

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Corporations

RULE NOS.: RULE TITLES:

1N-5.001 Definitions
1N-5.002 Notary’s Electronic Signature

PURPOSE AND EFFECT: In 2007 the Legislature initiated electronic notarization in Florida by enacting Chapter 2007-257, Laws of Florida. This was codified as Section 117.021, Florida Statutes. Subsection (5) of this Section authorizes the Department of State to adopt rules to insure security, reliability, and uniformity of signatures and seals to be utilized in the electronic notarization process. This rule establishes the manner in which a signature and a seal must be electronically affixed and the assurance level of security needed to insure reliability and uniformity. The law and the rule do not assign any regulatory responsibilities on the Department. The rule establishes a mechanism by which a duly commissioned notary public is enabled to notarize documents electronically in a secure, reliable, and uniform manner.

SUBJECT AREA TO BE ADDRESSED: Electronic Notarization.

RULEMAKING AUTHORITY: 117.021(5) FS.

LAW IMPLEMENTED: 117.021 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 28, 2009, if requested. Please referred to the Department’s website at www.dos.state.fl.us for notice of cancellation

PLACE: Auditorium, R. A. Building, 500 South Bronough 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 5 days before the workshop/meeting by contacting: Jay Kassees, Director, Division of Corporations; Executive Center Circle, Tallahassee, Florida 32301; (850)245-6000. If you are 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: Jay Kassees, Director, Division of Corporations, Executive Center Circle, Tallahassee, Florida 32301; (850)245-6000

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

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:
1S-2.004 Voting Machine Equipment
 Regulation/Purchase, Use and Sale

PURPOSE AND EFFECT: Last amended in 1986, the rule is out of sync with current practices and procedures governing procurement, use and routine assessment of voting systems and equipment. The proposed revision establishes procedures for purchasing, selling, using, and assessing voting equipment and systems.

SUBJECT AREA TO BE ADDRESSED: Procurement, Use and Assessment of Voting Systems and Equipment.

RULEMAKING AUTHORITY: 20.10(3), 97.012(1), 101.293, 101.294 FS.

LAW IMPLEMENTED: 101.292, 101.293, 101.294, 101.294, 101.015, 101.5604 FS.

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

DATE AND TIME: August 31, 2009, 1:00 p.m.

PLACE: Florida Department of State, Room 307, R. A. Gray Building, Tallahassee, Florida 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 5 days before the workshop/meeting by contacting: Nolah Shotwell, Executive Administrative Assistant, Florida Department of State, nshotwell@dos.state.fl.us; (850)245-6536. If you are 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: Maria Matthews, Assistant General Counsel, Florida Department of State, Office of General Counsel, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399; mimatthews@dos.state.fl.us; (850)245-6536

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

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:
1S-2.041 FVRS Address and Records
 Maintenance

PURPOSE AND EFFECT: This is the third workshop scheduled this yet to vet proposed rule language that codifies a number of practices and procedures as pertains to statutory requirements to conduct address list maintenance and voter registration records maintenance. These proposed uniform procedures are for the purpose of ensuring that the official list of registered voters in the Florida Voter Registration System is accurate and and current as to the addresses and eligibility of registered voters.

SUBJECT AREA TO BE ADDRESSED: FVRS Address Eligibility REcords Maintenance Activities.

RULEMAKING AUTHORITY: 20.10(3), 97.012(1), 98.015(10), 98.015(11), 98.015(12), 98.035(5), 98.0655, 98.075(1) FS.

LAW IMPLEMENTED: 98.035, 98.065, 98.0655, 98.075 FS.

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

DATE AND TIME: August 31, 2009, 1:00 p.m.

PLACE: Florida Department of State, R. A. Gray Building, 307 Room, 500 S. Bronough Street, Tallahassee, Florida 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 5 days before the workshop/meeting by contacting: Nolah Shotwell, Executive Assistant, Office of the General Counsel, Florida Department of State at nlshotwell@dos.state.fl.us or (850)245-6536. If you are 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: Maria Matthews, Assistant General Counsel, Office of the General Counsel, Florida Department of State, mimatthews@dos.state.fl.us or (850)245-6536

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

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.043
RULE TITLE: Electronic Reporting of Voting Activity, Voter Information and Election Results

PURPOSE AND EFFECT: The primary purpose of the proposed rule is to codify in current practices and procedures that relate to uniform electrThe primary purpose of the proposed rule is to codify in current practices and procedures that relate

to uniform electronic format, procedures and timelines for statutorily required reports on data relating to absentee ballot request information, voting history, voter information and precinct-level election results. These reports are mandated by provisions adopted in 2005 (ch. 2005-277 and 2005-278, Laws of Florida), in 2007 (ch. 2007-30, Laws of Florida, and in 2008 (ch. 2008-95, Laws of Florida) and involve primarily data captured at the local level and transferred from the Supervisor of Elections to the Division of Elections. One report pertains to a legislative report to be compiled by the Division of Elections for the Florida Legislature. The proposed rule incorporates only one form by reference (DS-DE #70) which is an application that is necessary to obtain a password to access absentee ballot request information whose access is limited by law only to certain authorized personnel. This is the second workshop scheduled this year for this rule.

SUBJECT AREA TO BE ADDRESSED: The proposed rule establishes content and format requirements for reporting precinct-level elections results, voting history and voter information.

RULEMAKING AUTHORITY: 20.10(3), 97.012(1), 98.0981(5), 101.62(3), 101.657(2), 102.141(10) FS.

LAW IMPLEMENTED: 98.0981, 101.62, 101.657, 102.141 FS.

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

DATE AND TIME: August 31, 2009, 1:00 p.m.

PLACE: Florida Department of State, R. A. Gray Building, 307 Room, 500 S. Bronough Street, Tallahassee, Florida 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 5 days before the workshop/meeting by contacting: Nolah Shotwell, Executive Administrative Assistant, Department of State, Office of General Counsel, (850)245-6536; e-mail: nlshotwell@dos.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: Maria Matthews, Assistant General Counsel, Office of General Counsel, Florida Department of State, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0250; telephone: (850)245-6536; mimatthews@dos.state.fl.us

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 Forestry

RULE NOS.:	RULE TITLES:
5I-6.001	Purpose
5I-6.002	Approved Best Management Practices BMPs
5I-6.003	Presumption of Compliance
5I-6.004	Notice of Intent to Implement
5I-6.005	Record Keeping

PURPOSE AND EFFECT: The purpose of these rule amendments is to make technical revisions to the rules and to incorporate the 2008 revisions to the Silviculture BMP manual which include the following amendments:

- (1) New Best Management Practices (BMP) for Mat (Shovel Logging) in wetlands.
- (2) Updated information on seeding rates for vegetative stabilization.
- (3) Provide a current list of special waterbodies in Florida as obtained from the Florida Department of Environmental Protection (i.e. Outstanding Florida Waters, Outstanding National Resource Waters, and Class I Waters).

SUBJECT AREA TO BE ADDRESSED: The subject area for this rule amendment is the adoption of the 2008 revision to the Silviculture BMP Manual.

RULEMAKING AUTHORITY: 403.067(7)(c)2., 570.07(23) FS.

LAW IMPLEMENTED: 403.067(7)(c), 589.04(1)(a) 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: Jeffery L. Vowell, Florida Division of Forestry, 3125 Conner Boulevard, Tallahassee, FL 32399-1650, Telephone (850)414-9969

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-1.0943	Statewide Assessment for Students with Disabilities

PURPOSE AND EFFECT: The purpose of this rule development is to update statutory references, update procedures related to the administration of statewide assessments for students with disabilities, revise criteria related to participation in statewide alternate assessment, and establish procedures for exemption from participation in the statewide

assessment when extraordinary circumstances occur. The effect will be a rule that reflects current statutory citations, updated assessment procedures, criteria for use by district staff to determine students for whom the alternate assessment is the appropriate statewide assessment, and specific procedures to exempt a student from participation in statewide assessment in the event of extraordinary circumstances.

SUBJECT AREA TO BE ADDRESSED: Participation in statewide assessment for students with disabilities to include the provision of accommodations, criteria for determining participation in the statewide alternate assessment, procedures for requesting a special exemption from the Commissioner of Education for participation in the statewide assessment when extraordinary circumstances occur.

RULEMAKING AUTHORITY: 1003.428(5), 1003.43(8), 1008.22(3), (11) FS.

LAW IMPLEMENTED: 1003.428(5), 1003.43(8), 1008.22(3), (11) FS.

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

DATE AND TIME: August 28, 2009, 3:00 p.m.

PLACE: Via conference call at (866)372-5781, Conference Code 21589175; Anyone wishing to attend in person: Department of Education, 325 West Gaines Street, Room 605, Tallahassee Florida, at the time provided above

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Suite 614, Tallahassee, FL 32399; (850)245-0475. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 6A-1.0943 follows. See Florida Administrative Code for present text.)

6A-1.0943 Statewide Assessment for Students with Disabilities.

(1) The Department of Education shall assure the participation of students with disabilities as defined by Section 1003.01(3)(a), F.S., or subsection 6A-19.001(6), F.A.C., in the statewide assessment program, develop the test instruments required herein and provide technical assistance to school districts in the implementation of the requirements of this rule including appropriate accommodations for students participating in statewide assessment procedures as required by Sections 1008.22(3)(c)6., 1003.428(5), and 1003.43(8), F.S.

(2) All students with disabilities will participate in the statewide student achievement testing program based on state standards, pursuant to Rule 6A-1.09401, F.A.C., without accommodations unless the individual educational plan (IEP) team or team that develops the plan required under Section 504 of the Rehabilitation Act determines and documents that:

(a) The student requires allowable accommodations during instruction and for participation in the statewide student achievement testing program; or

(b) The student meets the criteria for participating in the statewide alternate assessment described in subsection (4) of this rule.

(3) Provision of accommodations for students with disabilities participating in the statewide student achievement testing program.

(a) Each school board shall utilize appropriate and allowable accommodations to the statewide assessment instruments and procedures, within the limits prescribed herein and current state test administration manuals, published by the Florida Department of Education, Office of Assessment. Accommodations are defined as adjustments to the presentation of the assessment questions, method of recording examinee responses to the questions, schedule for administration of the assessment to include amount of time for administration, setting for administration of the assessment, or use of assistive technology/devices to facilitate the student's participation in the assessment. Statewide assessment accommodations may be used only if they do not alter the underlying content that is being measured by the assessment or negatively affect the assessment's reliability or validity. Within the limits specified in this rule, allowable assessment accommodations are based on those current instructional accommodations and accessible instructional materials used by the student in the classroom.

(b) The accommodations described in paragraph (3)(a) of this rule are authorized for any student who has been determined to be an eligible student with disabilities pursuant to Section 1003.01(3)(a), F.S., and Rule 6A-6.0331, F.A.C., and has a current IEP, or who has been determined to be a student with a disability pursuant to subsection 6A-19.001(6), F.A.C. The accommodations must be identified on the student's IEP or plan developed under Section 504 of the Rehabilitation Act.

(c) The need for any unique accommodations for use on state assessments not outlined in the state's test administration manual published by the Florida Department of Education, Office of Assessment, must be approved by the Commissioner of Education.

(d) District personnel are required to implement the accommodations in a manner that ensures the test responses are the independent work of the student. Personnel are prohibited from assisting a student in determining how the student will respond or directing or leading the student to a

particular response. In no case shall the accommodations authorized herein be interpreted or construed as an authorization to provide a student with assistance in determining the answer to any test item.

(e) Students with disabilities who are not currently enrolled in public schools or receiving services through public school programs and require accommodations in order to participate in the statewide student achievement testing program may have access to accommodations identified in paragraph (3)(a) of this rule if the following information is provided:

1. Evidence that the student has been found eligible as a student with a disability as defined by Section 1003.01(3)(a), F.S., or subsection 6A-19.001(6), F.A.C.; and,

2. Documentation that the requested accommodations are regularly used for instruction.

(4) The decision for a student to participate in the statewide alternate assessment based on alternate achievement standards is made by the IEP team and recorded on the IEP. Students will participate in the statewide alternate assessment based on alternate achievement standards if all of the following criteria are met:

(a) The student is unable to master the grade-level general state standards pursuant to Rule 6A-1.09041, F.A.C., as a result of the student's intellectual disability, even with appropriate and allowable instructional accommodations, assistive technology, and accessible instructional materials;

(b) The student is participating in a modified curriculum based on competencies in the general state standards access points, pursuant to Rule 6A-1.09401, F.A.C., for all academic areas; and

(c) The student requires direct instruction in academics based on access points, pursuant to Rule 6A-1.09401, F.A.C., in order to acquire, generalize, and transfer skills across settings.

