is clearly visible to the general public.

(26) Any barbershop that employs a licensed cosmetologist or allows a licensed cosmetologist to perform or practice cosmetology or specialty services shall require and ensure that all individuals engaged in the practice of cosmetology, any specialty, hair braiding, hair wrapping or body wrapping display at his or her work station his or her current license or registration at all times when he or she is performing cosmetology, specialty, hair braiding, hair wrapping, or body wrapping services. The license or registration on display shall be the original certificate or a duplicate issued by the Department and shall have attached a 2" by 2" photograph taken within the previous two years of the individual whose name appears on the certificate. The certificate with photograph attached shall be permanently laminated as of July 1, 2007.

(27) All barbershops who employs a licensed cosmetologist or allows a licensed cosmetologist to perform or practice cosmetology or specialty services shall require and ensure that the individuals performing or practicing cosmetology or specialty services are in compliance with Rule 61G5-20.004, F.A.C.

(28) A failure to comply with this rule or any part of this rule is a violation of Rule 61G3-21.002, F.A.C.

Rulemaking Specific Authority 476.064(4), 477.016 FS. Law Implemented 476.184, 477.025 FS. History—New 4-27-86, Amended 9-24-86, 12-28-86, 5-10-88, 7-15-91, Formerly 21C-19.011, Amended 1-12-94, 10-4-94, 5-21-95, 2-14-96, 5-1-96, 3-21-00, 11-6-00, 8-17-06, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Board of Professional Engineers**

RULE NO.: 61G15-23.001 RULE TITLE: Seals Acceptable to the Board
 PURPOSE AND EFFECT: To update requirements for the seal.

SUBJECT AREA TO BE ADDRESSED: The Board proposes to update requirements for the seal.

RULEMAKING AUTHORITY: 471.008, 471.025 FS.

LAW IMPLEMENTED: 471.025 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

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

DEPARTMENT OF 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 Psychology**

RULE NO.: 64B19-11.010 RULE TITLE: Limited Licensure
 PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the Limited Licensure Application form.
 SUBJECT AREA TO BE ADDRESSED: Limited licensure application form.

RULEMAKING AUTHORITY: 456.015(1),(4), 490.004(4) FS.

LAW IMPLEMENTED: 456.015, 490.009(1)(p) 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 Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH**Board of Psychology**

RULE NO.: 64B19-11.011 RULE TITLE: Provisional License; Supervision of Provisional Licensees

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the Provisional License form.

SUBJECT AREA TO BE ADDRESSED: Provisional license form.

RULEMAKING AUTHORITY: 456.013, 490.003(6), 490.004(4), 490.0051 FS.

LAW IMPLEMENTED: 456.013, 490.003(6), 490.004(4), 490.0051, 490.009 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 Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH**Board of Psychology**

RULE NO.: 64B19-11.012 RULE TITLE: Application Forms
 PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the Application Form.

SUBJECT AREA TO BE ADDRESSED: Application form.

RULEMAKING AUTHORITY: 490.004(4) FS.

LAW IMPLEMENTED: 490.005, 490.006(1)(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, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Psychology/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 Emergency Medical Operations

RULE NOS.:	RULE TITLES:
64J-1.001	Definitions
64J-1.004	Medical Direction
64J-1.008	Emergency Medical Technician
64J-1.009	Paramedic
64J-1.014	Records and Reports
64J-1.020	Training Programs

PURPOSE AND EFFECT: The purpose and effect of the two day rule workshop is the following: mandate that Florida licensed EMS agencies reporting incident level data reporting to the Bureau of EMS meet the requirements for aggregate data reporting and incorporate the requirements for incident level data reporting and protection of the incident level data which will have the effect of allowing for Florida licensed EMS agencies to satisfy their reporting requirements with either the aggregate data or the incident level data in a manner that maintains protection under Sections 401.30 and 401.425, F.S.; to create a rule that allows emergency medical technicians working for Advanced Life Support agencies to use glucometers which will have the effect of allowing the Advanced Life Support Medical Directors to assume the responsibility for the use of a glucometer by an EMT and improve the care given to patients in the prehospital setting; to ensure EMTs and paramedics are trained in pediatric education every two years which will have the effect of improving and expanding pediatric prehospital care; to create rule that defines the portion/percentage of the ALS field internship that may be done on an Advanced Life Support permitted vehicle other than an ambulance which will have the effect of expanding the opportunities to certify prehospital care givers in a more efficient manner while maintaining the integrity of education in the prehospital care setting; and to review the Certificate of Public Convenience and Necessity declaratory statement final order dated March 12, 2009, A, B, and C under the "Conclusions of Law" section to determine if rule can be structured from that portion.

SUBJECT AREA TO BE ADDRESSED: Subject areas for August 13 workshop: EMSTARS/Aggregate Reporting; Glucometer/EMT Skills; EMS for Children Pediatric Education for EMTs and Paramedics.

Subject areas for the August 14 workshop: Paramedic Internship Ride Times on ALS Vehicles (other than ambulances) and Certificate of Public Convenience and Necessity.

RULEMAKING AUTHORITY: 401.23(7), 401.2701(1)(a)6., (b)2., 401.30, 401.35 FS.

LAW IMPLEMENTED: 401.23(7), 401.25(2)(d), 401.2701(1)(a)6., (b)2., 401.27(6)(a), 401.30, 401.425 FS.

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

DATES AND TIMES: Thursday, August 13, 2009, 8:30 a.m. – 4:00 p.m.; Friday, August 14, 2009, 8:30 a.m. – 4:00 p.m.

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

A conference line will be available for those unable to attend in person. We request that parties from the same agency utilize one line if possible to allow other participants to dial in.

Toll free conference number: 1(888)808-6959; **Conference code:** 1454440

All drafts, agendas, and/or documents related to these workshops can be found on the "Legislation and Rules" page on the Bureau of EMS website at: <http://www.fl-ems.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 2 days before the workshop/meeting by contacting: Alexander Macy, Bureau of EMS, phone: (850)245-4440 ext. *2735 or email at: Alexander_Macy@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lisa M. Walker, Government Analyst II, Bureau of EMS, phone: (850)245-4440 ext. *2733, email: Lisa_Walker2@doh.state.fl.us, fax: (850)488-9408, or mailing address: 4052 Bald Cypress Way, Bin C-18, Tallahassee, FL 32399

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Domestic Violence

RULE NOS.:	RULE TITLES:
65H-1.001	Certification
65H-1.002	Procedures for Funding
65H-1.003	Standards for Certification
65H-1.004	Confidentiality
65H-1.005	Evaluation

PURPOSE AND EFFECT: The purpose of the rule amendment is to incorporate Governor Crist's plain language initiative, clarify current rules, revise funding procedures, and provide for substantive changes, such as add purpose and definitions.

SUBJECT AREA TO BE ADDRESSED: Minimum standards and procedures for the certification of domestic violence centers.

RULEMAKING AUTHORITY: 39.903 FS.

LAW IMPLEMENTED: 39.905 FS.

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

DATE AND TIME: August 3, 2009, 3:30 p.m. EST
 PLACE: 1317 Winewood Boulevard, Building 3, Room 439, Tallahassee, Florida

Written comments may also be submitted, in writing, no later than August 17, 2009 to: Renee C. Starrett, Office of Domestic Violence Program, Department of Children and Families, 1317 Winewood Boulevard, Building 3, Room 330, Tallahassee, Florida 32399-0700 or renee_starrett@dcf.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: Renee C. Starrett, renee_starrett@dcf.state.fl.us, (850)921-4766. If you are 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: Renee C. Starrett, renee_starrett@dcf.state.fl.us; (850)921-4766

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

DATE AND TIME: Friday, August 21, 2009, 1:00 p.m.
 PLACE: Center for Leadership and Development, Moore Hall, Florida School for the Deaf and the Blind, 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: L. Daniel Hutto, President. Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084. If you are 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 Ocuto

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-4.003 Business Manager.

Rulemaking Specific Authority 242.331(3) FS. Law Implemented 242.331(4) FS. History—New 12-19-74, Amended 10-29-84, 9-8-85, Formerly 6D-4.03, Amended 8-26-88, 12-6-92, 5-14-02, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elaine Ocuto

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 4, 2009

Section II Proposed Rules

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: 6D-4.003
 RULE TITLE: Business Manager

PURPOSE AND EFFECT: Repeals rule no longer needed as substance is incorporated in the Statement of Agency Organization.

SUMMARY: Repeals rule. Substance is in Statement of Agency Organization.

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:

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: 6D-5.002	RULE TITLE: Principal for the Deaf and Principal for the Blind, Administrator of Instructional Programs, Curriculum and Staff Development and Administrator of Residential Programs
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PURPOSE AND EFFECT: Repeals rule no longer needed as substance is incorporated in the Statement of Agency Organization.

SUMMARY: Repeals rule. Substance is in Statement of Agency Organization.

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, August 21, 2009, 1:00 p.m.

PLACE: Center for Leadership and Development, Moore Hall, Florida School for the Deaf and the Blind, 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: L. Daniel Hutto, President. Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084. If you are 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 Ocuto

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-5.002 Principal for the Deaf and Principal for the Blind, Administrator of Instructional Programs, Curriculum and Staff Development and Administrator of Residential Programs.

Rulemaking Specific Authority 242.331(3) FS. Law Implemented 242.331(6)(b) FS. History–New 12-19-74, Amended 11-9-76, 10-29-84, 9-8-85, Formerly 6D-5.02, Amended 8-26-86, 4-4-93, 12-2-97, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elaine Ocuto

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 4, 2009

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: RULE TITLE:

6D-5.003 Other Personnel

PURPOSE AND EFFECT: Repeals rule no longer needed as substance is incorporated in the Statement of Agency Organization.

SUMMARY: Repeals rule. Substance is in Statement of Agency Organization.

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, August 21, 2009, 1:00 p.m.

PLACE: Center for Leadership and Development, Moore Hall, Florida School for the Deaf and the Blind, 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: L. Daniel Hutto, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084. If you are 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 Ocuto

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-5.003 Other Personnel.

Rulemaking Specific Authority 242.331(3) FS. Law Implemented 242.331(4) FS. History–New 12-19-74, Amended 10-9-84, 9-8-85, Formerly 6D-5.03, Amended 12-6-92, 10-26-94, 7-30-95, 4-28-97, 3-16-98, 2-26-01, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elaine Ocuto

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 4, 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.”

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-4.017	Uniform System of Accounts for Rate-of-Return Regulated Local Exchange Companies
25-4.0171	Allowance for Funds Used During Construction
25-4.0174	Depreciation Accounts for Rate-of-Return Regulation Local Exchange Companies

- 25-4.0175 Depreciation for Rate-of-Return Regulated Local Exchange Companies
- 25-4.0178 Retirement Units for Rate-of-Return Regulated Local Exchange Companies
- 25-4.0405 Telephone Directory Advertising Revenues
- 25-4.135 Annual Reports
- 25-4.140 Minimum Filing Requirements for Rate-of-Return Regulated Local Exchange Companies; Commission Designee
- 25-4.214 Tariff Filings
- 25-4.215 Limited Scope Proceedings

PURPOSE AND EFFECT: There are no longer any telecommunication rate-of-return regulated local exchange companies. Thus, there is no need for these rules that address such companies.

SUMMARY: Rules are repealed that relate to rate-of-return regulated local exchange companies. There are no longer rate-of-return regulated telecommunication companies. The requirements listed by the rules include accounting rules, reporting and minimum filing requirements for rate cases. Docket 090323-TP.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: There should be no incremental costs for eliminating the rules because they are obsolete.

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: 350.127(2) FS.

LAW IMPLEMENTED: 350.115, 364.03, 364.035, 364.037, 364.04, 364.05, 364.052, 364.058, 364.17 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: Dale Mailhot, Division of Regulatory Compliance, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6418

THE FULL TEXT OF THE PROPOSED RULES IS:

25-4.017 Uniform System of Accounts for Rate-of-Return Regulated Local Exchange Companies.

Rulemaking Specific Authority 350.127(2) FS. Law Implemented 350.115, 364.17 FS. History-Revised 12-1-68, Amended 3-31-76, 8-21-79, 1-2-80, 12-13-82, 12-13-83, 9-30-85, Formerly 25-4.17, Amended 11-30-86, 4-25-88, 2-10-92, 8-11-92, 3-10-96, 9-15-03, Repealed.

25-4.0171 Allowance for Funds Used During Construction.

Rulemaking Specific Authority 350.127(2) FS. Law Implemented 350.115, 364.035, 364.17 FS. History-New 8-11-86, Formerly 25-4.171, Amended 11-13-86, 12-7-87, 3-10-96, Repealed.

25-4.0174 Depreciation Accounts for Rate-of-Return Regulated Local Exchange Companies.

Rulemaking Specific Authority 350.127(2) FS. Law Implemented 350.115, 364.17 FS. History-New 4-25-88, Amended 9-11-96, Repealed.

25-4.0175 Depreciation for Rate-of-Return Regulated Local Exchange Companies.

Rulemaking Specific Authority 350.127(2) FS. Law Implemented 350.115, 364.03 FS. History-New 9-8-81, Amended 4-28-83, 1-6-85, Formerly 25-4.175, Amended 4-27-88, 12-12-91, 9-11-96, Repealed.

25-4.0178 Retirement Units for Rate-of-Return Regulated Local Exchange Companies.

Rulemaking Specific Authority 350.127(2) FS. Law Implemented 350.115, 364.17 FS. History-New 4-25-88, Repealed.

25-4.0405 Telephone Directory Advertising Revenues.

Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.037 FS. History-New 4-20-86, Formerly 25-4.405, Amended 4-25-88, 3-10-96, 9-15-03, Repealed.

25-4.135 Annual Reports.

Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.17 FS. History-New 12-27-94, Amended 3-10-96, 9-15-03, Repealed.

25-4.140 Test Year Notification.

Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.05(3) FS. History-New 5-4-81, Amended 10-15-84, 9-21-92, Repealed.

25-4.141 Minimum Filing Requirements for Rate-of-Return Regulated Local Exchange Companies; Commission Designee.

Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.05(4) FS. History-New 5-4-81, Amended 7-29-85, 6-12-86, 2-3-88, 3-10-96, 1-31-00, Repealed.

25-4.214 Tariff Filings.

Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.04, 364.052 FS. History-New 3-10-96, Repealed.

25-4.215 Limited Scope Proceedings.

Rulemaking Specific Authority 350.127(2) FS. Law Implemented 364.05, 364.052, 364.058 FS. History-New 3-10-96, Amended 11-20-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dale Mailhot
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 14, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 35, No. 18, May 8, 2009

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: 40B-400.051
RULE TITLE: Exemptions
PURPOSE AND EFFECT: The purpose of the proposed rule is to update this section of Chapter 40B-400, Florida Administrative Code (F.A.C.), to maintain consistency with Section 403.813(1)(i), Florida Statutes. The effect of the proposed rule will be to include additional criteria for exemptions under this section.

SUMMARY: This proposed rule will maintain consistency with Section 403.813(1)(i), Florida Statutes, regarding the exemption for construction of private docks that are 1,000 square feet or less of over-water surface area and seawalls in artificially created waterways.

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: 373.044, 373.113, 373.118 FS.

LAW IMPLEMENTED: 373.118, 373.413, 373.416, 373.426 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: Linda Welch, Rules Coordinator, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only).

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-400.051 Exemptions.

(1) through (2)(g) No change.

(h) Construction of private docks of 1,000 square feet or less of over-water surface area and seawalls in artificially created waterways where construction will not violate water quality standards, impede navigation, or adversely affect flood control.

(i) through (5) No change.

Rulemaking Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History—New 10-3-95, Amended 3-7-02, 5-15-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jon Dinges, Director, Resource Management, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the Suwannee River Water Management District

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 29, 2009

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

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

59A-26.021 Physical Plant Codes and Standards
for ICF/DD

59A-26.022 Construction and Physical
Environment Standards

59A-26.023 Disaster Preparedness

PURPOSE AND EFFECT: The Agency adopts the following licensing rules and minimum standards of program quality and adequacy of care for Intermediate Care Facilities for the Developmentally Disabled, hereafter referred to as ICF/DD in accordance with Chapter 400, Part VIII and Chapter 408, Part II, F.S. The intent of this rule is to ensure services are provided that meet the specific needs of individual residents, overcome barriers to increase independence and productive living, and result in an improved quality of life. In addition, the rule defines and limits the size and design characteristics of an ICF/DD to establish optimum environments in which service delivery occurs. This rule reflects the ability of the State of Florida to specify program requirements and residential requirements including facility and living unit size and design.

SUMMARY: This proposed rule will adopt licensing rules and minimum standards of program quality and adequacy of care pertaining to Intermediate Care Facilities for the Developmentally Disabled.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: Pursuant to Section 120.54(3)(b), Florida Statutes, the Agency has reviewed the regulatory impact of Chapter 59A-26, Florida Administrative Code, and prepared a Statement of Estimated Regulatory Costs. However, based on the statutory definition of "small business" in Section 288.703, Florida Statutes, and the statutory definition of "small counties" and "small cities" in Section 120.52, Florida Statutes, and based on the nature of the parties subject to the requirements of the rule, the Agency has determined that the rule's regulatory costs do not affect small businesses, counties or cities.

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: 400.967 FS.

LAW IMPLEMENTED: 400.967(2) 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: Friday, August 14, 2009, 9:30 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kimberly Smoak, Agency for Health Care Administration, 2727 Mahan Drive, Building 2, Mailstop #9-A, Tallahassee, FL 32308

THE FULL TEXT OF THE PROPOSED RULES IS:

INTERMEDIATE CARE FACILITIES FOR
THE DEVELOPMENTALLY DISABLED

59A-26.001 Purpose and Intent.

The Agency adopts the following licensing rules and minimum standards of program quality and adequacy of care for Intermediate Care Facilities for the Developmentally Disabled, hereafter referred to as ICF/DD in accordance with Chapter 400, Part VIII and Chapter 408, Part II, F.S. The intent of this rule is to ensure services are provided that meet the specific needs of individual residents, overcome barriers to increase independence and productive living, and result in an improved quality of life. In addition, the rule defines and limits the size and design characteristics of an ICF/DD to establish optimum environments in which service delivery occurs. This rule reflects the ability of the State of Florida to specify program requirements and residential requirements including facility and living unit size and design.

Rulemaking Authority 400.967 FS. Law Implemented 400.967(2) FS. History–New _____.

59A-26.002 Definitions.

Definitions as they appear in Chapter 400, Part VIII and Chapter 408, Part II, Florida Statutes and those contained herein must apply.

(1) Active Treatment – As defined in 42 CFR 483.440 (a)(1) and (2) dated June 1988 as incorporated by reference and available at <http://www.gpoaccess.gov/cfr/index.html>, which states, "Active treatments refers to aggressive, consistent implementation of a program of specialized and generic training, treatment and health services. Active treatment does not include services to maintain generally independent residents who are able to function with little supervision or in the absence of a continuous active treatment program."

(2) Administrator – The person who is responsible for the overall management of an ICF/DD licensed under this part and certified under 42 CFR 483 Subpart I. The Administrator must be a Qualified Mental Retardation Professional (QMRP); be a licensed nursing home administrator; have a Bachelor's degree in a human services field; and at least one year of experience working with persons with developmental disabilities or related conditions; or have five years' of experience working with persons with developmental disabilities or related conditions if the individual does not have a Bachelor's degree in a human services field.

(3) Advanced Registered Nurse Practitioner (ARNP) – A person duly licensed to practice as an advanced registered nurse practitioner in accordance with Chapter 464, F.S.

(4) Age Appropriate – Services, programming, equipment and supplies that are appropriate for persons who do not have a developmental disability and who are of approximately the same chronological age as the individual.

(5) Certified Behavior Analyst – A person who is certified under the Florida Behavior Certification Program in accordance with Section 393.17, F.S.

(6) Day Program – A program that provides day services for individuals in a non-residential setting. The array of services may include pre-school, pre-vocational and vocational training, behavior management, adult education, recreation, semi-independent and independent skills development training, and individual therapies.

(7) Dental Hygienist – A person duly licensed to practice as a dental hygienist in accordance with Chapter 466, F.S.

(8) Dentist – A person duly licensed to practice dentistry in accordance with Chapter 466, F.S.

(9) Facility – The total administrative unit officially licensed and certified as an ICF/DD, which may consist of a number of living units.

(10) General Supervision – Means the responsible supervision of supportive personnel by a licensed practitioner who need not be present when such procedures are performed, but who assumes legal liability therefore. General supervision means availability or physical presence of the licensed practitioner for consultation with and direction of the supportive personnel.

(11) Habilitation or Support Plan – A resident driven document that identifies the needs of an individual resident; the programs and services to meet those needs; is derived through a joint interdisciplinary, professional diagnosis and evaluation process; and meets the requirements in 42 Code of Federal Regulations (CFR) 483.440 as incorporated by reference, for an Individual Program Plan (IPP).

(12) Health Care Professional – A physician, physician assistant or advanced registered nurse practitioner.

(13) Interdisciplinary Team (IDT) – The resident or resident's representative, QMRP, social worker, a licensed nurse responsible for the resident, the resident's physician and other appropriate staff in disciplines determined by the individual resident's needs.

(14) Level of Care – The type of care required by a Medicaid applicant or recipient based on medical and related needs as defined by the criteria established in the Florida Medicaid Intermediate Care Facility for the Developmentally Disabled Services Coverage and Limitations Handbook, October 2003, incorporated by reference and the Florida Medicaid Provider Reimbursement Handbook, Institutional 021, which is incorporated by reference in Rule 59G-4.200, F.A.C.

(15) Licensed Nurse – A person duly licensed to practice nursing as a licensed practical nurse, registered nurse or ARNP in accordance with Chapter 464, F.S.

(16) Licensed Practical Nurse – A person duly licensed to practice as a practical nurse in accordance with Chapter 464, F.S.

(17) Over-the-Counter Medication (OTC) – Medication that is authorized, pursuant to federal or state law, for general distribution and use without a prescription in the treatment of human diseases, ailments, or injuries.

(18) Ophthalmic Medication – Eye solution (eye drops) or ointment to be instilled in the eye or applied around the eyelid.

(19) Oral Medication – Any medication, tablet, capsule, or liquid introduced into the gastrointestinal tract by mouth.

(20) Otic Medication – Solutions or ointments to be applied in the outer ear canal or around the outer ear.

(21) Pharmacist – A person duly licensed to practice pharmacy in accordance with Chapter 465, F.S.

(22) Physician – A person duly licensed to practice medicine in accordance with Chapter 458 or 459, F.S.

(23) Physician's Assistant – A person duly licensed to practice medicine in accordance with Chapter 458 or 459, F.S.

(24) Prescribed Medication – A drug or medication obtained pursuant to a prescription, as defined in Section 465.003, F.S.

(25) Psychologist – A person duly licensed to practice as a psychologist in accordance with Chapter 490, F.S.

(26) Qualified Mental Retardation Professional (QMRP) – A person who meets the requirements for a qualified mental retardation professional as stated in 42 CFR Subpart I, Section 483.430.

(27) Registered Dietitian – A person registered by the Commission on Dietetic Registration of the American Dietetic Association.

(28) Registered Nurse (RN) – A person duly licensed to practice as a registered nurse in accordance with Chapter 464, F.S.

(29) Resident – Any person who is in need of and/ or is receiving active treatment services and residing in an ICF/DD.

(30) Resident Representative – The person authorized or designated to act on behalf of a resident, which includes a guardian, guardian advocate, or other legally appointed representative. May also include a parent, or if unavailable, another family member.

(31) Restraint – Any device, instrument, manual or chemical method, including an enclosed crib or barred enclosure, used to limit or restrict an individual's movement or normal function of a portion of an individual's body. This definition excludes physical guidance or prompting techniques; response blocking to interrupt an undesired behavior in which physical contact is less than five seconds in duration; devices used to provide support for the achievement of functional body positions and equilibrium that have been prescribed by an appropriate health care professional; devices used as a part of a specific medical, dental or surgical procedure; and standard safety belts used to prevent an individual from falling from a stretcher, wheelchair or vehicle.

(32) Seclusion – When a person is involuntarily confined in a room or a restricted space and is prevented from leaving, or reasonably believes that he or she will be prevented from leaving, by means that include, but are not limited to:

(a) Manually, mechanically, or electronically locked doors;

(b) One-way doors, which when closed or unlocked, cannot be opened from the inside;

(c) Physical intervention of staff; or

(d) Coercive measures, such as the threat of restraint or sanctions, or the loss of privileges that the resident would otherwise have.

(33) Self-Mobile – The ability to use a walker, cane, wheelchair or other mobility device independently without human assistance, including the ability to transfer into and out of the mobility device without human assistance.

(34) Severe Maladaptive Behavior – Actions of an individual that, without environmental, behavioral, physical, or chemical intervention, result in or have the potential to damage the individual or others. Such actions require medical attention or occur with sufficient frequency, magnitude, or duration that a life-threatening situation might result.

(35) Shared Facilities and Services – Those central services or facilities such as food preparation, maintenance, laundry and management that are shared by living units within a facility or with other facilities, including day treatment programs.

(36) Unlicensed Medication Assistant (UMA) – A staff member employed in an ICF/DD who has completed the required medication administration training and has met skills validation requirements for the administration of medications to an ICF/DD resident.

Rulemaking Authority 400.967 FS. Law Implemented 400.967(2) FS. History–New _____.

59A-26.003 License Required.

(1) A completed licensure application to operate an Intermediate Care Facility for the Developmentally Disabled (ICF/DD), on AHCA Form 3110-5003, Revised December 2008, must be made to and license received from the Agency before any person or entity may operate an ICF/DD. The form is incorporated by reference and is available from the Agency for Health Care Administration, Long Term Care Unit, 2727 Mahan Drive, MS-33, Tallahassee, Florida 32308, or from the Agency web site at: <http://ahca.myflorida.com/Publications/Forms/HQA.shtml>. Successful completion of a licensure survey by the Agency to determine compliance with the requirements of Chapter 400 Part VIII, Chapter 408, Part II, F.S., and this rule must occur prior to issuing a license.

(2) In addition to the provisions of Chapter 400, Part VIII, Chapter 408, Part II, Chapter 409, F.S. and Chapter 59G-4, F.A.C., a license may be suspended, revoked or denied in any

case where the Agency finds that there has been substantial failure to comply with certification or re-certification requirements as a Medicaid provider.

Rulemaking Authority 400.967 FS. Law Implemented 400.962, 408.804 FS. History–New _____.

59A-26.004 Classification of Deficiencies.

(1) Violations of Chapter 400, Part VIII, Chapter 408, Part II, F.S. and Chapter 59G-4, F.A.C., shall be classified according to the nature of the violation and the gravity of its probable effect on residents. The scope of a violation may be cited as an isolated, patterned, or widespread deficiency. An isolated deficiency is a deficiency affecting one or a very limited number of residents, or involving one or a very limited number of staff, or a situation that occurred only occasionally or in a very limited number of locations. A patterned deficiency is a deficiency in which more than a very limited number of residents are affected, or more than a very limited number of staff are involved, or the situation has occurred in several locations, or the same resident or residents have been affected by repeated occurrences of the same deficient practice but the effect of the deficient practice is not found to be pervasive throughout the provider. A widespread deficiency is a deficiency in which the problems causing the deficiency are pervasive in the provider or represent systemic failure that has affected or has the potential to affect a large portion of the provider's residents. The definitions of classifications in this subsection control over conflicting definitions in authorizing statutes. This subsection does not affect the legislative determination of the amount of a fine imposed under authorizing statutes. Violations shall be classified on the written notice as follows:

(a) Class "I" violations are those conditions or occurrences related to the operation and maintenance of a provider or to the care of residents which the agency determines present an imminent danger to the clients of the provider or a substantial probability that death or serious physical or emotional harm would result therefrom. The condition or practice constituting a class I violation shall be abated or eliminated within 24 hours, unless a fixed period, as determined by the agency, is required for correction. The agency shall impose an administrative fine of \$5,000 for an isolated deficiency, \$7,500 for a patterned deficiency, or \$10,000 for a widespread deficiency. A fine shall be levied notwithstanding the correction of the violation.

(b) Class "II" violations are those conditions or occurrences related to the operation and maintenance of a provider or to the care of residents which the agency determines directly threaten the physical or emotional health, safety, or security of the residents, other than class I violations. The agency shall impose an administrative fine of \$1,000 for an isolated deficiency, \$2,500 for a patterned deficiency, or \$5,000 for a widespread deficiency.

(c) Class "III" violations are those conditions or occurrences related to the operation and maintenance of a provider or to the care of residents which the agency determines indirectly or potentially threaten the physical or emotional health, safety, or security of residents, other than class I or class II violations. The agency shall impose an administrative fine of \$500 for an isolated deficiency, \$750 for a patterned deficiency, or \$1,000 for a widespread deficiency. A citation for a class III violation must specify the time within which the violation is required to be corrected. If a class III violation is corrected within the time specified, a fine may not be imposed.

Rulemaking Authority 400.967 FS. Law Implemented 400.967(3) FS. History--New _____.

59A-26.005 Licensure Procedure, Fees and Exemptions.

(1) Applicants for initial licensure must submit to the Agency:

(a) An approved plan review and on-site construction survey showing compliance with Chapter 400, Part VIII, F.S. and this rule conducted by the Agency and a certificate of occupancy from the local building authority.

(b) A completed licensure application as referenced in subsection 59A-26.003(1), F.A.C.

(c) Licensure fees at the rate of \$241.00 per bed by check or money order payable to Agency for Health Care Administration. The licensure fee is not refundable. A license for an initial application will not be issued until the application fee has been received by the Agency and all associated checks have cleared.

(d) If the facility is managed by an entity other than the licensee, a copy of any and all letters of intent, agreements, memoranda of understanding, or contracts between licensee and management company.

(e) An approved fire inspection report from the local fire authority completed no more than three months prior to the date of the initial licensure application receipt by the Agency.

(f) Documentation of compliance with the community residential home requirements specified in Chapter 419, F.S., if applicable.

(g) Satisfactory current proof that the applicant possesses the financial ability to operate the facility as established in Section 408.810(8), F.S.

(h) A copy of the Certificate of Need issued by the Agency for the facility to be licensed.

(i) Proof of the licensee's current right to occupy the ICF/DD building, such as, a copy of a lease, sublease agreement or deed.

(2) Applicants applying for renewal of a license must submit:

(a) A completed application as referenced in subsection 59A-26.003(1), F.A.C. The application must be postmarked no later than 60 days prior to expiration of the license. If no

postmark is available, the application must be received by the Agency 60 days prior to expiration. Failure to timely file a renewal application is punishable by a late fine as specified in Section 408.806(2)(d), F.S.

(b) Licensure fees at the rate of \$241.00 per bed by check or money order payable to the Agency for Health Care Administration. The licensure fee is not refundable. If a check for the renewal licensure fee is dishonored and returned to the Agency, the license holder will have 10 calendar days to pay the full amount plus any applicable fees as provided by law. Such payment must be made by cashier's check, or money order. Failure to pay the licensure and processing fee will result in denial of the application or revocation of the license.

(3) Applicants applying for a change of ownership must submit:

(a) An application for licensure as referenced in subsection 59A-26.003(1), F.A.C. The application must also include the licensure fees postmarked no later than 60 days prior to the date the change of ownership becomes effective. If no postmark is available, the application must be received by the Agency 60 days prior to the date the change of ownership becomes effective. Failure to timely file a change of ownership application is punishable by a late fine equal to one half the licensure fee in effect at the time of application. A license for a change of ownership application will not be issued until the application fee and any applicable late fines have been received by the Agency and all associated checks have cleared.

(b) All documents and fees required for initial licensure in subsection (1) of this rule, with the exception of paragraphs (1)(a), (e), (f), and (h).

Rulemaking Authority 400.967, 400.962 FS. Law Implemented 400.962, 408.805, 408.806, 408.807 FS. History--New _____.

59A-26.006 Responsibilities for Operation.

(1) The licensee must be in compliance with all conditions and standards in Title 42, Code of Federal Regulations sections 483.410 through 483.480, Requirements for Intermediate Care Facilities for Persons with Mental Retardation, dated June 1988 as incorporated by reference and available at <http://www.gpoaccess.gov/cfr/index.html>. The licensee must ensure compliance with state regulations in Chapter 400, Part VIII, Chapter 408, Part II, Chapter 409, F.S., and Chapter 59G-4, F.A.C., as a provider of Medicaid services to persons who are developmentally disabled or who have related conditions as stated in Title 42, Code of Federal Regulations.

(2) Within 60 days of initial licensure, the licensee must be certified in accordance with federal regulations as stated in Title 42, Code of Federal Regulations 483 Subpart I, sections, 483.410 through 483.480.

Rulemaking Authority 400.967 FS. Law Implemented 400.967 FS. History--New _____.

59A-26.007 Fiscal Standards.

The licensee must maintain fiscal records in accordance with Rule 59G-6.040, F.A.C. There must be a recognized system of accounting used to accurately reflect details of the ICF/DD operation, including residents' funds held in trust and other resident property. The fiscal and resident fund records must be supported by adequate documentation of all transactions. Documentation of quarterly reconciliation for resident fund records must be kept on file for five years and must be provided to the Agency for review when requested. The licensee must:

(1) Refund any amount or portion of prepayment in excess of the amount or portion obligated for services already furnished if a resident leaves the facility prior to the end of any prepayment period.

(2) Maintain financial and statistical records in accordance with Title 42 CFR, Sections 413.24 (a), (b), (c) and (e). The licensee is required to detail all of its costs for its entire reporting period making appropriate adjustments for determination of allowable costs as required by the Florida Title XIX Intermediate Care Facility for the Mentally Retarded and Developmentally Disabled Reimbursement Plan for Not Publicly Owned and Operated or Publicly Owned and Operated Facilities. A cost report must be prepared and submitted to the Agency using accrual basis of accounting in accordance with Generally Accepted Accounting Principles as incorporated by reference in Rule 61H1-20.007, F.A.C., except as modified by:

1. The method of reimbursement and cost finding of Title XVIII (Medicare) Principles of Reimbursement described in 42 CFR 413.5 – 413.35 and

2. Further interpreted by the Provider Reimbursement Manual CMS PUB. 15-1, as incorporated by reference in Rule 59G-6.010, F.A.C., or

3. As further modified by Reimbursement Plan.

(3) Keep complete and accurate records of all residents' funds, other effects, and property.

(4) Deposit and maintain in an interest bearing account with a financial institution on behalf of each resident, all money and interest on money held for that resident. A copy of the resident's bank account statements and expenditure detail must be provided to the resident or resident's representative within seven calendar days of written request.

(5) Protect residents' funds from theft, negligence or abuse. Should loss of a resident's funds occur, the licensee will be responsible for reimbursing the resident for the full amount of funds to which he or she is entitled within 30 calendar days of confirmation of the theft, negligence or abuse of resident funds.

(6) Make a final accounting of all personal effects and money belonging to the resident held by the licensee upon the discharge or death of a resident within 30 calendar days after the resident's discharge or death.

Rulemaking Authority 400.967, 400.960(8) FS. Law Implemented 400.967(2)(e) FS. History--New _____.

59A-26.008 Admission Policies and Requirements.

(1) The admission of an individual to an ICF/DD must be under the supervision of the administrator of the facility.

(2) Individuals shall only be admitted after completion of a written admission agreement which shall constitute a contract between the licensee and resident. The agreement must be in effect at all times while the individual is a resident of the facility. The agreement must be reviewed bi-annually for revisions by the licensee and the resident or resident's representative. Either party may initiate revision to the agreement at any time or when substantial changes in the resident's condition occur. No agreement or any provision thereof shall be construed to relieve any licensee of any requirement or obligation imposed upon it by Chapter 400, Part VIII, Chapter 408, Part II, F.S., and this rule. Such agreements must be maintained by the licensee for at least five years after each resident's discharge from the facility, and assess no additional charges, expenses or other financial liabilities in excess of the provisions included in the admission contract. All charges for services not covered by Title XIX of the Social Security Act or not covered by the basic per diem rates of the licensee, for which the resident or the resident's representative may be responsible for payment, must be specified in the admission contract. All charges must not violate state or federal law.

(3) The licensee must comply with the admission agreement. The admission agreement must include a description of the program and services to be provided, including at a minimum:

(a) The daily, weekly, or monthly rate and refund provisions for unused portions thereof;

(b) Board;

(c) Lodging;

(d) Residential and nursing services;

(e) Linen and furnishings as required;

(f) Sufficient seasonal clothing as required by the resident, and applicable to the resident's needs, when the resident, or resident's representative does not provide sufficient clothing. Sufficient seasonal clothing must be provided and include a basic wardrobe as required by the individual, including a five-day supply of sleepwear, socks, shoes, undergarments, outer clothing such as shirts, pants, or dresses, a winter coat, raingear and personal grooming and hygiene items. The licensee must maintain an inventory of the resident's clothing and provide a copy of the inventory to the resident or resident's representative within seven calendar days of a written request;

(g) Training and assistance as required with activities of daily living;

(h) The provision and maintenance of walkers, wheelchairs, dentures, eyeglasses, hearing aides and other orthotic, prosthetic or adaptive equipment as prescribed;

(i) Therapies prescribed by the resident's individual habilitation or support plan including medical and nutritional therapies;

(j) Transportation services including vehicles with lifts or other adaptive equipment when needed;

(k) Other services prescribed in the resident's individual habilitation or support plan; and

(l) Provisions for providing a duplicate of the agreement to the resident or resident's representative.

(4) The following conditions apply to admission and retention of all residents:

(a) Individuals must not be admitted to or retained in a facility if the licensee cannot provide, or arrange for the provision of, all services prescribed in the individual habilitation or support plan.

(b) Residents who have been voluntarily admitted must not be held in a facility against their will.

(c) The licensee must develop procedures to be implemented in the event that a voluntarily admitted resident should decide to leave the facility against the recommendations of the interdisciplinary team. Procedures must include:

1. Counseling by the facility social worker or QMRP with referrals made to the Agency for Persons with Disabilities and other professionals or advocates, as appropriate.

2. If a resident persists in leaving, the licensee will assist the resident in locating an appropriate alternative placement.

(5) Individuals who have a communicable disease must be evaluated by a physician prior to admission. If the physician's evaluation finds the disease would endanger other residents of the facility, the admission should be postponed until the communicable period has passed or appropriate precautions have been implemented by the facility staff.

(6) A registered nurse must assess each newly admitted resident within four hours after admission.

(7) If a pre-existing medical condition exists, if medical problems are identified by the nursing admissions assessment, or if a resident is admitted who does not have a complete medical record including medical history, positive physical findings, diagnosis, and signed physician's orders for treatment, nursing care or diets, the resident must be examined by the admitting physician within 96 hours of admission unless the registered nurse determines that the physician should examine the resident sooner.

Rulemaking Authority 400.967 FS. Law Implemented 400.967(2)(f) FS. History—New _____.

59A-26.009 Personnel Standards.

(1) Each new staff employed by the facility to provide direct services to residents must have a medical examination at the time of employment and prior to contact with residents.

Annually thereafter, staff must submit a physician's statement that based on test results, the employee does not constitute a threat of communicating diseases to residents. If any staff is found to have or is suspected of having a communicable disease, he or she must be removed from all duties that require contact with residents until certification is received from a physician that such risk no longer exists.

(2) All staff or prospective staff of the facility that are expected to be or whose responsibilities are such that they would be considered to be a direct service provider will have a Level 2 background screening as provided in Chapter 435, F.S. Such employees may work in a probationary status up to 180 days pending the receipt of written evidence of compliance with Level 2-background screening requirements.

(3) Licensees must comply with the requirements of Chapter 435, F.S., Employment Screening per Sections 400.964 and 408.809, F.S.

(4) Regardless of the organization or design of resident living units, the minimum overall direct care staff-resident ratios must comply with those specified in 42 Code of Federal Regulations 483.430(d)(3), dated June 1988 as incorporated by reference and available at <http://www.gpoaccess.gov/cfr/index.html>.

(5) The licensee must have an administrator, sufficient licensed nurses to care for each resident's health care needs, and a sufficient number of Qualified Mental Retardation Professionals (QMRP) to ensure each resident's active treatment program is integrated, coordinated and monitored.

(6) All staff must receive training within 30 days of employment and annually thereafter on the licensee's emergency disaster procedures that include the staff's role before, during, and after the emergency.

(7) The licensee must ensure that 50% of its staff on duty at all times are certified in cardio-pulmonary resuscitation (CPR) and have received basic first aid training.

(8) All staff must receive training and demonstrate competency in the prevention and minimal use of restraint and seclusion within 30 days of employment. Competency in these methods must be demonstrated and documented annually thereafter. Training must include at a minimum:

(a) The emotional and physical effects of restraint and seclusion on residents and staff.

(b) History of trauma, impact on residents and the potential for retraumatization.

(c) Crisis prevention and intervention approaches including de-escalation strategies.

(d) Applicable legal and clinical requirements governing behavioral services, restraints and seclusion.

(e) Safe and appropriate initiation of physical contact and application and monitoring of restraints and seclusion.

(f) Approaches to facilitate the earliest possible release from restraints or seclusion.

Rulemaking Authority 400.967 FS. Law Implemented 400.967(2)(b) FS. History—New _____.

59A-26.010 Training, Habilitation, Active Treatment, Professional, Special Programs and Services.

(1) Programs, services, functions and the pattern of staff organization within the facility must be focused upon serving the individual needs of each resident and must provide for:

(a) Comprehensive diagnosis and evaluation of each resident as a basis for planning, programming and managing such that the assessment of each resident's abilities, preferences, needs, behavior assessment, behavior intervention plan and level of functioning is comprehensive in scope and adequately addressed in the habilitation plan or support plan.

1. The QMRP is responsible for the integration, coordination, monitoring and review of each resident's active treatment program, which may require the involvement of other personnel, including other agencies serving the resident.

2. For school age residents when services are provided by the local school district, the licensee must make regular and consistent efforts to include the school system, the resident, and resident's representative, when practicable in the habilitation planning process. The licensee's individual program plan shall be in addition to any individual education plan prepared by the school district.

(b) Freedom of movement consistent with the protection of the health, safety, and welfare of individual residents within and outside of the facility.

(c) Routine and ongoing monitoring of each resident's conditions for early detection of health or nutrition risks which, when found, must be analyzed by the interdisciplinary team to identify probable causes and to implement appropriate intervention strategies.

(d) Recognition and resolution of resident care problems through appropriate participation of professional staff and consulting personnel.

(e) Consideration of every reasonable alternative, least restrictive and most effective procedures, prior to the use of invasive treatment.

(f) Proper, routine positioning of residents who cannot position themselves in appropriate body alignment.

(g) Documented and observable evidence of progress that each resident demonstrates in attaining goals and objectives specified in the habilitation plan, support plan or individual program plans.

(h) Each resident's active treatment program plan must be reviewed and revised by the interdisciplinary team as necessary:

1. At least annually.

2. When there is a substantial reduction of active treatment or routine physical care in response to health care needs as indicated by a loss of acquired skills or significant worsening of undesirable behavior.

(i) All residents shall have the opportunity to eat orally and receive therapeutic services necessary to maintain or improve eating skills and abilities, unless this is not possible as assessed by the interdisciplinary team. For residents who receive enteral and/or parenteral feedings, the interdisciplinary team must evaluate and review these residents' potential to return to oral eating at least quarterly.

(j) Resident rights as provided in the Bill of Rights of Persons Who Are Developmentally Disabled, Sections 393.13(3)(a)-(j), F.S.

(k) Equipment essential to ensure the health, safety and welfare of each resident.

(2) Staff responsible for providing resident care must be proficient in the physical and nutritional management skills appropriate to the residents served.

(3) The licensee must provide instruction, information, assistance and equipment to help ensure that the essential physical and nutritional management of each resident is continued in educational, day treatment and acute care facilities.

(4) For facilities licensed for six beds or less, active treatment in the form of day treatment program activities must be provided in an off-site community setting unless medically contraindicated due to a resident's acute health problem or contraindicated for the resident as determined by the interdisciplinary team including the resident's physician. For facilities licensed for more than 6 beds, active treatment in the form of day program activities will be provided off-site or at a physical location other than the living unit unless medically contraindicated due to a resident's acute health problem or contraindicated for the resident as determined by the interdisciplinary team including the resident's physician. Examples of active treatment include training in personal skills essential for privacy and independence, toileting, personal hygiene, dental hygiene, self-feeding, bathing, dressing, grooming and communication of basic needs.

(5) Licensed practical nurses working in an ICF/DD must be supervised by a registered nurse, ARNP or physician. Nursing physical assessments must be conducted by a registered nurse, ARNP or physician.

(6) Nursing service documentation in resident records must include a comprehensive nursing assessment and, as appropriate, medications, treatments, dietary information, and other significant nursing observations of resident conditions and responses to resident programs. For those residents with stable conditions, nursing progress summaries are adequate in lieu of shift documentation, as long as significant events are also recorded.

(7) Standing orders for medications, and pro re nata (p.r.n. or "as needed") orders are prohibited for the use of psychotropic medication including hypnotics, antipsychotics, antidepressants, antianxiety agents, sedatives, lithium, and psychomotor stimulants. The resident's physician must review

medication orders at least every 60 calendar days except for residents having a Level of Care 9, in which case medication orders must be reviewed by the physician at least every 30 calendar days.

(8) For residents using medication to manage behavior, their individual program plan must specify observable and measurable symptoms to be alleviated by the medication, intervals for re-evaluating the continued use of the medications by the interdisciplinary team and consideration of the reduction and elimination of the medication.

(9) When a psychotropic medication is initiated, based upon a recommendation by the interdisciplinary team, a physician, ARNP, registered nurse or pharmacist must assure or make provisions for the instruction of the facility staff regarding side effects and adverse effects of the prescribed medication including when to notify the physician if undesirable side effects or adverse effects are observed. The staff must document in the progress notes that these instructions have been given. Any time a psychotropic medication is initiated, changed, increased or decreased, the facility must assure the physician writes a progress note. At a minimum, the facility must assure the physician makes a progress note every 30 calendar days. The effect of the medication on targeted symptoms must be reviewed and monitored at least quarterly by the IDT.

(10) Psychologists or certified behavior analysts must provide regular consultation and in-service training to staff concerning:

(a) Principles and methods of understanding and changing behavior in order to devise the most optimal and effective program for each resident.

(b) Principles and methods of individual and program evaluation, for the purposes of assessing resident response and measuring program effectiveness.

(c) Design, implementation and monitoring of behavioral services.

(11) If a physical or mechanical restraint is used on a resident, the resident must be placed in a position that allows airway access and does not compromise respiration. Airway access and respiration must not be blocked or impeded by any material placed in or over the resident's mouth or nose. A resident must be placed in a face-up position while in restraints. Hand-cuffs or shackles must not be used for the purposes of restraints.

(a) Restraints and seclusion must not be used for the convenience of staff.

(12) The licensee must develop and implement policies and procedures to reduce, and whenever possible, eliminate the use of restraints and seclusion. Policies must include:

(a) Debriefing activities as follow-up to use of restraints and seclusion.

(b) A process for addressing resident's concerns and complaints about the use of restraint and seclusion.

(c) A process for analyzing and identifying trends in the use of restraints and seclusion.

(13) Recreation required by each resident's habilitation plan or support plan must be provided as a purposeful intervention, through activities that modify, or reinforce specific physical or social behaviors.

(14) Leisure activities for residents for whom recreation services are not a priority in the resident's individual program plan, must be provided in accordance with individual preferences, abilities, and needs, and with the maximum use of community resources.

Rulemaking Authority 400.967 FS. Law Implemented 400.967(2)(d), (f) FS. History—New _____.

59A-26.011 Dietary Services.

(1) All dietary services must have oversight by and medical nutritional therapy must be provided by a registered dietician, employed full-time, part-time or on a consultant basis.

(2) There must be sufficient, competent staff responsible for food preparation and service.

(3) Menus must be prepared in advance, followed and made accessible to residents and staff.

(4) Menus must be approved by the registered dietitian.

(5) Each resident must receive food prepared by methods that conserve nutritive value, flavor and appearance.

(6) Each resident must receive food that is palatable, attractive and at the proper temperature.

(7) Substitutes offered must be of similar nutritive value.

(8) All matters pertaining to food service must comply with the following regulations based on the number of beds to be licensed:

(a) For facilities with 25 or more beds the provisions of Chapter 64E-11, F.A.C., Florida Hygiene Code, as enforced by the Department of Health, shall apply.

(b) For facilities with 24 beds or fewer the provisions of Chapter 64E-12, F.A.C., Community Based Residential Facilities, as enforced by the Department of Health, shall apply.

Rulemaking Authority 400.967 FS. Law Implemented 400.967(2)(f) FS. History—New _____.

59A-26.012 Dental Services.

(1) Comprehensive dental diagnostic services must be provided to all residents and must include:

(a) Periodic, at least annual, oral prophylaxis, by a dentist or dental hygienist; and

(b) At least annually, a complete extra and intra-oral examination utilizing diagnostic aides necessary to properly evaluate each resident's oral condition.

(2) Comprehensive dental treatment services must be provided to all residents and must include:

(a) Daily oral care, as prescribed by a dentist or dental hygienist; and

(b) Emergency treatment on a 24-hour, seven days-a-week basis, by a dentist; and

(c) Treatment as prescribed by a dentist.

Rulemaking Authority 400.967 FS. Law Implemented 400.967(2)(f) FS. History—New _____.

59A-26.013 Psychological Services.

Psychologists providing services to the residents of the facility must be licensed pursuant to Section 490.005, F.S., and have a minimum of one year of experience or training in the field of mental retardation.

Rulemaking Authority 400.967(2) FS. Law Implemented 400.967(2)(f) FS. History—New _____.

59A-26.014 Drugs and Pharmaceutical Services.

(1) An ICF/DD must have a Class I Institutional Pharmacy Permit as defined in Section 465.019, F.S. All prescription medications must be compounded and dispensed by a pharmacy registered in Florida.

A consultant pharmacist must be responsible for implementation of the pharmacy program as defined by each licensee even when the consultant pharmacist is not the vendoring pharmacist.

(2) Labeling of prescription medications must be in accordance with Chapters 465 and 499, F.S. and Chapter 64B-16, F.A.C., dated November 18, 2007, as enforced by the Department of Health. Stock bottles of nonprescription drugs which are properly labeled according to the regulations related to the Drug and Cosmetic Act, Chapter 499, F.S., are permitted.

(3) All drugs including nonprescription stock drugs must be stored in a locked room or cabinet, or in a locked drug cart. External medications must be stored separately from internal and ophthalmic preparations. Poisons must be separated from all other drugs.

(4) Biologicals and other drugs must be stored in accordance with the current U.S. Pharmacopoeia. If refrigeration is required these drugs must be in a locked container.

(5) All drugs listed in Schedules II through V must be handled, used, administered and dispensed in accordance with the Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C., related regulations, and Chapter 893, F.S., as enforced by the Department of Health. The Drug Abuse Prevention and Control Act can be located at the following web address: www.usdoj.gov/dea/agency/csa.htm or by mail at Drug Enforcement Administration Office of Diversion Control (ODLP) Washington, D.C. 20537.

(6) A count of controlled drugs listed in Schedules II-V of the Drug Abuse Prevention and Control Act, and Chapter 893, F.S., as enforced by the Department of Health, must be made

jointly between shifts by the licensed nurse beginning duty and the licensed nurse leaving duty. For facilities licensed for six beds or less, the count must be done by the supervising registered nurse on a weekly basis. For facilities licensed for more than six beds, a medication count of controlled substances must be made at every change of shift by the licensed nurse or an unlicensed medication assistant as defined in this rule. The count at shift change must be witnessed by another licensed nurse or another staff member trained in medication administration.

(7) A registry must be maintained for all drugs listed in Chapter 893, F.S., as Schedules II, III, IV, and V, as enforced by the Department of Health, for continuous reconciliation.

(8) Medicinal substances classified as controlled substances by the Drug Enforcement Administration (DEA), as provided in the Drug Abuse Prevention and Control Act of 1970 and related regulations, and the Drug Abuse Prevention and Control Act in Chapter 893, F.S., and related regulations must be disposed of in accordance with Chapter 64B-16, F.A.C., as enforced by the Department of Health.

(9) Disposal of other drugs not covered above must be made in accordance with an organized system of drug administration.

(10) All prescribed drugs dispensed for the resident while in the facility may be given to the resident or resident's representative upon discharge with the physician's written orders.

(11) An inventory of drugs released must be prepared and signed by the licensed nurse releasing the drugs and the person receiving the drugs. This inventory must be filed in the resident's medical record.

(a) All medications of deceased residents must be accounted for on an inventory list prepared by a licensed nurse and filed in the resident's record. These medications must be returned for credit or destroyed in accordance with this section.

(b) All controlled drugs not administered to a resident due to wastage, loss, or returned to the pharmacy must be documented in each resident's medical record and accounted for by two licensed nurses, and in accordance with the DEA Compliance Policy Guidelines for Disposal of Controlled Substances, CFR 21, Title 21, Section 1307.21, Disposal of Controlled Substances.

(12) All verbal orders must be written on the physician's order sheet by the licensed nurse receiving the order and countersigned by the physician within 72 hours. Verbal orders for Schedule II drugs are permitted only in emergency situations. In an emergency situation, the physician must directly contact the pharmacist and the pharmacist must receive a copy of the original or direct copy of the physician's order within 72 hours.

(13) Telephoned physician orders for medication may only be accepted by a licensed nurse, a physician's assistant or a licensed pharmacist. Telephoned orders will be immediately

recorded in the resident's medical record. Faxed physician orders are acceptable with a physician's signature. A physician's signature on the original physician's order must occur within 72 hours of receipt of the faxed order.

(14) Emergency medication kits used by facilities must adhere to the following:

(a) The physician, pharmacist, and registered nurse must select drugs and ancillary equipment to be included in the emergency medication kit.

(b) The kit must be maintained and safeguarded in accordance with federal and state laws and regulations pertaining to the specific drug items included.

(c) The kit must be secured at all times.

(d) The consultant pharmacist must be responsible to assure that all drug items have not expired and are properly labeled, controlled, and stored in a sealed container.

(e) When the seal is broken for any reason, the pharmacy must be notified immediately and must provide the facility with a new emergency medication kit, or the necessary medications to replenish the kit by the next business day. Following removal of an item from the kit, the kit must be resealed. Only the pharmacist or the licensed nurse will check the contents, replace necessary items and resealed the kit if a new kit is not provided.

Rulemaking Authority 400.967 FS. Law Implemented 400.967(2)(f) FS. History—New _____.

59A-26.015 Administration of Medications to ICF/DD Residents by Unlicensed Medication Assistants.

(1) It is the responsibility of the licensee to ensure that individual unlicensed medication assistants (UMA) who will be administering medication to residents meet all requirements of this rule.

(2) Unlicensed medication assistants may administer only prescribed, prepackaged, premeasured oral, topical nasal and ophthalmic medications.

(3) Unlicensed medication assistants may administer over the counter (OTC) medications including: acetaminophen, cough medicine, antihistamines or decongestants, as currently prescribed by the resident's health care professional.

(4) Unlicensed medication assistants may not administer medications by injection including intra-muscular, intravenous or subcutaneous, nor any medication administered vaginally or rectally.

(5) Unlicensed medication assistants may administer medications to a resident after the following requirements are met for that resident:

(a) A current informed consent has been signed by the resident or resident's representative. The consent must acknowledge and permit unlicensed medication assistants to administer specifically listed medications prescribed by a licensed health care professional to the resident. The informed consent must be updated and signed at least annually.

(b) A written report for the resident that indicates the resident's behavior and any past medication reactions must be documented on the Medication Administration Record (MAR). The written report and MAR must be updated if the residents behavior or medication reactions change. Information included in the written report can be provided by the resident or resident's representative, or another unlicensed medication assistant or direct care staff person who is familiar with the resident. The person administering medications must be familiar with the information included in the written report and MAR prior to administering medications to residents.

(c) A determination is made that the resident to whom medication will be administered has not been deemed capable of self administration of their medications. The determination is made by the facility through assessment and IDT review.

(6) Administration of medication by unlicensed medication assistants must be under the supervision of a registered nurse or ARNP.

(a) Supervision includes weekly monitoring of medication and 24-hour availability of a registered nurse or ARNP via telephone or paging device.

(b) Prior to assigning tasks to an unlicensed medication assistant, the supervisory nurse must verify the training and validation of the unlicensed medication assistant as required by this rule.

(c) The supervisory nurse must communicate the assignment to the unlicensed medication assistant and verify the unlicensed medication assistant's understanding of the assignment.

(d) Monitoring and supervision of the completion of the assignment must be documented by the supervising nurse.

(e) The supervising nurse must participate in performance evaluations of the unlicensed medication assistant relative to performance of medication administration.

Rulemaking Authority 400.967 FS. Law Implemented 400.9685 FS. History—New _____.

59A-26.016 Requirements for Administration of Medication to Residents by Unlicensed Medication Assistants.

(1) Requirements governing administration of medication by UMA include:

(a) Outdated medication must be properly destroyed by the supervising nurse. The disposal will be witnessed by one other staff of the facility and a record of the medication disposal must be maintained by the facility and signed by the supervising nurse and witness.

(b) Torn, damaged, illegible or mislabeled prescription labels should be reported immediately to the dispensing pharmacy or pharmacist.

(c) Residents must not miss medications due to delays in refilling a prescription. It shall be the responsibility of the supervising nurse to ensure that refills are ordered and obtained in a timely manner.

(d) No resident shall be administered a prescription or over the counter (OTC) medication or treatment, except upon the written order of the resident's prescribing health care professional.

(2) When administering medications to residents; the unlicensed medication assistant must:

(a) Wash his or her hands with soap and water prior to administration of medication, or supervising the self-administration of medication to residents. Unlicensed assistive staff will also wash their hands between the administration of medication to each resident and when there is a change in route of administration.

(b) Prepare medications for one individual resident at a time, in a quiet location that is free from distraction.

(c) Administer medications to one resident at a time. To complete a resident's medication process, the medication of one resident must be returned to the portable or permanent medication storage unit and documentation of the medication administration record before administering medications to, or supervising the self-administration of medication for another resident.

(d) Administer medications to each resident, at the time, with the dosage, and by the route prescribed by the resident's health care professional. Each time medication is administered:

1. Conduct a triple-check of the dosage and time of administration against the original medication container label and the MAR before administering or supervising the self-administration of the medication;

2. Confirm the resident to whom the medication is to be administered is the same resident for whom the medication has been prescribed or ordered;

3. Administer as prescribed and via the route instructed by the resident's prescribing health care professional;

4. Do not crush, dilute or mix medications without written directions or instructions from the resident's prescribing health care professional.

5. Check the expiration date before administering each medication. Medications with an expiration date preceding the current date must not be administered.

6. Facilitate the correct positioning and use any adaptive equipment or techniques required for that resident for the proper administration of medications.

(e) Ensure the oral medication administered or supervised during self-administration has been completely ingested before leaving the resident. Directly observe the resident for a period of at least twenty minutes following the administration of a new medication ordered by the resident's prescribing health care professional. This observation period is to immediately detect and react to possible side effects of the medication or to document the effectiveness of the medication. Unlicensed medication assistants must review the MAR for special

instructions regarding required observation of medications and the unlicensed medication assistant must continually monitor for side effects and effectiveness of all administered drugs.

(f) Immediately record the administration of the medication in the MAR.

Rulemaking Authority 400.967 FS. Law Implemented 400.9685 FS. History--New _____.

59A-26.017 Training and Validation Required for Unlicensed Medication Assistants.

(1) Required medication administration training must include criteria to ensure that competency is demonstrated through validation of the qualification of the unlicensed medication assistant and all requirements of unlicensed medication assistants specified in this rule.

(2) Medication administration training will be conducted by a registered nurse, ARNP or physician for unlicensed medication assistants and will be provided by the ICF/DD licensee. Any person providing medication administration training sessions or conducting skills validation tests must first complete a trainer orientation session, which includes requirements of this rule and information to be covered during medication administration training sessions. Documentation of the trainer's completed orientation will be provided to each unlicensed medication assistant that he or she trains or validates.

(3) Medication administration training must include the following topics:

(a) Basic knowledge and skills necessary for medication administration charting on the Medication Administration Record (MAR).

(b) Roles of the physician, nurse, pharmacist and direct care staff in medication supervision.

(c) Procedures for recording/charting medications.

(d) Interpretation of common abbreviations used in administration and charting of medications.

(e) Knowledge of facility medication system.

(f) Safety precautions used in medication administration.

(g) Methods and techniques of medication administration.

(h) Problems and interventions in administration of medications.

(i) Observation and reporting of anticipated side effects, adverse effects and desired positive outcome.

(j) Each duty of unlicensed medication assistants as required in this rule.

(4) Validation of competency of the training is required for each unlicensed medication assistant to assess that competency has been achieved after completion of required training. To become validated, the unlicensed medication assistant must be able to successfully demonstrate, in a practical setting, his or her ability to correctly administer or supervise the self-administration of medications to resident's in a safe and

sanitary manner and to correctly and accurately document actions related to the administration of medications, in accordance with the requirements of this rule. At completion of the training, an unlicensed medication assistant must attain an overall score of 100% on knowledge tests that cover the training and facility specific questions. The unlicensed medication assistant will have three attempts to achieve a 100% score, if after the third attempt a score of 100% is not achieved, the unlicensed medication assistant must repeat the training and may not administer medication to residents until such time as a score of 100% is achieved. Additionally, an unlicensed medication assistant must be able to state the purpose, common side effects, and signs and symptoms of adverse reactions for a list of commonly used medications from memory or demonstrate how they obtain that information and maintain it for easy access.

(5) Validation of competency will be conducted by an RN, physician, or ARNP. The ICF/DD licensee will maintain documentation containing the following information:

(a) The name and address of the validator;

(b) Validation date, with expiration date of 365 days from the validation;

(c) Printed name and signature of the validating health care professional, as it appears on his or her license; and

(d) Validating health care professional's license number, with license expiration date.

(6) All training curricula, handouts, testing materials, and documents used to comply with the medication administration training and skills requirements of this rule will be kept on file for five years in the ICF/DD facility.

(7) The following must be validated for each unlicensed medication assistant:

(a) Demonstration of the ability to read and follow medication instructions on a prescription label, physician's order or MAR.

(b) Demonstration of the ability to write legibly, complete required documentation, and convey accurate and discernable information.

(c) Demonstration of the ability to perform as required in this rule.

(8) Unlicensed medication assistants and the ICF/DD licensee must maintain a copy of the unlicensed medication assistant's current skills validation document, and documentation of orientation for their medication administration trainer and validator. Unlicensed medication assistants are responsible for maintaining a copy of these documents and providing copies to the ICF/DD licensee if requested.

(9) Unlicensed medication assistants will have available a copy of their signed skills validation documentation to provide to the resident or resident's representative if requested. Unlicensed medication assistants will also have available if

requested a copy of their annual skills revalidation documentation, within five working days of the revalidation date.

(10) Unlicensed medication assistants who have not successfully renewed their validation prior to the expiration date will not be eligible to administer medications to residents until medication administration retraining and revalidation of skills have been successfully completed.

Rulemaking Authority 400.967 FS. Law Implemented 400.9685 FS. History—New _____.

59A-26.018 Plant Maintenance and Housekeeping.

(1) The facility must maintain the interior and exterior of buildings accessible to residents and all equipment, furniture, and furnishings in a clean and good working condition such that resident safety and well-being are not jeopardized.

(2) Each licensee must establish written policies designed to maintain the physical plant and overall ICF/DD environment in such a manner that the safety and well-being of residents are ensured. The building and mechanical maintenance program must be under the supervision of a qualified person, as determined by the facility. All mechanical and electrical equipment must be maintained in working order, and must be accessible for cleaning and inspecting. All mechanical systems must be tested, balanced and operated prior to being placed into service and maintained in good working order. The facility must have an effective written plan for maintenance, including record keeping, sufficient staff, appropriate equipment and adequate supplies. The licensee must:

(a) Maintain the building in good repair, safe and free of the following: cracks in the floors, walls, or ceilings; peeling wallpaper or paint; warped or loose boards; warped, broken, loose, or cracked floor covering, such as tile, linoleum or vinyl; loose handrails or railings; loose or broken window panes and screens; and other similar hazards.

(b) Maintain all electrical, lighting (interior and exterior), signal, mechanical, potable water supply, hot water heaters, heating, air conditioning, fire protection and sewage disposal systems in safe, clean and functioning condition.

(c) Maintain all electrical cords and appliances in a safe and functioning condition.

(d) Maintain the interior and exterior finishes of the buildings as needed to keep them attractive, clean, and safe, to include painting, washing, and other types of maintenance.

(e) Maintain all furniture and furnishings in a clean, attractive and safe condition.

(f) Maintain the grounds free from refuse, litter, insect and vermin breeding areas.

(g) Maintain screens on windows and doors in good repair, free of breaks in construction.

(3) The facility must have an effective plan for housekeeping including sufficient staff, appropriate equipment and adequate supplies. The licensee must:

(a) Keep the buildings in a clean, safe and orderly condition. This includes all rooms, corridors, attics, basements and storage areas.

(b) Keep floors clean and as non-slip as practicable to ensure resident safety.

(c) Control odors within the housekeeping staff's areas of responsibility by effective cleaning procedures and by the proper use of ventilation. Deodorants must not be used to cover up odors caused by unsanitary conditions or poor housekeeping practices.

(d) Keep attics, basements, stairways and similar areas free of accumulations of refuse, discarded furniture, discarded equipment, newspapers, magazines, boxes and other similar items.

(e) Not use bathrooms, shower stalls and lavatories for laundering, janitorial or storage purposes.

(f) Store all cleaning compounds, insecticides and all other potentially hazardous compounds or agents in locked cabinets or rooms.

(4) The licensee must have an effective written plan and must supply an adequate amount of clean linen for a resident based on the weather and climate. Linens must be in good condition to provide proper care and comfort to each resident, either through on-site laundry service or a contract with an outside service.

(a) The on-site laundry room must be maintained and operated in a clean, safe and sanitary manner.

(b) Written operating procedures must be developed and implemented to provide for the handling and storage of clean and soiled linens. These operating procedures must be available to all facility staff or Agency representatives upon request.

(c) Laundry personnel must practice good personal hygiene and grooming. Employees must thoroughly wash their hands and exposed portions of their arms with soap and water before starting work, after smoking, eating, using the toilet or handling soiled linens.

(d) Clean linen must be protected from contamination during handling and storage.

(e) Soiled linen must be handled and stored in a manner that protects facility residents and personnel.

(f) If an outside laundry service is used, it must be in compliance with state and local health and environmental laws and must provide for protection of clean linens during transport back to the facility.

(g) Laundry services for residents' personal clothing, must be handled and clothing stored in a manner that will not allow contamination of clean linen by soiled linen. The licensee must ensure that the personal clothing of each resident is returned to that individual resident after laundering.

Rulemaking Authority 400.967 FS. Law Implemented 400.967(2)(a).
(c) FS. History--New _____.

59A-26.019 Fire Protection, Life Safety, Systems Failure, and External Emergency Communications.

(1) Standards for fire prevention for the facility are those set forth in Rule 69A-3.012 dated 12/31/2008 and Chapter 69A-38, F.A.C., as incorporated by reference and available at <https://www.flrules.org>. Uniform Fire Safety Standards for Residential Facilities for Individuals with Developmental Disabilities, as applicable to the classifications of occupancy therein.

(2) The Agency must conduct an annual fire safety survey. Based upon the survey, a report of deficiencies will be provided to the facility with a specified time frame for correction.

(3) ICF/DD's providing personal care, as defined in the Life Safety Code NFPA 101 as described in Rule 69A-3.012 and Chapter 69A-38, F.A.C., will be reviewed as Residential Board and Care occupancy status under Chapter 32 or 33 of the Life Safety Code NFPA 101, as described in Rule 69A-3.012 and Chapter 69A-38, F.A.C. ICF/DD's providing services to residents that receive chronic, skilled/acute nursing or medical care or designated as a Level of Care 9 will be reviewed as Health Care Facility occupancy status under chapters 18 or 19 of the Life Safety Code NFPA 101, as described in Rule 69A-3.012 and Chapter 69A-38, F.A.C. To assure the life safety code requirements are appropriate for all residents served in an ICF/DD, each licensure survey conducted after January 1, 2010, shall establish or confirm the occupancy status. Beginning April 1, 2010, upon renewal of each ICF/DD license, the license shall display the occupancy status. The ICF/DD licensee must receive approval from the Agency, including the Office of Plans and Construction, prior to a change in the occupancy status. A resident requiring chronic, skilled/acute nursing or medical care, or designated as a Level of Care 9 resident, may not reside in an ICF/DD with a Residential Board and Care occupancy status.

(4) Each licensee must provide fire protection through the elimination of fire hazards. All portions of the facility must comply with the requirements of the National Fire Protection Association (NFPA) Life Safety Code 101, as adopted by the State Fire Marshal and described in Rule 69A-3-012 and Chapter 69A-38, F.A.C.

(5) All fires or explosions must be reported by the licensee within 24 hours by phone to the Agency for Health Care Administration's field office and the Office of Plans and Construction. Upon notification and in accordance with NFPA 1, Fire Prevention Code, the Office of Plans and Construction must investigate the cause, origin, and circumstances of the fire or explosion. To facilitate this investigation, the licensee must complete the form "Fire Incident Report", AHCA #3500-0031, revised August 2006, incorporated herein by reference and available from the Office of Plans and Construction, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 24, Tallahassee, Florida 32308 or from the web site at

<http://ahca.myflorida.com/MCHQ/Plans/pdfs/Fire.pdf>. The form must be completed by the licensee and submitted to the Agency's Office of Plans and Construction within 10 calendar days of the incident.

(6) In accordance with NFPA 101, Life Safety Code, in the event of a system failure of the fire alarm system, smoke detection system, or sprinkler system, the following actions must be taken immediately by the licensee:

(a) Notify the local fire authority and document instructions.

(b) Notify the Agency for Health Care Administration Office of Plans and Construction, and the Agency's local field office:

(c) Assess the extent of the condition and effect corrective action, with a documented period for compliance. If the corrective action will take more than four hours, the following items must be completed:

1. Implement a contingency plan containing a description of the problem, a specific description of the system failure, and the projected correction period. All staff on shifts involved must have documented in-service training for the emergency contingency.

2. Begin a documented fire watch until the system is restored. Persons used for fire watch must be trained in what to look for, what to do, and be able to expeditiously contact the fire department. To maintain a fire watch, the facility must utilize only certified public fire safety personnel, a guard service, or facility staff. If facility staff are utilized for this function, they must meet the following requirements:

a. Be off duty from their regular facility position or assigned only to fire watch duty and be excluded from counting toward the required staffing pattern.

b. Be trained and competent as determined by the licensee in the duties and responsibilities of a fire watch and;

c. Have immediate access to electronic communication.

3. If the projected correction period changes or when the system is restored to normal operation, the licensee must notify the Agency's Office of Plans and Construction, the Agency's local field office and local fire authorities.

(7) External emergency communication. Each new facility must provide for external electronic communication not dependent on terrestrial telephone lines, cellular, radio or microwave towers, such as an on-site radio transmitter, satellite communication systems or a written agreement with an amateur radio operator volunteer group(s). If the latter, this agreement must provide for a volunteer operator and communication equipment to be relocated into the facility in the event of a disaster until communications are restored. Other methods, which can be shown to maintain uninterrupted electronic communications not dependent on land-based transmission, must be pre-approved by the Agency's Office of Plans and Construction.

Rulemaking Authority 400.967 FS. Law Implemented 400.967(2)(a) FS. History—New _____.

59A-26.020 Plans Submission and Fee Requirements.

(1) All construction work, including demolition, must receive prior written approval from the Agency's Office of Plans and Construction before any work can begin. This includes all construction of new facilities and any and all additions, modifications, alternations, renovations, and refurbishing to the site, facility, equipment or systems of any facility.

(2) Approval to start construction only for demolition, site work, foundation, and building structural frame may be obtained prior to construction document approval when the following is submitted for review and has been approved by the Agency's Office of Plans and Construction:

(a) Preliminary Stage II approval letter from the Agency's Office of Plans and Construction.

(b) Construction documents, specifications and construction details for all work to be undertaken.

(c) A letter from the licensee holding the Agency harmless for any changes that may occur to the project as a result of the final construction document review.

(d) A life safety plan indicating temporary egress and detailed phasing plans indicating how the area(s) to be demolished or constructed is to be separated from all occupied areas must be submitted for review and approval when demolition or construction in and around occupied buildings is planned.

(3) Projects that have been submitted for Agency's Office of Plans and Construction review will be considered withdrawn if:

(a) Construction has not begun within one year after written approval of the construction documents from the Agency's Office of Plans and Construction;

(b) No further plans have been submitted for Agency review within one year after a project has been initiated with the Office of Plans and Construction or;

(c) Construction has been halted for more than one year. After this termination, resubmission as a new project will be required.

(4) All plans and specifications provided to the Agency as required in this section must be prepared and submitted by a Florida-registered architect and a Florida-registered professional engineer. An architectural or engineering firm not practicing as a sole proprietor may prepare and submit plans and specifications to the Agency if they are registered as an architectural or engineering firm with the Florida Department of Business and Professional Regulation.

(5) The initial submission of plans to the Agency's Office of Plans and Construction for any new project must include a completed Plan Review Application Form, AHCA Form 3500-0011, Nov. 96 revised March 02, incorporated by

reference and obtainable from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 24, Tallahassee, Florida 32308, or from the Agency's website at [http://ahca.myflorida.com/MCHQ/Plans/pdfs/Info for Proj Rev Dec05.pdf](http://ahca.myflorida.com/MCHQ/Plans/pdfs/Info%20for%20Proj%20Rev%20Dec05.pdf), and a valid certificate of need, pursuant to Chapter 408 F.S., if required by the Agency. This information must accompany the initial submission.

(6) Plans and specifications submitted for review shall be subject to a plan review fee. This fee is prescribed by Section 400.967(5), F.S. All fees must be paid by check made payable to the Agency for Health Care Administration, with the check noted with the Office of Plans and Construction facility log number and identified that it is for the Agency's Health Care Trust Fund. Fees will be accepted only from the ICF/DD licensee or prospective licensee.

(7) Plans and specifications must be submitted in three stages. Exceptions to the submission of all three stages shall be subject to prior approval by the Agency's Office of Plans and Construction.

(a) Stage I, schematic plans.

(b) Stage II, preliminary plans or design development drawings.

(c) Stage III, construction documents, including specifications, addenda and change orders.

(8) For each stage of submission, a program or scope of work must be submitted. It must consist of a detailed word description of all contemplated work and any required phasing to be provided in the proposed construction.

(9) For projects involving only equipment changes or system renovations, only Stage III, construction documents need be submitted. These documents must include the following:

(a) Life safety plans showing the fire/smoke compartments in the area of renovation.

(b) Detailed phasing plans indicating how the new work will be separated from all occupied areas.

(c) Engineering plans and specifications for all of the required work.

(10) Stage I, schematic plans.

(a) At a minimum, the following must be incorporated into the schematic plans:

1. Single-line drawings of each floor showing the relationship of the various activities or services to each other and the room arrangement in each.

a. The function of each room or space must be noted in or near the room or space.

b. The proposed roads and walkways, service and entrance courts, parking, and orientation must be shown on either a small plot plan or on the first floor plan.

c. Provide a simple cross-section diagram showing the anticipated construction.

d. Provide a schematic life safety plan showing smoke and fire compartments, exits, and gross areas of smoke and fire compartments.

e. Provide information as to which areas are sprinkled, both proposed and existing.

2. If the proposed construction is an addition or is otherwise related to existing buildings on the site, the schematic plans must show the facility and general arrangement of those other buildings.

3. Provide a schedule showing the total number of beds, types of bedrooms and types of ancillary spaces.

(11) Stage II, preliminary plans.

(a) At a minimum, to gain a Stage II approval, the following must be incorporated into the preliminary plans:

1. Vicinity map. For new facility construction, provide a vicinity map showing the major local highway intersections.

2. Site development plans including:

a. Existing grades and proposed improvements as required by the schematic submission.

b. Building locating dimensions.

c. Site elevations for both the 100-year flood elevations and hurricane Category 3 surge inundation elevations if the project involves the construction of a new facility or is a new addition of a wing or floor to a facility.

d. The location of the fire protection services water source to the building.

3. Architectural plans including:

a. Floor plans, 1/8-inch scale minimum, showing door swings, windows, casework and millwork, fixed equipment and plumbing fixtures. Indicate the function of each space.

b. A large-scale plan of typical new bedrooms with a tabulation of gross and net square footage of each bedroom. Tabulate the size of the bedroom window glass.

c. Typical large-scale interior and exterior wall sections to include typical rated fire and fire/smoke partitions and a typical corridor partition.

d. All exterior building elevations.

e. Identification of equipment, which is not included in the construction contract but which requires mechanical or electrical service connections or construction modifications, to ensure its coordination with the architectural, mechanical and electrical phases of construction.

f. Preliminary phasing plans indicating how the project is to be separated from all occupied areas must be provided if the project is located in an occupied facility.

4. Life safety plans including:

a. Single-sheet floor plans showing fire and smoke compartmentation, all means of egress and all exit signs. The dimension of the longest path of travel in each smoke compartment to the door(s) to the adjoining compartment, the total area of the smoke compartment in square feet, and tabulated exit in inches must also be provided.

b. All sprinkled areas, fire extinguishers, fire alarm devices and pull station locations.

c. Fully developed life safety plans must be submitted if the project is an addition or conversion of an existing building.

d. Life safety plans of the floor being renovated and the required exit egress floor(s) if the project is a renovation in an existing building.

e. A life safety plan indicating temporary egress and detailed phasing plans indicating how the area(s) to be demolished or constructed are to be separated from all occupied areas when demolition or construction in and around occupied buildings is to be undertaken.

5. Mechanical engineering plans including:

a. Single-sheet floor plans with a one-line diagram of the ventilating system with relative pressures of each space.

b. A written description and drawings of the anticipated smoke control system, passive or active, and a sequence of operation correlated with the life safety plans.

c. The general location of all fire and smoke dampers, all duct smoke detectors and firestats.

d. The location of the sprinkler system risers and the point of connection for the fire sprinkler system if the building is equipped with fire sprinklers, including the method of design for the existing and new fire sprinkler systems.

e. Locations of all plumbing fixtures and other items of equipment requiring plumbing services and/or gas services.

f. Locations of all medical gas outlets, piping distribution risers, terminals, alarm panel(s), low pressure emergency oxygen connection, isolation/zone valve(s), and gas source location(s).

g. Locations and relative sizes of major items of mechanical equipment such as chillers, air handling units, fire pumps, medical gas storage, boilers, vacuum pumps, air compressors, large storage batteries, and fuel storage vessels.

h. Locations of hazardous areas and the volume of products to be contained therein.

i. Location of fire pump, stand pipes, and sprinkler riser(s).

6. Electrical engineering drawings including:

a. A one-line diagram of normal and essential electrical power systems showing service transformers and entrances, switchboards, transfer switches, distribution feeders and over-current devices, panel boards and step-down transformers. The diagram must include a preliminary listing and description of new and existing, normal and emergency loads, preliminary estimates of available short-circuit current at all new equipment and existing equipment serving any new equipment, short-circuit and withstand ratings of existing equipment serving new loads and any new or revised grounding requirements.

b. Fire alarm zones correlated with the life safety plan.

7. Outline specifications. Outline specifications are to include a general description of the construction, including construction classification and ratings of components, interior finishes, general types and locations of acoustical material, floor coverings, electrical equipment, ventilating equipment and plumbing fixtures, fire protection equipment, and medical gas equipment.

8. Whenever an existing structure is to be converted to an ICF/DD facility, the general layout of spaces of the existing structure must be submitted with the preliminary plans for the proposed facility.

9. Whenever additions, modifications, alterations, renovations, and refurbishing to a facility are proposed, the general layout of spaces of the facility must be submitted with the preliminary plans.

(12) Stage III, construction documents.