(5) A student with a disability may be eligible for consideration of a special exemption from the graduation test requirement under extraordinary circumstances that create a situation where the results of administration of the graduation test would reflect a student's impaired sensory, manual, or speaking skills rather than the student's achievement, if they meet the requirements pursuant to Rule 6A-1.09431, F.A.C.

(6) Pursuant to Section 1008.22(3)(c)6., F.S., a student with a disability, as defined in Section 1003.01(3)(a), F.S., may be eligible for consideration of a special exemption from participation in the statewide student achievement testing program under extraordinary circumstances that create a situation where the results of administration of the assessment would reflect a student's impaired sensory, manual, or speaking skills rather than the student's achievement upon approval of the Commissioner. The procedure for consideration of this special exemption must originate with receipt of a written request from the district school superintendent by the end of the semester prior to the

assessment administration window. The Commissioner shall determine whether the exemption shall be granted based upon the documentation provided by the district school superintendent which shall include:

(a) Written description of the student’s disabling condition, including a specific description of the student’s impaired sensory, manual or speaking skills and the extraordinary circumstances for the exemption request;

(b) Written documentation of the most recent evaluation data and psychological reports;

(c) Written description of the disability’s effect on the student’s achievement;

(d) Written evidence that the student has had the opportunity to learn the skills being tested; and,

(e) Written evidence that the manifestation of the student’s disability prohibits the student from responding to the test even when appropriate accommodations are provided so that the result of the testing reflects the student’s impaired sensory, manual or speaking skills rather than the student’s achievement.

This determination must be submitted annually and approved by the Commissioner.

(7) Only students who participate in the statewide general assessment will be eligible for a standard high school diploma, except as described in subsection (5) of this rule.

(8) The test scores of students with disabilities, as defined in Section 1003.01(3)(a), F.S., and Rule 6A-19.001, F.A.C., will be included in the state’s accountability system as determined by the Commissioner of Education.

Rulemaking Specific Authority 1003.428(5), 1003.43(8), 1008.22(3), (11) ~~229.57, 232.246~~ FS. Law Implemented 1003.428(5), 1003.43(8), 1008.22(3) ~~229.57~~ FS. History—New 9-12-78, Amended 3-4-84, Formerly 6A-1.943, Amended 6-12-90, 9-17-01,_____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-1.099811 Differentiated Accountability State System of School Improvement

PURPOSE AND EFFECT: The purpose of this rule development is to further define the Differentiated Accountability State System of School Improvement, including but not limited to, categorization of schools, level of assistance provided to schools, and the support systems and strategies to be implemented by schools and districts. The effect is to ensure all Florida schools are monitored and assisted by the district and state in compliance with the law with the common mission of raising student achievement and promoting continuous improvement.

SUBJECT AREA TO BE ADDRESSED: Differentiated Accountability State System of School Improvement implementation.

RULEMAKING AUTHORITY: 1008.33 FS.

LAW IMPLEMENTED: 1008.33 FS.

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

DATES AND TIMES: August 31, 2009, 12:00 Noon – 3:00 p.m.; September 1, 2009, 9:00 a.m. – 12:00 Noon; September 3, 2009, 1:00 p.m. – 4:00 p.m.

PLACE: August 31st, Hillsborough Community College, Dale Mabry Campus, Student Services Building #113, Rooms 108-110, 4001 Tampa Bay Blvd., Tampa, FL 33614. September 1st, Miami-Dade College, Wolfson Campus, Building 2000, Room 2106, 300 N.E. 2nd Avenue, Miami, FL 33132. September 3rd, Florida Department of Education, Turlington Building, 325 West Gaines St., Room 1721/25, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Nikolai Vitti, Deputy Chancellor for School Improvement and Student Achievement, Division of Public Schools, 325 West Gaines Street, Room 514, Tallahassee, Florida 32399-0400; (850)245-0509

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-6.03012	Exceptional Education Eligibility for Students with Speech Impairments and Qualifications and Responsibilities for the Speech-Language Pathologists Providing Speech Services
6A-6.030121	Exceptional Education Eligibility for Students with Language Impairments and Qualifications and Responsibilities for the Speech-Language Pathologists Providing Language Services

PURPOSE AND EFFECT: The purpose of this rule development is to revise Rule 6A-6.03012, F.A.C., to address evaluation and eligibility procedures for students suspected of having a speech impairment; revise procedures consistent with current practices in the field; and clarify the responsibilities and qualifications for speech-language pathologists providing speech services and to establish new Rule 6A-6.030121, F.A.C., to address evaluation and eligibility procedures for students suspected of having a language impairment; establish procedures consistent with current practices in the field; and clarify the responsibilities and qualifications for speech-language pathologists providing language services. The

effect will be rules that reflect current practices in the field of speech/language pathology to improve identification of, and services to, students in need of exceptional education services. SUBJECT AREA TO BE ADDRESSED: Definitions, general education activities and intervention, evaluation and eligibility criteria for students suspected of having a speech or language impairment; responsibilities of the speech-language pathologist related to eligibility and individual educational plan meetings; qualifications for speech-language pathologists; requirements for districts when services are provided by a speech-language associate.

RULEMAKING AUTHORITY: 1003.01(3), 1003.57, 1012.44 FS.

LAW IMPLEMENTED: 1003.01(3), 1003.57, 1012.44 FS.

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

DATE AND TIME: August 31, 2009, 3:00 p.m. – 4:45 p.m.

PLACE: Via conference call – (866)372-5781, Conference Code 21588745; Anyone wishing to attend in person: Department of Education, 325 West Gaines Street, Room 605, Tallahassee, Florida at the time provided above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, Division of Public Schools, 325 West Gaines Street, Suite 614, Tallahassee, FL 32399; (850)245-0475

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 6A-6.03012 follows. See Florida Administrative Code for present text.)

6A-6.03012 Exceptional Education Eligibility for Students with Speech Impairments and Qualifications and Responsibilities for the Speech-Language Pathologists Providing Speech Services.

(1) Definitions. Speech impairments are defined as disorders of speech sounds, fluency, or voice that interfere with communication, adversely affect performance and/or functioning in the educational environment, and result in the need for exceptional student education services.

(a) Speech sound disorder. A speech sound disorder is a phonological or articulation disorder that is evidenced by the atypical production of speech sounds characterized by substitutions, distortions, additions, and/or omissions that interfere with intelligibility. A speech sound disorder is not primarily the result of factors related to age, gender, culture, ethnicity, or limited English proficiency.

1. Phonological disorder. A phonological disorder is impairment in the system of phonemes and phoneme patterns within the context of spoken language.

2. Articulation disorder. An articulation disorder is characterized by difficulty in the articulation of speech sounds that may be due to a motoric or structural problem.

(b) Fluency disorder. A fluency disorder is characterized by deviations in continuity, smoothness, rhythm, and/or effort in spoken communication. It may be accompanied by excessive tension and secondary behaviors, such as struggle and avoidance. A fluency disorder is not primarily the result of factors related to age, gender, culture, ethnicity, or limited English proficiency.

(c) Voice disorder. A voice disorder is characterized by the atypical production and/or absence of vocal quality, pitch, loudness, resonance, and/or duration of phonation that are not primarily the result of factors related to age, gender, culture, ethnicity, or limited English proficiency.

(2) General education procedures and activities. Prior to referral for evaluation, the requirements in subsection (1) of Rule 6A-6.0331, F.A.C., related to general education procedures for kindergarten through grade twelve (12) students, and subsection (2) of Rule 6A-6.0331, F.A.C., related to procedures prior to initial evaluation for prekindergarten children, must be met.

(3) Evaluation. In addition to the procedures identified in subsection (5) of Rule 6A-6.0331, F.A.C., the minimum student evaluation shall include all of the following:

(a) Speech evaluation. A speech sound evaluation must include all of the following:

1. Information must be gathered from the student's parent(s) or guardian(s), teacher(s), and the student, when appropriate, regarding the concerns and description of speech characteristics. This may be completed through a variety of methods including interviews, checklists, and/or questionnaires;

2. Documented and dated observation(s) of the student's speech characteristics must be conducted by the speech-language pathologist to examine the student's speech characteristics during connected speech or conversation. Observation(s) conducted prior to obtaining consent for evaluation may be used to meet this criterion;

3. An examination of the oral mechanism structure and function must be conducted; and,

4. One or more standardized, norm-referenced instruments designed to measure speech sound production must be administered to determine the type and severity of the speech sound errors and whether the errors are articulation (phonetic) and/or phonological (phonemic) in nature.

(b) Fluency evaluation. A fluency evaluation must reflect a multidimensional process and must include all of the following:

1. Information must be gathered from the student's parent(s) or guardian(s), teacher(s), and the student, when appropriate, to address the areas identified in subparagraph

(3)(b)4. of this rule. This may be completed through a variety of methods including interviews, checklists, and/or questionnaires;

2. Documented and dated observations of the student's speech and secondary behaviors must be conducted by the speech-language pathologist in more than one setting, including the typical learning environment. Observations conducted prior to obtaining consent for evaluation may be used to meet this criterion, if the activities address the areas identified in subparagraph (3)(b)4. of this rule;

3. An examination of the oral mechanism structure and function must be conducted;

4. An assessment of all of the following areas:

- a. Motor aspects of the speech behaviors;
- b. Student's attitude regarding the speech behaviors;
- c. Social impact of the speech behaviors; and,
- d. Educational impact of the speech behaviors.

5. A speech sample of a minimum of 300-500 words must be collected and analyzed to determine frequency, duration, and type of dysfluent speech behaviors. If the speech-language pathologist is unable to obtain a speech sample of a minimum of 300-500 words, a smaller sample may be collected and analyzed. The evaluation report must document the rationale for collection and analysis of a smaller sample, the results obtained, and the basis for recommendations.

(c) Voice evaluation. A voice evaluation must include all of the following:

1. Information must be gathered from the student's parent(s) or guardian(s), teacher(s), and the student, when appropriate, regarding the concerns and description of voice characteristics. This may be completed through a variety of methods including interviews, checklists, and/or questionnaires;

2. Documented and dated observation(s) of the student's voice characteristics must be conducted by the speech-language pathologist in more than one setting, including the typical learning environment. Observation(s) conducted prior to obtaining consent for evaluation may be used to meet this criterion;

3. An examination of the oral mechanism structure and function must be conducted; and,

4. A report of a medical examination of laryngeal structure and function conducted by a physician licensed to practice in Florida, to include a description of the state of the vocal mechanism and any medical implications for therapeutic intervention.

(4) Criteria for eligibility. A student is eligible as a student with a speech impairment in need of exceptional student education if the student meets the following criteria in one or more of the following disorders as determined by the procedures prescribed in this rule and Rule 6A-6.0331, F.A.C.

(a) Speech sound disorder. A student with a speech sound disorder is eligible for exceptional student education if there is evidence, based on evaluation results, of a significant phonological and/or articulation disorder that is characterized by the atypical production of speech sound(s). The atypical production of speech sound(s) may be characterized by substitutions, distortions, additions, and/or omissions. Evaluation results must reveal all of the following:

1. The speech sound disorder must have a significant impact on the student's intelligibility, although the student may be intelligible to familiar listeners or within known contexts;

2. The student's phonetic or phonological inventory must be significantly below that expected for his or her chronological age or developmental level based on normative data;

3. The speech sound disorder must have an adverse effect on the student's ability to achieve and/or function in the student's typical learning environment, thereby demonstrating the need for exceptional student education services; and,

4. The speech sound disorder is not primarily the result of factors related to age, gender, culture, ethnicity, or limited English proficiency.

(b) Fluency disorder. A student with a fluency disorder is eligible for exceptional student education if there is evidence, based on evaluation results, of significant and persistent interruptions in the rhythm or rate of speech. Evaluation results must reveal all of the following:

1. The student must exhibit significant and persistent dysfluent speech behaviors. The dysfluency may include repetition of phrases, whole words, syllables and phonemes, prolongations, blocks, and circumlocutions. Additionally, secondary behaviors, such as struggle and avoidance, may be present;

2. The fluency disorder must have an adverse effect on the student's ability to achieve and/or function in the educational environment, thereby demonstrating the need for exceptional student education services; and,

3. The dysfluency is not primarily the result of factors related to age, gender, culture, ethnicity, or limited English proficiency.

(c) Voice disorder. A student with a voice disorder is eligible for exceptional student education if there is evidence, based on evaluation results, of significant and persistent atypical voice characteristics. Evaluation results must reveal all of the following:

1. The student must exhibit significant and persistent atypical production of quality, pitch, loudness, resonance, and/or duration of phonation. The atypical voice characteristics may include inappropriate range, inflection, loudness, excessive nasality, breathiness, hoarseness, and/or harshness;

2. The voice disorder does not refer to vocal disorders that are found to be the direct result or symptom of a medical condition unless the disorder adversely affects the student's

ability to achieve and/or function in the educational environment and is amenable to improvement with therapeutic intervention;

3. The voice disorder must have an adverse effect on the student's ability to achieve and/or function in the educational environment, thereby demonstrating the need for exceptional student education services; and.

4. The atypical voice characteristics are not primarily the result of factors related to age, gender, culture, ethnicity, or limited English proficiency.

(5) Speech services.

(a) A speech-language pathologist shall be a member of any eligibility staffing committee reviewing speech evaluation data.

(b) A speech-language pathologist shall be involved in the development of the individual educational plan for students eligible for speech services, whether as special education or as a related service for an otherwise eligible student with a disability.

(c) Speech services shall be provided by a speech-language pathologist, pursuant to Rule 6A-4.0176, F.A.C., a licensed speech-language pathologist pursuant to Section 468.1185, Florida Statutes, or a speech-language associate, pursuant to Rule 6A-4.01761, F.A.C.

(d) Speech-language associate.

1. Speech services provided by a speech-language associate, as specified in Rule 6A-4.01761, F.A.C., must be under the direction of a certified or licensed speech-language pathologist with a master's degree or higher. Services can be provided for a period of three (3) years as described in Section 1012.44, Florida Statutes, in districts that qualify for the sparsity supplement as described in Section 1011.62(7), Florida Statutes.

2. Districts shall submit a plan to the Department of Education for approval before implementation of Rule 6A-4.01761, F.A.C. The components of the plan must include a description of:

a. The model, specifying the type and amount of direction including, direct observation, support, training, and instruction;

b. The rationale for using this model;

c. The manner in which the associate will be required to demonstrate competency;

d. The process for monitoring the quality of services;

e. The process for measuring student progress; and

f. The manner in which the speech-language associate will meet the requirements of the annual district professional development plan for instructional personnel.

Rulemaking Specific Authority 1003.01(3), 1003.57(1)(e), 1012.44 FS. Law Implemented 1003.01(3), 1003.57(1)(e), 1012.44 FS. History—New 7-1-77, Amended 7-13-83, Formerly 6A-6.3012, Amended 8-1-88, 9-17-01,_____.

6A-6.030121 Exceptional Education Eligibility for Students with Language Impairments and Qualifications and Responsibilities for the Speech-Language Pathologists Providing Language Services.

(1) Definition. Language impairments are defined as disorders of language that interfere with communication, adversely affect performance and/or functioning in the student's typical learning environment, and result in the need for exceptional student education services.

(a) A language impairment is defined as a disorder in one or more of the basic learning processes involved in understanding or in using spoken and/or written language. These include:

1. Phonology. Phonology is defined as the sound systems of a language and the rules that govern the sound combinations;

2. Morphology. Morphology is defined as the system that governs the internal structure of words and the construction of word forms;

3. Syntax. Syntax is defined as the system governing the order and combination of words to form sentences, and the relationships among the elements within a sentence;

4. Semantics. Semantics is defined as the system that governs the meanings of words and sentences; and/or

5. Pragmatics. Pragmatics is defined as the system that combines language components in functional and socially appropriate communication.

(b) The language impairment may manifest in significant difficulties affecting listening comprehension, oral expression, social interaction, reading, writing, and/or spelling. A language impairment is not primarily the result of factors related to age, gender, culture, ethnicity, or limited English proficiency.

(2) Procedures prior to initial evaluation for prekindergarten children. Prior to initial evaluation, the requirements in subsection 6A-6.0331(2), F.A.C., must be met.

(3) Evaluation procedures for children in prekindergarten. In addition to the procedures identified in subsection (5) of Rule 6A-6.0331, F.A.C., the minimum evaluation for a prekindergarten child shall include all of the following:

(a) Information gathered from the child's parent(s) or guardian(s) and others as appropriate, such as teacher(s), service providers, and caregivers regarding the concerns and description of language skills. This may be completed through a variety of methods, including interviews, checklists, and/or questionnaires;

(b) One or more documented and dated observation(s) of the child's language skills must be conducted by the speech-language pathologist in one or more setting(s), which must include the child's typical learning environment or an environment or situation appropriate for a child of that chronological age; and,

(c) One or more standardized norm-referenced instruments designed to measure language skills must be administered and interpreted by a speech-language pathologist to determine the nature and severity of the language deficits. If the speech-language pathologist is unable to administer a norm-referenced instrument, a scientific, research-based alternative instrument may be used. The evaluation report must document the evaluation procedures used, including the rationale for use of an alternative instrument, the results obtained, and the basis for recommendations.

(4) Criteria for eligibility for prekindergarten children. A prekindergarten child is eligible as a student with a language impairment in need of exceptional student education if all of the following criteria are met:

(a) There is evidence, based on evaluation results, of significant deficits in language. The impairment may manifest in significant difficulties affecting one or more of the following areas:

1. Listening comprehension;
2. Oral expression;
3. Social interaction; or
4. Emergent literacy skills (e.g., vocabulary development, phonological awareness, narrative concepts).

(b) One or more documented and dated behavioral observation(s) reveals significant language deficits that interfere with performance and/or functioning in the typical learning environment;

(c) Results of standardized norm-referenced instrument(s) reveal a significant language deficit in one or more of the areas listed in paragraph (1)(a) of this rule, as evidenced by standard score(s) significantly below the mean. If the evaluator is unable to administer a norm-referenced instrument and an alternative scientific, research-based instrument is administered, the instrument must reveal a significant language deficit in one or more areas listed in paragraph (1)(a) of this rule. Significance of the deficit(s) must be determined and based on specifications in the manual of the instrument(s) utilized for evaluation purposes;

(d) Information gathered from the child's parent(s) or guardian(s), teacher(s), service providers, and/or caregivers must support the results of the standardized instruments and observations conducted;

(e) The language impairment must have an adverse effect on the student's ability to achieve and/or function in the typical learning environment, thereby demonstrating the need for exceptional student education services; and,

(f) The language impairment is not primarily the result of factors related to age, gender, culture, ethnicity, or limited English proficiency.

(5) General education intervention procedures and activities for students in kindergarten through grade twelve. In addition to the requirements in Rule 6A-6.0331, F.A.C., and in order to ensure that the decreased performance and/or

functioning of a student suspected of having a language impairment is not due to lack of appropriate instruction, a group of qualified professionals must consider:

(a) Data that demonstrate that the student was provided well-delivered scientific, research based instruction and interventions addressing the identified area(s) of concern and delivered by qualified personnel in general education settings; and

(b) Data-based documentation, which was provided to the student's parent(s) or guardian(s), of repeated measures of performance and/or functioning at reasonable intervals, graphically reflecting the student's response to intervention during instruction.

(c) General education activities and interventions conducted prior to initial evaluation in accordance with subsection (1) of Rule 6A-6.0331, F.A.C., may be used to satisfy the requirements of subsection (5) of this rule.

(6) Evaluation procedures for students in kindergarten through grade twelve.

(a) The school district must promptly request parental or guardian consent to conduct an evaluation to determine if the student needs exceptional student education services in the following circumstances:

1. Prior to obtaining consent for evaluation, the student has not made adequate progress after an appropriate period of time when provided appropriate instruction and intense, individualized interventions; or

2. Prior to obtaining consent for evaluation, intensive interventions are demonstrated to be effective but require sustained and substantial effort that may include the provision of exceptional student education services; and

3. Whenever a referral is made to conduct an evaluation to determine the student's need for exceptional student education services and the existence of a disability.

(b) In addition to the procedures identified in subsection (5) of Rule 6A-6.0331, F.A.C., minimum student evaluation shall include all of the following:

1. Information gathered from the student's parent(s) or guardian(s), teacher(s), and the student, when appropriate, regarding the concerns and a description of language skills. This may be completed through a variety of methods, including interviews, checklists, and/or questionnaires;

2. Documented and dated observation(s) of the student's language skills must be conducted by the speech-language pathologist in one or more setting(s);

3. One or more standardized norm-referenced instruments designed to measure language skills must be administered and interpreted by a speech-language pathologist to determine the nature and severity of the language deficits. If the speech-language pathologist is unable to administer a norm-referenced instrument, a scientific, research-based alternative instrument may be used. The evaluation report must document the evaluation procedures used, including the

rationale for use of an alternative instrument, the results obtained, and the basis for recommendations. With the exception of the observation required by sub-subparagraph (7)(a)3.d. of this rule, if any of these evaluation components were conducted prior to obtaining consent for evaluation, they may be used to meet these criteria.

(7) Criteria for eligibility for students in kindergarten through grade twelve. A student meets the eligibility criteria as a student with a language impairment in need of exceptional student education if all of the following criteria are met:

(a) Evidence of a language impairment. The student's parent(s) or guardian(s) and a group of qualified personnel may determine that a student has a language impairment if there is evidence of each of the following:

1. Due to deficits in the student's language skills, the student does not achieve and/or function adequately for the student's chronological age or to meet state-approved grade-level standards pursuant to Rule 6A-1.09401, F.A.C., in one or more of the following areas, when provided with learning experiences and instruction appropriate for the student's chronological age or grade:

- a. Oral expression;
- b. Listening comprehension;
- c. Social interaction;
- d. Written expression;
- e. Phonological processing; or,
- f. Reading comprehension.

2. Due to deficits in the student's language skills, the student does not make sufficient progress to meet chronological age or state-approved grade-level standards pursuant to Rule 6A-1.09401, F.A.C., in one or more of the areas identified in subparagraph (7)(a)1. of this rule when using a process based on the student's response to scientific, research-based intervention:

3. Evidence of a language impairment is documented, based on a comprehensive language evaluation, including all evaluation components as specified in paragraph (6)(b) of this rule. Evaluation results must reveal all of the following:

a. Documented and dated observations reveal significant language deficits that interfere with performance and/or functioning in the educational environment;

b. Results of standardized norm-referenced instrument(s) reveal a significant language deficit in one or more of the areas listed in paragraph (1)(a) of this rule, as evidenced by standard score(s) significantly below the mean. If the evaluator is unable to administer a norm-referenced instrument and an alternative scientific, research-based instrument is administered, the instrument must reveal a significant language deficit in one or more areas listed in paragraph (1)(a) of this rule. Significance of the deficit(s) must be determined and based on specifications in the manual of the instrument(s) utilized for evaluation purposes;

c. Information gathered from the student's parent(s) or guardian(s), teacher(s), and the student must support the results of the standardized instruments and observations conducted; and,

d. When a language impairment is due to a deficit in pragmatic language and cannot be verified by the use of standardized instrument(s), the language impairment may be established through the results of subparagraphs (6)(b)1. and 2. of this rule, and at least one additional observation conducted by the speech-language pathologist subsequent to obtaining consent for evaluation as part of a comprehensive language evaluation. The evaluation report must document the evaluation procedures used, including the rationale for overriding results from standardized instruments, the results obtained, and the basis for recommendations. The information gathered from the student's parent(s) or guardian(s), teacher(s), and the student must support the results of the observation(s) conducted; and,

4. The group determines that its findings under paragraph (7)(a) of this rule are not primarily the result of factors related to age, gender, culture, ethnicity, or limited English proficiency.