(a) The Stage III, construction documents must be an extension of the Stage II, preliminary plan submission and must provide a complete description of the contemplated construction. Construction documents must be signed, sealed, dated and submitted for written approval to the Agency's Office of Plans and Construction by a Florida-registered architect and Florida-registered professional engineer. These documents must consist of work related to civil, structural, mechanical, and electrical engineering, fire protection, lightning protection, landscape architecture and all architectural work. At a minimum, and in addition to the requirements for Stage II submission, the following must be incorporated into the construction documents:

1. Provide site and civil engineering plans that must indicate building and site elevations, site utilities, paving plans, grading and drainage plans and details, locations of the two fire hydrants utilized to perform the water supply flow test, and landscaping plans.

2. Provide life safety plans for the entire project.

3. Provide architectural plans, including:

a. Typical large-scale details of all typical interior and exterior walls and smoke walls, horizontal exits and exit passageways.

b. Comprehensive ceiling plans that show all utilities, lighting fixtures, smoke detectors, ventilation devices, sprinkler head locations and fire-rated ceiling suspension member locations where applicable.

c. Floor/ceiling and roof/ceiling assembly descriptions for all conditions.

d. Details and other instructions to the contractor on the construction documents describing the techniques to be used to seal floor construction penetrations to the extent necessary to prevent smoke migration from floor to floor during a fire.

4. Structural engineering plans, schedules and details.

5. Mechanical engineering plans to include fire and smoke control plans, including:

a. All items of owner furnished equipment requiring mechanical services.

b. A clear and concise narrative control sequence of operations for each item of mechanical equipment including but not limited to air conditioning, heating, ventilation, medical gas, plumbing, and fire protection and any interconnection of the equipment of the systems.

c. Mechanical engineering drawings that depict completely the systems to be utilized, whether new or existing, from the point of system origination to its termination.

d. A tabular schedule giving the required air flow (as computed from the information contained on the ventilation rate table) in cubic feet per minute (cfm) for supply, return, exhaust, outdoor, and ventilation air for each space listed or referenced by note on the ventilation rate table as shown on the architectural documents. The schedule must also contain the Heating Ventilation and Air Conditioning (HVAC) system design air flow rates and the resulting space relative pressures.

e. The schedule or portion of the schedule, as applicable, which must be placed in the specifications or in the drawing set containing the spaces depicted.

6. Fire protection plans, where applicable, that must include the existing system as necessary to define the new work.

7. Electrical engineering plans that must describe complete power, lighting, alarm, communications and lightning protection systems and power system study.

8. A power study that must include a fault study complete with calculations to demonstrate that over-current devices, transfer switches, switchboards, panel boards, motor controls, transformers and feeders are adequately sized to safely withstand available phase-to-phase and phase-to-ground faults. The study must also include an analysis of generator performance under fault conditions and a coordination study resulting in the tabulation of settings for all over-current device adjustable trips, time delays, relays and ground fault coordination. This must be provided for all new equipment and existing equipment serving any new equipment. Power studies for renovations of existing distribution systems must include only new equipment and existing equipment upstream to the normal and emergency sources of the new equipment. Renovations involving only branch circuit panel boards without modifications to the feeder must not require a full power study; instead, the power study must be limited to the calculation of new and existing loads of the branch circuit panel.

9. A complete set of specifications for all work to be undertaken.

a. All project required contractor supplied testing and/or certification reports must be typed on standard forms, reviewed and accepted by the engineer of record prior to presenting to the Agency's Office of Plans and Construction for review.

b. The specifications must require a performance verification test and balance air quantity values report for a minimum of two operating conditions for each air handling unit system. One operating condition must be with the specified air filters installed in the minimum pressure drop or clean state. The second operating condition is to be at the maximum pressure drop and/or dirty state. The air quantities reported are acceptable if they are within 10 percent of the design value and the space relative pressures are maintained. This requirement must apply to any air-handling unit affected by the construction to be performed.

10. All construction documents must be well coordinated. It is specifically required that in the case of additions to facilities, the mechanical and electrical, especially existing essential electrical systems and all other pertinent conditions, must be a part of this submission.

11. All subsequent addenda, change orders, field orders and other documents altering the above must also be signed, sealed, dated and submitted in advance to the Agency's Office of Plans and Construction for written approval.

(13) The initial submission will be acted upon by the Agency's Office of Plans and Construction within 60 days of the receipt of the initial payment of the plan review fee. The Agency will either approve or disapprove the submission and shall provide a listing of deficiencies in writing. Each subsequent resubmission of documents for review on the project will initiate another 60-day response period. If the Agency does not act within 60 days of receipt of a submission, the submission will be considered approved. However, all deficiencies noted by the Agency must still be satisfactorily corrected before final approval may be obtained for the project.

(14) Additions or revisions that substantially change the original scope of the project or are submitted by different design professionals, will be required to be submitted as a new project.

Rulemaking Authority 400.967 FS. Law Implemented 400.967(2), (5) FS. History—New _____.

59A-26.021 Physical Plant Codes and Standards for ICF/DD.

(1) After January 1, 2010, all construction of new facilities or conversions and all additions, modifications, alterations, renovations, and refurbishing to the site, facility, equipment or systems of a facility must be in compliance with the following codes and standards:

(a) The Florida Building Code, 2004 Edition with 2006 supplements effective on December 8, 2006, as adopted by the Florida Building Commission and incorporated by reference in Rule 9B-3.047, F.A.C., by the Department of Community Affairs and obtainable from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213-1206.

(b) The fire codes as adopted by the State Fire Marshal and incorporated by reference in Rule 69A-3-.012, F.A.C., by the Division of State Fire Marshal at the Department of Finance and obtainable from the National Fire Protection Association, 1 Batterymarch Park, P. O. Box 9101, Quincy, Massachusetts 02269-9101.

(c) When the licensee is providing services to residents that receive chronic, skilled/acute nursing or medical care or designated as a Level of Care 9, NFPA 101, Chapter 18 (Health Care Occupancies) must be applied.

(d) When the licensee is providing personal care services, as defined in the Life Safety Code NFPA 101 as described in Rule 69A-3.012, F.A.C., NFPA 101, Chapter 32 (Residential Board and Care) must be applied.

(2) The Fire Safety Evaluation System (FSES) NFPA-101 A as adopted by the State Fire Marshal and described in Rule 69A-3.012, F.A.C., and herein incorporated by reference and obtainable from the National Fire Protection Association, 1 Batterymarch Park, P. O. Box 9101, Quincy, Massachusetts 02269-9101, must not be used to meet the required codes and standards for new construction, renovations, or for conversion of an existing building to a new licensed ICF/DD.

(3) Where additions, modifications, alterations, refurbishing, renovations or reconstruction are undertaken within a facility, all such additions, modifications, alterations, refurbishing, renovations or reconstruction must comply with applicable sections of the codes for new facilities. Where major structural elements make total compliance impractical or impossible, the licensee or potential licensee must submit to the Agency's Office of Plans and Construction a request to utilize alternate materials and methods in accordance with the Florida Building Code.

(4) At a minimum, all existing facilities classified as Residential Board and Care must be in compliance with the requirements of Chapter 33, Existing Residential Board and Care Occupancy, of the National Fire Protection Association (NFPA) Life Safety Code 101, as adopted by the State Fire Marshal and described in Rule 69A-3.012, F.A.C.

(5) At a minimum all existing facilities classified as Health Care Occupancies must be in compliance with the requirements of Chapter 19, Existing Health Care Occupancies, of the NFPA Life Safety Code 101, as adopted by the State Fire Marshal and described in Rule 69A-3.012, F.A.C.

Rulemaking Authority 400.967 FS. Law Implemented 400.967(2)(a) FS. History—New _____.

59A-26.022 Construction and Physical Environment Standards.

After January 1, 2010, all new facilities, expected to provide services to residents that received chronic, skilled/acute nursing or medical care or designated as Level of Care 9, must be in compliance with the following minimum physical plant standards:

(1) Site requirements.

(a) Each facility must be located on a site in compliance with local zoning codes, Chapter 400, Part VIII F.S., Chapter 408 Part II, F.S., this rule, and if applicable, Chapter 419, F.S. The terrain must be such that effective drainage can be accomplished. Utilities must be commensurate with the facility's regular operational needs and emergencies. The site must be remote from uncontrolled or uncontrollable sources of insect and rodent harborage and air and water pollution.

(b) A site may include structures other than the ICF/DD facility such as storage sheds and greenhouses. Ancillary spaces may be available within the living units or in a separate on-site structure to provide services that cannot be purchased in the community or when residents are physically unable to attend community or therapy services.

(c) All new facilities or an addition of a wing or floor to a facility must be in compliance with the site requirements of this rule.

(2) Living unit requirements:

(a) Each living unit must provide for all residential functions and environmental characteristics with a home like atmosphere.

(b) Residents must have a choice of a variety of comfortable living spaces.

(c) There must be sufficient equipment and appliances to meet the programmatic needs of all residents.

(d) Each living unit must have a kitchen that is adequate for preparing all meals, cleaning and storing of food and equipment. The kitchen design, appliances, equipment, materials and finishes must convey the image of a home like kitchen.

(e) Each living unit must have a dining area.

(f) Provisions must be made to ensure meals are eaten at the dining table with appropriate positioning devices, chairs or wheelchairs for each resident as needed.

(g) Sufficient space must be provided to accommodate resident needs for indoor gross motor, fine motor and special teaching activities within the facility.

(h) Each resident living unit must have three or more bedrooms.

1. Each resident must have accessible personal space within the bedroom to accommodate an individual bed and personal furnishings, and to decorate and arrange without disturbing others. This space must also be utilized to store personal possessions.

2. Each bedroom must have a minimum of 100 square feet (9.29 square meters) of clear floor area per bed in multiple-bed rooms and 120 square feet (11.15 square meters) of clear floor area in single-bed rooms, exclusive of the space consumed by toilet rooms, closets, lockers, wardrobes, lavatories, alcoves, entrance vestibules, and the area taken up by all door swings that open into the room. For the purpose of minimum clear floor area, the entrance vestibule is defined as that floor area

located between the room entrance door and the room floor area containing any resident bed. The dimensions and arrangement of rooms must provide a minimum of three feet (0.91 meter) between the sides and foot of the bed and any wall or any other fixed obstruction or adjacent bed. In multiple-bed rooms, a clearance of 3 feet 8 inches (1.11 meters) to any fixed obstruction must be available at the foot of each bed to permit the passage of equipment and beds. Where renovation work is undertaken, every effort must be made to meet these minimum space standards. When this is not possible due to existing physical constraints, and with the prior approval of the Agency's Office of Plans and Construction, resident rooms must have no less than 80 square feet (7.43 square meters) of clear floor area per bed in multiple-bed rooms and 100 square feet (9.29 square meters) of clear floor area in single-bed rooms exclusive of toilet rooms, closets, lockers, wardrobes, lavatories, alcoves and entrance vestibules. This requirement does not limit the licensee's prerogative to exceed minimum standards in this respect, and the accessible area provided must accommodate the needs of the residents occupying the space. The maximum number of residents sharing a bedroom shall be two.

(i) Corridors must be not less than six feet in clear and unobstructed width.

(j) Doors must not be less than 48 inches in clear width for means of egress from sleeping rooms.

(k) Each living unit must provide adequate space for all residents to carry out normal bathroom functions, or for assistance in carrying out these functions, including bathing, toileting, washing and grooming. Facilities must be as comparable to normal home like standards as is appropriate to the functional level of residents. The standard range of bathroom fixtures must be provided in adequate numbers and in standard residential arrangements providing privacy for residents in performing each function. Each resident must have access to a toilet room without having to enter the general corridor area. One toilet room shall serve no more than four beds and no more than two resident rooms. The toilet room door must be side-hinged, swing out from the toilet room, and unless otherwise required by the code, be at least 32 inches (81.28 centimeters) wide.

(l) Each living unit must provide a minimum of one multi purpose staff workroom of not less than 120 square feet.

(m) Each living unit must be equipped to wash and dry the personal clothing of all residents residing in the living unit.

(n) Each living unit must provide outdoor activity spaces providing a variety of activities that are accessible to residents and provide cover and protection from the elements.

(o) Each living unit must meet the requirements of Florida Building Code Chapter 11-6.1(2) for accessibility percentage of total accessible rooms.

(3) Details and finishes.

(a) Potential hazards such as sharp corners or loose laid rugs or carpets shall not be permitted.

(b) Doors to all rooms containing bathtubs, showers, and water closets for resident use must be equipped with privacy hardware that permits emergency access without keys. When such rooms have only one entrance or are small, the doors must open outward and, if on the corridor, must open into an alcove.

(c) All interior doors, except those that automatically close upon smoke detection, must be side-hinged swinging type. Interior corridor doors, except those to small closets not subject to occupancy, shall not swing into the corridor.

(d) Operable windows must be equipped with insect screens.

(e) Threshold covers must be designed to facilitate use of wheelchairs and carts and to prevent tripping and shall provide a smooth and level transition from surface to surface.

(f) Grab bars, 1-1/2 inches (3.8 centimeters) in diameter, must be installed in all resident showers, tubs, and baths and on both sides of all resident use toilets. Wall-mounted grab bars shall provide a 1-1/2 inch (3.8 centimeters) clearance from walls and shall sustain a concentrated load of 250 pounds (113.4 kilograms).

(g) Handrails with a maximum diameter of 1-1/2 inches (3.8 centimeters) must be provided on both sides of all corridors normally used by residents. Mounting height shall be between 36 inches (91.4 centimeters) and 42 inches (106.7 centimeters). A clearance of 1-1/2 inches (3.8 centimeters) must be provided between the handrail and the wall. Rail ends shall return to the wall.

(h) Each resident hand washing facility must have a mirror for the resident unless prohibited by the interdisciplinary team. Mirror placement must allow for convenient use by both wheelchair occupants and ambulatory persons. Tops and bottoms may be at levels usable by residents either sitting or standing. Additional mirrors may be provided for wheelchair residents, or one separate full-length mirror located in the resident room may be provided to meet the needs of wheelchair residents. All mirrors must provide a distortion free image.

(i) Provisions for soap dispensing and hand drying must be included at all hand washing facilities. Hand drying provisions in resident use areas shall be paper or cloth towels enclosed to protect against dust or soil and shall be single-unit dispensing.

(j) The minimum ceiling height in occupiable rooms and habitable spaces throughout the facility must be 8 feet 0 inches (2.44 meters) above the finished floor. Ceilings in corridors, resident room entrance, vestibules and toilet rooms must be a minimum of 7 feet 6 inches (2.33 meters) above the finished floor.

(k) Only recessed soap dishes may be allowed in resident use tubs and showers. Towel bars must be provided at each bathing area.

(l) A minimum of one electric drinking fountain must be provided per facility living unit as required by the Florida Plumbing Code, described in the Florida Building Code, adopted by Rule 9B-3.047, F.A.C., and obtainable free of charge at www.floridabuilding.org.

(m) Floor material must be readily cleanable and appropriate for the location. If composition floor tiles are used, the interstices must be tight. In residential care and sleeping areas, a base must be provided at the floor line. Floors in areas used for food preparation and assembly must be water-resistant. Floor surfaces, including tile joints, must be resistant to food acids. In all areas subject to frequent wet-cleaning methods, floor materials must not be physically affected by germicidal cleaning solutions. Floors subject to traffic while wet, such as shower and bath areas, kitchens, and similar work areas, must have a slip resistant surface and floor-to-base intersections must be watertight. Carpet and padding in resident areas must be stretched tight, in good repair and free of loose edges or wrinkles that might create hazards or interfere with the operation of wheelchairs, walkers, or wheeled carts.

(n) Wall finishes must be washable and, if near plumbing fixtures, must be smooth and have a moisture-resistant finish. Finish, trim, walls, and floor constructions in dietary and food storage areas must be free from rodent and insect harboring spaces.

(o) Basic wall construction in areas not subject to conditioned air must be constructed of masonry, cement, plaster or moisture resistant gypsum wallboard.

(p) The finishes of all exposed ceilings and ceiling structures in the dietary facilities area must be readily cleanable with routine housekeeping equipment.

(q) All smoke partitions must be constructed prior to the construction of intervening walls.

(r) Smoke partitions must be constructed so as to provide a continuous smoke-tight membrane from exterior wall to exterior wall and from the floor to the underside of the deck above. This includes interstitial space and the area above solid fire-tested membranes. Where it is not possible to inspect smoke partitions because of the fire-tested membrane, fire-rated access panels must be installed adjacent to each side of the smoke partitions at intervals not exceeding 30 feet (9.00 meters) and in such locations as necessary to view all surfaces of the partition.

(s) Where electrical conduits, cable trays, ducts and utility pipes pass through the smoke partition, the utilities must be located so that access is maintained to adjacent wall surfaces and to all damper access panels. The details must show the studs and reinforcing half studs so that proper support is provided for the wall surfacing material. There must be a minimum clearance of six inches (15.29 centimeters) between all conduits, piping, and ductwork at corridor walls to facilitate the inspection of these walls.

(4) Mechanical system requirements:

(a) Mechanical equipment shall be defined as equipment utilized in air conditioning, heating, ventilating systems and associated electrical, electronic and pneumatic components required for the mechanical equipment to provide the function intended by the application of the equipment. New and existing equipment replacements must comply with these requirements.

(b) Mechanical equipment must be installed in a designated equipment room(s), or in a space(s) located in an attic(s). If the unit serves only one room it may be located above the ceiling and must be accessible through an access opening in accordance with the Florida Building Code. Access panels are not required for lay-in ceiling installations provided the service functions are not obstructed by other above-ceiling construction such as electrical conduits, piping, audio visual cabling and like equipment components or supports.

(c) Ventilation must be provided by mechanical means in all rooms in new facilities and in all renovated or remodeled rooms of a facility. The minimum air quantities and filtration efficiencies must be met as set forth in the Minimum Ventilation Rate Table for those spaces that are listed as required in the Florida Building Code, Chapter 4, Section 420.3.13.7.

(d) For spaces listed in the Minimum Ventilation Rate Table, central station type air handling equipment must be used. Package terminal air conditioning units or fan coils may be used to serve resident rooms and shall be provided with 20 percent filters minimum.

(e) System designs utilizing fan coil or package terminal air conditioning units must have the outdoor air ventilation damper permanently closed. The ventilation requirement must be satisfied by a central station type air handling unit provided with a 30 percent filter minimum or as required by the listed space served. Spaces designated for the exclusive use of physical plant personnel need not comply with this requirement.

(f) Administrative and other staff-only areas must be provided with outside air at the minimum rate of 20 cubic feet per minute (9.43 liters/second) per person, and the central system must have a minimum of 30 percent American Society of Heating Refrigerating and Air Conditioning Engineers, Inc. (ASHRAE), 1995 Edition dust spot efficiency filter.

(g) All filters in systems in excess of 1000 cubic feet per minute (28.32 cubic meters/minute) capacity must be installed with differential pressure gauges. The filter gauge must have the range of acceptable filter operation clearly and permanently indicated.

(h) Filter housings for 80 percent efficiency filters must be fully gasketed and sealed with mechanical latching devices capable of exerting and maintaining a continuous, uniform sealing pressure on the filter media when in the latched, closed position.

(i) The transfer of air quantities through one space to an adjacent space is not permitted except that the transfer of air to maintain space relative pressure by the under cutting of doors is permitted. The maximum allowable air quantity for door undercuts shall be 75 cubic feet per minute (35.38 liters per second) for single door widths up to 44 inches (111.7 centimeters).

(j) Space relative pressure requirements must be maintained throughout the entire system control range where variable volume systems are utilized.

(k) Spaces having exhaust hoods must have sufficient make-up supply air such that the required pressure relationship will not be affected by the operation of the hood.

(l) All supply, return and exhaust ventilation fans must operate continuously. Dietary hood, laundry area, administrative areas that are separated from all resident areas and support areas, and maintenance area supply and exhaust fans shall be exempted from continuous operation.

(m) Cooling coil condensate must be piped to a roof drain, floor drain or other approved location.

(n) Exhaust fans and other fans operating in conjunction with a negative duct system pressure must be located at the discharge end of the system. Fans located immediately within the building located at the end of all exhaust ducts shall be permitted. Existing nonconforming systems need not be brought into compliance when equipment is replaced due to equipment failure.

(o) All new facility construction must have totally ducted supply, return, exhaust and outside air systems including areas of all occupancy classifications.

(p) During a fire alarm, fan systems and fan equipment serving more than one room must be stopped to prevent the movement of smoke by mechanical means from the zone in alarm to adjacent smoke zones.

(q) Air handling and fan coil units serving exit access corridors for the zone in alarm must shut down upon fire alarm.

(r) Smoke or fire/smoke dampers must close upon fire alarm and upon manual shutdown of the associated supply, return or exhaust fan.

(s) Mixing valves used in shower applications must be of the balanced-pressure type design.

(t) The temperature of hot water supplied to resident use lavatories, showers and bath must be between 105°F (45.5°C) and 110°F (46.1°C) at the discharge end of the fixture.

(u) Wall mounted water closets, lavatories, drinking fountains and hand washing facilities must be attached to floor mounted carriers and shall withstand an applied vertical load of a minimum of 250 pounds (113.39 kilograms) to the front of the fixture and provide deep seal traps for floor drains in resident showers.

(v) Ice machines, rinse sinks, dishwashers, and beverage dispenser drip receptacles must be indirectly wasted.

(w) Each water service main, branch main, riser and branch to a group of fixtures must have valves. Stop valves must be provided for each fixture. Panels for valve access must be provided at all valves.

(x) Backflow preventers (vacuum breakers) must be installed on bedpan-rinsing attachments, hose bibs and supply nozzles used for connection of hoses or tubing in housekeeping sinks and similar applications.

(y) A backflow preventer must be installed on the facility main water source(s).

(5) Electrical requirements:

(a) All material, including equipment, conductors, controls, and signaling devices, must be installed to provide a complete electrical system with the necessary characteristics and capacity to supply the electrical facility requirements as shown in the specifications and as indicated on the plans. All materials and equipment must be listed as complying with applicable standards of Underwriter's Laboratories, Inc., or other nationally recognized testing facilities. Field labeling of equipment and materials will be permitted only when provided by a Nationally Recognized Testing Laboratory (NRTL) that has been certified by the Occupational Safety & Health Administration (OSHA) for that referenced standard.

(b) For purposes of this section, a resident room, a resident therapy area or an examination room shall be considered a "patient care area" as described in NFPA 99 "Health Care Facilities," and Chapter 27, "Electrical Systems" of the Florida Building Code.

(c) Panels located in spaces subject to storage must have the clear working space per Chapter 27, "Electrical Systems" of the Florida Building Code, permanently marked "Electrical Access – Not For Storage" with a line outlining the required clear working space on the floor and wall.

(d) Panels and electrical equipment, other than branch circuit devices serving the corridor, must not be located in egress corridors in new construction.

(e) Lighting.

1. All spaces occupied by people, machinery and equipment within buildings, approaches to buildings and parking lots must have electric lighting.

2. Resident bedrooms must have general lighting and separate fixed night lighting. The night-light must have a switch at the entrance to each resident's room. A reading light must be provided for each resident. Resident reading lights and other fixed lights not switched at the door must have switch controls convenient for use at the luminary. Wall-mounted switches for control of lighting in resident area must be of quiet operating type.

(f) Receptacles.

1. Provide one general purpose receptacle on another wall to serve each resident and one additional receptacle at the head of the bed if a motorized bed is provided.

2. Duplex receptacles for general use must be installed in all general purpose corridors, approximately 50 feet (15.24 meters) apart and within 25 feet (7.62 meters) of corridor ends.

(g) Fire alarm systems. A fire alarm annunciator panel must be provided at a single designated 24-hour monitored location. The panel must indicate audibly and visually, the zone of actuation of the alarm and system trouble. As a minimum, devices located in each smoke compartment must be interconnected as a separate fire alarm zone. Annunciator wiring must be supervised. Annunciators must clearly indicate the zone location of the alarm. An adjacent zone location map to quickly locate alarm condition must be provided.

(h) Nurse call systems. Each facility must have a nurse call system that meets the following requirements.

1. A nurse call system must be provided that will register a call from each resident bed to the related staff work area(s) by activating a visual signal at the resident room door and activating a visual and audible signal in the clean utility, soiled utility, nourishment station, medication prep and the master station of the nursing unit or sub-nursing unit. Audible signals may be temporarily silenced provided subsequent calls automatically reactivate the audible signal. In rooms containing two or more calling stations, indicating lights must be provided for each calling station. In multi-corridor nursing units corridor zone, lights must be installed at corridor intersections in the vicinity of staff work areas.

2. An emergency calling station of the pull cord type must be provided and must be conveniently located for resident use at each resident toilet, bath or shower room but not inside the shower. The call signal must be the highest priority and shall be cancelled only at the emergency calling station. The emergency station must activate distinctive audible and visual signals immediately.

3. The nurse call master station must not block incoming resident calls. The master station control settings must not prevent the activation of the incoming audible and visual signals.

4. In multi-resident rooms, activation of an emergency call shall not cancel a normal call from the same room.

5. A corridor dome light must be located directly outside of any resident care area that is equipped with a nurse call station.

(i) Emergency electrical system.

1. A Type I essential electrical system must be provided in all ICF/DD facilities as described in NFPA 99, "Health Care Facilities." The emergency power for this system must meet the requirements of a Level 1, Type 10, Class 48 generator as described in NFPA 110, "Emergency Standby Power Systems."

2. In new construction, the normal main service equipment must be separated from the emergency distribution equipment by locating it in a separate room. Transfer switches must be considered emergency distribution equipment for this purpose.

3. Switches for critical branch lighting must be completely separate from normal switching. The devices or cover plates must be of a distinctive color. Critical branch switches may be adjacent to normal switches. Switches for life safety lighting are not permitted except as required for dusk-to-dawn automatic control of exterior lighting fixtures.

4. There must be selected life safety lighting provided at a minimum of one footcandle and designed for automatic dusk-to-dawn operation along the travel paths from the exits to the public way or to safe areas located a minimum of 30 feet (9.14 meters) from the building.

5. If a day tank is provided, it must be equipped with a dedicated low level fuel alarm and a manual pump. The alarm must be located at the generator derangement panel.

6. Transfer switch contacts must be of the open type and must be accessible for inspection and replacement.

7. If required by the facility's emergency food plan, there must be power connected to the equipment branch of the essential electrical system for kitchen refrigerators, freezers and range hood exhaust fans. Selected lighting within the kitchen and dry storage areas must be connected to the critical branch of the essential electrical system.

(6) Other general requirements.

(a) There must be at least one telephone accessible to the residents.

(b) An accessible, adequate, safe, acceptable, and potable supply of water must be provided in all facilities and must be in compliance with Chapter 64E-8, F.A.C.

(c) An adequate and safe method of sewage collection, treatment and disposal must be provided in each facility and must be in compliance with Chapter 62-600, F.A.C., Sewage Works, or Chapter 64E-6, F.A.C., Individual Sewage Disposal. Whenever a municipal or public sewer system is available to the property, such system must be used. All plans regarding wastewater collection and treatment facilities must be approved by the Department of Environmental Regulation.

(d) In all facilities, vermin must be controlled in all areas of the facility in compliance with Chapter 64E-11, F.A.C., Insecticides and rodenticides must be handled in accordance with Rules 5E-14.101-.116, F.A.C.

(e) All facilities must comply with the requirements of Chapter 64E-16, F.A.C.

(7) Physical Plant Requirements for Disaster Resistance of ICF/DD Construction.

(a) Definitions. The following definitions must apply specifically to this section:

1. Existing Facility. A facility that prior to January 1, 2010;

a. Is licensed and certified, or

b. Has received a Stage II preliminary plan approval from the Agency for a new facility.

2. New Facility. An ICF/DD licensed after January 1, 2010; or a facility that receives a Stage II Preliminary Plan approval after April 1, 2010; or an addition of a wing or floor to an existing ICF/DD, which has not received a Stage II Preliminary Plan approval pursuant to this section.

3. Net Square Footage. The clear floor space of an area excluding cabinetry and other fixed furniture or equipment.

4. During and Immediately Following. A period of 72 hours following the loss of normal support utilities to the facility.

5. Occupied Resident Area(s). The location of residents inside the new facility or in the addition of a wing or floor to an existing facility during and immediately following a disaster. If residents are to be relocated into an area of the existing facility during and immediately following a disaster, then for these purposes, that location will be defined as the "occupied resident area."

6. Resident Support Area(s). The area(s) required to ensure the health, safety and well-being of residents during and immediately following a disaster, such as a staff work area, clean and soiled utility areas, food preparation area and other areas as determined by the licensee to be kept operational during and immediately following a disaster.

7. On-site. Either in, immediately adjacent to, or on the campus of the facility, or addition of a wing or floor to an existing facility.

8. Resident(s) Served. The number of residents as determined by the licensee that will be served in the occupied resident area(s) during and immediately following a disaster, including residents from other facilities, as applicable.

(b) New Facility Construction Standards. The following construction standards are in addition to the physical plant requirements described in this rule. These minimum standards are intended to increase the ability of the new facility to be structurally capable of serving as a shelter for residents, staff and the family of residents and staff and equipped to be self-supporting during and immediately following a disaster.

1. Space standards.

a. Each new facility must provide a minimum of 30 net square feet (2.79 square meters) per resident served in the occupied resident area(s). The number of residents served is to be determined by the facility.

b. Each licensee must have space for administrative and support activities and space for use by facility staff to allow for care of residents in the occupied resident area(s).

c. As determined by the licensee, space must be provided for all staff and family members of residents and staff.

2. Site standards.

a. All new facilities and additions to existing facilities must be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation

elevation as provided by the local county emergency management office, whichever requires the highest elevation, or

b. The floor elevation of all new occupied resident area(s) and all resident support area(s) and resident support utilities, including mechanical, electrical except fuel storage as noted in sub-subparagraph 59A-26.022(7)(b)9.f., F.A.C., and food services must be located above the 100-year flood plain or hurricane Category 3 (Saffir-Simpson scale) hurricane surge inundation elevations whichever requires the highest elevation, or

c. New additions or floors added to existing facilities, as determined by their site locations, must be so designed and constructed as to be in compliance with the current standards of the National Flood Insurance Program of the Federal Emergency Management Agency, incorporated by reference and available from Federal Emergency Management Agency, Federal Insurance Administration, Attn. Publications, P. O. Box 70274, Washington, D.C. 20024.

d. Where an off-site public access route is available to the new facility at or above the 100-year flood plain, a minimum of one on-site emergency access route must be provided that is located at the same elevation as the public access route.

e. New landscaping elements must be located so if damaged they will not block the on-site emergency access route to the facility. Outdoor signs and their foundations must be designed to meet the wind load criteria of the Florida Building Code.

f. New light standards and their foundations used for lighting the on-site emergency access route must be designed to meet the wind load criteria of the American Society of Civil Engineers (ASCE 7-98), 50 year recurrence interval of wind velocity with appropriate exposure category dependent on site location.

3. Structural standards. Wind load design of the building structure and exterior envelope including exterior wall systems must be designed in accordance with the Florida Building Code.

4. Roofing standards.

a. Roofing membrane material must resist the uplift forces specified in the Florida Building Code. Roof coverings must be installed according to the specifications provided by the manufacturer.

b. Loose-laid ballasted roofs are not permitted.

c. All new roof appendages such as ducts, tanks, ventilators, receivers, condensing units and decorative mansard roofs and their attachment systems must be structurally engineered to meet the wind load requirements of the Florida Building Code. All of these attachment systems must be connected directly to the underlying roof structure or roof support structure.

5. Exterior unit standards.

a. All exterior window units, skylights, exterior louvers and exterior door units, including vision panels and their anchoring systems, must be designed to resist the wind load requirements of the Florida Building Code and the debris impact requirements as specified by ss. 1626.2-1626.4.

b. Permanently attached protective systems such as shutters and baffling must be designed to meet the wind load requirements of the Florida Building Code and the debris impact requirements as specified by ss. 1626.2-1626.4.

c. Removable protective systems designed to fit intricately with the wall/window system of the facility, stored on-site at the facility, that meet the wind load requirements of the Florida Building Code and the debris impact requirements specified by ss. 1626.2-1626.4 may be used to protect the exterior units.

d. All anchoring and attachments to the building of both the permanently attached and removable protective systems must be designed to meet wind load requirements of the Florida Building Code and the impact requirements specified by ss. 1626.2-1626.4. These designs must be signed, sealed and dated by a Florida registered structural engineer.

e. The glazed openings inside or outside of the protective systems must meet the cyclical loading requirements specified by ss. 1626.2-1626.4.

f. All of the exterior impact protective systems must be designed and installed so that they do not come in contact with the glazing under uniform, impact or cyclic pressure loading. The location or application of exterior impact protective systems must not prevent required exit/egress from the building.

g. When not being used to protect the windows, the protective system must not restrict the operability (if provided) of the windows in the occupied resident bedrooms.

h. When not being used to protect the windows, the protective systems must not reduce the clear window opening below that required by the Florida Building Code for the resident room.

6. Heating, Ventilation and Air Conditioning (HVAC) Standards.

a. Air moving equipment, condensing units, through-wall units and other HVAC equipment located outside of or on the roof of the facility are permitted only when either of the following are met:

i. They are located inside a penthouse designed to meet the wind load requirements of the Florida Building Code, or

ii. Their fastening systems are designed to meet the wind load requirements of the Florida Building Code and they and all associated equipment are protected, as specified in section 1626.2-1626.4, from damage by horizontal impact by a separate and independent structure that allows access to all parts of the equipment at all times.

b. All occupied resident areas and resident support areas must be supplied with sufficient HVAC as determined by the facility to ensure the health, safety and well-being of all residents and staff during and immediately following a disaster.

c. As determined by the licensee these selected HVAC systems and their associated support equipment, such as a control air compressor essential to the maintenance of the occupied resident and resident support area(s), must receive their power from the emergency power supply system(s).

d. Ventilation air change rates in occupied resident areas must be maintained as specified in this section during and immediately following a disaster.

e. Auxiliary equipment and specialties such as hydronic supply piping and pneumatic control piping must be located, routed and protected in such a manner as determined by the licensee to ensure the equipment receiving the services will not be interrupted.

7. Plumbing standards.

a. There must be an independent on-site supply such as water well, or on-site storage capability such as empty water storage containers or bladders, of potable water at a minimum quantity of three gallons per resident served per day during and immediately following a disaster. Hot water in boilers or tanks must not be counted to meet this requirement.

b. There must be an independent on-site supply or storage capability of potable water at a minimum quantity of one gallon per facility staff, and other personnel in the facility per day during and immediately following a disaster. For planning purposes, the number of these personnel must be estimated by the licensee.

c. The licensee must determine what amount of water will be sufficient to provide for resident services, and must maintain an on-site supply or on-site storage of the determined amount.

d. When used to meet the minimum requirements of this rule, selected system appurtenances such as water pressure maintenance house pumps and emergency water supply well pumps must take power from the emergency power supply system.

8. Medical gas systems standards. The storage, distribution piping system and appurtenances must be contained within a protected area designed and constructed to meet the structural requirements of the Florida Building Code and debris impact requirements as specified by ss. 1626.2-1626.4.

9. Emergency electrical generator and essential electrical system standards. There must be an on-site Level 1 emergency electrical generator system designed to support occupied resident areas and resident support areas with at least the following support services:

a. Ice making equipment to produce ice for the residents or freezer storage equipment for the storage of ice for the residents.

b. Refrigerator units and food service equipment as required by the emergency food plan.

c. At a minimum, there must be one clothes washer and one clothes dryer for laundry service.

d. Selected HVAC systems as determined by the licensee and other systems required by the Florida Building Code.

e. An emergency generator system must be fueled by a fuel supply stored on-site sized to fuel the generator for 100 percent load for 64 hours or 72 hours for actual demand load of the occupied resident areas and resident support areas and resident support utilities during and immediately following a disaster, whichever is greater.

f. Fuel supply located below ground or contained within a protected area that is designed and constructed to meet the structural requirements of the Florida Building Code and debris impact requirements as specified by ss. 1626.2-1626.4. If an underground system is used, it must be designed so as to exclude the entrance of any foreign solids or liquids.

g. Fuel lines supporting the generator system that are protected with a method designed and constructed to meet the structural requirements of the Florida Building Code and debris impact requirements as specified by ss. 1626.2-1626.4.

h. Panel boards, transfer switches, disconnect switches, enclosed circuit breakers or emergency system raceway systems required to support the occupied resident area(s), resident support area(s) or support utilities which are contained within a protected area(s) designed and constructed to meet the structural requirements of the Florida Building Code and debris impact requirements as specified by ss. 1626.2-1626.4, and that do not rely on systems or devices outside of this protected area(s) for their reliability or continuation of service.

i. An emergency generator(s) that is air or self-contained liquid cooled and which along with other essential electrical equipment is installed in a protected area(s) designed and constructed to meet the structural requirements of the Florida Building Code and debris impact requirements as specified by ss. 1626.2-1626.4.

j. If the facility does not have a permanent on-site optional standby generator to operate the normal branch electrical system, there shall be a permanently installed pre-designed electrical service entry for the normal branch electrical system that will allow a quick connection to a temporary electrical generator. This quick connection shall be installed inside of a permanent metal enclosure rated for this purpose and may be located on the exterior of the building.

10. Fire protection standards. If the facility requires fire sprinklers as part of its fire protection, one of the following must be met:

a. On-site water storage capacity to continue sprinkler coverage, in accordance with the requirements of NFPA 13, "Sprinkler Systems," fire watch, conducted in accordance with the requirements of NFPA 601.

b. If the facility provides a fire watch in lieu of water storage to continue sprinkler coverage, then one 4-A type fire extinguisher or equivalent must be provided for every three or less 2-A fire extinguishers required by NFPA 10, "Portable Extinguishers" for the area served. These additional extinguishers must be equally distributed throughout the area they are protecting.

11. External Emergency Communication. Each new facility must provide for an external electronic communication not dependent on terrestrial telephone lines, cellular, radio or microwave towers, such as on-site radio transmitter, satellite communication systems or a written agreement with an amateur radio operator volunteer group(s). This agreement must provide for a facility volunteer operator and communication equipment to be re-located into the facility in the event of a disaster until communications are restored. Other methods that can be shown to maintain uninterrupted electronic communications not dependent on land-based transmission must be pre-approved by the Agency's Office of Plans and Construction.

Rulemaking Authority 400.967 FS. Law Implemented 400.967(2)(a) FS. History—New _____.

59A-26.023 Disaster Preparedness.

(1) Each licensee must have a written plan with procedures to be followed in the event of an internal or externally caused disaster or emergency event. The initiation, development, and maintenance of this plan must be the responsibility of the facility administrator, and must be reviewed and approved by the County Emergency Management Agency. The plan must be reviewed and approved annually and include, at a minimum, the following:

(a) Basic information concerning the facility to include:

1. Name of the facility, address, telephone number, 24 hour contact number if different from the facility number, emergency contact telephone number, and fax number.

2. Name of the licensee of the facility, address, telephone number.

3. The year facility was built, including type of construction.

4. Name of administrator, address, work, home and other available telephone numbers.

5. Name, address, work, home and other available telephone numbers of persons implementing the provisions of this plan, if different from the administrator.

6. An organizational chart showing all positions with key emergency positions identified by title, name and telephone numbers at home and work and other available telephone numbers.

7. An organizational chart, if different from the previous chart required, identifying the hierarchy of authority in place during emergencies, and all positions on a day to day basis.

8. A description of the potential hazards that the facility is vulnerable to such as hurricanes, tornadoes, flooding, fires, hazardous materials incidents or transportation accidents, proximity to a nuclear power plant, power outages during severe cold or hot weather, including procedures for each of these hazards. Indicate past history and lessons learned.

9. Provide a copy of the Fire Safety Plan as stated in the Life Safety Code 2003 edition.

(b) Site specific information concerning the facility to include:

1. Number of facility beds and maximum number of residents on site.

2. Type of residents served by the facility to include, but not limited to, residents with seizure disorders, residents requiring special equipment such as wheelchairs, crutches, braces or other ambulatory assistance; residents with behavior or psychiatric disorders that may require one-to-one supervision; residents with special care needs such as oxygen, dialysis, or tube feeding.

3. Identification of the flood zone within which the facility is located as indicated on a Flood Insurance Rate Map.

4. Identification of the hurricane evacuation zone within which the facility is located.

5. Proximity of the facility to a railroad or major transportation artery (per hazardous materials incidents).

6. Whether the facility is located within the 10 or 50-mile emergency planning zone of a nuclear power plant. The 10 mile zone is called the Emergency Planning Zone (EPZ) and the 50 mile zone is called the Ingestion Pathway Zone (IPZ).