(b) Members of the group determining eligibility. The determination of whether a student suspected of having a language impairment is a student who demonstrates a need for exceptional student education services and meets the eligibility criteria must be made by the student's parent(s) or guardian(s) and a team of qualified professionals, which, in addition to those required by Rule 6A-6.0331, must include, the following:

1. The student's general education teacher; if the student does not have a general education teacher, a general education teacher qualified to teach a student of his or her chronological age; and,

2. A speech-language pathologist and other professionals, as appropriate, such as a school psychologist or reading specialist, qualified to conduct and interpret individual diagnostic examinations of students; and,

3. The district administrator of exceptional student education or designee.

(8) Documentation of determination of eligibility. For a student suspected of having a language impairment, the documentation of the determination of eligibility must include a written summary of the group's analysis of the data that incorporates all of the following information:

(a) The basis for making the determination, including an assurance that the determination has been made in accordance with subsection (6) of Rule 6A-6.0331, F.A.C.;

(b) Noted behavior during the observation of the student and the relationship of that behavior to the student's academic functioning;

(c) The educationally relevant medical findings, if any;

(d) Whether the student has a language impairment as evidenced by response to intervention data confirming the following:

1. Performance and/or functioning discrepancies. The student displays significant discrepancies, for the chronological age or grade level in which the student is enrolled, in level of performance and/or functioning based on multiple sources of data when compared to multiple groups of typical peers or expectations at the peer subgroup, classroom, school, district, and/or state level comparison groups; and,

2. Rate of progress. When provided with effective implementation of appropriate research-based instruction and interventions of reasonable intensity and duration with evidence of implementation fidelity, the student's rate of progress is insufficient or requires sustained and substantial effort to close the gap with typical peers or expectations for the chronological age or grade level in which the student is currently enrolled; and,

3. Educational need. The student continues to need interventions that significantly differ in intensity and duration from what can be provided solely through educational resources and services currently in place, thereby demonstrating a need for exceptional student education services due to the adverse effect of the language impairment on the student's ability to achieve and/or function in the educational environment.

(e) The determination of the student's parent(s) or guardian(s) and group of qualified professionals concerning the effects of age, culture, gender, ethnicity, patterns of irregular attendance, or limited English proficiency on the student's performance and/or functioning; and,

(f) Documentation based on data derived from a process that assesses the student's response to well-delivered scientific, research-based instruction and interventions including:

1. Documentation of the specific instructional interventions used, the intervention support provided to the individuals implementing interventions, adherence to the critical elements of the intervention design and delivery methods, the duration of intervention implementation (e.g., number of weeks, minutes per week, sessions per week), and the student-centered data collected; and,

2. Documentation that the student's parent(s) or guardian(s) were notified about the state's policies regarding the amount and nature of student performance and/or functioning data that would be collected and the educational resources and services that would be provided; interventions for increasing the student's rate of progress; and the parental or guardian right to request an evaluation.

(9) Language services.

(a) A speech-language pathologist shall be a member of any eligibility staffing committee reviewing language evaluation data.

(b) A speech-language pathologist shall be involved in the development of the individual educational plan for students eligible for language services, whether as special education or as a related service for an otherwise eligible student with a disability.

(c) Language services shall be provided by a speech-language pathologist, pursuant to Rule 6A-4.0176, F.A.C., a licensed speech-language pathologist pursuant to Section 468.1185, Florida Statutes, or a speech-language associate, pursuant to Rule 6A-4.01761, F.A.C.

(d) Speech-language associate.

1. Language services provided by a speech-language associate, as specified in Rule 6A-4.01761, F.A.C., must be under the direction of a certified or licensed speech-language pathologist with a master's degree or higher. Services under this subsection can be provided for a period of three (3) years as described in Section 1012.44, Florida Statutes, in districts that qualify for the sparsity supplement as described in Section 1011.62(7), Florida Statutes.

2. Districts shall submit a plan to the Department of Education for approval before implementation of Rule 6A-4.01761, F.A.C. The components of the plan must include a description of:

a. The model, specifying the type and amount of direction including, but not limited to, direct observation, support, training, and instruction;

b. The rationale for using this model;

c. The manner in which the associate will be required to demonstrate competency;

d. The process for monitoring the quality of services;

e. The process for measuring student progress; and,

f. The manner in which the speech-language associate will meet the requirements of the annual district professional development plan for instructional personnel.

Rulemaking Authority 1003.01(3), 1003.57, 1012.44 FS. Law Implemented 1003.01(3), 1003.57, 1012.44 FS. History—New _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-6.03013	Exceptional Student Educational Eligibility for Students who Are Deaf or Hard-of-Hearing
6A-6.030151	Exceptional Student Education Eligibility for Students with Orthopedic Impairment
6A-6.030152	Exceptional Student Education Eligibility for Students with Other Health Impairment
6A-6.030153	Exceptional Student Education Eligibility for Students Students with Traumatic Brain Injury

- 6A-6.03016 Exceptional Student Education Eligibility for Students with Emotional/Behavioral Disabilities
- 6A-6.03022 Special Programs for Students who are Dual-Sensory Impaired
- 6A-6.03023 Exceptional Student Education Eligibility for Students with Autism Spectrum Disorder
- 6A-6.03027 Special Programs for Children Three Through Five Years Old who are Developmentally Delayed
- 6A-6.03028 Provision of Free Appropriate Public Education (FAPE) and Development of Individual Educational Plans for Students with Disabilities
- 6A-6.0331 General Education Intervention Procedures, Identification, Evaluation, Reevaluation and the Initial Provision of Exceptional Education Services

PURPOSE AND EFFECT: The purpose of rule development for Rules 6A-6.03013, 6A-6.030151, 6A-6.030152, 6A-6.030153, 6A-6.03016, 6A-6.03023, F.A.C., is to conform cross references to rules that have been recently revised and to include content related to evaluation procedures that are currently included in the ESE Policies and Procedures document in accordance with Rule 6A-6.03411, F.A.C. The effect will be rules that include applicable cross references, and improved access to information on the required content of evaluations for school district personnel and families. The purpose of rule development for Rule 6A-6.03022, F.A.C., is to conform cross references to a rule that has recently been revised and to delete a section of rule related to a funding methodology that is now obsolete. The effect will be a rule that includes applicable cross references and accurate content. The purpose of rule development for Rule 6A-6.03027, F.A.C., is to align requirements for general education interventions and activities prior to evaluation with Rule 6A-6.0331, F.A.C., which was recently revised. The effect will be the consistent alignment of requirements across these two rules. The purpose of rule development for Rule 6A-6.03028, F.A.C., is to change the requirement related to when an individual educational plan (IEP) team must give consideration to a student's need for information and instruction in the area of self determination from age 16 to age 14. The effect will be earlier consideration of the student's needs for skills that will support active participation in the development of the student's IEP. The purpose of rule development for Rule 6A-6.0331, F.A.C., is to include a recent change in the Individuals with Disabilities Education Act (IDEA) with regard to revocation of parent consent. The effect will be policies and procedures that align with the requirements of IDEA.

SUBJECT AREA TO BE ADDRESSED: Evaluation procedures for students being determined as eligible students who are deaf or hard-of-hearing, orthopedically impaired, other health impaired, traumatic brain injured, emotionally/behaviorally disabled, or having an autism spectrum disorder; general education interventions and procedures prior to evaluation for children three through five years of age who are suspected of being developmentally delayed; reevaluation procedures for students with dual sensory impairment and obsolete funding methodology; requirements for consideration of instruction in self determination by IEP teams; and, revocation of parental consent.

RULEMAKING AUTHORITY: 1003.01, 1003.57, 1003.571 FS.

LAW IMPLEMENTED: 1003.01, 1003.57, 1003.571 FS.

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

DATE AND TIME: September 2, 2009, 3:00 p.m.

PLACE: Via conference call: (866)372-5781; Conference ID #21683908. Anyone wishing to attend in person: Department of Education, 325 West Gaines Street, Room 605, Tallahassee, Florida, at the time provided above

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Bambi J. Lockman, Chief, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Suite 614, Tallahassee, Florida 32399; (850)245-0475. WRITTEN COMMENTS WILL BE ACCEPTED THROUGH SEPTEMBER 4, 2009

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-6.03013 Exceptional Student Educational Eligibility for Students who are Deaf or Hard-of-Hearing.

(1) No change.

(2) General education interventions and activities. ~~Activities prior to referral.~~ Prior to referral for evaluation, the requirements in subsections 6A-6.0331(1)-(3), F.A.C., must be met.

(3) Evaluation. In addition to the provisions of subsection 6A-6.0331(5)(4), F.A.C., the evaluation for determining eligibility shall include all of the following: ~~a student must also include the procedures identified in the district's Policy and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students as required by Rule 6A-6.03411, F.A.C.~~

(a) Audiological evaluation;

(b) Evaluation of developmental skills or academic achievement, including information on the student's academic strengths and weaknesses;

(c) Evaluation of social development;

(d) Evaluation of receptive and expressive communication; and.

(e) A comprehensive nonverbal assessment of intellectual functioning or developmental scales, if more appropriate, for children under age seven.

(4)(a) No change.

(b) The student needs special education as defined in paragraph 6A-6.03411(1)(kk)(e), F.A.C.

(5) Reevaluation shall occur at least every three (3) years and shall include at a minimum an audiological evaluation, and, if appropriate, any other formal evaluations addressed in the initial evaluation in accordance with subsection (3) of this rule.

~~(6)(5)~~ A screening for Usher’s Syndrome shall be administered to each student who is deaf or hard-of-hearing at least once during grades 6-12.

Rulemaking Specific Authority 1000.01, 1001.42(4)(l)(+), 1003.01, 1003.57 FS. Law Implemented 1000.01, 1001.42(4)(l)(+), 1003.01, 1003.21, 1003.57(5), 1011.62(1)(c) FS. History–New 7-1-77, Amended 9-11-84, Formerly 6A-6.3013, Amended 7-1-94, 7-1-07,_____.

6A-6.030151 Exceptional Student Education Eligibility for Students ~~Who are Physically Impaired~~ with Orthopedic Impairment.

(1) Definition. Orthopedic impairment means a severe skeletal, muscular, or neuromuscular impairment. The term includes impairments resulting from congenital anomalies (e.g. including but not limited to skeletal deformity or spina bifida), and impairments resulting from other causes (e.g., including but not limited to cerebral palsy or amputations).

(2) General education interventions and activities. ~~Activities prior to referral.~~ Prior to referral for evaluation, the requirements in subsections 6A-6.0331(1)-(3), F.A.C., must be met.

(3) Evaluation. In addition to the provisions in subsection 6A-6.0331(5)(4), F.A.C., the evaluation for determining eligibility shall include all of the following: a student must also include the procedures identified in the district’s Policies and Procedures for the Provision of Specially Designed Instruction and Related Services as required by Rule 6A-6.03411, F.A.C.

(a) A report of a medical examination, within the previous twelve-month (12) period, from a physician(s) licensed in Florida in accordance with Chapter 458 or 459, Florida Statutes, who is qualified to assess the student’s orthopedic impairment. The physician’s report must provide a description of the impairment and any medical implications for instruction; and.

(b) An educational evaluation that identifies educational and environmental needs of the student.

(4) Criteria for eligibility. A student with an orthopedic impairment is eligible for exceptional student education, if the following criteria are met:

(a) Evidence of an orthopedic impairment that adversely affects the student’s performance in the educational environment in any of the following: ambulation, hand movement, coordination, or daily living skills, and

(b) The student needs special education as defined in paragraph 6A-6.03411(1)(kk)(e), F.A.C.

Rulemaking Specific Authority 1001.02(1), 1003.01, 1003.57(1)(e) FS. Law Implemented 1001.03, 1003.01(3), 1003.21(1), 1003.57(1)(e), 1011.62 FS. History–New 7-1-07, Amended _____.

6A-6.030152 Exceptional Student Education Eligibility for Students ~~Who are Physically Impaired~~ with Other Health Impairment.

(1) Definition. Other health impairment means having limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems. This includes, but is not limited to, asthma, attention deficit disorder or attention deficit hyperactivity disorder, Tourette syndrome, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and acquired brain injury.

(2) General education interventions and activities. ~~Activities prior to referral.~~ Prior to referral for evaluation, the requirements in subsections 6A-6.0331(1)-(3), F.A.C., must be met.

(3) Evaluation. In addition to the provisions in subsection 6A-6.0331(5)(4), F.A.C., the evaluation for determining eligibility shall include all of the following: a student must also include the procedures identified in the district’s Policies and Procedures for the Provision of Specially Designed Instruction and Related Services as required by Rule 6A-6.03411, F.A.C.

(a) A report of a medical examination, within the previous twelve-month (12) period, from a physician(s) licensed in Florida in accordance with Chapter 458 or 459, Florida Statutes, who is qualified to assess the student’s health impairment. The physician’s report must provide a description of the impairment and any medical implications for instruction; and.

(b) An educational evaluation that identifies educational and environmental needs of the student.

(4) Criteria for eligibility. A student with ~~other another~~ health impairment is eligible for exceptional student education if the following criteria are met:

(a) Evidence of an other another health impairment that results in reduced efficiency in schoolwork and adversely affects the student’s performance in the educational environment, and

(b) The student needs special education as defined in paragraph 6A-6.03411(1)(kk)(e), F.A.C.

Rulemaking Specific Authority 1001.02(1), 1003.01, 1003.57(1)(e) FS. Law Implemented 1001.03, 1003.01(3), 1003.21(1), 1003.57(1)(e), 1011.62 FS. History–New 7-1-07, Amended _____.

6A-6.030153 Exceptional Student Education Eligibility for Students ~~Who Are Physically Impaired~~ with Traumatic Brain Injury.

(1) Definition. A traumatic brain injury means an acquired injury to the brain caused by an external physical force resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects educational performance. The term applies to mild, moderate, or severe, open or closed head injuries resulting in impairments in one (1) or more areas such as cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem-solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, information processing, or speech. The term includes anoxia due to trauma. The term does not include brain injuries that are congenital, degenerative, or induced by birth trauma.

(2) General education interventions and activities. ~~Activities prior to referral.~~ Prior to referral for evaluation, the requirements in subsections 6A-6.0331(1)-(3), F.A.C., must be met.

(3) Evaluation. In addition to the provisions in subsection 6A-6.0331(5)(4), F.A.C., the evaluation for determining eligibility shall include at a minimum the components identified in paragraphs (3)(a)-(c) of this rule; ~~a student must also include the procedures identified in the district's Policies and Procedures for the Provision of Specially Designed Instruction and Related Services as required by Rule 6A-6.03411, F.A.C.~~

(a) A report of medical examination, within the previous twelve-month (12) period from a physician(s) licensed in Florida in accordance with Chapter 458 or 459, Florida Statutes, who is qualified to assess the student's traumatic brain injury. The physician's report must provide a description of the traumatic brain injury and any medical implications for instruction;

(b) Documented evidence by more than one person, including the parent, guardian, or primary caregiver, in more than one situation. The documentation shall include evidence of a marked contrast of pre-and post-injury capabilities in one or more of the following areas: cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem solving; sensory, perceptual, and motor abilities, psychosocial behavior; physical functions; information processing or speech; and.

(c) An educational evaluation that identifies educational and environmental needs of the student.

(d) The evaluation may also include a neuropsychological evaluation when requested by the exceptional student education administrator or designee.

(4) Criteria for eligibility. A student with a traumatic brain injury is eligible for exceptional student education, if the following criteria are met:

(a) Evidence of a traumatic brain injury that impacts one or more of the areas identified in subsection (1) of this rule.

(b) The student needs special education as defined in paragraph 6A-6.03411(1)(kk)(e), F.A.C.

Rulemaking Specific Authority 1001.02(1), 1003.01, 1003.57(1)(e) FS. Law Implemented 1001.03, 1003.01(3), 1003.21(1), 1003.57(1)(e), 1011.62 FS. History–New 7-1-07, Amended _____.

6A-6.03016 Exceptional Student Education Eligibility for Students with Emotional/Behavioral Disabilities.

(1) No change.

(2) General education interventions and activities. ~~Activities prior to referral.~~ Prior to referral for evaluation, the requirements in subsections 6A-6.0331(1)-(3), F.A.C., must be met.

(3) Evaluation. In addition to the provisions in subsection 6A-6.0331(5)(4), F.A.C., the evaluation components include the following: ~~for a student must also include the procedures identified in the district's Policies and Procedures for the Provision of Specially Designed Instruction and Related Services as required by Rule 6A-6.03411, F.A.C.~~

(a) The minimum components of the evaluation shall include all of the following:

1. A functional behavioral assessment (FBA) must be conducted. If a formal functional behavioral assessment has not been completed, one must be completed as part of the evaluation. If a FBA has already been conducted, it must be reviewed as a component of the evaluation and revised as needed, to assist in the development of individual interventions. The FBA must identify the conditions under which the behavior is most and least likely to occur, identify the functions of the student's behavior, and document the student's response to implemented interventions;

2. A social/developmental history compiled from a structured interview with the parent or guardian that addresses developmental, familial, medical/health, and environmental factors impacting learning and behavior, and which identifies the relationship between social/developmental and socio-cultural factors, and the presence or non-presence of emotional/behavioral responses beyond the school environment;

3. A psychological evaluation conducted in accordance with Rule 6A-6.0331, F.A.C. The psychological evaluation should include assessment procedures necessary to identify the factors contributing to the development of an emotional/behavioral disability, which include behavioral observations and interview data relative to the referral concerns, and assessment of emotional and behavioral

functioning, and may also include information on developmental functioning and skills. The psychological evaluation shall include a review of evidence-based interventions that have already been implemented and the criteria used to evaluate their success; and,

4. A review of educational data which includes information on the student's academic levels of performance, and the relationship between the student's academic performance and the emotional/behavioral disability; additional academic evaluation may be completed if needed.

(b) A medical evaluation must be conducted when it is determined by the administrator of the exceptional student program or the designee that the emotional/behavioral responses may be precipitated by a physical problem.

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

(d) The student needs special education as defined in paragraph 6A-6.03411(1)(k)(e), F.A.C.

(e) through (5) No change.

Rulemaking Specific Authority 1000.01, 1001.42(4)(l)(+), 1003.01, 1003.57 FS. Law Implemented 1000.01, 1001.42(4)(l)(+), 1003.01, 1003.57(5), 1011.62(1)(c) FS. History--New 7-1-77, Amended 10-23-79, 11-25-80, 1-6-83, 9-27-84, 3-10-85, Formerly 6A-6.3016, Amended 7-1-07, _____.

6A-6.03022 Special Programs for Students who are Dual-Sensory Impaired.

(1) through (3) No change.

(4) Re-evaluation. Re-evaluation shall occur at least every three (3) years and shall include a minimum of the evaluations required in paragraph (3)(b) of this rule, and any other evaluations specified by an evaluation specialist and an exceptional student teacher after examination of available information in all areas addressed in the initial evaluation or in subsequent re-evaluations of the student in accordance with subsections 6A-6.0331(7) and (8), subparagraph 6A-6.03411(2)(i)1, F.A.C. The medical aspect of re-evaluation for students with bilateralanopia may be waived by a written recommendation of a physician.

(5) through (6) No change.

~~(7) Funding. Students eligible for programs for students with dual sensory impairments may be reported for FTE generation purposes at the weight for profoundly handicapped students any time they are served in classes with other handicapped students.~~

Rulemaking Specific Authority 1000.01, 1001.42(4)(l)(+), 1003.01, 1003.57, 1011.62(1)(c) FS. Law Implemented 1000.01, 1001.42(4)(l)(+), 1003.01, 1003.21, 1003.57(5), 1011.62(1)(c) FS. History--New 7-2-79, Formerly 6A-6.3022, Amended 10-3-91, _____.

6A-6.03023 Exceptional Student Education Eligibility for Students with Autism Spectrum Disorder.

(1) Definition. Students with Autism Spectrum Disorder. Autism Spectrum Disorder is defined to be a range of pervasive developmental disorders that adversely affects a student's functioning and results in the need for specially designed instruction and related services. Autism Spectrum Disorder is characterized by an uneven developmental profile and a pattern of qualitative impairments in social interaction, communication, and the presence of restricted repetitive, and/or stereotyped patterns of behavior, interests, or activities. These characteristics may manifest in a variety of combinations and range from mild to severe. Autism Spectrum Disorder may include Autistic Disorder, Pervasive Developmental Disorder Not Otherwise Specified, Asperger's Disorder, Aspergers Syndrome, or other related pervasive developmental disorders.

(2) General education interventions and activities, Activities prior to referral. Prior to referral for evaluation the requirements in subsections 6A-6.0331(1)-(3), F.A.C., must be met.

(3) Evaluation. In addition to the procedures identified in subsection 6A-6.0331(5)(4), F.A.C., the evaluation components include the following: must also include the procedures identified in the district's Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students as required by Rule 6A-6.03411, F.A.C.

(a) The minimum components of the evaluation shall include all of the following:

1. Documented and dated behavioral observations conducted by members of the evaluation team targeting social interaction, communication skills, and stereotyped patterns of behavior, interests, or activities, across settings. General education interventions and activities conducted prior to referral may be used to meet this criterion, if the activities address the elements identified in this subparagraph;

2. A comprehensive social/developmental history compiled with the parents(s) or guardian(s) that addresses the core features of autism spectrum disorder;

3. A comprehensive psychological evaluation to identify present levels of performance and uneven patterns of development in language, social interaction, adaptive behavior, and cognitive skills; and,

4. A comprehensive speech/language evaluation.

(b) Medical information provided shall be considered.

(4) Criteria for eligibility. A student with Autism Spectrum Disorder is eligible for exceptional student education if all of the following criteria are met:

(a) Evidence of all of the following:

1. Uneven developmental profile as evidenced by inconsistencies across or within the domains of language, social interaction, adaptive behavior, and/or cognitive skills; and
2. Impairment in social interaction as evidenced by delayed, absent, or atypical ability to relate to people or the environment; and
3. Impairment in verbal and/or nonverbal language or social communication skills, and
4. Restricted repetitive, and/or stereotyped patterns of behavior, interests, or activities; and

(b) The student needs special education as defined in paragraph 6A-6.03411(1)(k)(e), F.A.C.

Rulemaking Specific Authority 1000.01, 1001.42(4)(l)(+), 1003.01, 1003.57, 1011.62(1)(c) FS. Law Implemented 1000.01, 1001.42(4)(l)(+), 1003.21, 1003.57(5), 1011.62(1)(c) FS. History--New 7-2-79, Formerly 6A-6.3023, Amended 7-1-07, _____.

6A-6.03027 Special Programs for Children Three Through Five Years Old who are Developmentally Delayed.

- (1) No change.
- (2) Criteria for eligibility. A child is eligible for the special program for children who are developmentally delayed when the following criteria are met:

- (a) The child is three (3) through five (5) years of age.
- (b) Documentation of one of the following:
 1. A score of two (2) standard deviations (SD) below the mean or a twenty-five (25) percent delay on measures yielding scores in months in at least one (1) area of development; or
 2. A score of 1.5 standard deviations (SD) below the mean or a twenty (20) percent delay on measures yielding scores in months in at least two (2) areas of development; or
 3. Based on informed clinical opinion, the eligibility staffing committee makes a recommendation that a developmental delay exists and exceptional student education services are needed.

(c) The eligibility staffing committee in accordance with subsection paragraph 6A-6.0331(6)(2)(b), F.A.C., has made a determination concerning the effects of the environment, cultural differences, or economic disadvantage.

(3) General education intervention activities and procedures prior to initial evaluation for prekindergarten children shall be in accordance with subsections (1) and (2) of Rule 6A-6.0331, F.A.C. Procedures for referral. Before a child is referred for evaluation, the following activities shall occur:

- (a) A review of existing social, psychological, and medical data with referral for a health screening when need is indicated; and
- (b) A screening for vision, hearing, and communication functioning with referral for complete evaluations when need is indicated.
- (4) Procedures for evaluation.

(a) Delay is documented by a multidisciplinary team ~~in accordance with paragraph 6A-6.0331(2)(e), F.A.C.,~~ utilizing multiple measures of assessment which include:

1. Standardized instruments, judgement based assessments, criterion referenced instruments, systematic observation, functional skills assessments, or other procedures selected in consultation with the parent(s); or
2. Informed clinical opinion utilizing qualitative and quantitative information to determine the need for early intervention services; and
3. Parent report which can confirm or modify information obtained and describe behavior in environments that the district may not be able to access.

(b) When a developmental delay cannot be verified by the use of standardized instruments, the delay(s) may be established through observation of atypical ~~a typical~~ functioning in any one (1) or more of the developmental areas. A report shall be written documenting the evaluation procedures used, the results obtained, the reasons for overriding those results from standardized instruments, and the basis for recommending eligibility.

- (5) Instructional program.
- (a) As appropriate, the ~~The~~ family support plan or individual educational plan (IEP) shall be developed through interagency collaboration with the family and other providers of services to the child and family and in accordance with Rules 6A-6.03026, 6A-6.03028, and 6A-6.03029, F.A.C.

(b) Because of the rapid development of young children, on-going observations and assessments shall be conducted as needed to plan for family support plans or IEP modifications.