(c) Definition of management functions for emergency operations:

1. Identify by name and title, who is in charge during an emergency, and one alternate, should that person be unable to serve in that capacity.

2. Identify the chain of command to ensure continuous leadership and authority in key position.

3. Provide the procedures to ensure timely activation and staffing of the facility in emergency functions including any provisions for emergency workers' families.

4. Provide the operational and support roles for all facility staff. This may be accomplished through the development of standard operating procedures which must be attached to this plan.

5. Procedures to ensure the following are supplied:

a. Food, water and sleeping arrangements.

b. The type of emergency power, natural gas, diesel or other. If natural gas, identify alternate means should loss of power occur that would affect the natural gas system. Specify the capacity of the emergency fuel system.

c. Transportation of residents, staff and supplies.

d. Seventy-two hour supply of all essential supplies and resident medications.

e. 24-hour staffing on a continuing basis until the emergency has abated.

6. Procedures for the facility to receive timely information on impending threats and the alerting of facility decision makers, staff and residents to potential emergency conditions.

a. Define how the facility will receive warnings, to include, evenings, nights, weekends, and holidays.

b. Identify the facility 24-hour contact number, if different than the number listed in the introduction.

c. Define how key staff will be alerted.

d. Provide the procedures and policy for reporting to work for key workers.

e. Define how residents will be alerted and the precautionary measures that will be taken.

f. Identify primary notification and the alternative means of notification should the primary system fail for on duty and off duty staff.

g. Identify procedures for notifying the resident's representative that the facility is being evacuated, including contact information for continued communication.

7. Provide the policies, responsibilities and procedures for the evacuation of residents from the facility.

a. Identify the individual responsible for implementing facility evacuation procedures.

b. Identify and provide transportation arrangements through mutual aid agreements that will be used to evacuate residents. These agreements must be in writing, and copies of these agreements must be submitted during plan review.

c. Describe transportation arrangements for logistical support to include moving records, medications, food, water, equipment and other necessities. Provide copies of agreements if transportation is provided by other than the licensee.

d. Identify the pre-determined locations to which residents will be evacuated.

e. Provide a copy of the mutual aid agreement that has been entered into with a facility to receive residents. It must include name, address, telephone number and contact person for the host facility. It must include the number of evacuees to be sheltered, including residents, staff and family members.

f. Provide evacuation routes, maps, written instructions and secondary routes that will be used should the primary route be impassable.

g. Specify the amount of time it will take to evacuate all residents successfully to the receiving facility.

h. Provide the procedures that ensure facility staff will accompany evacuating residents.

i. Provide the procedures to include a log system that will be used to keep track of residents once they have been evacuated.

j. Determine the items and supplies and the amount of each that should accompany each resident during the evacuation. Provide for a minimum 72-hour stay, with provisions to extend this period of time if needed.

k. Provide procedures for notifying resident representatives of evacuation.

l. Provide procedures for ensuring all residents are accounted for and are out of the facility.

m. Describe when the facility will begin the pre-positioning of necessary medical supplies and provisions.

n. Describe when and at what point the mutual aid agreements for transportation and the notification of alternative facilities will begin.

8. Provide the procedures that specify prerequisites needed and the process for residents to re-enter the facility.

a. Identify the responsible person for authorizing re-entry to occur.

b. Provide procedures for inspecting the facility to ensure it is structurally sound.

c. Identify how residents will be transported from the receiving facility back to their home facility and how the facility staff will receive accurate and timely data on re-entry operations.

9. If the facility is to be used as a receiving facility for an evacuating facility, describe the sheltering or hosting procedures that will be used once the evacuating residents arrive.

a. Describe the receiving procedures for residents arriving from the evacuating facility.

b. Identify where the additional residents will reside. Provide a floor plan, which identifies the room area where residents will be housed, room size, and number of residents per room or area.

c. Identify provision of additional food, water and medical needs of residents being hosted for a minimum of 72 hours.

d. Describe the procedures for ensuring 24-hour operations.

e. Describe procedures for providing shelter for family members of key workers.

f. Provide procedures for tracking additional residents sheltered within the facility.

10. Identify the procedures for increasing employee awareness of possible emergency situations and provide training on the emergency roles before, during and after an emergency, and on an annual basis.

a. Identify how key workers will be instructed in their emergency roles during non-emergency times.

b. Provide a training schedule for all employees and identify the providers of the training.

c. Identify the provisions for training new employees regarding their disaster related roles.

d. Provide the schedule for exercising all or portions of the emergency plan on an annual basis with all staff and all shifts.

11. If the licensee evacuates, the licensee must immediately, but within no more than 24 hours upon completion of evacuation, report to the Agency's Long Term Care Unit in Tallahassee at (850)488-5861, the location and number of residents evacuated, and contact information for continued communication for the duration of the evacuation. In the event the Long Term Care Unit is unavailable to receive such information, contact the appropriate Agency field office.

Rulemaking Authority 400.967(2) FS. Law Implemented 400.967(2)(g) FS. History--New.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kimberly Smoak, Agency for Health Care Administration, 2727 Mahan Drive, Building 2, Mailstop #9-A, Tallahassee, FL 32308

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Holly Benson, Secretary, Agency for Health Care Administration

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 8, 2008

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NO.: 60BB-8.204
 RULE TITLE: Uniform Attendance Policy for Funding the VPK Program

PURPOSE AND EFFECT: The purpose of the proposed rule development is to revise the Agency's Rule 60BB-8.204, Florida Administrative Code, in response to recent statutory changes.

SUMMARY: The proposed rule addresses the new legislation by ensuring that no more than 20 percent of the payment made for each student is for absences and requires providers to submit class schedules to ensure accuracy of payment.

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: 1002.79(2) FS.

LAW IMPLEMENTED: 1002.71(6)(d) 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: August 18, 2009, 1:30 p.m. – 3:30 p.m. or until business is concluded

PLACE: 107 East Madison Street, Tallahassee, Florida 32399-4128, or (888)808-6959 Conference Code 921-3193

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kristin R. Harden, Assistant General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 60BB-8.204 follows. See Florida Administrative Code for the present text.)

60BB-8.204 Uniform Attendance Policy for Funding the VPK Program.

(1) Attendance and Absences.

(a) For payment purposes, a private provider or school district shall report that a student attended all of the instructional hours offered for a day if the student attends any portion of the day whether the private provider or school district is determined to be in compliance or out of compliance with all VPK statutes and rules for the day.

(b) A private provider or school district may not receive payment for a student prior to the student's first day of attendance or after the student's last day of attendance.

(2) Monthly Payment and Final Reconciliation. Each early learning coalition shall pay private providers or school districts on a monthly basis for each VPK classroom in accordance with this rule unless a private provider or school district chooses to accept advance payments under Rule 60BB-8.205, F.A.C. Early learning coalitions shall make monthly payments by the last day of the month following the month for which the provider is receiving payment. Each early learning coalition shall calculate and reconcile monthly classroom payments using the Agency's statewide information system.

(a) Monthly payments shall be equal to the sum of the following calculation for each student who has attended the VPK class: the county's allocation per full-time equivalent student (calculated in accordance with Section 1002.71(3)(b), F.S.) divided by the number of hours for the VPK program type multiplied by the lesser of:

1. The sum of the hours within the month which each student attends the VPK program divided by .8; or

2. The hours the student is enrolled in the class for the month.

(b) The total program payment shall be equal to the sum of the following calculation for each student who has attended the VPK class except that the school district's payment shall be rounded in accordance with Section 1002.71(3)(d), F.S.: the county's allocation per full-time equivalent student divided by the number of hours for the VPK program type multiplied by the lesser of:

1. The sum of all the hours the student attends the program with the provider divided by .8.

2. The hours the student is enrolled with the provider for the program type.

(c) If the sum of the monthly payments made to the private provider or school district under paragraph (2)(a) is:

1. Less than the total program payment to the private provider or school district, the early learning coalition shall make a final reconciliation payment to the provider equal to the total program payment minus the sum of the monthly payments.

2. Greater than the total program payment to the private provider or school district, the difference shall be deemed an overpayment.

(d) If a private provider or school district disputes the calculation of the total program payment based on inaccurate attendance or absence reporting or calculation, it must submit a request for an adjustment of a prior no later than the last day of the month following the calendar month in which it receives payment.

(3) Establishing VPK Class Schedules. To ensure that private providers or school districts receive accurate payment for a student's attendance and absences when permissible under this rule, a private provider or school district shall submit a VPK class schedule for each VPK class to its early learning coalition in writing no later than the time the provider submits its class application. Private providers and school districts are not eligible to receive payment for hours of services unless the services are rendered during hours indicated on the VPK class schedule. A VPK class schedule shall:

(a) Be comprised of 540 hours for the school-year VPK program and 300 hours for the summer VPK program.

(b) Indicate the dates and times which instructional hours will be offered.

(c) For the school-year program:

1. Not begin instruction more than 14 days before Labor Day or, if the uniform date fixed by a district school board under Section 1001.42(4)(f), F.S., for the opening of public schools for regular school programs occurs in a county more than 14 days before Labor Day, a school-year program in the county may not begin instruction before the uniform date.

2. Complete instruction by June 30.

(d) For the summer program, not begin instruction before May 1 and complete instruction before the uniform date fixed by the district school board under Section 1001.42(4)(f), F.S., for the opening of public schools for regular school programs in the county.

(4) Modifying VPK Class Schedules.

(a) A private provider or school district may modify its schedule up to two times for any reason other than a temporary closure caused by emergency circumstances as described in subsection (5). A private provider or school district may modify its schedule as frequently as necessary to restore instructional days lost as a result of a temporary closure caused by emergency circumstances.

(b) To modify a VPK class schedule, a private provider or school district shall submit notice in writing to the coalition.

1. If the modification of the class schedule results from a closure other than a temporary closure caused by emergency circumstances, as described in subsection (5), a private provider or school district shall submit:

a. An initial notification of the closure before the coalition's close of business on the first day of the closure. Initial notification shall indicate the provider's name and address, the date(s) of the closure, the VPK class(es) affected by the closure, and, if available, an estimate of the date upon which the affected VPK class(es) will resume instruction.

b. A notification of schedule modification no later than two business days following resumption of VPK instruction. Notification of schedule modification and resumption of instruction shall indicate the provider's name and address, the class(es) resuming instruction, the date(s) which each VPK class did not offer instruction as previously scheduled, and a revised class schedule which indicates the date(s) and times added to the schedule as revised to restore the hours lost as a result of the closure.

2. If the modification of the class schedule results from a temporary closure caused by emergency circumstances, the private provider or school district shall submit a notification of schedule modification as described in sub-subparagraph (4)(b)1.b.

(c) If a private provider or school district fails to modify a VPK class schedule as required in this rule or fails to comply with the deadlines established for submission of notifications, the private provider or school district shall be ineligible to receive payment for those closures and shall forfeit the opportunity to revise its class schedule to restore the lost instructional hours for those closures.

(5) Closures.

(a) Temporary Closures Caused by Emergency Circumstances.

1. A student is considered to have attended all VPK program hours offered during a temporary closure caused by emergency circumstances for a combined total of five (5) instructional days for each VPK class if the private provider or school district submits notification in writing to the coalition the dates which the provider was closed.

a. A closure is temporary if the provider resumes instruction following the closure.

b. A closure is caused by emergency circumstances when a state of emergency is declared by federal, state or local officials for the area in which the provider is located.

2. A temporary closure caused by emergency circumstances is not payable for any student who does not attend a VPK instructional day following the closure.

3. A private provider or school district shall revise its class schedule to restore VPK instructional days which are lost due to temporary closures caused by emergency circumstances in excess of a total of five (5) instructional days for a VPK class.

4. A private provider or school district may revise its class schedule to restore the instructional days lost as a result of a temporary closure caused by emergency circumstances instead of accepting payment for a temporary closure.

(b) Temporary Closures Caused by Other Circumstances. A temporary closure is not payable unless it is caused by emergency circumstances. A private provider or school district shall revise its VPK class schedule and receive payment for days it restores in accordance with subsection (4) following a closure.

(6) Overpayment.

(a) If the coalition determines that a private provider or school district received payment in an amount greater than the amount earned by the provider, resulting in a negative reconciliation payment calculation, the coalition shall make reasonable efforts to collect the overpayment from the provider. Reasonable efforts may include but are not limited to informing the provider of the full amount owed, making written requests for repayment, offering to negotiate a repayment schedule, and offsetting the overpayment against any future payments for early learning programs.

(b) If the coalition is unable to arrange for collection of the overpayment within ninety (90) calendar days of determining that the provider has received an overpayment and after making a reasonable effort, as determined by the Agency, the coalition shall provide all information necessary for the Agency to act to collect the overpayment. The Agency retains the ability to require the coalition to make continued efforts toward recovery of the overpayment or to consider the overpayment to be a disallowed expenditure of the coalition.

Rulemaking Specific Authority 1002.79(2) FS. Law Implemented 1002.71(6)(d) FS. History--New 8-17-06, Amended 5-24-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Kristin R. Harden
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Cynthia R. Lorenzo
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 15, 2009
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 20, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-20.001
 RULE TITLE: Definitions

PURPOSE AND EFFECT: To revise the definition of Board approved engineering programs.

SUMMARY: The Board proposes to revise the definition of Board approved engineering programs.

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: 471.008, 471.013(1)(a)3., 471.015(7) FS.

LAW IMPLEMENTED: 471.013, 471.015 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: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-20.001 Definitions.

As used hereinafter in this chapter the following words or phrases shall be defined as follows:

(1) "Year" shall mean 12 months of full-time employment or a full-time academic year of graduate or undergraduate college education.

(2) "Board approved engineering programs" shall mean:

(a) Engineering programs accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc. (EAC/ABET), or

(b) In the case of an applicant who did not graduate from an approved program as set forth in paragraph (2)(a) above, and who holds a baccalaureate degree from an engineering program that is not accredited by EAC/ABET, provided the applicant meets the educational requirements set forth in subsection 61G15-20.007(1), F.A.C., or

(c) In the case of an applicant who holds a post-baccalaureate degree from a school or college in the United States which has an EAC/ABET accredited engineering program in a related discipline at the baccalaureate level, provided the applicant meets the educational requirements set forth in subsection 61G15-20.007(1), F.A.C., or

(c) Programs which have been approved by the Board of Professional Engineers under the provisions of Section 455.11(3), F.S.

~~Rulemaking Specific Authority 471.008, 471.013(1)(a)3., 471.015(7) FS. Law Implemented 471.013(1)(a), 471.015 FS. History—New 1-8-80, Amended 4-15-80, 7-7-83, 9-13-83, Formerly 21H-20.01, Amended 4-20-86, 8-3-86, 5-20-92, 2-2-93, Formerly 21H-20.001, Amended 11-19-03, 3-13-05, 4-9-07, 1-31-08, _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 27, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 1, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-20.007
 RULE TITLE: Demonstration of Substantial Equivalency

PURPOSE AND EFFECT: To revise the list of approved evaluators.

SUMMARY: The Board proposes to revise the list of approved evaluators.

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: 471.008, 471.013(1)(a)3., 471.015(7) FS.

LAW IMPLEMENTED: 471.013, 471.015 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: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-20.007 Demonstration of Substantial Equivalency.

(1) through (2) No change.

(3) The applicant with an engineering degree from a foreign institution must request an evaluation of substantial equivalency of his or her credentials to EAC/ABET standards through either ~~Engineering—Credentials—Evaluation International, 111 Market Place, #171, Baltimore, Maryland 21202;~~ Center for Professional Engineering Education

Services, P. O. Box 720010, Miami, Florida 33172; or Joseph Silny & Associates, Inc., P. O. Box 248233, Coral Gables, Florida 33124. The applicant with an engineering degree from a domestic engineering program not accredited by EAC/ABET must request such an evaluation from Josef Silny & Associates, Inc., ~~or Center for Professional Engineering Education Services.~~

(4) Any applicant whose only educational deficiency under subsection (2) involves humanities and social sciences shall be entitled to receive conditional approval to take the Fundamentals examination. Such an applicant shall not become eligible for the Principles and Practice examination until satisfactory completion and documentation of the necessary hours in humanities and social sciences as provided in subsection (2).

~~Rulemaking Specific Authority 471.008, 471.013(1)(a)3., 471.015(7) FS. Law Implemented 471.013, 471.015 FS. History--New 7-20-95, Amended 6-5-96, 4-16-98, 1-17-99, 7-28-99, 1-6-02, 6-13-02, 6-30-02, 10-2-03, 6-16-04, 3-13-05, 5-1-05, 6-11-06, 1-29-07, 4-9-07, 1-31-08, _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Engineers
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 27, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 1, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-1.003 RULE TITLE: Chairperson
PURPOSE AND EFFECT: The Board proposes the rule amendment in order to remove the language concerning the number of board members required to constitute a quorum because the requirements are set by statute.
SUMMARY: Language concerning what constitutes a quorum will be deleted due to the fact that the requirements are already set by statute.
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: 475.614 FS.
LAW IMPLEMENTED: 455.207, 475.613 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: Thomas W. O'Bryant, Jr., Deputy Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-1.003 Chairperson.

The chairperson is the chief officer of the board and presides at all hearings and conferences, when present. In the absence of the chairperson, the vice chairperson presides. The chairperson and vice chairperson shall be elected by the members of the board at the first meeting of each year. ~~Four members of the board shall constitute a quorum to do business.~~

~~Rulemaking Specific Authority 475.614 FS. Law Implemented 455.207, 475.613 FS. History--New 10-15-91, Formerly 21VV-1.003, Amended _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Appraisal Board
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 2, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 26, 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."

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-4.203 RULE TITLE: Personal Care of a Disabled Family Member
PURPOSE AND EFFECT: The proposed rule amendment adopts changes in the federal final rule reauthorizing the Temporary Assistance for Needy Families Program. School attendance by a disabled family member is no longer a factor when assessing whether alternative care exists for the approval of a need for care exclusion under 45 C.F.R. §261.2(n)(2)(i). The proposed rule amendment also revises CF-ES 2094, allows the caregiver to provide either a verbal or written statement regarding their need to provide care and to a lack of alternative care, removes the requirement to document attempts to get alternative care and removes the full-time care

requirement. 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.

SUMMARY: The proposed rule addresses the time limit and work exemption for participation in the cash assistance program by an individual responsible for providing care for a disabled family member.

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: 414.45, 414.065(4)(g) FS.

LAW IMPLEMENTED: 414.105(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: August 17, 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 IS: Cindy Keil, ACCESS Florida Program Policy, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, (850)410-3291

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-4.203 Personal Care of a Disabled Family Member.

(1) Family Member. ~~A family member is defined as~~ any individual related to any member of the assistance group by blood or marriage. The disabled family member must reside in the home with the caregiver. The family member with the disability ~~can may~~ be a child or any adult member of the family, whether or not this person is a ~~Temporary Temporary~~ Cash Assistance (TCA) ~~recipient participant~~.

(2) Disability. In order for an individual to receive an exemption to program time limits due to ~~their an individual's~~ responsibility to ~~for~~ care ~~for~~ of a disabled family member ~~to be granted~~, the disability must be verified. Acceptable ~~Verification is satisfied when~~ the family member's receipt of ~~member receives~~ temporary or permanent disability benefits issued by a government or private source, ~~or~~ a statement by a physician or licensed or certified psychologist certifying that the family member is disabled or Part B of. ~~Verification of the family member's disability may be provided on the Statement of the Need for Care, CF-ES 2094, 06/2009, Apr. 07 incorporated by reference.~~

(3) Need for Personal Care. The disabled family member must require the physical presence of the individual to provide care, supervision, or arrange services, typically during the family member's waking hours. Personal care of the family member includes the provision of daily care services, supervision of care, and transportation. Verification of the family member's need for personal care must may be provided verbally or in writing or by completing Part A of the ~~on the Statement of the Need for Care, CF-ES 2094~~. Any of the following will also be accepted as verification of disability and the need for personal care ~~services~~:

- (a) Receipt of hospice services;
- (b) Receipt of Home and Community Based Services' waiver assistance ~~(HCBS)~~;
- (c) Receipt of Home Care for the Elderly ~~(HCE)~~ or Home Care for Disabled Adults ~~(HCDA)~~;
- (d) A statement by a physician licensed under Chapter 458 or 459, F.S., which includes a diagnosis of disability necessitating ~~full-time~~ care and a prognosis estimating the length of the disability;
- (e) A Comprehensive Assessment and Review for Long-Term Care Services ~~(CARES)~~ disability approval prepared by Department of Elder Affairs' staff;
- (f) A Multi-Handicapped Multiple Handicap ~~Assessment Team (MHAT)~~ evaluation from Department of Health, Children's Medical Services' staff;
- (g) Receipt of Multiple Disciplinary Development Services; and

(h) Verification by a children's mental health or substance abuse provider certifying that a child meets the criteria for serious emotional disturbance or psychoactive substance use disorder, and a statement by a licensed psychiatrist indicating the need for ~~full-time~~ care or supervision of the child that includes a DSM-IV diagnosis, recommended treatment for the child and caregiver caretaker, and prognosis indicating the estimated length of time such care is may be needed.

(4) Alternative Care. The caregiver must indicate a lack of alternative care in both the local community and from other family members verbally or in writing or by completing Part A of the CF-ES 2094. ~~Depending upon the nature of the disability, documentation of attempts to provide alternative care must be provided.~~ Alternative care might may not be available because the service to meet a specific need does not exist in the community or the cost of the service is prohibitive. ~~Full-time school attendance by a disabled family member will be considered an alternative care arrangement, and as such, a parent or caretaker relative will not receive a time limit exemption. Full-time school attendance is defined by the educational institution. A parent or caretaker relative may receive a time limit exemption during a summer school break if no other alternative care arrangement is available.~~

(5) Co-existing Conditions. Each of the conditions detailed in subsections ~~65A-4.203(2)~~ through (4) ~~above, F.A.C.~~, must exist in order for an exemption from assistance time limits due to the provision of care for a disabled family member to be granted.

(6) Welfare Transition Employment and Training. Care of a family member with a disability is an exemption from considered good cause for not meeting program work activity requirements. Individuals meeting the criteria for an exemption from the time limits are not required to work register. ~~A parent or caretaker relative of a disabled family member who attends school full-time will be considered to be work-eligible in accordance with 45 C.F.R. §261.2(n)(2)(i), will not meet the criteria for an exemption from the time limit, and must work register.~~

(7) Two Parent Families. When two or more able-bodied parents live in the household with the disabled family member, only one parent will be allowed an exemption to program time limits due to responsibility for care of a disabled family member.

(8) Periodic Evaluation of Exemption. The exemption from time limits will be reevaluated annually for TCA temporary cash assistance.

(9) A copy of the CF-ES 2094 ~~is available. Statement of the Need for Care may be obtained from the ACCESS Florida Headquarters Office Department of Children and Family Services, ACCESS Florida, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700 or on the Department's web site at <http://www.dcf.state.fl.us/DCFForms/Search/DCFFormSearch.aspx>.~~

Rulemaking Specific Authority 414.45, 414.065(4)(g) FS. Law Implemented 414.105(9) FS. History--New 4-27-99, Amended 9-3-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Nathan Lewis
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: George H. Sheldon
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 13, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 29, 2008

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE
Division of Library and Information Services
RULE NO.: 1B-2.011
RULE TITLE: Library Grant Programs

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. 20, May 22, 2009 issue of the Florida Administrative Weekly.

The rule has been changed to delete three specific authority references. The rule also incorporates by reference guidelines and forms relating to the State Aid to Libraries Grant Program. Changes have been made to the guidelines and forms for the State Aid to Libraries Grant Program in response to comments received. Copies of the full text of the changes may be obtained by contacting Marian Deeney by mail at R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399, by phone at (850)245-6620, or by e-mail at mdeeney@dos.state.fl.us;

THE FULL TEXT OF THE RULE IS:

1B-2.011 Library Grant Programs.

(1) This rule provides procedures for library grant programs administered by the Division of Library and Information Services (Division). Each program shall be governed by guidelines which contain information on eligibility requirements, application review procedures, evaluation and funding criteria, grant administration procedures, if applicable, and application forms. All grant awards shall be subject to final approval by the Secretary of State.

(2) Applicants for grants shall meet the eligibility and application requirements as set forth in the following guidelines for each grant program:

(a) The State Aid to Libraries Grant Guidelines and Application, effective 4-1-98, amended 11-20-01, amended 12-28-03, amended 2-21-07, amended xx-xx-xxxx, which contain guidelines and application forms, State Aid to Libraries Grant Application (Form DLIS/SA01), effective 4-1-98, amended 12-28-03, amended xx-xx-xxxx; State Aid to Libraries Grant Application – Multicounty Library (Form DLIS/SA02), effective 4-1-98, amended 12-28-03, amended xx-xx-xxxx; Grant Agreement, effective 12-28-03, amended xx-xx-xxxx; Certification of Credentials – Single Library Administrative Head (Form DLIS/SA03), effective 4-1-98, amended 12-28-03, amended xx-xx-xxxx; State Aid to Libraries Grant Application – Summary Financial Report (Form DLIS/SA04), effective 4-1-98, amended 12-28-03, amended xx-xx-xxxx; State Aid to Libraries Required Documents Checklist (Form DLIS/SA05), effective xx-xx-xxxx.

(b) The Library Construction Grant Guidelines and Application, effective 4-1-98, amended 2-14-99, amended 1-9-03, amended 2-21-07, which contain instructions, grant application (Form DLIS/PLC01), effective 4-1-98, amended 2-14-99, amended 4-4-00, amended 12-18-00, amended 1-9-03; Payment Request #1 (Form DLIS/PLC02) effective

1-9-03; Payment Request #2 (Form DLIS/PLC03) effective 1-9-03; Payment Request #3 (Form DLIS/PLC04) effective 1-9-03; Payment Request #4 (Form DLIS/PLC05) effective 1-9-03; and Closeout Report (Form DLIS/PLC06) effective 1-9-03.

(c) The Library Cooperative Grant Guidelines and Application, effective 4-1-98, amended 1-24-2008 which contain instructions and application (Form DLIS/LCG01), effective 4-1-98, amended 4-4-00, amended 1-24-2008; Mid-Year Report (Form DLIS/LCG02) effective 1-24-08, Annual Report Form (Form DLIS/LCG03) effective 1-24-08, and Annual Statistical Report Form for Multitype Library Cooperatives (Form DLIS/LCG04), effective 4-1-98, amended 4-4-00, amended 1-24-2008, Grant Agreement (Form DLIS/LCG05), effective 1-24-08 and the FLIN Manual, effective 1-24-08.

(d) The Library Services and Technology Act Grant Guidelines and Application, effective 4-1-98, amended 2-14-99, amended 11-20-01, which contain instructions and application (Form DLIS/LSTA01), effective 4-1-98, amended 2-14-99, amended 4-4-00, amended 12-18-00, amended 11-20-01; Mid-Year Report (Form DLIS/LSTA02), effective 2-14-99, amended 4-4-00, amended 12-18-00, amended 11-20-01; and Annual Report (Form DLIS/LSTA03), effective 4-4-00, amended 12-18-00, amended 11-20-01.

(e) The Florida Library Literacy Grants Guidelines and Application, effective 4-4-00, amended 11-20-01 which contain instructions and application (Form DLIS/FLL01), effective 4-4-00, amended 11-20-01; Mid-Year Report (Form DLIS/FLL02), effective 4-4-00, amended 11-20-01; and Annual Report (Form DLIS/FLL03), effective 4-4-00, amended 11-20-01.

(f) The Community and Library Technology Access Partnership Grants Guidelines and Application which contain instructions and application (Form DLIS/CLTA01), effective 12-18-00; and Annual Report (Form DLIS/CLTA02), effective 12-18-00.

(g) The Community Libraries in Caring Program Application, effective 11-16-04, which contains instructions and application (Form DLIS/CLIC01), effective 11-16-04; Annual Report (Form DLIS/CLIC02), effective 11-16-04; and Grant Agreement (Form DLIS/CLIC03), effective 11-16-04, revised 2-21-06, amended 2-21-07.

(3) Guidelines and forms in this rule are incorporated by reference and may be obtained from the Director of the Division, Florida Department of State, Division of Library and Information Services, R. A. Gray Building, 500 South Bronough, Tallahassee, Florida 32399-0250.

(4) The Division of Library and Information Services will waive the financial matching requirements on grants for rural communities that have been designated in accordance with Sections 288.0656 and 288.06561, F.S. Eligible communities applying for Library Services and Technology Act grants,

Florida Library Literacy Grants, and Library Construction grants must request waiver of matching requirements at the time of grant application.

(5) This section supersedes Chapters 1B-3 and 1B-5, F.A.C.

~~Rulemaking Specific Authority 257.14, 257.191, 257.192, 257.24, 257.41(2) FS. Law Implemented 240.5186, 257.12, 257.14, 257.15, 257.16, 257.17, 257.171, 257.172, 257.18, 257.19, 257.191, 257.192, 257.195, 257.21, 257.22, 257.23, 257.24, 257.25, 257.40, 257.41, 257.42 FS. History—New 1-25-93, Amended 7-17-96, 4-1-98, 2-14-99, 4-4-00, 12-18-00, 11-20-01, 3-20-02, 1-9-03, 12-28-03, 11-16-04, 2-21-06, 2-21-07, 1-24-08.~~

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.00821
RULE TITLE: Florida Educational Leadership Examination
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. 25, June 26, 2009 issue of the Florida Administrative Weekly.

Sub-subparagraph (4)(a)1.b. is amended to read:

b. Before September 1, 2009, an eighty-five (85) dollar first-time registration fee and a hundred (100) dollar fee for each retake registration. Beginning with the effective date of this rule September 1, 2009, a two hundred fifteen (215) four hundred thirty (430) dollar fee for each first-time registration and a two hundred twenty-five (225) four hundred fifty (450) dollar fee for each retake registration.

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NO.: 12C-2.0115
RULE TITLE: Public Use Forms
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 27, July 10, 2009 issue of the Florida Administrative Weekly.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Published on the Department's Internet site at myflorida.com/dor/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."

AGENCY FOR HEALTH CARE ADMINISTRATION**Medicaid**

RULE NO.: RULE TITLE:
59G-4.105 Freestanding Dialysis Center
 Services

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 14, April 10, 2009 issue of the Florida Administrative Weekly.

The following is added to the Summary of Statement of Estimated Regulatory Cost.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The agency has determined that this rule will have an impact on small business. A SERC has been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. There are 319 freestanding dialysis clinics that are affected by the rules. Reducing the composite rate of hemodialysis from \$125.00 to \$95.00 causes a reduction of \$865,130 from the General Revenue Fund, \$1,077,236.00 from the Medical Care Trust Fund, and \$3,644.00 from the Refugee Assistance Trust Fund.

AGENCY FOR HEALTH CARE ADMINISTRATION**Medicaid**

RULE NO.: RULE TITLE:
59G-4.106 Freestanding Dialysis Center Fee
 Schedule

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 14, April 10, 2009 issue of the Florida Administrative Weekly.

The following is added to the Summary of Statement of Estimated Regulatory Cost.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The agency has determined that this rule will have an impact on small business. A SERC has been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. There are 319 freestanding dialysis clinics that are affected by the rules. Reducing the composite rate of hemodialysis from \$125.00 to \$95.00 causes a reduction of \$865,130 from the General Revenue Fund, \$1,077,236.00 from the Medical Care Trust Fund, and \$3,644.00 from the Refugee Assistance Trust Fund.

AGENCY FOR HEALTH CARE ADMINISTRATION**Medicaid**

RULE NO.: RULE TITLE:
59G-13.131 Traumatic Brain and Spinal Cord
 Injury Waiver Services Fee
 Schedule

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 15, April 17, 2009 issue of the Florida Administrative Weekly.

The Full Text of the Proposed Rule is corrected to reflect the correct Medicaid fiscal agent's Web Portal address.

THE FULL TEXT OF THE PROPOSED RULE IS:

[59G-13.131 Traumatic Brain and Spinal Cord Injury Waiver Services Fee Schedule.](#)

[All traumatic brain and spinal cord injury waiver services providers and their billing agents who submit claims on their behalf must be in compliance with the provisions of the Florida Medicaid Traumatic Brain and Spinal Cord Injury Waiver Services Fee Schedule, October 2007, which is incorporated by reference. The fee schedule is available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies of the fee schedule may be obtained by calling the Provider Contact Center at \(800\)289-7799 and selecting option 7.](#)

[Rulemaking Authority 409.919 FS. Law Implemented 409.906, 409.908, 409.912, FS. History–New](#)

AGENCY FOR HEALTH CARE ADMINISTRATION**Medicaid**

RULE NO.: RULE TITLE:
59G-13.132 Traumatic Brain and Spinal Cord
 Injury Waiver Disposable
 Incontinence Medical Supplies
 Procedure Codes and Fee Schedule

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 24, June 19, 2009 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF MANAGEMENT SERVICES**Agency for Workforce Innovation**

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

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. 23, June 12, 2009 issue of the Florida Administrative Weekly.

The text of the rule has been substantially amended to read:

60BB-8.205 Advance Payment and Reconciliation for the Voluntary Prekindergarten Education Program

(1) Coalition Advance Payment. In order that early learning coalitions can make advance payments to Voluntary Prekindergarten Education (VPK) providers, during the first month of each fiscal year, contingent upon funding availability, the Agency for Workforce Innovation (Agency) shall provide an advance payment to each early learning coalition. The coalition advance payment shall also be used to offset actual coalition expenditures and shall be fully offset or repaid prior to submission of the final invoice for the fiscal year. Each coalition advance payment shall be equal to the school-year base student allocation divided by twelve (12) multiplied by the highest monthly VPK program enrollment, as defined in Rule 60BB-8.100, F.A.C., at the coalition during the previous fiscal year, however, the Agency retains the discretion to increase or decrease the amount of the coalition advance payment based on student enrollment projections or availability of funds.

(2) Provider Advance Payments.

(a) A private VPK program provider or school district may choose to receive monthly advance payments for each VPK class instead of receiving payments in accordance with the Agency's uniform attendance policy under Rule 60BB-8.204, F.A.C. The private VPK provider or school district shall notify its early learning coalition in writing at the time the provider or district enters into a VPK Provider Agreement with the coalition regarding whether it has or has not chosen to receive advance payments for its VPK classes.

(b) Each early learning coalition shall make advance payments to its private VPK providers or school districts which have chosen to receive advance payments no later than the last day of the month prior to the month for which the private provider or school district is receiving an advance payment except that advance payments for the month of July shall be made no later than the tenth (10th) day of July.

(c) Private providers or school districts that choose to accept monthly advance payments shall receive an advance payment for each month of the VPK class, which shall be reconciled on a monthly basis against actual student attendance for the month, and may receive a final reconciliation payment following the conclusion of the VPK class instruction.

(3) Advance Payment Calculation.

(a) Each coalition shall calculate and reconcile the amount of each monthly advance payment using the statewide information system. Each monthly advance payment shall be equal to the sum of the number of instructional hours each

student enrolled in the class is scheduled to attend in the month multiplied by ninety-five (95) percent of the class hourly rate unless the private provider or school district received excess advance payment or should receive an additional payment as described in paragraph (3)(b) of this rule. The class hourly rate shall be equal to the county's allocation per child as calculated in accordance with Section 1002.71(3), F.S., divided by the total number of hours in the VPK program type (school-year or summer) being offered.

(b) At the conclusion of each month, each coalition shall reconcile the advance payments made to a private provider or school district in each previous month with the amount of payment the private provider or school district would have received for the month under Rule 60BB-8.204, F.A.C., to determine if the private provider or school district has received an excess advance payment or should receive additional payment.

1. An excess advance payment is an advance payment for a month which exceeds the amount of payment the private provider or school district would have received under Rule 60BB-8.204, F.A.C. If the private provider or school district receives an excess advance payment, the coalition shall reduce the next advance payment by the difference between the excess advance payment and the payment the private provider or school district would have received under Rule 60BB-8.204, F.A.C. If the private provider or school district is not entitled to a subsequent advance payment, the difference shall be an overpayment.

2. An additional payment owed is an advance payment for a month which is less than the amount of payment the private provider or school district would have received under Rule 60BB-8.204, F.A.C. If the private provider or school district is owed an additional payment, the coalition shall increase the private provider or school district's next advance payment by the difference between the amount of payment the private provider or school district would have received under Rule 60BB-8.204, F.A.C., and the amount of the advance payment. If the private provider or school district is not entitled to a subsequent advance payment, the coalition shall increase the final reconciliation payment by the difference.

(4) Final Reconciliation. At the conclusion of the VPK class, the coalition shall calculate the total amount of payment which should be made to the private VPK provider or school district for the class in accordance with Rule 60BB-8.204, F.A.C. If the total amount of payment made for the VPK class is less than the total amount which should have been made based on Rule 60BB-8.204, F.A.C., the coalition shall pay the difference to the private provider or school district as a final reconciliation payment. If the total amount of payment made for the VPK class is greater than the total amount which should have been made based on Rule 60BB-8.204, F.A.C., the difference shall be an overpayment.

(5) Overpayment.

(a) If the coalition determines that a private VPK provider or school district received payment in an amount greater than the amount earned by the private provider or school district, resulting in a negative reconciliation payment calculation, the coalition shall make reasonable efforts to collect the overpayment. Reasonable efforts include but are not limited to informing the private provider or school district of the full amount owed, making written requests for repayment, offering to negotiate a repayment schedule, and offsetting the overpayment against any future payments for early learning programs.

(b) If the coalition is unable to arrange for collection of the overpayment within ninety (90) calendar days of determining that the private provider or school district has received an overpayment and after making a reasonable effort, as determined by the Agency, the coalition shall provide all information necessary for the Agency to act to collect the overpayment. The Agency retains the ability to require the coalition to make continued efforts toward recovery of the overpayment or, if the coalition has failed to make reasonable efforts to recover the overpayment, to consider the overpayment to be a disallowed expenditure of the coalition.

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. History—New _____.

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

Division of Beaches and Shores

RULE NO.: 62B-26.001
 RULE TITLE: Description of the Walton County Coastal Construction Control Line

NOTICE OF CORRECTION TO NOTICE OF CHANGE

The following notice was printed incorrectly in the July 17, 2009 issue of the Florida Administrative Weekly.

The following language was inadvertently omitted from the notice:

"The Metes and Bounds Description of the Coastal Construction Control Line of Walton County, Florida as published in the notice of proposed rulemaking remains unchanged."

The notice should read as follows

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. 17, May 1, 2009 issue of the Florida Administrative Weekly.

(1) There is hereby established, pursuant to Section 161.053, F.S., the revised Walton County Coastal Construction Control Line. The legal description of said line is attached hereto.

(2) This rule amendment shall take effect on the date of filing with the Florida Department of State and shall be that it is duly recorded in the public records in the office of the Clerk of the Circuit Court, in and for Walton County, Florida, together with each affected municipality.

(3) After this rule amendment becomes effective, a permit, under Section 161.053, F.S. and Chapter 62B-33, F.A.C., to alter, excavate or construct on property seaward of the established control line is required from the Department of Environmental Protection.

Rulemaking Authority ~~161.053(21)~~ ~~370.021(4)~~ FS. Law Implemented 161.053 FS. History—New 5-13-75, Amended 12-29-82, Formerly 16B-26.01, 16B-26.001, Amended _____.

"The Metes and Bounds Description of the Coastal Construction Control Line of Walton County, Florida as published in the notice of proposed rulemaking remains unchanged."