(6) Continued eligibility. Continued eligibility for special programs shall be determined before the child is six (6) years old.

Rulemaking Specific Authority 1000.01, 1001.42(4)(l), 1001.62(1)(c), 1003.01(3), 1003.57 229.053(1), (2)(i), 230.23(4)(m), 232.01(1)(e), 236.081(1)(e) FS. Law Implemented 1000.01, 1001.42(4)(l), 1001.62(1)(c), 1003.01(3), 1003.57 228.041(18), (19), 232.01(1)(e), 229.053(2)(i), 230.23(4)(m), 236.081(1)(e) FS. History--New 7-13-93, Amended _____.

6A-6.03028 Provision of Free Appropriate Public Education (FAPE) and Development of Individual Educational Plans for Students with Disabilities.

- (1) through (3)(h)8. No change.
9. In order to ensure quality transition planning and services, IEP Teams shall begin the process of identifying transition services needs of students with disabilities, to include consideration of the student's need for instruction or the provision of information in the area of self-determination to assist the student to be able to actively and effectively participate in IEP meetings and self-advocate, beginning no later than age fourteen (14), so that needed postsecondary goals may be identified and in place by age sixteen (16).

10. Beginning not later than the first IEP to be in effect when the student turns sixteen (16), or younger, if determined appropriate by the IEP Team and updated annually:

a. A statement of appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills and the transition services (including courses of study) needed to assist the student in reaching those goals.

~~b. Consideration of instruction or the provision of information in the area of self-determination to assist the student to be able to actively and effectively participate in IEP meetings and self-advocate, if appropriate.~~

~~b.e.~~ If a participating agency responsible for transition services, other than the school district, fails to provide the transition services described in the IEP, the school district shall reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the student set out in the IEP. However, this does not relieve any participating agency, including Division of Vocational Rehabilitation Services, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to students with disabilities who meet the eligibility criteria of that agency.

~~11.10.~~ Beginning at least one (1) year before the student's eighteenth (18th) birthday, a statement that the student has been informed of his or her rights under Part B of the IDEA, if any, that will transfer from the parent to the student on reaching the age of majority, which is eighteen (18) years of age.

(i) through (t) No change.

Rulemaking Specific Authority 1001.02(1), (2)(n), 1003.01(3)(a), (b), 1003.57 FS. Law Implemented 1001.42(4)(l), 1003.01(3)(a), (b), 1003.57, 1011.62(1)(c), (e), 1001.03(8) FS. History–New 7-13-93, Amended 10-17-04, 12-22-08,_____.

6A-6.0331 General Education Intervention Procedures, Identification, Evaluation, Reevaluation and the Initial Provision of Exceptional Education Services.

Introductory paragraph – No change.

(1) through (9)(d) No change.

(e) If, at any time subsequent to the initial provision of special education and related services, the parent of a student revokes consent in writing for the continued provision of special education and related services, the school district may not continue to provide special education and related services to the student, but must provide prior written notice before ceasing the provision of special education and related services. The school district may not use mediation or due process hearing procedures in order to obtain agreement or a ruling that the services may be provided to the student.

(f) If a parent of a student revokes consent in writing for the continued provision of special education and related services, the school district:

1. Will not be considered to be in violation of the requirement to make FAPE available to the student for its failure to provide the student with further special education and related services; and

2. Is not required to convene an IEP Team meeting or develop an IEP for the student for further provision of special education and related services.

(g) If a parent of a student with a disability revokes consent in writing for their child's receipt of special education services after the initial provision of special education and related services to the student, the school district is not required to amend the student's education records to remove any references to the student's receipt of special education and related services because of the revocation of consent.

Rulemaking Specific Authority 1001.02(1), (2); (n), 1003.01(3)(a), (b), 1003.57, ~~1003.571~~ FS. Law Implemented 1001.42(4)(l), 1003.01(3)(a), (b), 1001.02(2)(n), 1003.57, ~~1003.571~~ FS. History New 6-17-74, Repromulgated 12-5-74, Amended 7-1-77, 3-28-78, 7-12-78, 8-31-78, 11-29-78, 10-7-81, 7-13-83, 6-2-85, Formerly 6A-6.331, Amended 7-13-93, 1-2-95, 9-20-04, 12-22-08,_____.

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.:	RULE TITLES:
12D-10.001	Composition of Value Adjustment Board
12D-10.002	Appointment and Employment of Special Magistrates
12D-10.003	Powers, Authority, Duties and Functions of Value Adjustment Board
12D-10.004	Receipt of Taxpayer's Petition to be Acknowledged
12D-10.0044	Uniform Procedures for Hearings; Procedures for Information and Evidence Exchange Between the Petitioner and Property Appraiser, Consistent with Section 194.032, F.S.; Organizational Meeting; Uniform Procedures to be Available to Petitioners
12D-10.005	Duty of Clerk to Prepare and Transmit Record
12D-10.006	Public Notice of Findings and Results of Value Adjustment Board

PURPOSE AND EFFECT: The purpose of these proposed rule changes is to set forth administrative review procedures and standards for making board decisions and special magistrate recommended decisions including the value of property, the denial of exemptions, classifications, portability assessment difference transfers and deferrals. Additional changes will be necessary to this chapter based on recent legislation and based on the promulgation of Chapter 12D-9, F.A.C. A notice of rule development was published on December 5, 2008 (see Vol. 34,

No. 49. pp. 6352-6353 of the Florida Administrative Weekly/F.A.W.). Notices for rule development workshops at which versions of these proposed new and amended rules were also discussed were published on: July 11, 2008, for a workshop that was held in Ft. Lauderdale, Florida, on July 28, 2008 (see Vol. 34, No. 28. pp. 3613-3614 of the Florida Administrative Weekly/F.A.W.); July 18, 2008, for a workshop that was held in Live Oak, Florida, on August 6, 2008 (see Vol. 34, No. 29, p. 3668 of the F.A.W.); July 18, 2008, for a workshop that was held in Tallahassee, Florida, on August 12, 2008 (see Vol. 34, No. 29, p. 3668 of the F.A.W.); September 19, 2008, for a workshop that was held in Tampa, Florida, on October 13, 2008 (see Vol. 34, No. 38, p. 4803, of the F.A.W.); September 19, 2008, for a workshop that was held in Panama City, Florida, on October 17, 2008 (see Vol. 34, No. 38, p. 4803, of the F.A.W.); October 31, 2008, for a workshop that was held in Orlando, Florida, on November 19, 2008 (see Vol. 34, No. 44, pp. 5709-5711 of the F.A.W.); and, October 31, 2008, for a workshop that was held in Miami, Florida, on November 20, 2008 (see Vol. 34, No. 44, pp. 5709-5711 of the F.A.W.). Members of the public attended each of these workshops and made comments on the proposed rules. In addition, written comments have been submitted to the Department by email, and to an Internet site at: <http://dor.myflorida.com/dor/property/vabwb/vabws.html>, which was created specifically to give the public access to all versions of public a site to submit comments, and to view the comments submitted by others. The preliminary text of the proposed rules will be available from the contact person listed below or from the Department's website stated above on or about September 30, 2009. The deadline for submitting written comments on the draft is October 22, 2009. General comments, questions, or suggestions about the value adjustment board process may be submitted to the Department at VAB@dor.state.fl.us.

The effect of these proposed rule changes is to set forth clear, equitable, and uniform administrative review procedures and standards for taxpayers who petition property tax matters to Value Adjustment Boards, including the value of property, the denial of exemptions, and the denial of classifications and deferrals.

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

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, ForrestJ@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DEPARTMENT OF TRANSPORTATION

RULE NO.:

RULE TITLE:

14-33.002

Florida Road Numbering Plan

PURPOSE AND EFFECT: Rule 14-33.002, F.A.C., is being amended in order to simplify the classification and numbering plan of public roads.

SUBJECT AREA TO BE ADDRESSED: The amendments address the types of roads that will be affected by the numbering plan.

RULEMAKING AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 334.03(2), 334.044(11), 335.01, 335.02, 335.08 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: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-33.002 Florida Road Numbering Plan.

(1) Numbering Plan. The Florida road numbering plan will generally prescribe numbers in accordance with road orientation and geographic location within the state. Extended roads of state-wide or inter-regional significance will maintain one-digit or two-digit road numbers. Roads of regional significance will be assigned three-digit road numbers. Roads of generally local significance may be assigned four-digit numbers.

(a) All roads ~~extending leading from~~ north to south shall bear odd numbers with the number 1 assigned to the extreme easterly road. All roads ~~extending leading from~~ east to west shall bear even numbers with the number 2 assigned to the extreme northerly road.

(b) Certain control roads have been selected for the purpose of dividing the state into segments. The north-south control roads are one-digit and two-digit numbers ending in 5; the east-west control roads are two-digit numbers ending in zero. (See figure 1.)



(c) Major connecting roads are assigned two-digit numbers between the control routes. For example, Road 77 is a north-south route located between control routes 75 and 85 and is found near the westernmost portion of the state. Minor connecting routes are assigned three-digit or four-digit numbers between the control routes. For example, Road 510 is an east-west route located between control routes 50 and 60 and would be found near the central portion of the state.

(d) Connecting roads which cross control routes will not be required to change numbers, but will retain the number assigned at the beginning of the route to ensure route continuity.

(2) Assignment of Numbers and Responsibility for Signs.

(a) The Department will assign numbers, and erect and maintain corresponding signs for roads on the State Highway System.

(b) The Department will assign numbers for other public roads upon request by the county or municipality having jurisdiction. The county or municipality that requests the number assignment will be responsible for erecting and maintaining the corresponding sign.

~~(a) Category I, State Highway System. The Department will assign numbers and erect and maintain corresponding signs.~~

~~(b) Category II, roads on the county road system and city street system functionally classified as collector roads and arterial roads. The Department will assign numbers for Category II roads; however, the jurisdictions maintaining these roads will have the responsibility for erecting and maintaining corresponding signs.~~

~~(c) Category III, the state park roads system and county roads or streets not functionally classified as collector or arterial roads. The Department will number a Category III road upon request by the entity having jurisdiction over the road; however that jurisdiction would have responsibility for erecting and maintaining corresponding signs.~~

(3) Signs and Symbols. Signs and symbols to be utilized in the uniform state numbering plan will be in accordance with the standards of the American Association of State Highway and Transportation Officials (AASHTO), the Florida Department of Transportation, and the National Association of Counties as referenced in the *Manual of Uniform Traffic Control Devices*, which is incorporated by reference under Rule 14-15.010, F.A.C. Appropriate symbols will be employed with the road numbers for usage on the Official State Highway Map and the County General Highway Map series.

(4) Renumbering of Roads. The Florida Road Numbering Plan will generally utilize existing state road numbers. In cases where the existing state road numbers cause public confusion, e.g., multiple usage of the same road number in a region, or where the road numbering plan in a region might be improved by a general revision of the existing numbering scheme, changes in the existing road numbers shall be

~~instituted however, where such numbers have caused public confusion, e.g., multiple usage of the same road number in a region, or where the road numbering plan in a region might be improved by a general revision of the existing numbering scheme. In such instances, when revisions to the existing state road numbers are proposed, it shall be the policy of the Department to conduct a public hearing in accordance with Section 335.02, F.S.~~

Rulemaking Specific Authority 334.044(2) FS. Law Implemented 334.03(2), 334.044(11), 335.01, 335.02, 335.08 FS. History—New 3-18-76, Formerly 14-33.02, Amended 8-5-96, 4-9-07, _____.

DEPARTMENT OF TRANSPORTATION

RULE NO.:

RULE TITLE:

14-48.0011

Safety Inspection of Bridges

PURPOSE AND EFFECT: This is an amendment to Rule Chapter 14-48, F.A.C., which incorporates the newest revisions to federal standards of bridge inspection. The amendments also update the criteria for bridge inspector certification.

SUBJECT AREA TO BE ADDRESSED: Rule Chapter 14-48, F.A.C., is being amended to update the criteria and standards for bridge safety inspections.

RULEMAKING AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 334.044(28), 335.074 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: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-48.0011 Safety Inspection of Bridges.

(1) Purpose. The purpose of this rule is to establish standards for safety inspection of bridges, as well as certification requirements for bridge inspectors.