DEPARTMENT OF HEALTH

Office of Statewide Research

RULE NO.: 64H-2.002
 RULE TITLE: Institutional Review Board Applications

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 25, June 26, 2009 issue of the Florida Administrative Weekly.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ronique Hall

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 9, 2009

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

RULE NO.: 64J-2.010
 RULE TITLE: Apportionment of Trauma Centers within a Trauma Service Area (TSA)

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 19, May 15, 2009 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NOS.:	RULE TITLES:
69B-241.010	Purpose
69B-241.020	Scope
69B-241.030	Definitions
69B-241.040	Calculating Penalty
69B-241.070	Departmental Discretion
69B-241.080	Penalties for Violation of Section 648.44, F.S.
69B-241.090	Penalties for Violation of Section 648.45, F.S.
69B-241.100	Penalties for Violation of Other Specific Provisions of the Insurance Code
69B-241.110	Penalties for Violation of Specific Provisions of Rule Chapter 69B-221, F.A.C.
69B-241.120	Penalties for Violation of Other Insurance Code Provisions
69B-241.130	Penalties for Violation of Other Department Rules
69B-241.140	Penalties for Violation of Department Orders
69B-241.150	Criminal Proceedings
69B-241.160	Aggravating/Mitigating Factors
69B-241.165	Imposition of Administrative Fine In Lieu of Suspension
69B-241.170	Field Office Settlement Stipulation

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 28, July 17, 2009 issue of the Florida Administrative Weekly.

The Notice of Proposed Rule Development, as advertised on July 17, 2009, referenced the incorrect website address.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE DEPARTMENT’S DIVISION OF AGENT AND AGENCY SERVICES WEBSITE AT: <http://www.MyFloridaCFO.com/agents/Industry/Laws-Rules/docs/BBPenGuide.doc>

**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:
53ER09-34	GOLD RUSH Strike It Rich Second Chance Drawing

SUMMARY: The Department of the Lottery will conduct a GOLD RUSH Strike It Rich Second Chance Drawing, between July 14 and August 25, 2009, in which special prizes will be awarded.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER09-34 GOLD RUSH Strike It Rich Second Chance Drawing.

(1) Beginning Tuesday, July 14, 2009 through Monday, August 24, 2009, players can enter their non-winning GOLD RUSH game number 750 scratch-off ticket(s) in the Strike It Rich Second Chance Drawing on the Florida Lottery website to win a one-kilo, 999.9 gold bar or a one-ounce, 22-karat gold American Eagle gold coin.

(2) Computerized drawings will be held on Tuesday, July 28, Tuesday, August 11 and Tuesday, August 25, 2009 to award a grand total of sixty-three (63) prizes. In each of the three Strike It Rich second chance drawings, twenty-one (21) prizes will be awarded. The first entry drawn will win a one-kilo 999.9 gold bar. The second through 21st entries drawn will win a one-ounce, 22-karat American Eagle gold coin.

(3) To enter non-winning GOLD RUSH ticket(s) in the Strike It Rich Second Chance Drawing, players must visit the Florida Lottery’s website at www.flalottery.com, click on the Strike It Rich Second Chance Drawing icon and follow the directions to input their non-winning ticket number(s). The ticket number is located below the play area on the front of a GOLD RUSH Scratch-Off ticket. Scratch off the latex covering to reveal the 22-digit ticket number. Winning GOLD RUSH tickets cannot be used for entry in the second chance drawings. The odds of winning are dependent upon the number of entries received. Players may enter as many times as they wish during the contest period. However, entries will be good for one drawing only and each valid ticket number may only be used one time for one entry into the drawings. Entries received before 12:00 midnight ET on the night before a drawing will be included in the drawing.

(4) The results of each weekly drawing will be posted on the Lottery’s website, www.flalottery.com on the day of the draw. Winners will have 180 days from the applicable draw date to claim their prize. The Florida Lottery will attempt to notify prizewinners using contact information submitted on the player registration; however, the responsibility for claiming a prize remains with the player. Failure of a prizewinner to claim

a Strike It Rich prize shall result in forfeiture of the prize. The right to claim a prize cannot be assigned to another person or entity.

(5) Procedures for Claiming a Prize.

All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met. To claim a prize, the player must submit to the Lottery the original valid non-winning Florida Lottery GOLD RUSH ticket bearing the entry number selected in the drawing. Without such ticket, the player will forfeit his or her right to claim a prize. Winners must submit the valid entry ticket along with a completed Winner Claim Form DOL 173-2, or Spanish Winner Claim Form DOL 173-2S, as referenced in Rule 53ER08-89, F.A.C., a copy of acceptable identification and a Prize Election Form DOL-478, Eff. 5/09. Winners electing to receive a gold bar or American Eagle gold coin will also have to submit an Authorization to Release Address Form DOL-473, Eff. 10/08. Forms DOL-478 and DOL-473 are herein incorporated by reference and may be obtained from the Florida Lottery, Claims Processing, 250 Marriott Drive, Tallahassee, Florida 32399-9939.

(6) Federal income tax withholding for the value of the gold bar prize will be paid by the Florida Lottery. Any additional federal, state and/or local taxes or other fees will be the responsibility of the winner. A cash option of \$30,000 is available to winners in lieu of the gold bar prize. Federal income tax withholding will be deducted from a cash prize awarded under this provision. Any additional federal, state and/or local taxes or other fees will be the responsibility of the winner.

(7) All federal, state and/or local taxes or other fees on the American Eagle gold coin prize will be the responsibility of the winner. A cash option of \$1,000 is available to winners in lieu of the American Eagle gold coin prize.

(8) A nonresident alien who is selected as a winner will be awarded the cash value of the prize in lieu of the prize. Federal income taxes will be withheld from the prize amount at the rate of thirty percent (30%) pursuant to applicable provisions of the Internal Revenue Code. The reporting and subsequent payment of any additional federal, state and/or local taxes will be the responsibility of the nonresident alien.

(9) If a prize winner is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be collected in lieu of award of the prize. If the debt of a gold bar or gold coin winner is an amount less than the cash option value of the prize, the winner shall receive the excess cash value once applicable federal withholding tax has been deducted and the debt has been satisfied. If the debt is an amount greater than the cash option value of the prize, the entire cash value of the prize remaining after deduction of applicable federal withholding tax will be applied toward the outstanding debt as provided in Section 24.115, F.S.

(10) The Florida Lottery reserves the right to award a cash prize of \$30,000 or \$1,000, respectively, in lieu of a gold bar or gold coin if, for reasons beyond the control of the Lottery, a gold bar or gold coin is not available for award to a player electing to receive such prize. Federal income tax withholding will be deducted from a \$30,000 cash prize awarded under this provision. Any additional federal, state and/or local taxes or other fees will be the responsibility of the winner. Federal, state and/or local taxes or other fees on the \$1,000 prize will be the responsibility of the winner.

(11) All prizes are subject to the provisions of Chapter 24, F.S., and rules promulgated thereunder. Prizes will be paid in accordance with the rules of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

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

(13) By entering the Strike It Rich Second Chance Drawing, a player gives his or her permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(14) The Strike It Rich Second Chance Drawings shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 7-10-09.

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: July 10, 2009

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER09-35
RULE TITLE: Instant Game Number 1029, \$250,000 CLUB

SUMMARY: This emergency rule describes Instant Game Number 1029, "\$250,000 CLUB," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER09-35 Instant Game Number 1029, \$250,000 CLUB.

(1) Name of Game. Instant Game Number 1029, “\$250,000 CLUB.”

(2) Price. \$250,000 CLUB lottery tickets sell for \$5.00 per ticket.

(3) \$250,000 CLUB lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning \$250,000 CLUB lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-89, F.A.C.

(4) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:



(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:





(6) The prize symbols and prize symbol captions are as follows:



(7) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches a play symbol and corresponding play symbol caption in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol. A ticket having a “” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to the prize shown for that symbol. A ticket having a “” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to five times the prize shown for that symbol.

(b) The prizes are: \$2.00, \$5.00, \$10.00, \$20.00, \$30.00, \$40.00, \$50.00, \$100, \$200, \$500, \$1,000, \$4,000, \$100,000 and \$250,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1029 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 86 POOLS OF 120,000 TICKETS PER POOL
\$5	\$5	10.00	1,032,000
\$2 (STAR)	\$10	30.00	344,000
\$2 x 5	\$10	60.00	172,000
\$5 x 2	\$10	60.00	172,000
\$10	\$10	30.00	344,000
\$2 x 10	\$20	300.00	34,400
\$2 (STAR) + (\$5 x 2)	\$20	300.00	34,400
\$5 x 4	\$20	300.00	34,400
\$10 x 2	\$20	300.00	34,400
\$20	\$20	300.00	34,400
\$2 (STAR) + (\$2 x 10)	\$30	1,200.00	8,600
\$5 x 6	\$30	1,200.00	8,600
\$10 x 3	\$30	1,200.00	8,600
\$10 + \$20	\$30	1,200.00	8,600
\$30	\$30	1,200.00	8,600
(\$2 x 10) + (\$10 x 2)	\$40	1,600.00	6,450
\$5 x 8	\$40	1,600.00	6,450
\$5 (STAR) + \$5 + \$10	\$40	1,600.00	6,450
\$10 x 4	\$40	1,600.00	6,450
\$40	\$40	1,600.00	6,450
(\$2 x 5) + (\$5 x 6) + \$10	\$50	1,500.00	6,880
\$5 x 10	\$50	1,500.00	6,880
\$10 (STAR)	\$50	1,500.00	6,880
\$10 x 5	\$50	1,500.00	6,880
\$50	\$50	1,500.00	6,880
(\$5 x 8) + (\$10 x 2) + (\$20 x 2)	\$100	1,200.00	8,600
\$10 x 10	\$100	1,500.00	6,880
\$20 (STAR)	\$100	1,500.00	6,880
\$20 x 5	\$100	1,500.00	6,880
\$50 x 2	\$100	1,500.00	6,880
\$100	\$100	1,500.00	6,880
(\$10 x 8) + (\$20 x 2) + (\$40 x 2)	\$200	7,500.00	1,376
\$20 x 10	\$200	10,000.00	1,032
\$40 (STAR)	\$200	10,000.00	1,032
\$100 x 2	\$200	10,000.00	1,032
\$200	\$200	10,000.00	1,032
(\$40 x 10) + (\$50 x 2)	\$500	10,000.00	1,032
\$50 x 10	\$500	10,000.00	1,032
\$100 (STAR)	\$500	10,000.00	1,032
\$100 x 5	\$500	10,000.00	1,032
\$500	\$500	10,000.00	1,032

(\$50 x 8) + (\$100 x 2) + (\$200 x 2)	\$1,000	30,000.00	344
\$100 x 10	\$1,000	30,000.00	344
\$200 (STAR)	\$1,000	40,000.00	258
\$500 x 2	\$1,000	40,000.00	258
\$1,000	\$1,000	40,000.00	258
(\$200 x 10) + (\$1,000 x 2)	\$4,000	120,000.00	86
\$500 (STAR) + (\$500 x 3)	\$4,000	120,000.00	86
\$1,000 x 4	\$4,000	120,000.00	86
\$4,000	\$4,000	120,000.00	86
\$100,000	\$100,000	1,290,000.00	8
\$250,000	\$250,000	1,720,000.00	6

(10) The estimated overall odds of winning some prize in Instant Game Number 1029 are 1 in 4.30. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1029, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a \$250,000 CLUB lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for \$250,000 CLUB lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 7-10-09.

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: July 10, 2009

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER09-36
 RULE TITLE: Instant Game Number 1028, MARCH & WIN™

SUMMARY: This emergency rule describes Instant Game Number 1028, “MATCH & WIN,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning; value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER09-36 Instant Game Number 1028, MATCH & WIN™.

(1) Name of Game. Instant Game Number 1028, “MATCH & WIN™.”

(2) Price. MATCH & WIN lottery tickets sell for \$3.00 per ticket.

(3) MATCH & WIN lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning MATCH & WIN lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-89, F.A.C.

(4) The YOUR RED NUMBERS play symbols are as follows:

11	12	13	14	15
16	17	18	19	20
31	32	33	34	35
36	37	38	39	40
51	52	53	54	55
56	57	58	59	60
71	72	73	74	75
76	77	78	79	80

(5) The YOUR BLACK NUMBERS play symbols are as follows:

1	2	3	4	5
6	7	8	9	10
21	22	23	24	25
26	27	28	29	30
41	42	43	44	45
46	47	48	49	50
61	62	63	64	65
66	67	68	69	70

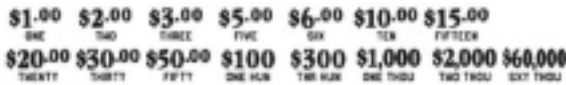
(6) The RED column and row play symbols are as follows:

11	12	13	14	15
16	17	18	19	20
31	32	33	34	35
36	37	38	39	40
51	52	53	54	55
56	57	58	59	60
71	72	73	74	75
76	77	78	79	80

(7) The BLACK column and row play symbols are as follows:

1	2	3	4	5
6	7	8	9	10
21	22	23	24	25
26	27	28	29	30
41	42	43	44	45
46	47	48	49	50
61	62	63	64	65
66	67	68	69	70

(8) The RED prize symbols and prize symbol captions are as follows:



(9) The BLACK prize symbols and prize symbol captions are as follows:



(10) The legends are as follows:



(11) Determination of Prizewinners. There are three rows and eight columns on a ticket.

(a) A ticket having numbers in the "YOUR RED NUMBERS" play area that match all of the red numbers in a row entitles the claimant to the corresponding prize shown in the "RED PRIZE" area for that row.

(b) A ticket having numbers in the "YOUR BLACK NUMBERS" play area that match all of the black numbers in a row entitles the claimant to the corresponding prize shown in the "BLACK PRIZE" area for that row.

(c) A ticket having numbers in the "YOUR RED NUMBERS" that match all three numbers in a red column shall entitle the claimant to the corresponding prize shown for that column. A ticket having numbers in the "YOUR BLACK NUMBERS" that match all three numbers in a black column shall entitle the claimant to the corresponding prize shown for that column.

(d) The prizes are: \$1.00, \$2.00, \$3.00, \$5.00, \$6.00, \$10.00, \$15.00, \$20.00, \$30.00, \$50.00, \$100, \$300, \$1,000, \$2,000 and \$60,000.

(12) The estimated odds of winning, value, and number of prizes in Instant Game Number 1028 are as follows:

\$5	\$5	100.00	153,000
(\$1 x 4) + \$2	\$6	125.00	122,400
(\$1 x 3) + \$3	\$6	250.00	61,200
\$2 x 3	\$6	250.00	61,200
\$3 x 2	\$6	250.00	61,200
\$6	\$6	100.00	153,000
\$1 x 10	\$10	250.00	61,200
\$2 x 5	\$10	125.00	122,400
\$1 + \$3 + \$6	\$10	250.00	61,200
\$5 x 2	\$10	100.00	153,000
\$10	\$10	250.00	61,200
(\$1 x 5) + (\$2 x 5)	\$15	500.00	30,600
\$3 x 5	\$15	500.00	30,600
\$5 x 3	\$15	500.00	30,600
\$5 + \$10	\$15	500.00	30,600
\$15	\$15	500.00	30,600
\$2 x 10	\$20	500.00	30,600
(\$3 x 3) + \$5 + \$6	\$20	500.00	30,600
(\$5 x 2) + \$10	\$20	500.00	30,600
\$10 x 2	\$20	500.00	30,600
\$20	\$20	500.00	30,600
(\$2 x 6) + (\$3 x 6)	\$30	900.00	17,000
(\$5 x 4) + \$10	\$30	900.00	17,000
\$10 x 3	\$30	900.00	17,000
\$15 x 2	\$30	1,000.00	15,300
\$30	\$30	900.00	17,000
(\$3 x 10) + (\$5 x 4)	\$50	1,440.00	10,625
\$5 x 10	\$50	1,440.00	10,625
\$10 + (\$20 x 2)	\$50	1,440.00	10,625
\$20 + \$30	\$50	1,440.00	10,625
\$50	\$50	1,440.00	10,625
(\$6 x 10) + (\$10 x 4)	\$100	3,600.00	4,250
\$10 x 10	\$100	3,600.00	4,250
(\$10 x 5) + \$20 + \$30	\$100	3,600.00	4,250
\$20 x 5	\$100	3,600.00	4,250
\$50 x 2	\$100	3,600.00	4,250
\$100	\$100	3,600.00	4,250
(\$10 x 10) + (\$50 x 4)	\$300	60,000.00	255
\$30 x 10	\$300	60,000.00	255
\$50 x 6	\$300	90,000.00	170
\$100 x 3	\$300	90,000.00	170
\$300	\$300	90,000.00	170
(\$50 x 8) + (\$100 x 6)	\$1,000	90,000.00	170
\$100 x 10	\$1,000	180,000.00	85
(\$100 x 4) + (\$300 x 2)	\$1,000	180,000.00	85
\$100 + (\$300 x 3)	\$1,000	180,000.00	85
\$1,000	\$1,000	180,000.00	85
(\$50 x 4) + (\$100 x 6) + (\$300 x 4)	\$2,000	180,000.00	85
\$2,000	\$2,000	180,000.00	85
\$60,000	\$60,000	765,000.00	20

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 85 POOLS OF 180,000 TICKETS PER POOL
\$1 x 3	\$3	20.00	765,000
\$3	\$3	20.00	765,000
\$1 x 5	\$5	50.00	306,000
(\$1 x 2) + \$3	\$5	100.00	153,000
\$2 + \$3	\$5	50.00	306,000

(13) The estimated overall odds of winning some prize in Instant Game Number 1028 are 1 in 3.99. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(14) For reorders of Instant Game Number 1028, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(15) By purchasing a MATCH & WIN lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(16) Payment of prizes for MATCH & WIN lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 7-10-09.

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: July 10, 2009

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER09-37
 RULE TITLE: Instant Game Number 1026, MONOPOLY™

SUMMARY: Instant Game Number 1026, “MONOPOLY™,” will be sold by Florida Lottery retailers on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game, procedures to be followed on how to play the game, and the estimated number and size of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER09-37 Instant Game Number 1026, MONOPOLY™.

(1) Name of Game. Instant Game Number 1026, “MONOPOLY™.”

(2) Price. MONOPOLY tickets sell for \$1.00 per ticket.

(3) MONOPOLY lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning MONOPOLY lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-89, F.A.C.

(4) The “YOUR SYMBOLS” play symbols and play symbol captions are as follows:



(5) The “WINNING SYMBOL” play symbols and play symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:




(7) The legends are as follows:



(8) Determination of Prize Winners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR SYMBOLS” play area that matches the play symbol and corresponding play symbol caption in the “WINNING SYMBOL” play area shall entitle the claimant to the corresponding prize shown for that play symbol.

(b) A ticket having a “” symbol in the “YOUR SYMBOLS” play area shall entitle the claimant to all five prizes shown. The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$30.00, \$50.00, \$100, \$200 and \$5,000.

(9) Number and Size of Prizes. The estimated odds of winning, value, and number of prizes in Instant Game Number 1026 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF	NUMBER OF WINNERS IN 66 POOLS OF 240,000 TICKETS PER POOL
\$1	\$1	1 IN 11.11	1,425,600
\$1 x 2	\$2	33.33	475,200
\$2	\$2	25.00	633,600
\$1 x 4	\$4	150.00	105,600
(\$1 x 2) + \$2	\$4	300.00	52,800
\$2 x 2	\$4	150.00	105,600

\$4	\$4	150.00	105.600
\$1 x 5 (TRAIN)	\$5	750.00	21.120
\$1 x 5	\$5	750.00	21.120
(\$2 x 2) + \$1	\$5	750.00	21.120
\$4 + \$1	\$5	750.00	21.120
\$5	\$5	750.00	21.120
\$2 x 5 (TRAIN)	\$10	500.00	31.680
\$2 x 5	\$10	500.00	31.680
(\$1 x 2) + (\$4 x 2)	\$10	500.00	31.680
\$5 x 2	\$10	500.00	31.680
\$10	\$10	500.00	31.680
\$4 x 5 (TRAIN)	\$20	1,500.00	10.560
\$4 x 5	\$20	1,500.00	10.560
\$5 x 4	\$20	1,500.00	10.560
\$10 x 2	\$20	1,500.00	10.560
\$20	\$20	1,500.00	10.560
(\$5 x 4) + \$10 (TRAIN)	\$30	8,000.00	1.980
(\$5 x 4) + \$10	\$30	8,000.00	1.980
\$10 x 3	\$30	8,000.00	1.980
\$10 + \$20	\$30	8,000.00	1.980
\$30	\$30	8,000.00	1.980
\$10 x 5 (TRAIN)	\$50	12,000.00	1.320
(\$5 x 4) + \$30	\$50	12,000.00	1.320
\$10 + (\$20 x 2)	\$50	12,000.00	1.320
\$20 + \$30	\$50	12,000.00	1.320
\$50	\$50	12,000.00	1.320
\$20 x 5 (TRAIN)	\$100	12,000.00	1.320
\$20 x 5	\$100	16,000.00	990
(\$20 x 2) + (\$30 x 2)	\$100	16,000.00	990
\$50 x 2	\$100	20,000.00	792
\$100	\$100	16,000.00	990
\$20 + \$30 + (\$50 x 3) (TRAIN)	\$200	120,000.00	132
\$50 x 4	\$200	120,000.00	132
(\$50 x 2) + \$100	\$200	240,000.00	66
\$100 x 2	\$200	240,000.00	66
\$200	\$200	120,000.00	132
\$5,000	\$5,000	240,000.00	66

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 7-10-09.

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: July 10, 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**

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

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN THAT the Florida Public Service Commission has received a joint petition from Florida Power & Light Company and Progress Energy Florida, Inc., filed May 20, 2009, in Docket No.: 090009-EI, seeking a variance from subparagraph 25-6.0423(5)(c)4., Florida Administrative Code. The rule prescribes the time frame by which the utility must file revisions to its fuel and purchased power cost recovery filings. Comments on the petition should be filed with: Florida Public Service Commission, Office of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice.

A copy of the Order can be obtained from either: Office of the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770 or the Commission’s Homepage at <http://www.floridapsc.com>.

For additional information, please contact: Keino Young, Office of the General Counsel, at the above address or telephone (850)413-6226.

(10) The estimated overall odds of winning some prize in Instant Game Number 1026 are 1 in 4.88.

(11) For reorders of Instant Game Number 1026, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a MONOPOLY lottery ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(13) Payment of prizes for MONOPOLY lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on July 9, 2009, the South Florida Water Management District (District or SFWMD) has issued an order.

SFWMD Order No. 2009-181-DAO-ROW was issued to the City of Miramar (Application No. 09-0310-1). The petition for waiver was received by the SFWMD on March 10, 2009. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 35, No. 12, on March 27, 2009. No public comment was received. This Order provides a waiver of the District's criteria to allow the installation of guardrail along, and use of, approximately 3200' of the District's northerly right of way of the C-9 (Snake Creek) Canal beginning at S. W. 148th Avenue easterly to the Florida Turnpike for roadway purposes; Section 40, Township 34 South, Range 51 East, Broward County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal bank and use of the District' right of way for public roadway purposes within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the City of Miramar from suffering a substantial hardship.

A copy of the Order may be obtained by contacting: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6268 or by email: jurussel@sfwmd.gov.

NOTICE IS HEREBY GIVEN THAT on July 9, 2009, the South Florida Water Management District (District or SFWMD) has issued an order.

SFWMD Order No. 2009-182-DAO-ROW was issued to Lisa Strader (Application No. 09-0422-1). The petition for waiver was received by the SFWMD on April 29, 2009. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 35, No. 19, on May 15, 2009. An amended petition for waiver was received by the SFWMD on June 4, 2009. Notice of receipt of the amended petition for waiver was published in the Florida Administrative Weekly, Vol. 35, No. 24, on June 19, 2009. No public comment was received. This Order provides a waiver of the District's criteria for existing landscaping, fence, buried electrical service and lights, as well as the proposed installation of a sheet pile retaining wall with rip-rap, within the north right of

way of C-10 Spur Canal; Section 5, Township 51 South, Range 42 East, Broward County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon principles of fairness.

A copy of the Order may be obtained by contacting: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6268 or by email: jurussel@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on June 12, 2009, the the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The department received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Betancur Catering located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

Notice of this petition was filed and published in Vol. 35/21, 5/29/09 of the Florida Administrative Weekly. The variance was approved and is contingent upon the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid, the steam table is enclosed within a cabinet with tight-fitting doors and protected by an air curtain installed and operated according to manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries per the parameters of the currently adopted FDA Food Code, and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall strictly adhere to the operating procedures

and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation. Any violation of the variance or operating procedures is the equivalent of a violation of the Rule and may result in a rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Rhonda.Steele@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on May 8, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for A Routine Variance request from subsection 61C-4.010(5), F.A.C. Paragraph 4-301.12(A), 2001 FDA Food Code from DK Fresh To Go located in Ft. Lauderdale. The above referenced F.A.C. addresses the requirement to provide warewashing facilities within the food service establishment. They are requesting to share warewashing facilities located within a nearby licensed establishment under the same ownership.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1011.

NOTICE IS HEREBY GIVEN THAT on June 29, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from El Porto Catering located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rhonda.Steele@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on June 12, 2009, the the Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The department received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001

FDA Food Code, subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Las Brasas located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

Notice of the petition was filed and published in Vol. 35, No. 21, 5/29/09 of the Florida Administrative Weekly. The variance was approved and is contingent upon the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid, the steam table is enclosed within a cabinet with tight-fitting doors and protected by an air curtain installed and operated according to manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries per the parameters of the currently adopted FDA Food Code, and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall strictly adhere to the operating procedures. Copies of the variance and operating procedures are to be present on the MFDV during all periods of operation. Any violation of the variance or operating procedures is the equivalent of a violation of the Rule and may result in a rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Rhonda.Steele@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on July 1, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Las Delicias Grill located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rhonda.Steele@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on June 26, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The department received an Emergency Variance for subsections 61C-4.010(6), 61C-4.010(7), and paragraph 61C-1.004(2)(a), Florida Administrative Code, Section 509.221(1)(b), Florida Statutes and Section 6-402.11, 2001 FDA Food Code from Mamma Che Buono located in West Palm Beach. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom must be provided for use by customers and employees. They are requesting to utilize public bathrooms located on the same level over 300 feet away for customers and employees.

Notice of this petition was filed and published in Vol. 35, No. 26, July 2, 2009 of the Florida Administrative Weekly. The variance was approved on June 26, 2009, contingent upon the Petitioner ensuring the public bathrooms located within the mall are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed at the establishment clearly stating the location of the bathrooms. If the operational status of or access to the public bathrooms change, updated information for use of the bathroom facilities is required immediately. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on June 12, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The department received an Emergency Variance Request on May 15, 2009, from Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Ofelia Food Service located in Ft. Myers. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

Notice of this petition was filed and published in Vol. 35, No. 21, 5/29/09 of the Florida Administrative Weekly. The variance was approved contingent upon Approval is contingent upon the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid, the steam table is

enclosed within a cabinet with tight-fitting doors and protected by an air curtain installed and operated according to manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries per the parameters of the currently adopted FDA Food Code, and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation. Any violation of the variance or operating procedures is the equivalent of a violation of the Rule and may result in a rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Rhonda.Steele@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on June 12, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

On May 15, 2009, the department received an Emergency Variance request for subsections 61C-4.010(6) and 61C-4.010(7), Florida Administrative Code, from Panchitos Inn located in Tampa. The above referenced F.A.C. addresses the requirement that an accessible bathroom be provided for use by customers. They are requesting to share a bathroom within an adjacent business located in the same strip mall.

Notice of this petition was filed and published in Vol. 35, No. 21, 5/29/09 of the Florida Administrative Weekly. The variance was approved contingent upon the Petitioner ensuring the bathrooms located within Angel's Beauty Supply of Tampa, Inc., Suite 106, are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Angel's Beauty Supply of Tampa, Inc., changes, an updated signed agreement for use of the bathroom facilities is required immediately. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on June 26, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subparagraph 61C-1.002(5)(a)2., Florida Administrative Code, from Vend PSL located in Port St. Lucie. The above referenced F.A.C. addresses the requirement that a mobile food dispensing vehicle be a vehicle that is otherwise movable. They are requesting to mount the mobile food dispensing vehicle on casters rather than an axle.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on June 10, 2009, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, received a petition for waiver from West Flagler Associates, LTD, Petitioner, in DBPR Case No.: 2009032540 (VW 2009-205). Petitioner is a pari-mutuel facility and slot machine/cardroom operator licensed pursuant to Chapters 550 and 551, Florida Statutes, and Section 849.086, Florida Statutes, whose address is P. O. Box 350940, Miami Florida 33135-0940. Petitioner seeks a temporary waiver of the requirements of paragraph 61D-11.025(7)(b), Florida Administrative Code (F.A.C.), that requires surveillance room access "must be limited to the cardroom manager or other personnel authorized in the facility's internal controls." Petitioner states it is in the process of renovating its physical premises and a portion of the new construction affects the existing surveillance office, necessitating the temporary relocation of the dedicated surveillance equipment (at an estimated cost of \$50,000.00) to the facility's audio/video studio until the new surveillance room is completed. Petitioner acknowledges that Teleview personnel not employed in cardroom surveillance also work in the studio, but such personnel are not able to view the surveillance monitors and do not otherwise interfere with the ability of surveillance personnel to maintain continual observation of cardroom activities as required. Petitioner further states that strict compliance with paragraph 61D-11.025(7)(b), F.A.C., under the current circumstances would pose a substantial financial hardship and could further delay completion of the renovations; this temporary waiver would terminate upon the expected opening of the newly renovated areas within the facility between September 1st and October 31st, 2009. Any person whose substantial interests may be affected by a waiver on the subject matter of the Petition may file a petition to intervene within 14 days of the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)921-0342.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT on July 9, 2009, the Department of Environmental Protection, received a petition for a temporary variance from the requirements of paragraph 62-761.510(1)(a), F.A.C., to allow the continued operation of the underground storage tanks without upgrading the tanks with secondary containment at: Sowell Management LLC, 4369 Airport Dr., Panama City, Florida 33315, facility ID Number: 038518792, until December 31, 2010. A new airport fuel system will replace the individual fuel farms at the airport by that date. OGC Case No.: 09-3157.

A copy of the Petition for Variance or Waiver may be obtained by contacting: John Svec, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #4525, Tallahassee, Florida 32399-2400, (850)245-8845, e-mail: john.svec@dep.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on July 1, 2009, the Department of Environmental Protection, received a petition for waiver from Target Corporation (Target) from being a public water system by allowing two other parcels to be fairly assessed by Target to use the potable water received from Hillsborough County's public water system for which the customer is Target, at Water Avenue in Hillsborough County, Florida. This would be a waiver from subsection 62-550.102(2), F.A.C. The file number is OGC No.: 09-3118. If you wish to submit written comments, they must be received no later than 14 days after the date of this notice. Comments should be sent to Cynthia Christen, address below.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Cynthia Christen, MS #35, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000, (850)245-2230, e-mail: cynthia.christen@dep.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on July 10, 2009, the Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems, has issued an order.

The Bureau issued a final agency action denying the petition for variance received from of Mr. & Mrs. Buntin, Mr. & Mrs. Stovall, and Mr. & Mrs. Ketchum, regarding WL-940 AR ATF. Notice of receipt of this petition was published in the F.A.W., on November 14, 2008. The properties are located at 701 and

711 Eastern Lake Rd., Santa Rosa Bch., in Walton County, FL. The petition requested a variance from definitions and general armoring criteria under subsections 62B-33.002(18), 62B-33.002(33)(b), 62B-33.002(44), 62B-33.002(64), and subparagraphs 62B33.0051(1)(a)2., 62B-33.0051(2)(b), 62B-33.0051(2)(b)1., and 62B-33.0051(2)(b)3., F.A.C., and Section 379.2431, F.S.

The request was denied based upon the petitioner's inability to demonstrate that strict application of the rule would result in substantial hardship and would serve the purposes of the underlying statute.

A copy of the Order may be obtained by contacting: Rosaline Beckham at (850)488-7815 or by e-mail: 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.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on July 7, 2009, the Board of Clinical Laboratory Personnel, received a petition for Waiver or Variance filed by, Kyung Mee Kim, Ph.D., from subsection 64B3-5.003(1), F.A.C., pertaining to the certification examinations requirement. Comments on this petition should be filed with: Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3052, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT on July 7, 2009, the Board of Clinical Laboratory Personnel, received a petition for Waiver or Variance filed by, Behrang Mahjoub, M.Sc., from subsection 64B3-5.003(1) F.A.C., pertaining to the certification examinations requirement. Comments on this petition should be filed with: Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3052, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT on July 7, 2009, the Board of Clinical Laboratory Personnel, received a petition for Waiver or Variance filed by, Vaneska Mayor, from subsection 64B3-5.003(1), F.A.C., pertaining to the certification

examinations requirement. Comments on this petition should be filed with: Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3052, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT on July 7, 2009, the Board of Clinical Laboratory Personnel, received a petition for Waiver or Variance filed by, Charles A. Peloquin, Pharm. D., from subsection 64B3-5.003(1), F.A.C., pertaining to the certification examinations requirement. Comments on this petition should be filed with: Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3052, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT on July 7, 2009, the Board of Clinical Laboratory Personnel has issued an order.

The Board of Clinical Laboratory Personnel hereby gives notice of the issuance of an order granting the petition for Waiver or Variance filed by Lois Watts. The petition for Waiver or Variance was published in Vol. 35, No. 22, of the May 21, 2009, Florida Administrative Weekly. The Petitioner filed a petition for Waiver or Variance from Rule 64B3-5.002, F.A.C. The petition for Waiver or Variance was heard at a duly-noticed telephone conference call on July 7, 2009. The Board found that the Petitioner's request met the purpose of the underlying statute, established that Petitioner would suffer a substantial economic hardship from application of Rule 64B3-5.002, F.A.C., and that application of the rule to the Petitioner would violate principles of fundamental fairness.

A copy of the Order may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT on July 7, 2009, the Board of Clinical Laboratory Personnel, received a petition for Waiver or Variance filed by, Theodore Zagurski, from subsection 64B3-5.003(1), F.A.C., pertaining to the certification examinations requirement. Comments on this petition should be filed with: Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3052, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN that on June 30, 2009, the Board of Medicine has issued an order.

The Petition for Waiver and/or Variance was filed on behalf of Ismael C. Hernandez, M.D., on April 14, 2009, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Vol. 35, No. 16, of the Florida Administrative Weekly, on April 24, 2009. The Credentials Committee, at its meeting held on June 4, 2009, recommended that Petitioner's request for waiver or variance be granted. The Board, at its meeting held on June 6, 2009, accepted the Committee's recommendation and voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship and met the purpose of the underlying statute, and that application of the rule would violate the principles of fairness.

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

NOTICE IS HEREBY GIVEN THAT on June 30, 2009, the Board of Medicine has issued an order.

The Petition for Waiver and/or Variance was filed by Asmita R. Patel, M.D., on April 16, 2009, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Vol. 35, No. 17, of the Florida Administrative Weekly, on May 1, 2009. The Credentials Committee, at its meeting held on June 4, 2009, recommended that Petitioner's request for waiver or variance be granted. The Board, at its meeting held on June 6, 2009, accepted the Committee's recommendation and voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship and met the purpose of the underlying statute, and that application of the rule would violate the principles of fairness.

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

NOTICE IS HEREBY GIVEN THAT on July 6, 2009, the Department of Health, received a petition for Temporary Variance from subparagraph 64E-13.004(6)(a)1., Florida Administrative Code, from Good Shepherd Evangelical Lutheran Church of Jacksonville, FL, Inc., 6551 Argyle Forest Boulevard, Jacksonville, Florida. This rule requires schools to have toilet and handwashing facilities for preschool grades

through grade three located within or adjoining their classrooms. Comments on this petition should be filed: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Tracy Perez, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710, (850)245-4277.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on July 8, 2009, the Department of Children and Families, received a petition for waiver of subsection 65C-15-017(3), Florida Administrative Code, from Devereux Florida and Debbie Robinson assigned Case No. 09-022W. Subsection 65C-15.017(3), F.A.C., requires Agency staff responsible for performing casework services shall have a bachelor's degree or master's degree in social work or related area of study 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.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on July 10, 2009, the Florida Housing Finance Corporation, received a petition for Waiver of Part III.B.1. of the 2008 Universal Application Instructions to Provide Specific Features in Units Developed for Elderly Residents from Spinal Cord Living Assistance Development, Inc. (SCLAD), ("Petition"). The Petition is seeking a waiver of the requirement to provide bathtubs in units developed for elderly residents. The Petitioner would like to replace the bathtubs with roll-in showers.

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: www.floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI

Notices of Meetings, Workshops and Public Hearings

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

State Board of Administration
 Division of Bond Finance
 Financial Services Commission:
 Office of Insurance Regulation
 Office of Financial Regulation
 Agency for Enterprise Information Technology
 Department of Veterans' Affairs
 Department of Highway Safety and Motor Vehicles
 Department of Law Enforcement
 Department of Revenue
 Administration Commission
 Florida Land and Water Adjudicatory Commission
 Board of Trustees of the Internal Improvement Trust Fund
 Department of Environmental Protection

DATE AND TIME: August 11, 2009, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

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

The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the Office of Insurance Regulation concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of

certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the Office of Financial Regulation relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The Agency for Enterprise Information Technology will take action on matters duly presented on its agenda which may include, but not be limited to, the presentation and approval of the Agency's Annual Operational Work Plan as well as matters relating to rulemaking for all activities of the Agency.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

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

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

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

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also

review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters and other matters within its authority.

The Department of Environmental Protection will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting the Governor's Cabinet Affairs Office, (850)488-5152.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

DEPARTMENT OF STATE

The **Friends of Mission San Luis, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 10, 2009, 11:00 a.m. – 1:00 p.m.

PLACE: Mission San Luis Archaeological Lab, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FOMSL Executive Committee will meet to discuss the new Visitor Center, the new Government Relations Committee, and other Friends business.

A copy of the agenda may be obtained by contacting: Jessica Shiver at (850)487-1666.

Pursuant to the provisions of 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: Jessica Shiver at (850)487-1666. If you are 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: Jessica Shiver at 487-1666 or jbshiver@dos.state.fl.us.

The **Florida Main Street Program** announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2009, 10:00 a.m. – 5:00 p.m.

PLACE: R. A. Gray Building, Auditorium, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The ad hoc Florida Main Street Advisory Committee will meet to consider applications received and formulate recommendations to the Secretary of State for designation of 2009 Florida Main Street Communities. Up to (3) applicants may be named as "Designated" communities, eligible to receive up to thirty-six (36) months of technical assistance and apply for a one-time ten thousand dollar (\$10,000) grant.

A copy of the final agenda and procedures may be obtained by writing: Joan Jefferson, Florida Main Street Coordinator, Department of State, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or by calling 1(800)847-7278.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he or she may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least forty-eight (48) hours prior to the meeting in order to request any special assistance.

The **State Historical Records Advisory Board** announces a public meeting to which all persons are invited.

DATE AND TIME: August 11, 2009, 9:00 a.m. – 12:00 Noon

PLACE: McKay Archives Building, 111 Lake Hollingsworth Drive, Florida Southern College, Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review the status and project objectives of the Board's National Historical Publications and Records Commission's Administrative Support Grant; discuss the Council of State Archivists' project, Intergovernmental Preparedness for Essential Records (IPER); review components of the Directory of Florida Archival Repositories; discuss the Partnership for

the American Historical Record (PAHR project); review of the Board Strategic Plan; and update members on projects and issues of the State Library and Archives of Florida.

A copy of the agenda may be obtained by contacting: Jim Berberich, Coordinator, State Historical Records Advisory Board at (850)245-6750.

Pursuant to the provisions of 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: Jim Berberich, Coordinator, State Historical Records Advisory Board at (850)245-6750. If you are 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: Jim Berberich, Coordinator, State Historical Records Advisory Board at (850)245-6750.

The **Department of State, Division of Cultural Affairs** announces grant panel meetings to which all interested persons are invited.

Meeting: Culture Builds Florida Seed Funding Panel

DATE AND TIME: August 24, 2009, 9:00 a.m. – 5:00 p.m. (EST) or until conclusion

PLACE: *Held via Teleconference

Meeting: Culture Builds Florida Seed Funding Panel

DATE AND TIME: August 25, 2009, 9:00 a.m. – 5:00 p.m. (EST) or until conclusion

PLACE: *Held via Teleconference

Meeting: Culture Builds Florida Seed Funding Panel 1

DATE AND TIME: August 26, 2009, 9:00 a.m. – 5:00 p.m. (EST) or until conclusion

PLACE: *Held via Teleconference

Meeting: Culture Builds Florida Expansion Funding Panel 2

DATE AND TIME: August 27, 2009, 9:00 a.m. – 5:00 p.m. (EST) or until conclusion

PLACE: *Held via Teleconference

Meeting: Culture Builds Florida Expansion Funding Panel 3

DATE AND TIME: August 28, 2009, 9:00 a.m. – 5:00 p.m. (EST) or until conclusion

PLACE: *Held via Teleconference

Meeting: State Touring Roster

DATE AND TIME: October 21, 2009, 9:00 a.m. – 5:00 p.m. (EST) or until conclusion

PLACE: *Held via Teleconference

Meeting: Fellowship Media Arts

DATE AND TIME: October 22, 2009, 9:00 a.m. – 5:00 p.m. (EST) or until conclusion

PLACE: Conference Room 307

Meeting: Fellowship Visual Arts

DATE AND TIME: October 27, 2009, 9:00 a.m. – 5:00 p.m. (EST) or until conclusion

PLACE: Conference Room 307

PLACE: Meetings will be held via Teleconference or at: R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida.

*Instructions for meetings held via Teleconference: Please visit <http://www.florida-arts.org/grants/panels/teleconference.instructions.html>, for more instructions.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review grant applications for the 2009-2010 Culture Builds Florida, 2010-2012 State Touring Roster, and 2009-2010 Individual Artist Fellowship grant programs.

Please note: These meetings are subject to cancellation. Please call to confirm the meeting date and time.

A copy of the meeting agenda may be obtained by visiting the Divisions website: www.florida-arts.org.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meetings, he/she may need to ensure a verbatim recording of the proceedings in order to provide a record for judicial review. To request accommodations or services, contact: Morgan Lewis, Division of Cultural Affairs at least 48 hours prior to the above state schedule at (850)245-6470. You may also contact the Division by calling Florida Relay at 711.

For more information, please contact: Division of Cultural Affairs, R. A. Gray Building 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399 or (850)245-6470.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida Alligator Marketing and Education Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, August 4, 2009, 9:00 a.m.

PLACE: Teleconference: 1(888)808-6959, 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).

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: John Easley or Martin May at (850)488-0163.

DEPARTMENT OF EDUCATION

The Budget Committee and the **Board of Governors** of the State University System of Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 6, 2009, 8:00 a.m. – 12:00 Noon

PLACE: 17th Floor, Turlington Building, 325 W. Gaines St., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposal on differential tuition; Authorize release of funds from the University Concurrency Trust Fund in accordance with the Campus Development Agreement between UF and the City of Gainesville; Approve Notice of Intent to Amend Chapter 14, Construction Program, including Regulations 14.002, Definitions; 14.004, Public Announcement and Qualification Procedure; 14.005, Certification and Competitive Selection of Architects/Engineers; and 14.0055, Certification and Competitive Selection for Construction Management Services; Approve Notice of Intent to Amend Regulation 1.0001, General Description and Address of Agency; Approve Notice of Intent to Repeal Regulation 21.213, Campus Master Plan Consistency with the State Comprehensive Plan and not in Conflict with Local Government Comprehensive Plans; Final Approval of Regulations noticed in June, including Regulations 9.011, University Direct Support Organizations and Health Services Support Organizations; 9.020, University Health Services Support Organizations (repeal); 6.015, Student Records and Reports; 4.002, Presidential Search, Selection, Appointment and Evaluation (repeal); 12.001, Florida Solar Energy Center Operations; and 6.017, Criteria for Awarding Baccalaureate Degrees; Approve request for limited access status, B.S., Sports Management, FSU; Report on process for filling vacancies on 11 University Boards of Trustees; Report on Chancellor Search; and other related business.

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. If you are 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 **Board of Governors**, State University System of Florida announces a workshop to which all persons are invited.

DATE AND TIME: August 6, 2009, 10:00 a.m. – 5:00 p.m.

PLACE: 17th Floor, Turlington Building, 325 W. Gaines St., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Strategic Planning Initiatives, including University Workplans and annual reports; Institutional Strategic Plans; Discussion of Medical Residencies; Florida Small Business Development Center as a State Center; and other related business.

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. If you are 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 **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIME: A Teacher Hearing Panel, August 6, 2009, 9:00 a.m. or as soon thereafter as can be heard

PLACE: Senate Office Building (Room 401), 404 South Monroe Street, Tallahassee, Florida 32399, (850)245-0455

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, 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: Kathleen M. Richards at (850)245-0455. If you are 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: Janice Harris or Kathleen M. Richards at (850)245-0455.

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIME: A Teacher Hearing Panel, August 7, 2009, 9:00 a.m. or as soon thereafter as can be heard

PLACE: Senate Office Building (Room 401), 404 South Monroe Street, Tallahassee, Florida 32399, (850)245-0455

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, 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: Kathleen M. Richards at (850)245-0455. If you are 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: Janice Harris or Kathleen M. Richards at (850)245-0455.

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a workshop to which all persons are invited.

DATE AND TIME: Friday, August 21, 2009, 9:00 a.m.

PLACE: Center for Leadership and Development, Moore Hall – FSDB campus, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop relating to matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by contacting: L. Daniel Hutto, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, (904)827-2200.

Pursuant to the provisions of 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: L. Daniel Hutto at (904)827-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: L. Daniel Hutto at the aforementioned address.

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday August 21, 2009, 1:00 p.m.

PLACE: Center for Leadership Development, Moore Hall, FSDB campus, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind, including a Public Hearing on the repeal of Rule 6D-4.003, F.A.C., Business Manager, Rule 6D-5.002, F.A.C., Principal for the Deaf and Principal for the Blind, Administrator of Instructional Programs, Curriculum and Staff Development, Administrator of Residential Programs, Rule 6D-5.003, F.A.C., Other Personnel.

A copy of the agenda may be obtained by contacting: L. Daniel Hutto, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, (904)827-2200.

Pursuant to the provisions of 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: L. Daniel Hutto at (904)827-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: L. Daniel Hutto at the aforementioned address.

The **Florida State College at Jacksonville**, District Board of Trustees announces the following meetings to which the public is invited.

STRATEGIC CONVERSATION

DATE AND TIME: August 4, 2009, 12:00 Noon – 2:00 p.m.
PLACE: Advanced Technology Center, Room T-140, 401 W. State Street, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Major Priorities for 2009-10.

REGULAR MONTHLY BOARD MEETING

DATE AND TIME: August 4, 2009, 2:00 p.m. – 3:00 p.m.
PLACE: Donald T. Martin Center for College Services, Boardroom 451, 501 W. State Street, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

DISCUSSION OF COLLEGE OPERATIONAL MATTERS

DATE AND TIME: August 4, 2009, 3:00 p.m. – 5:00 p.m.
PLACE: Donald T. Martin Center for College Services, Room 462, 501 W. State Street, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: College operational matters.

Copies of the agenda for the regular monthly Board meeting will be available for inspection on and after Tuesday, July 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 State College at Jacksonville, on or before August 4, 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 August and September, 2009, the Board will hold informal meetings each Thursday from 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.

The College 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.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission**, “the Commission” announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 4, 2009, 10:00 a.m. – 11:30 a.m.
PLACE: Meetings to be conducted using communications media technology, specifically Conference Call: 1(888)808-6959, Code: 1967168

PLACE: Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss “accreditor” and “course” applications for recommendation to the Florida Building Commission; discuss archiving outdated pending courses, and general subject matters.

A copy of the agenda may be obtained by contacting: Ms. Ila Jones, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Ila Jones, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax (850)414-8436, Website: www.floridabuilding.org.

The **Department of Community Affairs**, Housing and Community Development Division, Community Assistance Section announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, August 6, 2009, 2:00 p.m. – 3:00 p.m.

PLACE: Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Conference Room 250L, Tallahassee, Florida 32399-2100, (850)488-7541.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain input and recommendations from the public and interested parties concerning the LIHEAP State Administrative Plan for FFY 2010. This plan will be submitted to the United States Department of Health and Human Services. The plan is required annually in order for the state to receive LIHEAP funds.

A copy of the agenda may be obtained by contacting: Department of Community Affairs, Susan Lawrence, Planner IV, the Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Fax: (850)488-2488 or by appearing in person at the agency headquarters.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Community Assistance Section at (850)488-7541. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **State Emergency Response Commission Subcommittee on Training** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 5, 2009, 10:00 a.m. – 12:00 Noon

PLACE: This is a telephone conference call which can be attended via the internet OR telephone. To attend by telephone, Dial: (215)383-1003, Access Code: 495-559 003, Audio PIN: Shown after joining the meeting. To join by internet go to: <https://www2.gotomeeting.com/join/495559003>. Use your microphone and speakers (VoIP) – a headset is recommended.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chemical Industry Education Initiative and the sampling Protocols for Hazardous Materials/Weapons of Mass Destruction Incidents.

A copy of the agenda may be obtained by contacting: Division of Emergency Management at (850)413-9970.

Pursuant to the provisions of 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, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399. (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).

For more information, you may contact: Division of Emergency Management at (850)413-9970.

DEPARTMENT OF LAW ENFORCEMENT

The **Department of Law Enforcement** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 12, 2009, 9:00 a.m.

PLACE: Ritz-Carlton, 1111 Ritz-Carlton Drive, Sarasota, Florida 34236, (941)309-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medical Examiners Commission Meeting.

A copy of the agenda may be obtained by contacting: Ms. Victoria P. Gardner, Bureau Chief, Medical Examiners Commission, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8600.

Pursuant to the provisions of 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: Medical Examiners Commission Office at (850)410-8600. If you are 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: Medical Examiners Commission, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8600.

DEPARTMENT OF TRANSPORTATION

The **Commercial Motor Vehicle Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: August 6, 2009, 8:30 a.m.

PLACE: Hawthorn Suites Lake Buena Vista, 8303 Palm Parkway, Orlando, FL 32836

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or persons under the provisions of Chapter

316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

A copy of the agenda may be obtained by contacting: Christine Jones, Executive Assistant, Commercial Motor Vehicle Review Board, 325 John Knox Rd., Bldg. K, Tallahassee, FL 32303.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Christine Jones at (850)245-7914. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

The **State Board of Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 28, 2009, 9:00 a.m. – until conclusion

PLACE: Cabinet Meeting Room, Lower Level, The Capital, Monroe Street and Apalachee Parkway, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Trustees of the State Board of Administration, on July 28, 2009, will consider a proposed new rule and will be asked for permission to file for notice: Rule 19-7.002, F.A.C., Investment Policy Guidelines, adopting the most recently approved guidelines for the Local Government Surplus Funds Trust Fund.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308, (850)413-1253.

Pursuant to the provisions of 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: Tina Joanos, Agency Clerk, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32303, (850)413-1197, 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).

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: Ruth A. Smith, Assistant General Counsel, State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32303, (850)413-1182, ruth.smith@sbafla.com.

The **Florida Hurricane Catastrophe Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: July 28, 2009, 9:00 a.m. (ET)

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Trustees of the SBA to appoint a Chair for the Florida Commission on Hurricane Loss Projection Methodology, and to address other general business.

Pursuant to the provisions of 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 hours before the workshop/meeting by contacting: Tracy Allen, Florida Hurricane Catastrophe Fund, (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).

For more information, you may contact: Tracy Allen at the number listed above.

FLORIDA PAROLE COMMISSION

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

DATES AND TIME: Wednesday, August 5, 2009; August 12, 2009; August 19, 2009, 8:30 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission at (850)488-1293.

Pursuant to the provisions of 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 Parole Commission at ada@fpc.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.

PUBLIC SERVICE COMMISSION

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

DATES AND TIME: Monday, August 10, 2009; Tuesday, August 11, 2009 through Friday, August 14, 2009, 9:30 a.m.

PLACE: Public Service Commission, 2540 Shumard Oak Boulevard, Betty Easley Building, Room 148, Tallahassee, FL 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive testimony and exhibits and to take final action relative to the Commission's review of the utilities' numeric conservation goals and to take action on any motions or other matters that may be pending at the time of the hearing.

A copy of the agenda may be obtained by contacting: Florida Public Service Commission, Office of General Counsel at (850)413-6199.

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

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 Public Service Commission, Office of General Counsel at (850)413-6199.

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

DATE AND TIME: August 11, 2009, 1:30 p.m. – 5:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Undocketed. To discuss potential rule language concerning the eligibility requirements for a common carrier desiring designation as an eligible telecommunications carrier in Florida.

A copy of the agenda may be obtained by contacting: Rosanne Gervasi, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0850, (850)413-6224 or by e-mail: rgervasi@psc.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: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Public Service Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, August 19, 2009, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Undocketed-Review of Ten-Year Site Plans of Electric Utilities.

A copy of the agenda may be obtained by contacting: Office of Commission Clerk at (850)413-6770.

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

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: Office of Commission Clerk at (850)413-6770.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Office of Drug Control** announces a public meeting to which all persons are invited.

DATE AND TIME: July 30, 2009, 10:00 a.m. – 3:00 p.m.

PLACE: Reed Hall, House Office Building

GENERAL SUBJECT MATTER TO BE CONSIDERED: Seaport Security Standards.

A copy of the agenda may be obtained by contacting: Andy Benard at (850)921-0485.

Pursuant to the provisions of 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: Andy Benard at (850)921-0485. If you are 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: Andy Benard at (850)921-0485.

REGIONAL PLANNING COUNCILS

The **Tampa Bay Regional Planning Council**, Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 10, 2009, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Suzanne Cooper at (727)570-5151, ext. 32. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Suzanne Cooper at (727)570-5151, ext. 32.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 13, 2009, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 14, 2009, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council**, Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 14, 2009, 11:30 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council**, Clearinghouse Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday September 28, 2009, 9:30 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

The **District XI Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 26, 2009, 10:00 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the LEPC's ongoing regional hazardous materials training and planning activities for FY09-10.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, via email request to: Manny Cela (celam@sfrpc.com), visiting the LEPC website (www.sfrpc.com/lepc.htm) or by calling (954)985-4416 in Broward or 1(800)985-4416 toll-free statewide.

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

For more information, you may contact: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, via email request to: Manny Cela (celam@sfrpc.com), visiting the LEPC website (www.sfrpc.com/lepc.htm) or by calling (954)985-4416 in Broward or 1(800)985-4416 toll-free statewide.

WATER MANAGEMENT DISTRICTS

The **R. O. Ranch, Inc.**, a Florida non-profit corporation announces a public meeting to which all persons are invited.

DATE AND TIME: August 6, 2009, 6:30 p.m.

PLACE: R. O. Ranch, Inc., Morgan Fieldstation Office, Cooks Hammock, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Board of Directors meeting to discuss the development of equestrian facilities on Suwannee River Water Management District properties.

A copy of the agenda may be obtained by contacting: Mrs. Pennie Flickinger, Administrative Assistant at (386)362-1001 or pff@srwmd.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Mrs. Pennie Flickinger, Administrative Assistant at (386)362-1001 or pff@srwmd.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Brian Kauffman, Facilities Director at (386)362-1001 or bck@srwmd.org.

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

DATE AND TIME: Friday, July 31, 2009, 6:30 p.m.

PLACE: USF's Marshall Center, 4202 E Fowler Ave., Tampa, FL 33614

GENERAL SUBJECT MATTER TO BE CONSIDERED: Twenty-First Annual Awards Banquets – Inroads: Recognize corporate sponsors and interns who help develop and place minority youth in business and industry and prepare them for corporate community leadership. (Ad Order 13946)

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, ext. 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; (352)796-7211 or 1(800)423-1476 (FL Only), ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. If you are 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: Wednesday, August 5, 2009, 9:00 a.m.

PLACE: West Pasco Government Center, 7530 Little Road, New Port Richey, FL 34652

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pinellas-Anclote River Basin Board: Consider Basin business, including discussion of the fiscal year 2010 budget, followed by adoption of a final millage rate and budget. (Ad Order 13946)

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 (352)796-7211, ext. 4702 or 1(800)423-1476 (FL Only) ext. 4702, TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us.

This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. If you are 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: August 5, 2009, 9:00 a.m. – 11:00 a.m. unless business concludes earlier

PLACE: Tampa Service Office, 7601 Highway 301 North, Tampa, Florida 33637-6759

GENERAL SUBJECT MATTER TO BE CONSIDERED: Current Individual Environmental Resource and Water Use permits under review by the Southwest Florida Water Management District.

Pursuant to the provisions of 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: District's Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, (352)796-7211, ext. 4702 or 1(800)423-1476 (FL Only), ext. 4702; TDD (FL Only) 1(800)231-6103 or email: 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.

PLACE: SWFWMD, Tampa Service Office, 7601 Highway 301 North, Tampa, FL 33637

Alafia River Basin Board Meeting

DATE AND TIME: Thursday, August 6, 2009, 9:00 a.m.

Hillsborough River Basin Board Meeting

DATE AND TIME: Thursday, August 6, 2009, 1:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider Basin business, including discussion of the fiscal year 2010 budget, followed by adoption of a final millage rate and budget for each Basin. (Ad Order 13946)

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, ext. 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 (352)796-7211, ext. 4702 or 1(800)423-1476 (FL Only) ext. 4702, TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us.

This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. If you are 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 hearing to which all persons are invited.

DATE AND TIME: August 25, 2009, 9:00 a.m.

PLACE: Southwest Florida Water Management District, Governing Board Room, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of Water Use Permit Application – Mining and Dewatering Form.

A copy of the agenda may be obtained by contacting: Dianne Lee, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, ext. 4657.

Pursuant to the provisions of 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: Dianne Lee, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, ext. 4657. If you are 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: Martha Moore, Senior Attorney, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, ext. 4660.

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: August 4, 2009, 10:00 a.m. – 4:00 p.m.

PLACE: South Florida Water Management District, Building B-1, Auditorium, 3301 Gun Club Rd., West Palm Beach, FL 33406

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: 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 hearing to which all persons are invited.

DATE AND TIME: August 13, 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 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, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 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, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jesus Rodriguez, Lead Water Conservation Officer, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6060 or (561)682-6060, email: 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.

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

DATE AND TIME: Special Meeting of the Everglades Technical Oversight Committee (TOC) or TOC Technical Working Group, August 18, 2009, 10:00 a.m.

PLACE: South Florida Water Management, District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special meeting (if needed) of the Everglades Technical Oversight Committee (TOC) or a meeting of the TOC Technical Working Group.

A copy of the agenda may be obtained by contacting: (1) District Website: http://www.sfwmd.gov/org/ema/toc/draft_agenda.html or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Florida Local Advocacy Council in Service Area 14**, Dade/Monroe Counties announces a public meeting to which all persons are invited.

Multi-Program Council Meetings

DATE AND TIME: 4th Monday of the month, July 27, 2009; August 24, 2009; October 26, 2009; November 23, 2009; January 25, 2010; February 22, 2010; March 22, 2010; April 26, 2010; June 28, 2010, 5:30 p.m.

PLACE: Miami Dade Police Department, 7875 N. W. 12 Street, Doral, FL 33126

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Local Advocacy Council in Service Area 14 announces meetings for all Local Advocacy Council members, including the Chair and Vice-Chair, and administrative office staff. Parts of the meetings are open to the public.

Please call 1(800)342-0825 to confirm the time and place of the meeting.

A copy of the agenda may be obtained by contacting: Penina Popper at 1(800)342-0825.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by

contacting: Penina Popper at (954)713-1263. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: <http://dms.myflorida.com/fsac>.

The **Florida Statewide Advocacy Council**, Mental Health and Multi-Programs Council Committees announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Mental Health Council Committee, July 31, 2009, 10:00 a.m.; Multi-programs Council Committee, August 12, 2009, 9:30 a.m.

PLACE: Dial in: 1(888)808-6959, Conference Code: 4886175#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committees are meeting to fulfill the provisions of Section 402.164-167, Florida Statutes.

A copy of the agenda may be obtained by contacting: 1(800)342-0825 or by visiting our website: <http://www.dms.myflorida.com/fsac>. Please be aware that all Statewide Advocacy Council and Local Advocacy Council meetings, agendas, and minutes are posted to this website, which is updated regularly.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: susan.counts@myflorida.gov or by phone: (850)488-6173. If you are 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 Local Advocacy Councils in Service Area 12**, Palm Beach County announces a public meeting to which all persons are invited.

DATES AND TIMES: Developmental Disabilities, 1st Wednesday of the month, August 5, 2009; September 8, 2009; October 7, 2009; November 4, 2009; January 6, 2010; February 2010; March 3, 2010; May 5, 2010; June 2, 2010, 10:00 a.m.; Mental Health, 3rd Monday of the month, 10:00 a.m.; August 17, 2009; September 21, 2009; October 19, 2009; November 16, 2009; January 11, 2010, 9:30 a.m.; February 15, 2010; March 15, 2010; April 19, 2010; May 17, 2010; June 14, 2009; Multi-Program Council, 2nd Monday of the month, August 10, 2009; September 14, 2009; October 12, 2009; November 9, 2009; January 11, 2010; February 8, 2010; March 8, 2010; April 12, 2010; May 10, 2010; June 7, 2010, 9:30 a.m.

PLACE: Developmental Disabilities: Children's Services Council, Children's Services Council, 2300 High Ridge Road, Boynton Beach, FL 33426; Mental Health: United Way of

Palm Beach County, Conference Center, 2600 Quantum Blvd., Boynton Beach, FL; Multi-Programs: United Way of Palm Beach County, 2600 Quantum Blvd., Boynton Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Local Advocacy Councils in Service Area 12 announce meetings for all Local Advocacy Council members, including the Chair and Vice-Chair, and administrative office staff. Parts of the meetings are open to the public.

Please call 1(800)342-0825 to confirm the time and place of the meeting. Agendas are available at <http://dms.myflorida.com/fsac>.

A copy of the agenda may be obtained by contacting: Penina Popper at 1(800)342-0825.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Penina Popper at (954)713-1263. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: <http://dms.myflorida.com/fsac>.

The Florida Local Advocacy Councils in Service Area 13, Broward County announces a public meeting to which all persons are invited.

DATE AND TIME: Developmental Disabilities Council: 2nd Wednesday of the month, August 12, 2009; September 6, 2009; October 14, 2009; November 18, 2009; January 13, 2010; February 10, 2010; March 10, 2010; April 14, 2010; May 12, 2010; June 9, 2010, 5:30 p.m.; Multi-Programs: 2nd Thursday of the month, August 13, 2009; September 10, 2009; October 28, 2009; November 12, 2009; January 14, 2010; February 11, 2010; March 11, 2010; April 8, 2010; May 13, 2010; June 10, 2010, 12:00 Noon; Mental Health: 3rd Tuesday of the month, August 18, 2009; September 22, 2009; October 20, 2009; November 17, 2009; January 19, 2010; February 16, 2010; March 16, 2010; April 20, 2010; May 18, 2010; June 15, 2010, 2:30 p.m.

PLACE: Developmental Disabilities and Multi-Programs: Gore Building, 201 W. Broward Blvd., Ste. 506 Fort Lauderdale, FL 33301; Mental Health: Geo Care Inc., South Florida State Hospital, 800 East Cypress Drive, Pembroke Pines, FL 33025

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Local Advocacy Councils in Service Area 13 announce meetings for all Local Advocacy Council members, including the Chair and Vice-Chair, and administrative office staff. Parts of the meetings are open to the public.

Please call 1(800)342-0825 to confirm the time and place of the meeting.

A copy of the agenda may be obtained by contacting: Penina Popper at (800) 342-0825 or at <http://dms.myflorida.com/fsac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Penina Popper at (954)713-1263. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: <http://dms.myflorida.com/fsac>.

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 10, 2009, 1:00 p.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, Fort Knox Business Center, 2727 Mahan Drive, Bldg. 3, Conference Room A, Tallahassee, FL 32308. Conference Call: 1(877)328-7346, Conference ID: 19410849

GENERAL SUBJECT MATTER TO BE CONSIDERED: Technical Advisory Panel Teleconference.

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).

For more information, you may contact: ruisj@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE OF CANCELLATION – The Southwood Shared Resource Center announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 27, 2009, 1:30 p.m.

PLACE: Turlington Building, Room 1703, 325 W. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: THIS MEETING HAS BEEN CANCELLED

For more information, you may contact: Rick Mitchell at (850)488-9895, rick.mitchell@ssrc.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE OF CORRECTION – The **Department of Business and Professional Regulation**, Regulatory Council of Community Managers announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 31, 2009, 11:00 a.m.

PLACE: This meeting will be held via Conference Call: 1(888)808-6959, Conference Code: 4879597

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Suggestions

A copy of the agenda may be obtained by contacting: Regulatory Council Staff at (850)922-5012 or via Fax: (850)617-4458.

Pursuant to the provisions of 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: Regulatory Council Staff at (850)922-5012 or via Fax: (850)617-4458. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATE AND TIME: July 29, 2009, 9:00 a.m.

PLACE: Tampa Marriott Waterside Hotel & Marina, 700 South Florida Avenue, Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Board of Architecture and Interior Design announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: July 29, 2009, 9:00 a.m.

PLACE: Tampa Marriott Waterside Hotel & Marina, 700 South Florida Avenue, Tampa, Florida 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public.

The following cases are open to the public:

Architectural Artwork, Case No. 2009-008349

Joan DesCombes

Architectural Services & Engineering, Inc., Case No. 2009-004867

Warren Mertins

Patty Bergren, Case No. 2008-064236

Michael Coviello, Case No. 2008-062274

Coviello Associates, Inc.

Cutler Associates, Inc. Case No. 2009-011807

J. Robert Taylor

Digital-I Design Studio, Case No. 2009-005336

Faisal Syed

Design For Real Living, LLC, Case No. 2009-006126

Carrie Kraus

William Gonzales, Case No. 2009-005865

Into the Mist, Inc., Case No. 2009-006380

Leslie Thompson

David J. Johnson, Case No. 2009-002206

Plans Unlimited

K. Salowe & Co, Case No. 2008-006580

Kenneth A. Salowe

Trisha Monk, Case No. 2009-005190

Interior Images

Naples Interior Design, Inc., Case No. 2009-006397

Leon Canglin

Palm City Woodwork & Design, Case No. 2008-063009

Mark J. Ferriter

Royal Knight Installation, Case No. 2008-064038

Donna Whithead

Sla-Tur Construction, Case No. 2008-045776

William Slade

Small Space Designs, LLC, Case No. 2008-066391

Holly M. Baker

Lisa D. Tatum, Case No. 2008-064251

Unique Interior Designs, Inc., Case No. 2008-062487

Patricia Turner

Robert J. Vick, Case No. 2009-006417

Whitney & Company, LLC, Case No. 2008-064020

Mary Ann Whitney

Wolfe-Rizor Interiors, Case No. 2008-043960

Harriet Wolfe

A copy of the agenda may be obtained by contacting: David K. Minacci, Smith, Thompson, Shaw & Manausa, P.A., 3520 Thomasville Road, Fourth Floor, Tallahassee, FL 32309.

For more information, you may contact: David K. Minacci, Smith, Thompson, Shaw & Manausa, P.A., 3520 Thomasville Road, Fourth Floor, Tallahassee, FL 32309.

NOTICE OF CORRECTION – The **Board of Auctioneers** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 31, 2009, 8:30 a.m.

PLACE: This meeting will be held via conference call. The Conference Number is: 1(888)808-6959, Code: 4879597

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Suggestions

A copy of the agenda may be obtained by contacting: Board of Auctioneers Staff at (850)922-5012 or via Fax (850)617-4458. Pursuant to the provisions of 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 Staff at (850)922-5012 or via Fax (850)617-4458. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: July 28, 2009, 9:00 a.m. and 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jeffrey J. Kelly at (850)488-0062. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

The **Board of Professional Geologists** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, August 6, 2009, 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9226020

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

A copy of the agenda may be obtained by contacting: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, 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 48 hours before the workshop/meeting by contacting: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, FL 32399. If you are 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: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, FL 32399.

The **Board of Veterinary Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 3, 2009, 11:30 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9218690

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

The **Florida Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATES AND TIME: Monday, August 3, 2009; Tuesday, August 4, 2009, 8:30 a.m. – continuing until all Board business is complete

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 W. Robinson Street, Orlando, Florida 32801-1757

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board: Topics include, but not limited to, proposed legislation affecting Chapter 475, Part II, F.S., rule development workshops, Florida Administrative Code 61J1 rule amendments, disciplinary actions, and general subject matter.

A copy of the agenda may be obtained by contacting: Florida Real Estate Appraisal Board, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1757.

Pursuant to the provisions of 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: Florida Real Estate Appraisal Board 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).

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

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday August 5, 2009, 9:00 a.m. (Eastern Time) 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 W. 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. If you are 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 Real Estate Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, August 11, 2009, 8:30 a.m. or soonest thereafter

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To clarify education requirements for real estate instructors.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Pursuant to the provisions of 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 Real Estate at (407)481-5662. If you are 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: Division of Real Estate at (407)481-5662.

The **Florida State Boxing Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 4, 2009, 10:30 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4137430

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business.

A copy of the agenda may be obtained by contacting: Mary Horne at (850)488-8500.

Pursuant to the provisions of 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: Mary Horne at (850)488-8500. If you are 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: Mary Horne at (850)488-8500.

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: July 30, 2009, 9:30 a.m.

PLACE: Lake Sylvan Park, 845 Lake Markham Rd., Sanford, FL 32771

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lake Jesup Basin Working Group was formed to provide a forum for stakeholders to provide recommendations to the Department of Environmental Protection regarding development of the Lake Jesup Basin Management Action Plan (BMAP). The Lake Jesup BMAP is the vehicle for implementation of the Lake Jesup nutrient Total Maximum Daily Load (TMDL). Topics to be considered at this meeting include recommendations to the Department regarding allocations and related BMAP components.

A copy of the agenda may be obtained by contacting: Mrs. Jennifer Gihring, 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)245-8418.

Pursuant to the provisions of 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. Jennifer Gihring at (850)245-8418. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 19, 2009, 10:00 a.m. – 4:00 p.m.

PLACE: Rooms 3A and 3B, Fish and Wildlife Research Institute, 100 Eighth Avenue, S.E., St. Petersburg, FL 33701. Conference Call: 1(888)808-6959, Conference Code: 4513843

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Oceans and Coastal Council will meet to further its duties under the Oceans and Coastal Resources Act.

A copy of the agenda may be obtained by contacting: Becky Prado at rebecca.prado@dep.state.fl.us.

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

DEPARTMENT OF HEALTH

The Florida **Department of Health, Division of Medical Quality Assurance** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 4, 2009, 9:00 a.m. – 12:00 Noon

PLACE: Betty Easley Conference Center, Public Service Commission Hearing Room 152, 4075 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is to discuss and share best practices and initiatives with other state agencies.

A copy of the agenda may be obtained by contacting: Charlene Willoughby, Manager, Strategic Planning Services Unit, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, FL 32399-3253.

Pursuant to the provisions of 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 Medical Quality Assurance. If you are 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 **Division of Health Access and Tobacco** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 10, 2009, 2:30 p.m. – 3:30 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 6849116

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tobacco Advisory Council Collaborations Ad Hoc Subcommittee, to discuss the roles and duties of the subcommittee.

A copy of the agenda may be obtained by contacting: Adele Porta at (850)245-4444, ext. 2507, email: adele_porta@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 72 hours before the workshop/meeting by contacting: Adele Porta at (850)245-4444, ext. 2507, email: adele_porta@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.

NOTICE OF CHANGE – The Governor’s Council on Physical Fitness announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, August 20, 2009, 3:00 p.m. – 6:00 p.m.; Friday, August 21, 2009, 9:00 a.m. – 3:00 p.m.

PLACE: St. Pete Times Forum, 401 Channelside Drive, Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue the work outlined in Executive Order 07-52 and Executive Order 09-91. To review and discuss the Governor’s Council on Physical Fitness’ recommendations and plan for upcoming year.

A copy of the agenda may be obtained by contacting: Katie Hammond at (850)245-4259 or katie_hammond@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 3 days before the workshop/meeting by contacting: Katie Hammond at (850)245-4259. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Health, Division of Medical Quality Assurance** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 29, 2009, 9:00 a.m. – 4:00 p.m.

PLACE: Betty Easley Conference Center, Public Service Commission Hearing Room 152, 4075 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is to review with the board/council chairs as required by Section 456.005, F.S., the long-range policy planning and monitoring process to include recommendations specific to each profession.

A copy of the agenda may be obtained by contacting: Lisa Nickerson, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, FL 32399-3253.

Pursuant to the provisions of 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: Medical Quality Assurance at (850)245-4224. If you are 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 **Board of Clinical Laboratory Personnel** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 14, 2009, 9:00 a.m.

PLACE: Embassy Suites, 9300 Baymeadows Road, Jacksonville, Florida 32256, (904)731-3555

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Board of Clinical Laboratory Personnel, Executive Director, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing: www.doh.state.fl.us/mqa/ClinLab/index.html.

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

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

The **Board of Orthotists and Prosthetists** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, August 6, 2009, 9:30 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3257, Conference Call: 1(888)808-6959, Conference Code: 9849329103

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 Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing: www.doh.state.fl.us/mqa/orthPros/index.html.

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

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

The Probable Cause Panel of the **Board of Osteopathic Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 13, 2009, 10:00 a.m. – 3:00 p.m.

PLACE: Conference Call: 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, Bin #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, Bin #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).

The **Board of Athletic Training** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 24, 2009, 5:00 p.m.

PLACE: (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Athletic Training, 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.

The **Office of Public Health Research** announces a hearing to which all persons are invited.

DATE AND TIME: Friday, August 7, 2009, 9 a.m. – 10:00 a.m.

PLACE: Conference Room 280N, 4030 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule Language Changes.

A copy of the agenda may be obtained by contacting: Ronique Hall at (850)245-4444, ext. 3927.

Pursuant to the provisions of 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: Ronique Hall at (850)245-4444, ext. 3927. If you are 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: Ronique Hall at (850)245-4444, ext. 3927.

The Florida **Office of Rural Health** announces a workshop to which all persons are invited.

DATES AND TIME: August 20-21, 2009, 8:00 a.m. – 5:00 p.m.

PLACE: Springhill Suites, 1300 Executive Drive, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop for Critical Access Hospital Administrators, CFO's and CNO's to discuss financial and patient safety performance improvement activities.

A copy of the agenda may be obtained by contacting: Joel Libby at (850)245-4444, ext. 2706.

For more information, you may contact: Joel Libby at (850)245-4444, ext. 2706.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: August 12, 2009, 1:00 p.m. – 5:00 p.m.

PLACE: Fish and Wildlife Conservation Commission, Farris Bryant Building, Room 272, 620 South Meridian Street, Tallahassee, Florida 32399-1600. Communications Media Technology will be used via video conferencing at the Florida

Fish and Wildlife Research Institute, 100 Eighth Avenue, S. E., St. Petersburg, Florida 33701-5095. Public should attend at the Tallahassee location.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Evaluations for the FY 09-10 Florida's Wildlife Legacy Initiative's Targeted Grant proposals.

A copy of the agenda may be obtained by contacting: Laura Morse, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, Grants Coordinator, (850)488-3831.

Pursuant to the provisions of 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).

FINANCIAL SERVICES COMMISSION

NOTICE OF CONTINUATION – The **Office of Insurance Regulation, Financial Services Commission** announces a hearing to which all persons are invited.

DATE AND TIME: August 11, 2009, 9:00 a.m.

PLACE: Room LL-03, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Final Public Hearing on this rule was initially set for July 28, 2009. It is being continued to this new date. The date this rule was proposed was May 22, 2009, in the F.A.W., Vol. 35, No. 20.

A copy of the agenda may be obtained by contacting: Debra Seymour at debra.seymour@flor.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Debra Seymour at debra.seymour@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: Debra Seymour at debra.seymour@flor.com.

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: August 11, 2009, 9:00 a.m.

PLACE: Room LL-03, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Final Public Hearing on these Rules 69O-163.0075, Term and Evidence of Insurance, 69O-163.009, Determination of Reasonableness of Benefits in Relation to Premium Charge and 69O-163.011, Credit Disability Insurance Rates, F.A.C.,

was initially set for July 28, 2009. It is being continued to this new date. The date this rule was proposed was May 22, 2009, in F.A.W., Vol. 35, No. 20.

A copy of the agenda may be obtained by contacting: Gerry Smith, Division of Life and Health, Office of Insurance Regulation, E-mail: gerry.smith@flor.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gerry Smith, Division of Life and Health, 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).

For more information, you may contact: Gerry Smith, Division of Life and Health, Office of Insurance Regulation, E-mail gerry.smith@flor.com.

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: August 11, 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 69O-164.040, Determining Reserve Liabilities for Preneed Life Insurance, Florida Administrative Code, published on May 22, 2009 in Vol. 35, No. 20, of the Florida Administrative Weekly. A notice of change was published on July 17, 2009 in Vol. 35, No. 28.

A copy of the agenda may be obtained by contacting: Kerry Krantz, Office of Insurance Regulation, E-mail: kerry.krantz@flor.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kerry Krantz, Office of Insurance Regulation, E-mail: kerry.krantz@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: Kerry Krantz, Office of Insurance Regulation, E-mail: kerry.krantz@flor.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-164.040 Determining Reserve Liabilities for Preneed Life Insurance.

(1) Authority.

This rule is adopted by the commission pursuant to Sections 625.121(5)(a)3. and 627.476(9), Florida Statutes.

(2) Scope.

This rule applies to preneed life insurance policies and certificates as defined in Section Four (4) of this rule, and similar policies and certificates.

(3) Purpose.

The purpose of this rule is to recognize the inadequacy of the 2001 Commissioners Standard Ordinary Life Valuation Mortality Table for use in determining the minimum standard of valuation and the minimum standard nonforfeiture value, and to require the continued use of the 1980 Commissioners Standard Ordinary Life Valuation Mortality Table for use in determining the minimum standard of valuation and the minimum standard nonforfeiture value.

(4) Definitions.

(a) The term "2001 CSO Mortality Table" means the 2001 Commissioners Standard Ordinary Life Valuation Mortality Table, consisting of separate rates of mortality for male and female lives, developed by the American Academy of Actuaries CSO Task Force from the Valuation Basic Mortality Table developed by the Society of Actuaries Individual Life Insurance Valuation Mortality Task Force, and adopted by the NAIC in December 2002. The 2001 CSO Mortality Table is included in the Proceedings of the NAIC (2nd Quarter 2002). Unless the context indicates otherwise, the "2001 CSO Mortality Table" includes both the ultimate form of that table and the select and ultimate form of that table and includes both the smoker and nonsmoker mortality tables and the composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality tables.

(b) The term "Ultimate 1980 CSO" means the Commissioners' 1980 Standard Ordinary Life Valuation Mortality Tables (1980 CSO) without ten-year (10-year) selection factors, incorporated into the 1980 amendments to the NAIC Standard Valuation Law approved in December 1983.

(c) For the purposes of this rule, preneed insurance is any life insurance policy or certificate that is issued in combination with, in support of, with an assignment to, or as a guarantee for a prearrangement agreement for goods and services to be provided at the time of and immediately following the death of the insured. Goods and services may include, but are not limited to embalming, cremation, body preparation, viewing or visitation, coffin or urn, memorial stone, and transportation of the deceased. The status of the policy or contract as preneed insurance is determined at the time of issue in accordance with the policy form filing.

(5) Minimum Valuation Mortality Standards.

For preneed insurance contracts, as defined in section (4)(c), and similar policies and contracts, the minimum mortality standard for determining reserve liabilities and non-forfeiture values for both male and female insureds shall be the Ultimate 1980 CSO.

(6) Minimum Valuation Interest Rate Standards.

(a) The interest rates used in determining the minimum standard for valuation of preneed life insurance shall be the calendar year statutory valuation interest rates as defined in Section 625.121(6), F.S.

(b) The interest rates used in determining the minimum standard for nonforfeiture values for preneed life insurance shall be the calendar year statutory nonforfeiture interest rates as defined in Section 627.476(9)(i), F.S.

(7) Minimum Valuation Method Standards.

(a) The method used in determining the minimum standard for valuation of preneed life insurance shall be the method as defined in Section 625.121(5), F.S.

(b) The method used in determining the minimum standard for nonforfeiture values for preneed life insurance shall be the method as defined in Section 627.476(9), F.S.

(8) Transition Rules.

(a) For preneed insurance policies issued on or after the effective date of this rule and before January 1, 2012, the 2001 CSO may be used as the minimum standard for reserves and minimum standard for non-forfeiture benefits for both male and female insureds.