(2) The Manual for *Bridge Evaluation, 2008, First Edition, Condition Evaluation of Bridges, 1994, Second Edition, as revised by the 1995, 1996, 1998, and 2000, interim revisions*, published by the American Association of State Highway and Transportation Officials (AASHTO), is hereby incorporated by reference and made a part of this rule. Copies of this manual are available from AASHTO, 444 North Capitol Street Northwest, Suite 249, Washington, DC 20001.

(3) The Federal Highway Administration *Recording and Coding Guide for the Structure Inventory and Appraisal of the Nation's Bridges*, December 1995, is hereby incorporated by reference and made a part of this rule. This manual is available on line and can be downloaded at <http://www.fhwa.dot.gov/bridge/mtguide.pdf>.

(4) Training Course. Bridge inspectors must complete and pass the final examination for the Safety Inspection of In-Service Bridges course provided by the National Highway Institute. Information regarding this training can be obtained by contacting the National Highway Institute at its website: <http://www.nhi.fhwa.dot.gov/home.aspx> <http://www.nhi.fhwa.dot.gov/default.asp>.

(5) The Department will certify persons with a minimum of five years of bridge construction or maintenance inspection experience working in a responsible capacity, who have completed the training course as bridge inspectors. The five years of ~~constructive~~ experience must include at least one year of experience conducting bridge safety inspections which meet ~~meeting~~ the requirements of the National Bridge Inspection Standards, 23 C.F.R., Part 650, Subpart C, incorporated herein by reference. To receive bridge inspection experience, the inspections must have been done under the supervision of an onsite P.E. or CBI. Also incorporated herein by reference is the *Bridge Inspector's Reference Manual*, U.S. Department of Transportation Publication No. FHWA NHI 03-001, ~~December, 2006~~ ~~October, 2002~~, which is available for review and downloading at: <http://www.fhwa.dot.gov/bridge/bripub.html>.

The other four years ~~shall~~ ~~may~~ include credit for any combination of the following: engineering education, structure design, bridge construction, bridge maintenance, materials testing, or additional bridge safety inspection. Credit for engineering education is as follows:

(a) An individual who holds a bachelor's degree in engineering from an accredited college or university, which is determined to be substantially equivalent by the Accreditation Board for Engineering and Technology, and has passed the National Council of Examiners for Engineering and Surveying Fundamentals of Engineering Exam, will receive 3 years credit;

(b) An individual who has an associate's degree in engineering or engineering technology from an accredited college or university, or is determined to be substantially equivalent by the Accreditation Board for Engineering and Technology, will receive 1 year credit.

The Application for Bridge Inspection Certification, DOT Form 850-010-16, Rev. ~~06/09~~ ~~09/04~~, is hereby incorporated by reference and made a part of this rule. Copies of this form can be downloaded from the Department's Office of Forms and Procedures website at: <http://www.dot.state.fl.us/>

~~procedural documents/ obtained from State Maintenance Office, 605 Suwannee Street, MS 52, Tallahassee, Florida 32399-0450.~~

(6) Effective January 1, 2012, and every 4 years thereafter, all individuals serving as a bridge inspection team leader must have successfully completed the Safety Inspection of In Service Bridge course. If the course was not taken in the previous 4 years, the individual must have successfully completed at least 12 personal development hours in bridge inspection training within the previous 4 years. An individual not meeting this requirement will be ineligible to serve as a bridge inspection team leader until this requirement is met. The Office of Maintenance will maintain a list of courses that meet the continuing education requirements. This list can be found at: <http://www.dot.state.fl.us/statemaintenanceoffice/Safety%20Bridge%20Inspection%20Team%20Leader%20Requirements%20in%20Florida.pdf>.

Rulemaking Specific Authority 334.044(2) FS. Law Implemented 334.044(28), 335.074 FS. History--New 1-30-05, Amended _____.

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

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: RULE TITLE:

19B-4.001 Application

PURPOSE AND EFFECT: This rule is amended to reflect the updated form for the Florida Prepaid College Plan and Florida College Investment Plan New Account Application Form and the updated form for the Florida Prepaid College Plan Master Covenant.

SUBJECT AREA TO BE ADDRESSED: The Florida Prepaid College Plan New Enrollment Application and Master Covenant.

RULEMAKING AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.98(1) 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: September 1, 2009, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: fax a written request for same to Thomas J.

Wallace, Executive Director, Florida Prepaid College Board, at (850)488-3555. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-4.001 Application.

(1) No change.

(2) The Florida Prepaid College Plan and Florida College Investment Plan New Account Application, Form No. FPCB 2009-10a ~~2009-10~~, is hereby incorporated by reference and may be obtained from the Board by calling (800)552-GRAD (4723) (prompt 1). The Florida Prepaid College Plan Program Master Covenant, Form No. FPCB 2009-02a ~~2009-02~~, is hereby incorporated by reference and may be obtained from the Board by calling (800)552-GRAD (4723) (prompt 1).

Rulemaking Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98 FS. History--New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-4.001, Amended 12-5-93, 5-31-95, 6-20-96, 10-20-96, 12-16-97, 2-18-99, 6-6-99, 2-8-00, 5-21-00, 1-3-01, 10-9-01, 11-27-02, 10-1-03, 1-29-04, 12-28-04, 6-2-05, 12-20-05, 1-1-07, 11-27-07, 12-17-07, 11-18-08, 1-28-09, 4-5-09, _____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

RULE NO.: RULE TITLE:
19B-16.002 Application for Participation in the Program

PURPOSE AND EFFECT: This rule is amended to reflect the updated form for the Florida Prepaid College Plan and Florida College Investment Plan New Account Application.

SUBJECT AREA TO BE ADDRESSED: The Florida College Investment Plan application for participation.

RULEMAKING AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.981 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: September 1, 2009, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: fax a written request for same to Thomas J.

Wallace, Executive Director, Florida Prepaid College Board, at (850)488-3555. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.002 Application for Participation in the Program.

(1) No change.

(2) The Florida Prepaid College Plan and Florida College Investment Plan New Account Application, Form No. FPCB 2009-10a ~~2009-10~~, is hereby incorporated by reference. The form may be obtained from the Board by calling (800)552-GRAD (4723) (prompt 1).

(3) No change.

Rulemaking Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981 FS. History--New 11-27-02, Amended 1-29-04, 12-28-04, 6-2-05, 12-20-05, 1-1-07, 11-27-07, 11-18-08, 1-28-09, 4-5-09, _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-210.105 Community Corrections Mail
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to create a procedure for the handling of incoming and outgoing community corrections mail.
SUBJECT AREA TO BE ADDRESSED: Community Corrections Mail.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-210.105 Community Corrections Mail.

(1) Only Department of Corrections mail or mail concerning the activities of the department will be processed by Community Corrections staff. Community Corrections

employees shall not receive personal mail at the office. Personal mail includes any mail dealing with the personal affairs of the employee not directly related to department matters.

(2) The person in charge of each office or bureau shall designate employees to open and distribute mail received.

(3) Mail marked "personal" or "confidential" will be opened by the designated staff in the presence of the receiving employee.

(4) Staff are prohibited from using Department postage to mail personal mail.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History--New _____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.105 RULE TITLE: Restoration of Forfeited Gain Time

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the procedure by which an inmate requests restoration of forfeited gain time.

SUBJECT AREA TO BE ADDRESSED: Gain time.

RULEMAKING AUTHORITY: 944.09, 944.275 FS.

LAW IMPLEMENTED: 944.09, 944.275, 944.28 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-601.105 Restoration of Forfeited Gain Time.
- (1) through (2) No change.
- (3) How processed.
 - (a) through (b) No change.
 - (c) If an inmate believes that he or she is eligible for restoration of forfeited gain time, the inmate must make a request for restoration on Form DC6-236, Inmate Request, and submit the request to his or her classification officer. Requests submitted to other department staff will not be processed. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.
 - (d) through (g) No change.

Rulemaking Authority 944.09, 944.275 FS. Law Implemented 944.09, 944.275, 944.28 FS. History--New 11-27-84, Formerly 33-11.15, Amended 10-12-89, 8-29-91, 10-13-93, Formerly 33-11.015, Amended 8-30-01, 4-30-02, 4-10-08, 7-15-09, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

PURPOSE AND EFFECT: The rule is being repealed because it is not necessary for the District to implement its compliance with the referenced federal programs by rule.

SUBJECT AREA TO BE ADDRESSED: Agency Procedures.

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.083 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: Lori.Tetreault@watermatters.org, or Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4659

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-1.607	Permit Processing Fee

PURPOSE AND EFFECT: To increase each permit application fee authorized under the Environmental Resource Permitting part of Chapter 373, F.S., (F.S.), to require a minimum fee of \$250 for a Noticed General Permit or Individual permit, to require a minimum fee of \$100 for verification that an activity is exempt from regulation under Section 403.813, F.S. or Part IV of Chapter 373, F.S., and to provide for the periodic adjustment of those fees, in accordance with the requirements of Section 373.109, F.S.

SUBJECT AREA TO BE ADDRESSED: Environmental Resource Permit application fees.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.109, 373.421(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dianne.Lee@watermatters.org or Office of General Counsel, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-2.322 20 Year Permit Requirements

PURPOSE AND EFFECT: The rulemaking is intended to set forth the reporting and compliance requirements for water use permits issued for 20 years or longer. Related rules addressing permit durations and permit fees for water use permits were previously noticed. This proposed new rule was developed during that rulemaking process, and was approved by the Governing Board at its July 2009 Board meeting along with the other 20 year permit rule amendments, but has not yet been included in a notice of development of rulemaking.

SUBJECT AREA TO BE ADDRESSED: The subject area of the proposed rulemaking is amendments to Chapter 40D-2, F.A.C., to adopt a new rule numbered 40D-2.322, providing for the reporting and compliance requirements for water use permits for 20 years or longer as proposed in related rulemaking which were included in a previous notice for development of rulemaking.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.103, 373.171, 373.236 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: Dianne.Lee@watermatters.org, or Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4657

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:
61C-1.005 Disciplinary Guidelines

PURPOSE AND EFFECT: The proposed rule development will update the rules to reflect changes made to Chapter 509, F.S., by House Bill 425. The proposed rules will eliminate Hospitality Education Program disciplinary training requirements.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will address changes to the Hospitality Education Program's purpose by eliminating disciplinary training requirements.

RULEMAKING AUTHORITY: 455.2273, 509.032 FS.

LAW IMPLEMENTED: 386.207, 509.032, 509.261, 509.281, 509.292 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: Michelle Comingore, Operations Review Specialist, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, (850)488-1133

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:
61C-8.004 Program Requirements

PURPOSE AND EFFECT: The proposed rule development will update the rules to reflect changes made to Chapter 509, F.S., by House Bill 425. The proposed rules will update the Hospitality Education Program grants administered by the program and school-to-career grant specifications and forms.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development will address changes to the Hospitality Education Program grants made by House Bill 425.

RULEMAKING AUTHORITY: 509.032, 509.302 FS.

LAW IMPLEMENTED: 509.302 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: Michelle Comingore, Operations Review Specialist, Department of

Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, (850)488-1133

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NO.: 61G10-18.001
 RULE TITLE: Continuing Education Credit Requirements

PURPOSE AND EFFECT: The Board proposes to amend the rule to consider awarding CE credit for exam writing.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Credit Requirements.

SPECIFIC AUTHORITY: 455.2124, 481.306, 481.313 FS.

LAW IMPLEMENTED: 481.313, 553.841 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-27.410
 RULE TITLE: Pharmacy Technician 1:1 Ratio

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide a substantial re-write of the rule.

SUBJECT AREA TO BE ADDRESSED: Registered pharmacy technician to Pharmacist ratio.

RULEMAKING AUTHORITY: 465.005 FS.

LAW IMPLEMENTED: 465.014, 893.07(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: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.140
 RULE TITLE: Record Maintenance Systems for Community, Special-Limited Community, Special-Closed Systems, Special-Parenteral/ Enteral, and Nuclear Permits

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide a substantial re-write of the rule.

SUBJECT AREA TO BE ADDRESSED: Record Maintenance.

RULEMAKING AUTHORITY: 465.005, 465.0155, 465.022 FS.

LAW IMPLEMENTED: 465.033(14), 465.022, 465.026, 893.07 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.303
 RULE TITLE: Destruction of Controlled Substances All Permittees (excluding Nursing Homes)

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

SUBJECT AREA TO BE ADDRESSED: Destruction of Controlled Substances All Permittees (excluding Nursing Homes).