(b) If an insurer elects to use the 2001 CSO as a minimum standard for any policy issued on or after the effective date of this rule and before January 1, 2012, the insurer shall provide, as a part of the actuarial opinion memorandum submitted in support of the company's asset adequacy testing, an annual written notification to the domiciliary commissioner. The notification shall include:

1. A complete list of all preneed policy forms that use the 2001 CSO as a minimum standard;

2. A certification signed by the appointed actuary stating that the reserve methodology employed by the company in determining reserves for the preneed policies issued after the effective date and using the 2001 CSO as a minimum standard, develops adequate reserves (For the purposes of this certification, the preneed insurance policies using the 2001 CSO as a minimum standard cannot be aggregated with any other policies.); and

3. Supporting information regarding the adequacy of reserves for preneed insurance policies issued after the effective date of this rule and using the 2001 CSO as a minimum standard for reserves.

(c) Preneed insurance policies issued on or after January 1, 2012, must use the Ultimate 1980 CSO in the calculation of minimum nonforfeiture values and minimum reserves.

(9) This rule is applicable to preneed life policies and certificates as defined in (4)(c) issued on or after January 1, 2009.

Rulemaking Authority 624.308(1), 625.121(5)(a)3., 627.476(9) FS.
Law Implemented 625.121(5)(a)3., 627.476(9) FS.

PRIDE ENTERPRISES

The **PRIDE Enterprises** announces a public meeting to which all persons are invited.

DATE AND TIME: July 29, 2009, 1:30 p.m.

PLACE: PRIDE Corporation Office, St. Petersburg, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance Commission Meeting,

A copy of the agenda may be obtained by contacting: dkiminki@pride-enterprises.org.

The **PRIDE Enterprises** announces a public meeting to which all persons are invited.

DATE AND TIME: July 30, 2009, 9:00 a.m.

PLACE: PRIDE Corporation Office, St. Petersburg, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting.

A copy of the agenda may be obtained by contacting: dkiminki@pride-enterprises.org.

FLORIDA ASSOCIATION OF COMMUNITY COLLEGES

The **Florida Community Colleges**, Council of Presidents Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 4, 2009, 10:00 a.m. – 2:00 p.m.

PLACE: Orlando Marriott Lake Mary, 1501 International Parkway, Lake Mary, Florida 32746

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to Florida's public community colleges

A copy of the agenda may be obtained by contacting: Tina Ingramm at (850)222-3222.

For more information, you may contact: Michael Brawer, 113 East College Avenue, Tallahassee, FL 32301.

SOIL AND WATER CONSERVATION DISTRICTS

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

DATE AND TIME: August 5, 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).

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: August 13, 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.

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

The **Orange County Board of County Commissioners** announces a hearing to which all persons are invited.

DATE AND TIMES: Thursday, August 13, 2009, Open House, 6:30 p.m.; Formal Presentation, 7:00 p.m.

PLACE: Orange County Public Works, First Floor, Main Conference Room, 4200 South John Young Parkway, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of the proposed improvements to the intersection of John Young Parkway and Sand Lake Road.

A copy of the agenda may be obtained by contacting: Mr. Roberto Ng, P.E., Orange County Public Works, Engineering Division, 4200 South John Young Parkway, Orlando, Florida 32839-9205, (407)836-8067, Fax: (407)836-8024, Email: roberto.ng@ocfl.net or Para Información en Español llame a: Sr. Jonathan Fong, Orange County Public Works, Engineering Division, 4200 South John Young Parkway, Orlando, Florida 32839-9205, (407)836-7976, Fax: (407)836-8024, Email: Jonathan.fong@ocfl.net.

Pursuant to the provisions of 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: Public Safety Communications Office at (407)836-3111 or Mr. Roberto Ng, P.E., Orange County Public Works, Engineering Division, 4200 South John Young Parkway, Orlando, Florida 32839-9205. If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Mitch Thomas, State Certified Specialty Electrical Contractor. It has been assigned the number DCA09-DEC-257. The petition seeks the agency's opinion as to the applicability of sections 101.4.1, 105.1 and 105.2, Florida Building Code, Building Volume (2007, as amended), as it applies to the petitioner.

Petitioner asks if the installation of wiring for low-voltage electrical systems requires a building permit.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Malibu Lodging Investments, LLC. It has been assigned the number DCA09-DEC-259. The petition seeks the agency's opinion as to the applicability of Section 105.1, Florida Building Code, Building Volume (2004 and 2007, as amended), as it applies to the petitioner.

Petitioner asks if the installation and maintenance of signs or "murals" containing advertising messages, printed on lightweight material such as vinyl mesh and placed on the exterior facades of existing buildings, requires a building permit.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Advanced Manufacturing & Power Systems, Inc. It has been assigned the number DCA09-DEC-260. The petition seeks the agency's opinion as to the applicability of Section 202, Florida Building Code, Building Volume (2007, as amended), as it applies to the petitioner.

Petitioner asks if an electrical generator enclosure, whether or not it is designed to be occupied, is a "building," as defined in Section 202, Florida Building Code, Building Volume.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Walter L. Elden and Thomas Hroncich, Petitioners, In Re: Crane Lakes Homeowners' Association, Inc. on May 6, 2009. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because the division cannot issue a statement concerning events that have already taken place.

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 Joanne Janiak, In Re: Park Four at Lakewood Condominium Association, Inc., Docket No. 2009034744 on July 1, 2009. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(d), Florida Statutes, as it applies to the petitioner.

Whether Park at Lakewood Community Association, Inc., is a master association that constitutes an "association" as defined by Section 718.103(2), Florida Statutes, whether the board of directors of Park Four at Lakewood Condominium Association, Inc. may designate a member to the master association's board, and whether the master association may

appoint an additional member to its board, or must the master association board members be elected under Section 718.112(2)(d), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Sharon S. Vander Wulp, Esq., In Re: Pine Run Association, Inc., Docket No. 2009034750 on July 1, 2009. The petition seeks the agency's opinion as to the applicability of Sections 718.110(4) and (5), Florida Statutes, as it applies to the petitioner.

Whether Sections 718.110(4) and (5), Florida Statutes, provide a means for Pine Run Association Inc. to amend its declaration of condominium to change the share and ownership interest assigned to Unit 221 under the declaration, where Unit 221 was allocated the same share and ownership interest as two-bedroom units, whereas Unit 221 is a one-bedroom unit.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Board of Clinical Laboratory Personnel has received the petition for declaratory statement from Integrated Regional Laboratories, LLC and Miami Beach Healthcare Group, LTD. d/b/a Aventura Hospital

and Medical Center. The petition seeks the agency's opinion as to the applicability of subsection 64B3-2.003(19), F.A.C., as it applies to the petitioner.

The petition seeks the Board's interpretation of subsection 64B3-2.003(19), F.A.C., and whether non-licensed personnel could, consistent with the last sentence of subsection 64B3-2.003(19), F.A.C., introduce a whole blood specimen into a Biosite Triage® testing cartridge for cardiac markers, which specimen would subsequently be placed in the analyzer by personnel licensed under Chapter 64B3, Florida Administrative Code, or authorized under paragraph 59A-7034(5)(a), Florida Administrative Code.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

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

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

Section XI Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

Notice of Bid

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB10SVF-103YC, Quick Response Mechanical Contractor Annual Contract, estimated budget: TBD, to be opened September 9, 2009, 2:00 p.m., 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: To simplify and expedite the execution of small mechanical construction projects at the University of Florida. Projects could be located on the University of Florida main campus or at UF and IFAS facilities throughout the State of Florida. The maximum per-project construction cost shall be less than \$100,000. Mandatory pre-bid meeting will be held: August 26, 2009, 10:00 a.m., in the PPD A/E Main Street Trailer, Building 270, Radio Road, Gainesville, FL. Questions should be directed to: Lisa Pennington, lpenn@ufl.edu or (352)392-1331. For more information visit www.purchasing.ufl.edu.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, purchasing@ufl.edu or (352)392-1331 within three (3) days of the event.

Notice of Bid

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB10MB-106, Substation 10 Transformer Replacement, estimated budget: \$550,000, to be opened September 3, 2009, 2:00 p.m., 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Removal of an existing substation transformer and replacement with new; removal of existing oil switchgear and replacement with new, VFI gear; demolition associated with above; repairs to an existing primary switchgear cabinet; new PT work; new Transformer Protective Relay and associated wiring; new Medium Voltage cable, terminations and splicing and substation control power work. Mandatory pre-bid meeting will be held August 6, 2009 at 10:00 a.m., in the PPD A/E Conference Room, Building 700, Radio Road, Gainesville, FL.

Questions should be directed to: Lisa Pennington, lpenn@ufl.edu or (352)392-1331. For more information visit www.purchasing.ufl.edu.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact: Purchasing, purchasing@ufl.edu or (352)392-1331 within three (3) days of the event.

NOTICE OF BID/REQUEST FOR PROPOSAL

NOTICE TO DESIGN BUILD TEAMS

The University of South Florida, announces that Qualifications Based Design/Build Services (QB/DB), for the design and construction of the USF Athletic Facilities Project, will be required for the project listed below.

PROJECT NUMBER: 579

PROJECT AND LOCATION: USF Athletic Facilities Project, University of South Florida, Tampa Campus, Tampa, Florida.

PROJECT DESCRIPTION:

The project consists of the design, construction, and furnishing of the USF Athletic Facilities Project on the University of South Florida Tampa Campus. The project includes improvements and facilities for intercollegiate basketball, baseball, softball, football and intramural recreation. The Construction Budget is projected to be approximately \$24,000,000 total for all facilities.

The USF Athletic Facilities Project will include a Basketball Practice Facility, Baseball Stadium Improvements, a Softball Stadium, Football Practice Fields and relocation of existing Recreation Fields. Additional projects may be included in the scope of this project subject to the availability of funds.

The new USF Basketball Practice Facility shall provide two practice gymnasiums and team support facilities including locker rooms, offices, meeting rooms, athletic training, strength training and equipment management facilities with internal student athlete access to the event level of the existing Sun Dome via controlled access stair and corridor.

Improvements to the existing USF Baseball Stadium shall include a natural grass sports field, new step-down team dugouts, bullpens, covered batting cages, two party pavilion canopies, a press box and a 1,500 seat spectator grandstand with an elevated, shaded entertainment or hospitality deck and service amenities.

The USF Softball Stadium shall provide a new lighted natural grass sports field, step-down team dugouts, bullpens, covered batting cages, a press box and a 700 seat spectator grandstand with an elevated, shaded entertainment or hospitality deck and service amenities.

The new USF Football Practice Field Complex shall include one lighted synthetic turf field, two natural grass lighted sports fields and a service building, all enclosed by a perimeter security and privacy fence.

The relocation of the existing Recreational Fields includes rebuilding the fields and related improvements, including utilities, turf, storage building, etc. in a new location.

The scope of the project also includes site work, utilities, infrastructure, storm water management, walks, plazas, lawns and plantings, site lighting, signage and site accessories. In addition, design features such as ornamental fences with masonry columns, graphics, display lighting, banners or pennants and special paving or plantings to enhance the spectator experience inside and outside of the facilities are required as part of the project development.

The Design/Build Team (Design and Construction Services Team/DCST) shall be responsible for the management of the process and project to meet project scope, budget and schedule requirements. The project may include the utilization of in-kind donations. The Design/Build Services contract shall be in compliance with the Qualifications Based Design/Build selection provisions in Section 287.055, F.S. and B.O.G. Regulation 14.0055, including pre-construction fees, construction related service costs and a guaranteed maximum price. It is the University's responsibility to negotiate a fair, competitive, and reasonable compensation per Section 287.055, F.S. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects, (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the short listed firms based upon a scope of services document to be provided at the time of negotiations.

The University will contract with a single contract entity whose Design/Build Team shall provide all services including, but not limited to professional services, budgeting, cost estimating, construction services, labor, materials, and equipment required to design, construct, and furnish the project. The selected team will be required to provide computer drawings according to the standards of the University of South Florida, including computer record drawings reflecting as-built conditions. Blanket professional design liability insurance will be required for this project in the amount of \$3,000,000 and will be provided as a part of Basic Services. The respondent must be capable of bonding at 100% of the value of the contract with a surety licensed to do business in the State of Florida with a Best rating of A, Class IX. Project development including professional services is contingent upon availability of funds. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract.

INSTRUCTIONS:

Teams desiring to apply for consideration shall submit a Request for Qualifications submittal including a letter of interest, a completed "Design and Construction Services Qualification Supplement form (DCSQS), dated July 2009" with attachments, and additional information required within the proposal limits as described in the Request for Qualifications dated July 2009. Applications submitted in any other format may not be considered. The Request for Qualifications dated July 2009 and the Design and

Construction Services Qualifications Instructions and Supplement form dated July 2009, which includes project information and selection criteria, may be obtained by contacting: Christine Chefalas, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue FPC110, Tampa, Florida 33620-7550, e-mail: chefalas@admin.usf.edu, (813)974-0332, Fax: (813)974-3542. All teams must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, or a joint venture, it must be registered by the Department of State to do business in the State of Florida at the time of application. If the applicant is the contract entity and has a consultant to perform the design or construction services, the contract entity and consultant must have an agreement at the time of application to formally contract for consulting services. Firms applying as "Associations" without a registered joint venture agreement or a contract entity and consultant without an agreement will not be considered.

Selection of finalists for interview will be made on the basis of qualifications of the proposed Design/Build Team, including team qualifications, team experience and ability to provide service in meeting the project requirements and the goals and objectives of the University's Strategic Plan. As part of the University of South Florida's strategic plan, USF made a commitment to foster collaboration, open and timely communication, mutual respect, trust and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction related services. Applications that do not comply with the above instructions may be disqualified. Submittals are part of the public record and no submittal material will be returned. The plans and specifications for The University of South Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Interested teams are invited and encouraged to attend a Pre-Submittal Meeting, to review the scope and requirements of this project, at the University of South Florida, on Thursday, August 13, 2009 at 10am Eastern time in the Main Arena of the USF Sun Dome, 4202 East Fowler Avenue, Tampa, Florida 33620 which is located on the southeast corner of the Tampa Campus off of Bull Run. Please enter the right hand side double doors at Entry 3 (also where the ticket office is located)

on the southeast side of the building. Attendees can park in Lot 22F. (Those unfamiliar with the campus may find directions at the Campus Information Center at the Fowler entrance and/or consult a campus map at <http://www.usf.edu/Locations/Maps-Directions/tampa.asp>.) Requests for meetings by individual firms will not be granted. It shall be noted that no communication shall take place between the applicants and the University of South Florida including the Athletics Department, and Campus Recreation, except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and the request for the RFQ and DCSQS. Requests for any additional information or clarification at any other time than above must be in accordance with the RFQ. One (1) original and nine (9) copies of the required information shall be submitted to: Attention: Project Manager, Ray Gonzalez, Assistant Director, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550, by 2:00 p.m. (Eastern Time), Wednesday, August 26, 2009. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of Design/Build proposals without obligation to the respondent. The award of this contract is subject to availability of funds.

NOTICE OF BID/REQUEST FOR PROPOSAL

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida announces that continuing professional services are required for the following discipline: Mechanical, Electrical and Plumbing Engineer (Up to 2) (Tampa Campus with ability to include other campuses as required).

PROJECT DESCRIPTION:

Projects included in the scope of this Agreement will be specific projects for renovations, alterations, new construction and additions for University facilities that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Projects for University facilities may include Teaching, Research, Health, Academic, Administrative, Recreation and Residence Life Facilities, as well as Infrastructure and utility projects. Continuing Service contracts for these projects provide that the consultant will be available on an as-needed basis for an initial period of one (1) year with an Owner's option to renew for one (1) additional year at a time up to a total of two (2) additional years. This selection is based upon Mechanical, Electrical and Plumbing Engineering services only. Other services (including architectural, structural, etc.) required for specific projects shall be provided as part of basic services through the selected MEP engineer(s) based upon project need. Use of USF continuing service consultants by the selected MEP engineer(s) shall be encouraged. The consultant(s) receiving the award will not have an exclusive

contract to perform services for these projects. The University may have additional continuing service professionals under contract during the same time period. Blanket professional liability insurance in the amount of \$250,000 shall be required for the contract. Services required to be provided under the Continuing Service Contracts include the development of record drawings by the Continuing Service Consultant for projects designed by that consultant to reflect as-built conditions to facilitate the University's space management program. The plans and specifications for University of South Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

INSTRUCTIONS:

Firms desiring to provide professional services shall submit one (1) original submittal and five (5) copies consisting of a letter of interest and a completed "USF Professional Qualifications Supplement for Mechanical, Electrical and Plumbing Engineer" form dated July 2009 and any required or additional information within the proposal limits as described in the PQS General Instructions. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida. Submittals must not exceed 40 pages, including the "USF Professional Qualifications Supplement" and letter of interest. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data may not be considered. No submittal material will be returned. Submittals become part of the public record.

PROJECT SELECTION CRITERIA:

Selection of finalists for interview will be made on the basis of professional qualifications, including experience and ability, design ability, past performance, workload, volume of USF work (including USF Foundation), and location. As part of the University of South Florida's strategic plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The "USF Professional Qualification Supplement for Mechanical, Electrical and Plumbing Engineer" form dated July 2009 and "Project Fact Sheet", which includes project information, may be obtained by contacting: Kathy Bennett, Facilities Planning and Construction, University of South Florida, FPC110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550, e-mail: kbennett@admin.usf.edu, (813)974-3098, (813)974-2625, Fax: (813)974-3542. All Interested firms are invited and encouraged to attend a Pre-Submittal Meeting to be held at 9:00 a.m. (Eastern Time), Tuesday, August 11, 2009, at the University of South Florida in the USF Marshall Center Room 3707 (The Oak Room), Tampa Campus to review the scope and requirements of this project. (Those unfamiliar with the campus may find directions at the Campus Information Center at the Fowler entrance and/or consult a campus map at <http://www.usf.edu/Locations/Maps-Directions/tampa.asp>.)

Requests for meetings by individual firms will not be granted. It shall be noted that no communication shall take place between the applicants and the employees of the University of South Florida, except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and the request for information, the PQS and Fact Sheet. Requests for any project information must be in writing: Kathy Bennett, Facilities Planning and Construction, University of South Florida, FPC110, 4202 East Fowler Avenue, Tampa, Florida 33620-7550, e-mail: kbennett@admin.usf.edu, (813)974-3098, (813) 974-2625, Fax: (813)974-3542. The Selection Committee reserves the right to waive any irregularities and may reject all proposals and stop the selection process at any time.

One (1) original and five (5) bound copies of the above required proposal data shall be submitted to: Ray Gonzalez, Architect, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550. Applications that do not comply with the above instructions may be disqualified. Application material will not be returned. Submittals must be received at the above campus address (4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550), to the Attention: Ray Gonzalez, Architect, by 2:00 p.m. (Eastern Time), Friday, August 21, 2009. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL CONSULTANTS

FLORIDA ATLANTIC UNIVERSITY, on behalf of its Board of Trustees, announces that professional services are required in the following discipline (s):

Construction Management.

Project(s): Campus Service for Minor Projects

Project(s) Location: Florida Atlantic University, All Campuses.

Projects included in the scope of this agreement will be specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$50,000 or less. Campus Service contracts for minor projects provide that the consultant will be available on an as-needed basis for the upcoming year. The consultants receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional campus service professionals under contract during the same time period. The initial term of agreement is for one year with the option to extend the agreement for two additional one year terms, to be evaluated annually, for a total of three years. At least three firms will be selected for these services.

Proximity of location will be a prime factor in the selection of the firm.

Firms desiring to provide Construction Management services for the project shall submit a letter of application and a completed "Florida Atlantic University Construction Manager Qualification Supplement" (FAUCMPQS Revised January 2004). Proposals must not exceed 40 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

Submit five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application material will not be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a Construction Management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected Construction Management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Sole Point of Contact: The FAU Construction Manager Qualifications Supplement, and the Project Fact Sheet are available online at: <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php> or by contacting: University's Sole Point of Contact for this project: Ms. Jill Rosen, Department of Facilities Planning at (561)297-4110, Fax: (561)297-2260 or e-mail: jrosen58@fau.edu.

From the date of issuance of this Notice until a final selection of a consultant is made or a notice of cancellation is posted, the consultant must not make available or discuss its proposal, or any part thereof, with any member of the Selection Committee, unless permitted by the Sole Point of Contact, in writing, for purposes of clarification only, as set forth herein.

Any individual associated with a consultant who contacts members of the Selection Committee, regarding any aspect of this project, whether such contact be in person, telephone, or through electronic or written correspondence, may be determined to have violated the terms and conditions of this solicitation. If that determination is made, any proposal received from such an individual OR their company may be rejected as non-responsive and not subject to evaluation. If there are any changes or additions to the Sole Point of Contact information at any time in the process, participating consultants will be notified via an addendum to the Notice.

Questions regarding the Notice and/or process should be submitted via fax or email to the Sole Point of Contact. No oral communications shall be considered as a change to the Notice. FAU may respond to questions deemed by the University to be material in nature via a written addendum to the Notice. Interpretation of the wording of this document shall be the responsibility of the FAU and that interpretation shall be final.

All postings referred to in this Notice will be posted electronically on the FAU Facilities website: <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php>. At all times it shall remain the responsibility of the consultants participating in this solicitation to check the website for postings of addenda, short lists, and award decisions. No further notice will be given.

Submittals must be received in: Facilities Planning Department, Florida Atlantic University, Attention: Jill Rosen, 777 Glades Road, Bldg. CO-69, Room #107, Boca Raton, Florida 33431, by 5:00 p.m.(Local Time), August 26, 2009. Facsimile (FAX) submittals are not acceptable and will not be considered.

PROJECT FACT SHEET

Construction Management for Minor Projects

Florida Atlantic University

PROJECT DESCRIPTION

The construction manager will be a single point of responsibility for performance of multiple construction contracts up to \$1,000,000 individually, functioning as an independent contractor, publicly bidding trade contracts. At least Three Construction Management contracts will be awarded, for an initial period of one year with an option to renew for an additional two years, to be evaluated annually.

SELECTION CRITERIA

Firms will be evaluated in the following areas: experience and ability; record-keeping, project administration ability, scheduling; cost estimating; cost control; quality control; and qualification of the firm's personnel.

Experience and ability scores will be based on the following criteria:

1. Experience in projects of similar size and scope.
2. Experience in working with Universities.
3. Ability to manage the projects efficiently.

SELECTION COMMITTEE

Tom Donaudy, University Architect & Vice President for Facilities Planning

Robert Richman, Director, Facilities Planning

Paulo Brida, Senior Project Manager

Scott Baruch, Associate Director, Facilities Planning

SELECTION SCHEDULE

The anticipated schedule for selection, award, and negotiation is as follows:

Submittals Due: August 26, 2009

Shortlist Meeting: TBD

Final Interviews: TBD

GENERAL INFORMATION

1. The University is not liable for any costs incurred by the Applicants prior to the issuance of an executed contract.
2. In order to minimize the possibility of unethical pressures or influences on the recommendation of the Selection Committee, no verbal or written communication is permitted between the applicants and the members of the Selection Committee. Any questions or requests for project information must be in writing to: Jill Rosen, Office of Facilities Planning at (561)297-4110, Fax: (561)297-2660, or e-mail jrosen58@fau.edu.
3. All applicants will be notified of the results of the shortlist in writing. Finalists will be informed of the interview date and time and will be provided with additional project information, if available. The Selection Committee will make a recommendation to the President of the University. All finalists will be notified in writing of the President's action. Upon approval by the President, negotiations will be conducted in accordance with Section 287.055, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, FOR THE

CONSTRUCTION OF: SUMTER CORRECTIONAL INSTITUTION'S WASTEWATER TREATMENT PLANT AND WATER TREATMENT PLANT IMPROVEMENTS

PROJECT NO: EK-07 (WW)

PROJECT NAME AND LOCATION: SUMTER CORRECTIONAL INSTITUTION'S WASTEWATER TREATMENT PLANT AND WATER TREATMENT PLANT IMPROVEMENTS, LOCATED AT CR 476-B, BUSHNELL, FLORIDA 33513.

FOR: STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 (one hundred thousand dollars) or less, a Performance Bond and a Labor and Material Payment Bond are not required.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

PREQUALIFICATION: Each bidder, whose field is governed by Chapters 399, 489 and 633, Florida Statutes, for licensure or certification, must submit prequalification data of their eligibility to submit proposals five (5) calendar days prior to the bid opening date. If not previously qualified by the Department for the current biennium (July 1 through June 30) of odd numbered years, or you are unsure, please contact: Ms. Sandra Rogers at (850)922-8855, for prequalification instructions. You must be prequalified five (5) days prior to bid opening to be eligible to bid. After the bid opening the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the rule requirements is included in the "Instruction to Bidders" under Article B-2 "Bidder Qualification Requirements and Procedures".

Sealed bids will be received, publicly opened, and read aloud on:

DATE AND TIME: Wednesday, August 26, 2009, 2:00 p.m. (EDT)

PLACE: Offices of Tetra Tech, 201 E. Pine Street, Suite 1000, Orlando, FL 32801

Any person with a qualified disability requiring special accommodations at the pre-bid conference, and/or bid/proposal opening, shall contact the person listed below at least (5)

working days prior to the event. If you are hearing or speech impaired, please contact this office by using Florida Relay Services by dialing 1(800)955-8771 (TDD).

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT-ENGINEER: Tetra Tech, 201 E. Pine St.
Suite 1000, Orlando, FL 32801
Attn.: Susan Moore
(407) 839-3955.

Drawings and specifications may be purchased for a Non-refundable price of \$100.00 per set from the Architect/Engineer. Bidder must pay postage/shipping. Partial sets may not be purchased.

A non-mandatory pre-bid conference will be held on Wednesday, August 12, 2009, 9:00 a.m. (EDT), at the Sumter Correctional Institution's Administration Building, Conference Room. A brief walk-through of the work area(s) will be available as part of the pre-bid conference.

CONTRACT AWARD: Bid Tabulation and Notice of Award Recommendation will be sent to all bidders by Facsimile, Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, "Bid Protests, Points of Entry", the contract will be awarded by the Secretary, Department of Corrections. **RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.**

EXPRESSWAY AUTHORITIES

NOTICE TO CONTRACTORS

MAINTENANCE & INSTALLATION OF VIOLATION ENFORCEMENT SYSTEM (VES) LANE CAMERA AND EQUIPMENT – CONTRACT NO.: 000641

The Orlando-Orange County Expressway Authority (Authority) requires the services of a Contractor to provide maintenance and installation services of the Authority's VES lane cameras and equipment including the services, parts and equipment generally described in this notice and more specifically in the Scope of Services for the project. Consideration will be given to only those firms who are qualified to perform the work as determined by the Authority. Any firm wanting to be considered by the Authority should contact: Robert Johnson at (407)690-5372, johnsonr@ooca.com for a Request for Proposal (RFP) package.

DESCRIPTION OF SERVICES: The work to be performed includes all preventive, corrective and emergency maintenance and installation for servicing of 280 Pulnix VES Cameras and associated equipment located throughout the Authority's System. The selected firm shall be solely responsible for the full maintenance and installation of the VES lane hardware and VES lane software updates. Maintenance shall be provided through field service, operational testing, and by maintenance

personnel either on duty or on call. Each Proposer will submit a Maintenance Plan showing how the Proposer intends to carry out their responsibilities.

The Authority's current ETC System has been in operation since 1994 and includes 14 mainline plazas and 58 ramp plazas. The system covers facilities located on the Authority's road system, which includes S.R. 408 (East-West Expressway); S.R. 417 (Central Florida GreeneWay); S.R. 528 (Bee Line Expressway); and S.R. 429 (Western Expressway); and S.R. 414 (John Land Apopka Expressway) in Orange County, Florida. There are 280 cameras under this contract, located on 280 lanes.

QUALIFICATION REQUIREMENTS AND RESPONSE EVALUATION: Proposer shall have a minimum of ten (10) years specific experience in providing the maintenance and installation for VES equipment and cameras or similar type systems. Proposers must show that they have a thorough knowledge and understanding of VES equipment, software, and processes. Proposers must provide both company qualifications and key personnel qualifications and describe how the staff for this project will be organized.

Proposers that are corporations must be registered to do business in Florida, prior to the submittal of the Proposal. The Authority will evaluate and determine the relative ability of each Proposer to perform the required services based upon the information provided by the Proposer in response to the RFP.

NON-SOLICITATION PROVISION: From the first date of publication of this Notice, no person may contact any Authority Member, Officer, Employee, or any selection committee member, with respect to this Notice or the services to be provided, except as related to the submittal requirements detailed in the RFP.

PROPOSAL DUE DATE: Proposals will be received by the Authority until 3:00 p.m. (Orlando Local Time), August 21, 2009. Proposals delivered or received after that time and date will be disqualified.

MANDATORY SCOPE OF SERVICES MEETING AND SITE VISIT: The Authority will convene a Scope of Services meeting for interested firms on August 7, 2009. The meeting will begin at 10:00 a.m. (Orlando Local Time), at the Authority's Headquarters office, 4974 ORL Tower Road, Orlando, Florida. Attendance at the meeting is mandatory for prime contractors in order to submit a proposal for the project. The purpose of the meeting will be for the Authority to respond to questions and to clarify contractual requirements. In addition, recommendations concerning the contents, requirements, Scope of Services, and other matters of concern contained in this RFP will be discussed. Any RFP changes or modifications resulting in addenda to the RFP will be at the sole discretion of the Authority. Each Proposer must also participate in a site visit. A site visit is mandatory in order to submit a proposal.

EQUAL OPPORTUNITY STATEMENT: The Orlando-Orange County Expressway Authority, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, sex, national origin, age, religion and disability. The Authority hereby notifies all Proposers and individuals that it requires and encourages equal employment opportunity for minority and women as employees in the workforce.

MINORITY / WOMEN / DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION: The Orlando-Orange County Expressway Authority hereby notifies all Proposers and individuals that it will require affirmative efforts be made to ensure participation of local minority and women business enterprises on contracts awarded by the Authority.

CODE OF ETHICS: All firms selected to work with the Authority are required to comply with the Authority's Code of Ethics, a copy of which is available on the Authority's website: www.expresswayauthority.com.

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY

REQUEST FOR QUALIFICATIONS

MDX PROCUREMENT CONTRACT NO.: RFQ-10-02

MDX PROJECT/SERVICE TITLE: MISCELLANEOUS DESIGN CONSULTANT

The Miami-Dade Expressway Authority (MDX) is seeking Professional Services of a pool of a maximum of three (3) CBE-Certified Design Consultants that have the necessary qualifications and experience to provide Design Engineering Services for various miscellaneous MDX projects associated with the MDX Work Program. A Pre-Proposal conference is scheduled for July 22, 2009, 10:00 a.m. (Eastern Time).

For a copy of the RFQ with information on the Scope of Services, Pre-qualifications, and submittals requirements, please logon to MDX's Website: www.mdxway.com to download the documents under "Doing Business with MDX", or call MDX's Procurement Department at (305)637-3277, for assistance.

Note: In order to download any MDX solicitation, you must first be registered as a Vendor with MDX. This can only be facilitated through MDX's Website: www.mdxway.com under "Doing Business with MDX: Vendor Registration".

The deadline for submitting a response to this solicitation is August 4, 2009, by 2:00 p.m. (Eastern Time).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF INVITATION TO BID

BID NO. BDC 05-09/10

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from certified or registered contractors licensed to work in the jurisdiction for the project listed below:

PROJECT NAME: Dr. Julian Bruce St. George Island State Park-East End Road Stabilization

SCOPE OF WORK: The Contractor shall furnish all labor, material, equipment and supervision to Stabilize 17,189 LF (3.25 Miles) of existing roadway beginning just east of the entry gate near the Park's Sugar Hill Beach Parking Area. The intent of the Project is to repair a portion of CR 300 (end road) that provides access to the east end Parking Area. Work to include, but not limited to, construction of seventeen (17) turnouts, and to re-configure and stabilize the east end Parking Area (6,000 SF) ensuring vehicle accommodation.

Pursuant to Executive Order 07-126 and Section 255.252(3), F.S. the Department requires the proposed project be designed and constructed in accordance with green building standards where applicable.

PROJECT BUDGET: \$525,000.00

PARK LOCATION: Dr. Julian Bruce St. George Island State Park, 10 Miles S. E. of Eastpoint, Off Highway 98

PROJECT MANAGER: Randall Strange, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, FL 32309, (850)488-5372, Fax: (850)488-1141.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by 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 a Project Manual for this project may obtain a copy by writing to the address or calling the telephone number below. A Compact Disk (CD) containing the plans and specifications will be available on July 24, 2009, at Dr. Julian Bruce St. George Island State Park, 1900 E. Gulf Beach Drive, St. George Island, Florida 32328. Attention: Mark Knapke, Park Manager at (850)927-2111, Fax: (850)927-2500.

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), Tuesday, August 25, 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 Administrator, Bureau of Design and Construction at (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Tuesday, September 2, 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): Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS #35, 3900 Commonwealth Blvd., Tallahassee Florida 32399-3000, (850)245-2242, Fax: (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

NOTICE OF INVITATION TO BID

BID NO. BDC 08-09/10

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from certified or registered contractors licensed to work in the jurisdiction for the project listed below:

PROJECT NAME: Florida Caverns State Park-Resurface Park Drive

SCOPE OF WORK: The Contractor shall furnish all labor, material, equipment and supervision to resurface approximately 2 miles of the park drive including alternates by reclaiming existing asphalt, milling and mixing, and reconstructing using super pave based on the provided plans and specifications.

Pursuant to Executive Order 07-126 and Section 255.252(3), F.S. the Department requires the proposed project be designed and constructed in accordance with green building standards where applicable.

PROJECT BUDGET: \$400,000.00

PARK LOCATION: Florida Caverns State Park, 3 Mi North of Marianna, on State Road 166

PROJECT MANAGER: Stephen Belly, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, FL 32309, (850)488-5372, Fax: (850)488-3537.

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 a Project Manual for this project may obtain a copy by writing to the address or calling the telephone number below. A Compact Disk (CD) containing the plans and specifications will be available on July 24, 2009

at: Florida Caverns State Park, 3345 Caverns Road, Marianna, Florida 332446, Attention: Chris Hawthorne, Park Manager at (850)482-1228, Fax: (850)482-9114.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact: Michael Renard with the Bureau of Design and Construction, (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 3:30 p.m. (ET), Tuesday, August 18, 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 Administrator, Bureau of Design and Construction at (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Tuesday, August 25, 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): Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS #35, 3900 Commonwealth Blvd., Tallahassee FL 32399-3000, (850)245-2242, Fax: (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

DEPARTMENT OF HEALTH**PROFESSIONAL SERVICES
FOR ARCHITECTURE-ENGINEERING**

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction, announces that professional services and Professional Qualifications Supplement (PQS) are required for the project listed below. Applications being sent via the U.S. Mail or via overnight express service shall be sent to: Charles L. Alby, Senior Architect, Florida Department of Health,

Office of Design and Construction, 4052 Bald Cypress Way, BIN #B06, Tallahassee, Florida 32399-1734, (850)245-4444, ext. 3167, Fax: (850)412-1419.

PROJECT NUMBER: 70852100

PROJECT NAME: Pinellas (Largo) CHD – Replacement Facility (Full Renovation – 42,000 SF) and Other Renovations
8751 Ulmerton Road, Largo, Florida

SERVICES TO BE PROVIDED: Architecture-Engineering Services

ESTIMATED CONSTRUCTION BUDGET: \$6,700,000.00

SAMAS NO: 64-30-2-141001-64200700-00-084093-09 EO: DG

RESPONSE DUE DATE: Friday, August 7, 2009, 4:00 p.m. (EDT). Any Responses received after the due date and time will be deemed non-responsive and will not receive further consideration.

INSTRUCTIONS: Submit three (3) bound copies of the following information: *

1. Table of contents
2. Letter of interest
3. A copy of the current Department of Health Professional Qualifications Supplement (PQS) Form DBC5112 Revised 7/1/04. A copy of this form can be obtained by calling (850)245-4444, ext 3167 and at the following Website: http://vbs.dms.state.fl.us/vbs/main_menu
4. A copy of the firm's current Florida Professional License registration. (Proper registration at the time of application is required).
5. (CORPORATIONS ONLY) Current Corporate Certificate providing evidence of validation date and designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
6. Completed Standard Form 330
*In Article 19, Relevant Projects, and Article 23, Project Owner's Information, list only projects designed, under construction, and/or completed within the past five (5) years.
7. All future notices regarding this solicitation and results of selection will be posted at the following web site: http://vbs.dms.state.fl.us/vbs/main_menu

* All applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and any section dividers. However, this is not a mandatory requirement.

EVALUATION: All proposals submitted shall become the property of the Department of Health. The submitted proposals will be placed on file and not returned. The Department reserves the right to deem proposals that do not comply with the above instructions and/or do not include the required qualification data non-responsive. The applicant will not receive further consideration. Proposals submitted by qualified

firms shall be evaluated in accordance with Chapter 60D-2, Florida Administrative Code and Section 287.055, Florida Statutes.

SHORTLIST SELECTION PROCESS: From the proposals received, the department shall shortlist a minimum of three (3) firms.

POSTING OF RESULTS: Results of the short listing evaluation will be posted on the DMS Vendor Bid System at http://vbs.dms.state.fl.us/vbs/main_menu within 48 hours after the committee's recommendation. In the event that this information cannot be posted within this time frame, then the successful firms will be notified of the results by e-mail, fax, or postal mail.

Proposals shall include, in the cover letter or transmittal of each submission, the name of the contact person, e-mail address and direct phone number to be used for this purpose.

All future announcements, results and information about the selection for this project will be posted on the DOH Website at http://vbs.dms.state.fl.us/vbs/main_menu.

FISH AND WILDLIFE CONSERVATION COMMISSION

ADVERTISEMENT FOR BIDS

BIDS ARE REQUESTED FROM QUALIFIED CONTRACTORS BY THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR THE CONSTRUCTION OF:

PROJECT NO: FWC 09/10-03

PROJECT NAME: FLORIDA BASS CONSERVATION CENTER-PHASE IV IMPROVEMENTS

PROJECT LOCATION: WEBSTER, SUMTER COUNTY, FLORIDA

FOR:

The work consists of a Base Bid for nine (9) distinct smaller projects that include a new water control structure, rehabilitation of an existing well, improvements to the ozone system, new trench drains in the production room, replacement of three flowmeters, a new well aeration column, improvements to the domestic water system, a new heated water piping loop, and a new raceway heating system.

Alternate Bids include: (1) Computer/Alarm Interface, (2) Hatchery Building Lightning Protection, and (3) Storage Building Room Addition.

QUALIFICATION:

Each bidder whose field is governed by Chapters 399, 455, 489 and 633, Florida Statutes, for licensure or certification must submit qualification data of their eligibility to submit proposals with their bid.

PRE-BID CONFERENCE:

A non-mandatory pre-bid conference has been scheduled for 10:00 a.m. (EDT), Thursday, August 13, 2009, Richloam Fish Hatchery, 3771 CR 788, Webster, FL 33597, (352)583-3545.

REQUIRED BONDS:

Bids shall be accompanied by a bid guarantee of not less than five (5) percent of the amount of the bid.

After award of Contract, a 100% Performance Bond and a 100% Labor and Material Payment Bond Will be required.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: August 25, 2009, 3:00 p.m. (EDT)

PLACE:

Purchasing Office, Room 364, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-3428

PROPOSAL:

Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions.

BID PACKAGE:

Bid Packages shall be obtained from the ENGINEER, upon payment of \$100.00, non-refundable, for one set. The bid package will be sent via overnight delivery upon Engineer's receipt of payment. Submit requests for documents to:

Mr. Paul Hundley

HDR/FishPro

5201 S. Sixth Street Rd.

Springfield, Illinois, 62703

Phone: (217)585-8333

Fax: (217)585-1890

email: Paul.Hundley@hdrinc.com

Provide contact information, phone, email and fax number, as well as complete return address. **DO NOT PROVIDE POST OFFICE BOX FOR RETURN ADDRESS**

Checks or money orders shall be made payable to HDR, Inc.

Or, by downloading at no cost from:

http://vbs.dms.state.fl.us/vbs/search.criteria_form

search for Number: FWC 09/10-03.

FOR COMPLETE PROJECT INFORMATION, SUBMISSION REQUIREMENTS, AND IMPORTANT DATES YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM AT http://vbs.dms.state.fl.us/vbs/main_menu.

PROJECT NUMBER: 209013

PROJECT NAME AND LOCATION: Metal Pre-Engineered Vehicle Equipment Storage Building for the CERF-P

5629 State Road 16, West

Camp Blanding Joint Training Center

Starke, Florida 32091

STATEMENT OF WORK: New Construction of a Metal, Pre-Engineered Vehicle Equipment Storage Building to be located at Camp Blanding Joint Training Center, Starke, Florida. Building is to be a complete turn-key facility including any required site work, pad, electrical, etc. Building must comply with all current building and safety codes. All permitting (as required) is to be applied for and paid by contractor.

FUNDING: Joint Directorate of Military Support (JDOMS) thru Sustainment, Restoration, and Modernization (SRM).

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA. The State of Florida's performance and obligation to pay under any contract is contingent upon availability of funding and an annual appropriation by the Legislature.

POINT OF CONTACT: Department of Military Affairs, Construction and Facility Management Office (CFMO), Contracting Branch at (904)823-0255 or (904)823-0252 or e-mail: cfmocontracting@fl.ngb.army.mil. Submittals received after the due date will not be considered. However, submittals may be sent to the CFMO-Contracting Branch any time prior to the final due date.

Bid Packages are to be sent to Department of Military Affairs, Construction and Facility Management Office, Attention: Contracting Branch, Robert F. Ensslin, Jr., National Guard Armory, 2305 State Road 207, St. Augustine, Florida 32086.

NON-MANDATORY SITE VISIT: Information must be obtained from the MyFlorida.com, Vendor Bid System

BID DUE DATE: Information must be obtained from the MyFlorida.com, Vendor Bid System.

Faxed or e-mailed bids are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner's

DEPARTMENT OF MILITARY AFFAIRS**INVITATION TO BID**

The State of Florida, Department of Military Affairs (DMA), Construction and Facility Management Office (CFMO) requests bids from State of Florida licensed and qualified Contractors for the project listed below.

representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

NETWORK OF YOUTH AND FAMILY SERVICES, INC.**Notice of Bid/Request for Proposal****FLORIDA NETWORK OF YOUTH AND FAMILY SERVICES, INC. – INVITATION TO NEGOTIATE – STATEWIDE CONTRACT MONITORING – STATEWIDE TRAINING AND TECHNICAL ASSISTANCE**

The Florida Network of Youth and Family Services (FNYFS) is seeking qualified respondents interested in participating in contract negotiation for the provision of statewide contract monitoring and/or statewide training and technical assistance for local agencies serving Children in Need of Services and Families in Need of services (CINS/FINS) as specified by Chapter 984, F.S. See www.floridanetwork.org for more information and the full text of the Invitation to Negotiate. The FNYFS will accept only those proposals that are for the provision of the services stated herein.

Statewide Contract Monitoring

The successful bidder will develop a 15-month schedule of a minimum of one on-site contract monitoring visits for all CINS/FINS local provider agencies and shelter sites (28) providing shelter and/or nonresidential services. Additional visits will be scheduled based on local agency need and performance. The successful bidder will develop a risk assessment tool to assist in the decision-making process identifying which CINS/FINS local providers will receive more than one on-site contract monitoring visit per year and for the prioritization of scheduling local providers for on-site visits throughout the year. On-site visits will be conducted using a contract-monitoring tool developed by the respondent and approved by the Florida Network. Written reports will be submitted regarding contract compliance to the Florida Network and the Department within 15 working days of the monitoring visit. Quality Improvement Plans required of local providers resulting from on-site monitoring visits will be coordinated and monitored for completion. Local provider consultation will be provided as needed via telephone, email, on-site and at statewide meetings. Analysis of monthly, quarterly and annual data reports generated by the Florida Network and the DJJ is required.

Statewide Training and Technical Assistance

The successful bidder will develop a 15-month schedule of on-site training and technical assistance to CINS/FINS local provider agencies (31) providing shelter and/or nonresidential services. Training topics to be delivered will be based on those topics identified by the Florida Network or required by DJJ. These topics include, but shall not be limited to, Introduction to CINS/FINS Services, Policies and Procedures, Crisis

Intervention, Suicide Prevention and Intervention, Signs and Symptoms of Mental Health and Substance Abuse, Emergency Response/Episodic Care and Continuous Quality Improvement. Other training topics may be requested by the Florida Network or submitted by the recipient for approval by the Florida Network at any time during this 15-month period. All training curricula and materials must be submitted to the Florida Network for approval. All training events will require attendee signatures, pre and post testing.

Local provider technical assistance will be provided as needed via telephone, email, on-site and at statewide meetings. Analysis of monthly, quarterly and annual data reports generated by the Florida Network and the DJJ is required.

The contract period will be from October 1, 2009 to December 31, 2010. Proposals are due no later than 4:30 p.m. (EDT), September 4, 2009, and should be sent to: Florida Network of Youth and Family Services, 2850 Pablo Avenue, Tallahassee, Florida 32308. No telegraphic, facsimile or electronically transmitted responses will be accepted. The full text of this notice can be found at: www.floridanetwork.org.

MID FLORIDA AREA AGENCY ON AGING**Notice of Bid/Request for Proposal**

Competitive sealed proposals will be received by the Mid-Florida Area Agency on Aging dba Elder Options until 4:00 p.m., October 7, 2009 for the provision of an array of home and community based supportive, nutrition, disease information, health promotion, and family caregiver services under the Older Americans Act. Older Americans Act service providers will be designated for each county in Planning and Service Area 3. These counties are: Alachua, Bradford, Citrus, Columbia, Dixie, Gilchrist, Hamilton, Hernando, Lafayette, Lake, Levy, Marion, Putnum, Sumter, Suwannee, and Union. The proposal package and application instructions may be obtained from Elder Options' offices on August 5, 2009 or thereafter. Elder Options' office, 5700 S. W. 34th Street, Suite 222, Gainesville, FL. Elder Options reserves the right to reject any and all proposals.

A Bidders Conference will be conducted concerning this Request for Proposals at 2:00 p.m., August 19, 2009. Interested parties are encouraged to attend the Bidders Conference at the following location: Elder Options, 5700 S. W. 34th Street, Suite 222, Gainesville, FL

Correspondence concerning this Request for Proposals should be addressed to: Mr. David Huckabee, Director of Program Operations, Elder Options, 5700 S. W. 34th Street, Suite 222, Gainesville, FL 32608, (352)378-6649.

Section XII Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF FUNDING AVAILABILITY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2008 DISASTER RECOVERY FUNDING

The Department of Community Affairs (DCA) announces the availability of disaster recovery funding in the amount of \$17,457,005, to address needs resulting from federally declared disasters in 2008. This CDBG disaster recovery funding is provided by the U.S. Department of Housing and Urban Development (HUD) [Docket No. FR-5256-N-01, Federal Register/Vol. 74, No. 29; The Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009] and can only be used for Recovery from the federally declared disasters noted in the Federal Register Notice. The federal disaster declarations issued by the Federal Emergency Management Agency (FEMA) cover counties affected by Tropical Storm Fay (FEMA-3288-DR and FEMA-1785-DR), Hurricane Ike (FEMA-3293-DR), and Hurricane Gustav (FEMA-1806-DR).

The State of Florida is required to submit an Action Plan to HUD which reflects proposed uses of the funds for disaster relief, long-term recovery, and restoration of infrastructure, public facilities, housing, and commercial or business areas. Urban Entitlements, Non-Entitlements eligible to participate in the Florida Small Cities Community Development Block Grant (CDBG) Program, and federally recognized Indian Tribes within (or contiguous to) the counties listed in the disaster declarations are eligible to apply for assistance. HUD is requiring the State to use at least \$1,855,155 for affordable rental housing activities.

The Department used FEMA damage assessment data, which was collected at the county level, to determine counties with the greatest unmet need. Damage assessment data and proposed allocations are reflected in the Draft Action Plan.

HUD has waived the Citizen Participation requirement to allow states to expedite the allocation of this funding. Therefore, the state will not conduct a public hearing on the draft Action Plan. To facilitate the public comment process, the Draft Action Plan is being emailed to local governments and posted to the Department's website at:

<http://www.floridacommunitydevelopment.org/disasterrecovery.cfm>

Comments on the draft will be accepted from July 15, 2009 through August 3, 2009, and can be hand-delivered, emailed or mailed to the Department.

Attention: CDBG Program
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100
Telephone: (850)922-6075
Email: Glenn.Hodges@dca.state.fl.us.

The tentative dates for the application cycle are August 31, 2009 through October 5, 2009. Should the Department find it necessary to change the application cycle start and end dates, notice will be provided to all eligible local governments and will be posted to the Department's website.

A copy of the application, along with other relevant information, will be provided to eligible local governments and posted to the Department's website. Applicants must certify that no other funding is available to address the proposed activities reflected in the application and must document that they are directly a result of the 2008 storms. Please contact the Department at the address and telephone number listed above if you have questions.

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT CONSISTENT WITH SECTION 163.3177(2) AND (3), FLORIDA STATUTES DCA DOCKET NO.: 21-02

The Department gives notice of its intent to find the Public Schools Interlocal Agreement ("Agreement") executed between the Gilchrist County School Board and each of the following local governments: the Town of Bell and the City of Trenton, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Town of Bell, South Main and Strickland Avenue, Bell, Florida 32619 and at the City of Trenton, 114 North Main Street, Trenton, Florida 32693.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described

in Uniform Rule 28-106.201, F.A.C. The petition must be filed with: Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Gilchrist County School Board, the Town of Bell and the City of Trenton. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at: Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
 Office of Comprehensive Planning
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
 INTERLOCAL AGREEMENT CONSISTENT WITH
 SECTION 163.31777(2) AND (3), FLORIDA STATUTES
 DCA DOCKET NO.: 15-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Dixie County School Board and each of the following local governments: Dixie County and the Town of

Horseshoe Beach, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Dixie County 401 North Cedar Street, Cross City, Florida 32628 and the Town of Horseshoe Beach, Corner of State Road 18 and 5th Ave E, Horseshoe Beach, Florida 32648.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with: Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Dixie County School Board, Dixie County and the Town of Horseshoe Beach. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not

available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

 -s-Mike McDaniel, Chief
 Office of Comprehensive Planning
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
 INTERLOCAL AGREEMENT CONSISTENT WITH
 SECTION 163.31777(2) AND (3), FLORIDA STATUTES
 DCA DOCKET NUMBER 24-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Hamilton County, the City of Jasper, the Town of White Springs and the Hamilton County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at: Hamilton County, 207 Northeast First Street, Room 106, Jasper, Florida 32052.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with: Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Hamilton County, the City of Jasper, the Town of White Springs and the Hamilton County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed

time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

 -s-Mike McDaniel, Chief
 Office of Comprehensive Planning
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

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 El Sol Trading, Inc. d/b/a Motobravo, Inc., intends to allow the establishment of Action Motorsports, Inc., as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (DAIX) at 11485 Cleveland Avenue, Units 1 & 2, Fort Myers (Lee County), Florida 33907, on or after July 15, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Action Motorsports, Inc. are dealer operator(s): James Lynch, 11485 Cleveland Avenue, Suites 1 & 2, Fort Myers, Florida 33907; principal investor(s): James Lynch, 11485 Cleveland Avenue, Suites 1 & 2, Fort Myers, Florida 33907.

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: Gloria Ma, President, El Sol Trading, Inc. d/b/a Motobravo, Inc., 19877 Quiroz Court, City of Industry, California 91789.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that El Sol Trading, Inc. d/b/a Motobravo, Inc., intends to allow the establishment of Action Motorsports, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 11485 Cleveland Avenue, Units 1 & 2, Fort Myers (Lee County), Florida 33907, on or after July 15, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Action Motorsports, Inc. are dealer operator(s): James Lynch, 11485 Cleveland Avenue, Suites 1 & 2, Fort Myers, Florida 33907; principal investor(s): James Lynch, 11485 Cleveland Avenue, Suites 1 & 2, Fort Myers, Florida 33907.

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: Gloria Ma, President, El Sol Trading, Inc. d/b/a Motobravo, Inc., 19877 Quiroz Court, City of Industry, California 91789.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Valley Scooters, LLC, intends to allow the establishment of Evolution Motorsports, LLC, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 2629 North Magnolia Avenue, Ocala (Marion County), Florida 34475, on or after August 13, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Evolution Motorsports, LLC are dealer operator(s): Kathy Parks, 2629 North Magnolia Avenue, Ocala, Florida 34475; principal investor(s): Kathy Parks, 2629 North Magnolia Avenue, Ocala, Florida 34475.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Dikov, Valley Scooters, LLC, 1687 Blythe Island Drive, Brunswick, Georgia 31523.

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 Pacific Rim International West, Inc., intends to allow the establishment of Fisher's Auto & Equipment, Inc., as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (DAIX) at 402 North Ridgewood Avenue, Edgewater (Volusia County), Florida 32132, on or after July 13, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Fisher's Auto & Equipment, Inc. are dealer operator(s): Ray Fisher, 402 North Ridgewood Avenue, Edgewater, Florida 32132; principal investor(s): Ray Fisher, 402 North Ridgewood Avenue, Edgewater, Florida 32132.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Wendy Yu, Pacific Rim International West, Inc., 2260 South Archibald Avenue, Unit E, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that EL Sol Trading, Inc. d/b/a Motobravo, Inc., intends to allow the establishment of Fishers Auction Services, Inc. d/b/a Fisher Auto Equipment Sales, as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (DAIX) at 402 North Ridgewood Avenue, Edgewater (Volusia County), Florida 32132, on or after July 20, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Fishers Auction Services, Inc. d/b/a Fisher Auto Equipment Sales are dealer operator(s): Ray Fisher, 119 Dixwood Avenue, Edgewater, Florida 32132; principal investor(s): Ray Fisher, 119 Dixwood Avenue, Edgewater, Florida 32132.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Gloria Ma, President, EL Sol Trading, Inc. d/b/a Motobravo, Inc., 1877 Quiroz Court, City of Industry, California 91789.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that EL Sol Trading, Inc. d/b/a Motobravo, Inc., intends to allow the establishment of Fishers Auction Services, Inc. d/b/a Fisher Auto Equipment Sales, as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 402 North Ridgewood Avenue, Edgewater (Volusia County), Florida 32132, on or after July 20, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Fishers Auction Services, Inc. d/b/a Fisher Auto Equipment Sales are dealer operator(s): Ray Fisher, 119 Dixwood Avenue, Edgewater, Florida 32132; principal investor(s): Ray Fisher, 119 Dixwood Avenue, Edgewater, Florida 32132.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Gloria Ma, President, EL Sol Trading, Inc. d/b/a Motobravo, Inc., 1877 Quiroz Court, City of Industry, California 91789.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that El Sol Trading, Inc. d/b/a Motobravo, Inc., intends to allow the establishment of Balls Motorcycle Collision Center, Inc. d/b/a Haulin Balls Scooters, as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (DAIX) at 348 Mason Avenue, Holly Hill (Volusia County), Florida 32117, on or after July 20, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Balls Motorcycle Collision Center, Inc. d/b/a Haulin Balls Scooters are dealer operator(s): Elizabeth Mason, 348 Mason Avenue, Holly Hill, Florida 32117; principal investor(s): Elizabeth Mason, 348 Mason Avenue, Holly Hill, Florida 32117.

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: Gloria Ma, President, El Sol Trading, Inc. d/b/a Motobravo, Inc., 19877 Quiroz Court, City of Industry, California 91789.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
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The name and address of the dealer operator(s) and principal investor(s) of Balls Motorcycle Collision Center, Inc. d/b/a Haulin Balls Scooters are dealer operator(s): Elizabeth Mason, 348 Mason Avenue, Holly Hill, Florida 32117; principal investor(s): Elizabeth Mason, 348 Mason Avenue, Holly Hill, Florida 32117.

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A copy of such petition or complaint must also be sent by U.S. Mail to: Gloria Ma, President, El Sol Trading, Inc. d/b/a Motobravo, Inc., 19877 Quiroz Court, City of Industry, California 91789.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.‘

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS**NOTICE OF INTENDED AGENCY ACTION**

The South Florida Water Management District gives notice of its intent to issue the following Water Use Permits with conditions:

Permit No.: 08-00014-W (Application No. 080318-9) Earthsource, Inc., (Earthsource Mine Dewatering) 17837 Murdock Circle, Port Charlotte, FL 33948, for issuance of a Water Use Permit for dewatering for lake construction and mining, an expansion of an existing mine located on the Babcock property on the east side of SR 31. Withdrawals are from the Water Table Aquifer. The project is located in Charlotte County, Sections 21,28-34, Township 42 South, Range 26 East.

Permit No.: 11-03042-W (Application No. 090227-9) Gulf Coast Citrus Caretaking, Inc., (Orangetree North Grove) 5701 Fort Denaud Road, LaBelle, FL 33975, for issuance of a Water Use Permit for agricultural irrigation of 186 acres of citrus using a drip irrigation system. Withdrawals are from an on-site lake and the Lower Tamiami Aquifer. Maximum monthly allocation shall not exceed 30.9 MG. The project is located in Collier County, Sections 11-14, Township 48 South, Range 27 East.

Permit No.: 36-00005-W (Application No. 090120-13) Yoder Brothers, Inc., (Yoder Brothers – Alva Farm) 20151 Wagner Avenue, Alva, FL 33920, for renewal of an existing permit for irrigation of 132 acres of nursery using sprinkler irrigation system. Withdrawals are from the Sandstone Aquifer and the C-43 Canal. Maximum monthly allocation shall not exceed 37.82 MG. The project is located in Lee County, Sections 20, 21, 28, 29, Township 43 South, Range 27 East.

Permit No.: 36-07151-P (Application No. 070618-27) Florida Department of Transportation (SR 82 Improvements from Ortiz Ave. to Colonial Blvd.) P. O. Box 1249, Bartow, FL 33831, for issuance of an Environmental Resource Permit to authorize construction and operation of a surface water management system to serve a 118 acre roadway project, impacting 18.74 acres of wetlands. The project is located in Lee County, Sections 21-23, 25, 26, Township 44 South, Range 25 East.

Permit No.: 43-00041-W (Application No. 071113-11) Indiantown Company, Inc., (Water Treatment Plant #1) P. O. Box 277, Indiantown, FL 34956, for renewal of an existing public water supply permit to supply potable water to the Indiantown service area consisting of approximately 10,677

persons through 2029. Withdrawals are from the Surficial Aquifer System. Maximum monthly allocation shall not exceed 40.3 MG. The project is located in Martin County, Sections 1, 5-8, 31, 36, Townships 39, 40 South, Ranges 38, 39 East.

The Staff Report setting forth the staff recommendation regarding the permit, including proposed limiting conditions to provide reasonable assurances that the project meets SFWMD statutes and rules, can be obtained by contacting the Regulatory Records Management Section, during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, 3301 Gun Club Road, West Palm Beach, FL 33406, Environmental Resource Regulation Department, (561)682-6911, e-mail: permits@sfwmd.gov, or by accessing the Staff Report directly from the District's website (www.sfwmd.gov) using the Application/Permit Search on the ePermitting page.

The District's proposed agency action as set forth in the Staff Report shall become final unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, Florida Statutes, before the deadline for filing a petition.

The procedures for petitioning for a hearing are set forth below. A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which does or may determine their substantial interests shall file a petition for hearing with the District Clerk within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: 1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or 2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of either written notice through mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

Filing Instructions – The Petition must be filed with: Office of the District Clerk of the SFWMD. Filings with the District Clerk may be made by mail, hand-delivery or facsimile. Filings by e-mail will not be accepted. Any person wishing to receive a clerked copy with the date and time stamped must provide an additional copy. A petition for administrative hearing is deemed filed upon receipt during normal business hours by the

District Clerk at SFWMD headquarters in West Palm Beach, Florida. Any document received by the office of the SFWMD Clerk after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the SFWMD Clerk, P. O. Box 24680, West Palm Beach, Florida 33416.
- Filings by hand-delivery must be delivered to the Office of the SFWMD Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the SFWMD's security officer to contact the Clerk's office. An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by facsimile must be transmitted to the SFWMD Clerk's Office at (561)682-6010. Pursuant to subsections 28-106.104(7), (8) and (9), Florida Administrative Code, a party who files a document by facsimile represents that the original physically signed document will be retained by that party for the duration of that proceeding and of any subsequent appeal or subsequent proceeding in that cause. Any party who elects to file any document by facsimile shall be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the clerk as a result. The filing date for a document filed by facsimile shall be the date the SFWMD Clerk receives the complete document.

Initiation of an Administrative Hearing – Pursuant to Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 and 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other SFWMD identification number, if known.
2. The name, address and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.

8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.

9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If the District takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code, unless otherwise provided by law.

Mediation – The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401-405, Florida Administrative Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

Right to Seek Judicial Review – Pursuant to Sections 120.60(3) and 120.68, Florida Statutes, a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.

AGENCY FOR HEALTH CARE ADMINISTRATION

**NOTICE OF FIXED NEED POOLS FOR
COMPREHENSIVE MEDICAL REHABILITATION BEDS**

The Agency for Health Care Administration has projected a fixed bed need pool for comprehensive medical rehabilitation hospital beds for January 2015 pursuant to the provisions of Rules 59C-1.008 and 59C-1.039, F.A.C. Net bed need projections for comprehensive medical rehabilitation hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with: Certificate of Need Program Office, Building 1, Room 220 MS 28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 10, 2009.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with: Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Comprehensive Medical Rehabilitation Bed Need

	Net
	Adjusted
	Bed Need

District 1	0
District 2	0
District 3	0
District 4	0
District 5	0
District 6	0
District 7	0
District 8	0
District 9	0
District 10	0
District 11	0
Total Statewide	0

NOTICE OF FIXED NEED POOLS FOR PSYCHIATRIC AND SUBSTANCE ABUSE BEDS

The Agency for Health Care Administration has projected fixed bed need pools for adult and children and adolescent psychiatric and adult substance abuse beds for January 2015 pursuant to the provisions of Rules 59C-1.008, 59C-1.040, and 59C-1.041, F.A.C. Net bed need projections for adult and children and adolescent psychiatric and adult substance abuse hospital beds have been adjusted according to occupancy rate

thresholds as prescribed by the above-mentioned rules. A fixed need pool projection for children and adolescent substance abuse beds is not made because the administrative rule governing this service does not include a mathematical formula for the calculation of need. An applicant seeking approval for these types of beds must establish need in its application. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with: Certificate of Need Program Office, Building 1, Room 220 MS 28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 10, 2009.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with: Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Psychiatric and Substance Abuse Net Bed Need

	Adult Psychiatric Beds Net Adjusted Bed Need	Children & Adolescent Psychiatric Beds Net Adjusted Bed Need	Adult Substance Abuse Beds Net Adjusted Bed Need
District 1	0	0	0
District 2	0	0	0
District 3	0	0	0
District 4	0	0	0
District 5	0	0	0
District 6	0	0	0
District 7	0	0	0

District 8	0	0	0
District 9	0	0	0
District 10	0	0	0
District 11	0	0	0
Total Statewide	0	0	0

District 6	0	0
District 7	0	0
District 8	0	2
District 9	0	0
District 10	0	0
District 11	0	0
Statewide Total	2	10

NOTICE OF FIXED NEED POOL FOR NEONATAL INTENSIVE CARE SERVICES FOR LEVEL II AND LEVEL III BEDS

The Agency for Health Care Administration has projected a fixed need pool for Level II and Level III neonatal intensive care unit services for January 2012, pursuant to the provisions of Rules 59C-1.008 and 59C-1.042, F.A.C. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with: Certificate of Need Program Office, Building 1, Room 220, MS 28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 10, 2009.

Any person who identifies any error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with: Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Fixed Need Pool Projections
Neonatal Intensive Care Level II & Level III Services

	Level II Net Need	Level III Net Need
District 1	0	2
District 2	0	0
District 3	2	4
District 4	0	2
District 5	0	0

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**NOTICE OF AVAILABILITY
GOLF, FLORIDA**

The Department of Environmental Protection has determined that Golf's proposed project to construct new reclaimed water irrigation facilities will not have a significant adverse impact on the environment. The total estimated construction cost is \$2,386,000. 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: Thomas Montgomery, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8358.

NOTICE OF INTENT TO GRANT VARIANCE

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., to allow the turbidity mixing zone to exceed 150 meters; and from sub-subparagraph 62-4.242(2)(a)2.b., subsections 62-302.700(1) and 62-312.080(3), F.A.C., to Eglin Air Force Base c/o Col. Dennis D. Yates, 501 Deleon St., Ste. 100, Bldg. 696, Eglin Air Force Base, FL 32542, (File No.: 0247518-004-EV) to establish a maximum allowable turbidity level above background for work within Gulf Islands National Seashore, Outstanding Florida Waters (OFW). Eglin Air Force Base proposes to construct a beach restoration project in Okaloosa County between Virtual Monuments V-508.5 to V-521.5; V-547 to V-553.8; and from V-604.5 to V-611.5 using an offshore sand source. At the dredge sites, the mixing zone would extend 1,500 meters downcurrent of the dredge. At the beach placement areas, the mixing zone would extend 3,000 meters downdrift from the point where water from the sand discharge pipe re-enters the Gulf of Mexico. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at: Department of

Environmental Protection, Bureau of Beaches and Coastal Systems, 5050 West Tennessee Street, Building B, Tallahassee, Florida 32304-9201, (850)488-7708.

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

Mediation under Section 120.573, F.S. is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsections 28-106.111(2) and 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice

under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

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

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

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

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate

Procedure, with: Clerk of the Department, Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

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/. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On July 10, 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 Angela D. Brooks, C.N.A. License #CNA 146045. 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 July 9, 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 Marisol Carrasquillo, L.P.N. License #PN 5173068. 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 July 10, 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 Victoria Fenton, C.N.A. License #CNA 168377. 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 July 6, 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 Kim Ann Hudgins, R.N. License #RN 1278232. 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 July 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 David Alan Lane, R.N. License #RN 2702662. 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 July 9, 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 Gary Edward Ruehling, R.N. License #RN 1914882. 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 July 10, 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 Connie Sands, L.P.N. License #PN 1084931. 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 July 9, 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 Mary Ann Scott, C.N.A. License #CNA 101628. 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 July 10, 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 Moises Sepulveda, C.N.A. License #CNA 123087. 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 July 10, 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 Catherine Scott Strazdins, C.N.A. License #CNA 44805. 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 July 10, 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 Gregory A. Klonowski a.k.a. Allen R. Schleicher, R.Ph. License #PS 35232. 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 July 14, 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 Marguerite Patterson Reghanti, R.Ph. License #PS 16947. 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.

Florida's Women, Infants and Children Program

Request for Public Comments on Florida's WIC Program

The WIC Program (the Special Supplemental Nutrition Program for Women, Infants, and Children) is soliciting comments and suggestions about its program and how service delivery can be improved to better meet the clients' needs. WIC is federally funded by the United States Department of Agriculture, and serves low- and moderate-income pregnant, breastfeeding, and postpartum women; infants; and children up to age 5. The program provides a combination of nutritious foods, nutrition education, breastfeeding support, and referrals for health care. WIC is available in all 67 counties in Florida. If you have any comments or suggestions, please direct them to: Cheryl Miller, Department of Health, WIC and Nutrition Services, BIN #A-16, 4052 Bald Cypress Way, Tallahassee, FL 32399-1726, Fax: (850)922-3936. Your feedback is essential and is appreciated before August 22, 2009.

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write: USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S. W., Washington, D.C. 20250-9410 or call 1(800)795-3272 (Voice) or (202)720-6382 (TTY). USDA is an equal opportunity provider and employer.

NOTICE OF THE AVAILABILITY OF THE 2009

TRAUMA CENTER LETTER OF INTENT PACKAGE

NAME OF AGENCY: Department of Health (DH)

PACKAGE TITLE: Florida Trauma Center Letter of Intent Package

PURPOSE AND EFFECT: The Department of Health is mandated by Section 395.4025(2)(a), Florida Statutes, to notify Florida licensed acute care hospitals of their right to submit a Letter of Intent, DH Form 1840, to apply to become a trauma center.

ELIGIBILITY: Florida licensed acute care hospitals are eligible to apply.

AUTHORITY: Section 395.4025(2)(a), Florida Statutes.

TO OBTAIN A PACKAGE: You may request a Letter of Intent package by telephone, fax, or mail, or in person.

Telephone: (850)245-4444, ext. 2756 or Suncom 205-4440.

Fax: (850)488-2512.

Mail request to, or pick up in person at: Florida Department of Health, Division of Emergency Operations, Office of Trauma, 4052 Bald Cypress Way, and Bin #C-18 Tallahassee, FL 32399-1738.

DEADLINE: Letters of Intent must be postmarked between September 1, 2009, and midnight, October 1, 2009.

CONTACTS: Bernadette Behmke at (850)245-4444, ext. 2756, or Susan McDevitt at (850)245-4444, ext. 2760 or Suncom 205-4440.

FLORIDA HOUSING FINANCE CORPORATION

HOUSING CREDIT PROGRAM

NOTICE OF CREDIT AVAILABILITY (NOCA)

2009 CYCLE

The Florida Housing Finance Corporation (Florida Housing) announces an application cycle for the Housing Credit Program. The total 2009 allocation authority is estimated to be approximately \$39,362,597.70. The amount of housing credit allocation authority available for the 2009 cycle will vary based upon the 2009 per capita population figures, the amount of unused credits from prior years, the amount of binding commitments for 2009 credits, the amount allocated from the national pool, and any 2010 forward allocation. Geographic and targeting goals along with any set-asides will be described in the Qualified Allocation Plan approved by the Governor.

For more information on opening and closing dates of the application cycle, or on how to obtain an Application, please access Florida Housing's web site at: www.floridahousing.org or contact Blake Carson-Poston at (850)488-4197. The Universal Application Package, when available, may be obtained at the Florida Housing web site or by submitting a written request accompanied by a \$50 application package fee to: Florida Housing Finance Corporation, City Centre Building, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, ATTN: Blake Carson-Poston – Application Request. If you are hearing or speech impaired please contact Florida Housing using the Dual Party Relay System at (800)955-8770 or (800)955-8771.

All applications must be submitted to the above address in accordance with the provisions of all applicable Florida Statutes, Chapter 67-48, F.A.C., the Universal Application Package, and Internal Revenue Code, Section 42.

**HOME INVESTMENT PARTNERSHIPS PROGRAM
(HOME) NOTICE OF FUNDING AVAILABILITY (NOFA)**

2009 HOME RENTAL CYCLE

The Florida Housing Finance Corporation ("Florida Housing") announces a funding cycle for the HOME Rental Program's allocation of 2009 HOME federal funds from the U.S. Department of Housing and Urban Development (HUD). Based on current estimates, Florida Housing estimates that

approximately \$10,000,000 in federal HOME funding for 2009 will be available to eligible rental developments that meet application funding criteria. Funding will be awarded in accordance with Rule Chapter 67-48, F.A.C.

All applications must be submitted to: Florida Housing Finance Corporation, City Centre Building, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, in accordance with the provisions of all applicable Florida Statutes, Chapter 67-48, F.A.C., the Universal Application Package, and Federal Regulations 24 CFR Part 92.

For more information on opening and closing dates of the application cycle, or on how to obtain an application, please access Florida Housing's web site at: www.floridahousing.org or contact Blake Carson at (850)488-4197. The Universal Application Package, when available, may be obtained at the Florida Housing web site or by submitting a written request accompanied by a \$50 application package fee to: Florida Housing Finance Corporation, City Centre Building, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, ATTN: Blake Carson – Application Request. If you are hearing or speech impaired, please contact Florida Housing using the Dual Party Relay System at 1(800)955-8770 and 1(800)955-8771.

DEPARTMENT OF FINANCIAL SERVICES

**DEPARTMENT OF FINANCIAL SERVICES
DIVISION OF TREASURY
BUREAU OF COLLATERAL MANAGEMENT
PUBLIC DEPOSITS SECTION**

FOR PUBLIC DEPOSITORS TO RECEIVE THE PROTECTION FROM LOSS PROVIDED IN CHAPTER 280, FLORIDA STATUTES, THEY SHALL COMPLY WITH THE FOLLOWING ON EACH PUBLIC DEPOSIT ACCOUNT IN ADDITION TO ANY OTHER REQUIREMENTS SPECIFIED IN CHAPTER 280: (1) EXECUTE THE PUBLIC DEPOSIT IDENTIFICATION AND ACKNOWLEDGMENT FORM DFS-J1-1295 WITH THE QUALIFIED PUBLIC DEPOSITORY (QPD), MAINTAIN IT AS A VALUABLE RECORD, AND CONFIRM THE ACCOUNT ANNUALLY; (2) EXECUTE A REPLACEMENT FORM DFS-J1-1295 WHEN THERE IS A MERGER, ACQUISITION, NAME CHANGE, OR OTHER EVENT WHICH CHANGES THE ACCOUNT NAME, ACCOUNT NUMBER, OR NAME OF THE QPD.

THE FOLLOWING QPDS ARE AUTHORIZED TO HOLD PUBLIC DEPOSITS. 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.

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 **09/27/2009**

BONIFAY
BANK OF BONIFAY

BRADENTON
FIRST AMERICA BANK
FLAGSHIP NATIONAL BANK *

BRANDON
PLATINUM BANK

CARRABELLE
GULF STATE COMMUNITY BANK

CHIEFLAND
DRUMMOND COMMUNITY BANK

CHIPLEY
ONE SOUTH BANK

CLEWISTON
FIRST BANK
OLDE CYPRESS COMMUNITY BANK *

COCOA BEACH
SUNRISE BANK *

CORAL GABLES
BANKUNITED
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
FLORIDA TRADITIONS BANK

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 *
FNBT.COM BANK

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 11/21/2111

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

LANTANASTERLING BANK **09/30/2009****LARGO**

USAMERIBANK

LEHIGH ACRES

PANTHER COMMUNITY BANK, N.A.

LONGWOOD

OLD FLORIDA 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 **01/16/2013**
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

OLDSMAR

JEFFERSON BANK OF FLORIDA

ORANGE PARK

HERITAGE BANK OF NORTH FLORIDA

ORLANDO

CNLBANK
FLORIDA BANK OF COMMERCE
OLD SOUTHERN BANK
ORANGE BANK OF FLORIDA
SEASIDE NATIONAL BANK & TRUST
URBAN TRUST BANK

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

POMPANO BEACH

FLORIDA SHORES BANK – SOUTHEAST

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
PRIME MERIDIAN BANK
TALLAHASSEE STATE BANK

TAMPA

AMERICAN MOMENTUM BANK
FIRST CITRUS BANK
FLORIDA BANK
NORTHSTAR 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**
FLORIDA SHORES BANK SOUTHWEST
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
PEOPLESSOUTH 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.

BANKUNITED, F.S.B.

CORAL GABLES

ON MAY 21, 2009, BANKUNITED, FSB WAS CLOSED BY THE OFFICE OF THRIFT SUPERVISION AND THE FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC) WAS NAMED RECEIVER. SUBSEQUENT TO THE CLOSURE, BANKUNITED, A NEWLY CHARTERED FEDERAL SAVINGS BANK, ACQUIRED THE ASSETS AND MOST OF THE LIABILITIES FROM THE FDIC. BY LAW THIS NEWLY CHARTERED INSTITUTION AUTOMATICALLY BECAME A QUALIFIED PUBLIC DEPOSITORY (QPD) AND HAS NINETY DAYS TO COMPLETE THE REQUIRED PAPERWORK TO REMAIN IN THE PROGRAM. BANKUNITED IS LOCATED IN CORAL GABLES AS WAS BANKUNITED, FSB.

FIRST NATIONAL BANK & TRUST

FORT WALTON BEACH

FIRST NATIONAL BANK & TRUST HAS CHANGED FROM A NATIONALLY CHARTERED BANK TO A STATE CHARTERED BANK WITH A RESULTING NAME CHANGE FROM FIRST NATIONAL BANK & TRUST TO FNBT.COM BANK EFFECTIVE JUNE 22, 2009.

ORLANDO NATIONAL BANK

LONGWOOD

ORLANDO NATIONAL BANK HAS CHANGED ITS NAME TO OLD FLORIDA NATIONAL BANK EFFECTIVE MAY 1, 2009.

URBAN TRUST BANK

WASHINGTON, DC

URBAN TRUST BANK HAS CHANGED ITS HOME OFFICE LOCATION FROM WASHINGTON, DC TO ORLANDO, FLORIDA.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation, Division of Financial Institutions, has received the following applications. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition

with: Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., August 14, 2009):

APPLICATION FOR CONVERSION OF AN INTERNATIONAL AGENCY – OFFICE TO AN INTERNATIONAL BRANCH OFFICE

Applicant and Location: Caja de Ahorros del Mediterraneo, 701 Brickell Avenue, Suite 1750, Miami, Florida 33131

Correspondent: Alcides I. Avila, Avila Rodriguez Hernandez Mena & Ferri LLP, 2525 Ponde de Leon Boulevard, Coral Gables, Florida 33135

Received: July 10, 2009

APPLICATION TO MERGE

Constituent Institutions: Peoples Credit Union, North Miami, Florida, and Mount Sinai Federal Credit Union, North Miami, Florida

Resulting Institution: Peoples Credit Union

Received: July 14, 2009

FLORIDA HEALTH CHOICES CORPORATION

Notice of Intent to Accept Applications

CEO – Health Care Administration

The Board of Directors for Florida Health Choices Corporation (FHCC) is seeking a Chief Executive Officer as required by the Florida Legislature in Section 408.910, Florida Statutes. Based

in Tallahassee, Florida. FHCC was created as a single, centralized market for the sale and purchase of various products that enable individuals to pay for health care.

Candidates for the CEO are preferred to have a minimum of ten (10) years of executive level management experience in health care organizations, and/or health insurance companies. Masters degree in Health Care, Public Health, Business or Public Administration strongly preferred. Successful candidate will have previous achievement in health care, provider network development, and demonstrate in-depth knowledge of risk sharing, medical management, and product diversification. Experience working with a Medicaid population is preferred, as is base understanding of the regulatory environment applicable to MCOs. Experience providing employee health benefits to business is preferred.

The base salary for this publicly funded position is from \$80,000 to \$140,000, depending on experience, plus a competitive benefits package. The final date for submission of the above information is August 31, 2009. Send resume and salary history to:

Florida Health Choices, Inc.
Post Office Box 10369
Tallahassee, Florida 32302-2369

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN July 6, 2009
and July 10, 2009

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

9B-3.0472	7/8/09	7/28/09	35/15	
9B-3.0475	7/8/09	7/28/09	35/15	
9B-3.0477	7/8/09	7/28/09	35/15	

AGENCY FOR HEALTH CARE ADMINISTRATION
Office of Licensure and Certification

59A-7.035	7/7/09	7/27/09	35/15	
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Medicaid Program Office

59G-4.105	7/9/09	7/29/09	35/14	
59G-4.106	7/9/09	7/29/09	35/14	
59G-6.050	7/6/09	7/26/09	35/15	
59G-8.300	7/6/09	7/26/09	35/14	
59G-9.060	7/6/09	7/26/09	35/16	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Board of Pilot Commissioners

61G14-19.001	7/10/09	7/30/09	35/19	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-304.415	7/7/09	7/27/09	35/21	
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DEPARTMENT OF HEALTH
Dental Laboratories

64B27-2.002	7/8/09	7/28/09	35/21	
64B27-2.003	7/8/09	7/28/09	35/21	

Board of Athletic Training

64B33-1.001	7/9/09	7/29/09	35/22	
64B33-2.002	7/9/09	7/29/09	35/22	
64B33-2.003	7/9/09	7/29/09	35/22	
64B33-3.001	7/9/09	7/29/09	35/22	

Vital Statistics

64V-1.0031	7/8/09	7/28/09	35/17	
64V-1.0061	7/8/09	7/28/09	35/17	
64V-1.016	7/8/09	7/28/09	35/17	

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

69I-51.003	7/7/09	7/27/09	35/17	35/23
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OIR Insurance Regulation

69O-149.205	7/9/09	7/29/09	35/14	
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