RULEMAKING AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.022, 465.018 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.501 RULE TITLE: Institutional Permit – Consultant Pharmacist of Record

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate a form into the rule and to review the existing language in the rule to determine whether other changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Institutional Permit – Consultant Pharmacist of Record.

RULEMAKING AUTHORITY: 465.005, 465.0125, 465.022 FS.

LAW IMPLEMENTED: 465.0125, 465.019, 465.022 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.840 RULE TITLE: Special – Non Resident (Mail Service)

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate provision of Section 465.0156, F.S., and to review the existing language in the rule to determine whether other changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Special – Non Resident (Mail Service).

RULEMAKING AUTHORITY: 465.005, 465.022, 465.0156 FS.

LAW IMPLEMENTED: 465.0156 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**Section II
Proposed Rules**

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.021 RULE TITLE: Revocation of Registration of Political Committees

PURPOSE AND EFFECT: The primary purpose of the proposed amendments is to update the rule to reflect additional ways in which political committees may be dissolved and have their registrations canceled. The proposed rule also amends a current basis for revocation (failing to file campaign treasurers' report) by reducing the time for failure to file from more than 12 months to more than 6 months. The amendments also modify the notification and appeal procedures involving the revocations of political committees' registrations.

SUMMARY: The rule provides the conditions under which a political committee's registration can be revoked. It further provides the procedures for notifying the political committee of the intended revocation action and how the committee may appeal the decision to revoke its registration.

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: 20.10(3), 97.012(1), 106.03(7), 106.22(9) FS.

LAW IMPLEMENTED: 106.03 FS.

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

DATE AND TIME: Wednesday, September 9, 2009, 1:00 p.m.
 PLACE: Department of State, R. A. Gray Building, Room 307, 500 S. Bronough Street, Tallahassee, Florida 32399-0250

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Nolah Shotwell, Department of State, Office of General Counsel, (850)245-6536, email: nlshotwell@dos.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 IS: Gary J. Holland, Department of State, Office of General Counsel, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6536; email: gjholland@dos.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.021 Revocation of Registration of Political Committees.

(1) The filing officer shall revoke the registration of a political committee (hereinafter committee) ~~when on the basis of the following factors:~~

(a) The committee fails to maintain a registered office and a registered agent as required by Section 106.022, F.S.;

(b) The committee fails to appoint a successor after the death, resignation or removal of the campaign treasurer pursuant to Section 106.021(2), F.S.;

(c) The committee fails to appoint a successor after the death, resignation or removal of the committee chairperson;

~~(d)(a)~~ The committee ~~fails~~ ~~has failed~~ to file campaign treasurers' reports for more than ~~6~~ ~~12~~ months; or

~~(e)(b)~~ The committee's aggregate reported financial activity during the calendar year is less than \$500; ~~unless the~~ ~~However, any committee is only required to~~ ~~registered and~~ ~~required to report as the sponsor of a proposed constitutional amendment by initiative who intended to seek the signatures of registered voters under a provision unrelated to financial activity shall not have its registration revoked if the committee can show that it is actively pursuing the activity for which it was required to register.~~

(2) The filing officer shall send notification to the committee's ~~chairperson~~ ~~treasurer~~ of the ~~filing officer's~~ intent to revoke the committee's registration ~~of the committee~~. If the

notification is returned undeliverable after being sent to address for the chairperson on file with the filing officer, the filing officer shall send the notification to the committee's registered agent. Within 30 days of receipt of the filing officer's preliminary notice of intent to revoke, the committee may provide additional documentation to the filing officer showing that the committee's registration should not be revoked. Upon review of such documentation, if the filing officer determines that the committee's registration should not be revoked, the committee will be notified that it is in compliance. If after review of the additional documentation provided, the filing officer determines that the committee's registration should be revoked, a final notice of intent to revoke ~~the registration of the committee~~ shall be issued by the filing officer. If no additional documentation is provided by the committee within 30 days of receipt of the preliminary notice, the filing officer shall issue a final notice of intent to revoke ~~the registration of the committee~~.

(3) If the committee objects to such revocation, it must file an appeal within 30 days of receipt of the final notice of intent to revoke. The appeal may be accompanied by any documentation or evidence supporting the claim. The appeal must be filed with the ~~filing officer~~ ~~Division of Elections, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250.~~ The ~~filing officer~~ ~~Division~~ will forward the appeal to the Florida Elections Commission.

(4) Failure to timely file an appeal as described herein shall constitute a waiver of any such entitlement.

(5) A committee desiring a hearing before the commission must include in the appeal a separate request for hearing.

(6) Appeals under this rule are exempt from the confidentiality provisions of Section 106.25, F.S.

~~Rulemaking Specific~~ Authority 20.10(3), 97.012(1), 106.03(7), 106.22(9) FS. Law Implemented 106.03 FS. History--New 2-28-90, Amended 10-29-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kristi Bronson, Chief, Bureau of Election Records, Division of Elections

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Donald L. Palmer, Director, Division of Elections

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 26, 2009

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09412
 RULE TITLE: Course Requirements – Grades K-12 Basic and Adult Secondary Programs

PURPOSE AND EFFECT: The purpose of the rule amendment is to adopt revised Course Descriptions for the 2009-2010 school-year. Specifically courses for science, physical education, and health education are revised to align to the Next Generation Sunshine State Standards approved by the State Board of Education for these content areas.

SUMMARY: The rule is amended to adopt revised Florida Course Descriptions for Science, Physical Education, and Health Education to align with the Next Generation Sunshine State Standards.

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

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

RULEMAKING AUTHORITY: 1001.03(1), 1011.62(1)(s) FS.
 LAW IMPLEMENTED: 1001.42(9), 1003.42, 1011.62(1)(r) FS.

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

DATE AND TIME: September 15, 2009, 9:00 a.m.
 PLACE: Miami Dade College, Wolfson Campus, 300 N.E. 2nd Avenue, Miami, FL 33132

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Todd Clark, Bureau Chief, Bureau of Curriculum and Instruction, Department of Education, 325 West Gaines Street, Room 432, Tallahassee, FL 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09412 Course Requirements – Grades K6-12 Basic and Adult Secondary Programs.

A course description directs district personnel by providing the essential content and course requirements for each course in grades K 6-12 contained in the “Course Code Directory and Instructional Personnel Assignments” adopted by Rule 6A-1.09441, F.A.C. Course requirements approved by the State Board of Education are contained in the publications “2009-2010 ~~2007-2008~~ Florida Course Descriptions for Grades K 6-12/Adult, Basic Education,” ~~and~~ “~~2008~~ Supplement to the ~~2007-2008~~ Florida Course Descriptions for Grades ~~6~~ 12/Adult, Basic Education” which ~~is~~ are hereby incorporated by reference and made a part of this rule. District school boards of education are authorized, through local rules, to approve a variance of up to ten (10) percent of the course

requirements of each course description. Copies of approved course descriptions may be obtained from K-12 Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399 or online at <http://www.floridastandards.org>.

Rulemaking Specific Authority 1001.03(1), 1011.62(1)(r) FS. Law Implemented 1001.42(7), 1003.42, 1011.62(1)(r) FS. History–New 2-21-85, Formerly 6A-1.9412, Amended 1-29-86, 1-1-87, 9-6-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 6-6-93, 10-18-94, 8-28-95, 5-14-96, 9-15-97, 10-13-98, 5-3-99, 5-3-01, 10-15-01, 12-17-02, 7-26-05, 11-21-05, 7-27-06, 1-18-07, 3-24-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Frances Haithecock, Chancellor, K-12 Public Schools

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 5, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 17, 2009

DEPARTMENT OF EDUCATION

State Board of Education

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

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate steps for calculating and reporting the new components for Next Generation high school grading, define procedures to include students with disabilities alternate assessment results in learning gains, explain new procedures, remove obsolete language referencing the discontinued FCAT norm-referenced test, and to clarify measures that may be subject to misinterpretation. The effect will be a rule that is more explicate and statutorily correct.

SUMMARY: The rule is amended to implement the statutory requirements of Section 1008.34, Florida Statutes, governing Florida’s school grading system. Recent changes to the statute, along with long-standing statutory requirements that become effective in Chapter 2009-10, Laws of Florida, require the rule to be updated.

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: 1008.34(8) FS.
 LAW IMPLEMENTED: 1008.34 FS.

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

DATE AND TIME: September 15, 2009, 9:00 a.m.

PLACE: Miami Dade College, Wolfson Campus, 300 N.E. 2nd Avenue, Miami, FL 33132

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juan Copa, Bureau of Research and Evaluation, Department of Education, 325 West Gaines Street, Room 844, Tallahassee, FL 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09981 Implementation of Florida’s System of School Improvement and Accountability.

(1) No change.

(2) School Accountability for Student Performance. All schools shall be accountable for performance relative to the Student Performance Goal stated in Section 1008.345, F.S. Each school is accountable for the performance of its entire student population. Student achievement data from the FCAT shall be used to measure a school’s student performance for the subject areas of reading, mathematics, and writing. The FCAT levels in the performance criteria in subsection (5) of this rule are those specified in Rule 6A-1.09422, F.A.C., for the year in which achievement data are used for accountability. ~~In addition, the FCAT assessment shall include a norm-referenced subtest that shall be used to report student achievement as compared to national norms. Schools shall report student achievement scores on these subtests to parents. Student achievement data on norm-referenced subtests shall not represent progress toward the Sunshine State Standards and shall not be used in designating school performance grades, but may be used to validate the reasonableness of the improvements demonstrated for the purpose of designating a school performance grade as described in this rule.~~

(3) through (a) No change.

(b) All students, regardless of disability or limited English proficiency classification, with valid FCAT assessment scores in reading and math in both the current year and the previous year are included in paragraphs (6)(d), (e), and (f) of this rule, regarding the determination of student learning gains. In addition, the inclusion of these students shall ~~will~~ be applied to subparagraph (1)(a)4. of this rule, regarding the percent tested. Beginning in 2009-10, current and prior-year reading and math scores for students with disabilities assessed on the Florida Alternate Assessment shall be included in the determination of learning gains components addressed in paragraphs (6)(d) and (e) of this rule.

(c) through (e) No change.

(4) School Performance Grades. The measure of school accountability shall be the school performance grade. The Commissioner is authorized to designate a school performance grade for each school that:

(a) Has at least thirty (30) eligible students with valid FCAT assessment scores in reading in both the current and the previous years, and

(b) Has at least thirty (30) eligible students with valid FCAT assessment scores in math in the current and previous years.

~~School performance grade designations shall be made in the summer of each school year.~~ Performance designations shall be made using School Performance Grades A, B, C, D, and F, as specified in Section 1008.34(2), F.S. School performance grades shall be based on the assessments and criteria as specified in subsection (5) of this rule. The Commissioner is authorized to establish appropriate achievement level criteria in newly assessed grade levels for submission to the State Board for final approval.

(5) Criteria for Designating School Performance Grades. School performance grades ~~shall be designated in the summer of each year and~~ shall be based on a combination of the following three components, as specified in Section 1008.34(3), F.S.:

(a) No change.

(b) Annual learning gains, aggregated for each school, which indicate the percent of eligible students who have:

1. Improved their FCAT Achievement Level or Florida Alternate Assessment Performance Level, as applicable, from one (1) year to the next, or

2. Maintained their proficient Achievement Level on FCAT or the Florida Alternate Assesment, as applicable, Levels within levels 3, 4, or 5 from one (1) year to the next, or

3. Remained within FCAT Achievement Levels 1 or 2, but who demonstrated more than one (1) year’s growth on the FCAT developmental scale. This method of determining gains is not applicable to students who are tested in FCAT at the same grade level as in the previous year, at a lower grade level than in the previous year, or at a grade level more than one grade higher than in the previous year. However, these students may still demonstrate gains as indicated in subparagraphs (5)(b)1. and 2. of this rule. The Department of Education has identified the scores in the following table as representing one (1) year’s growth.

	Grade 3-4	Grade 4-5	Grade 5-6	Grade 6-7	Grade 7-8	Grade 8-9	Grade 9-10
Reading	230	166	133	110	92	77	77
Math	162	119	95	78	64	54	48

Students whose FCAT Achievement Level declines from one (1) year to the next shall not be deemed to have made annual learning gains. ~~The annual learning gains calculation shall be based on students who have a valid FCAT reading and/or math score in both the current and previous year, and who take a higher grade level test in the current year than in the previous year.~~

(c) through (6)(b) No change.

(c) One (1) point for each percent of students who score “3.5” or higher on the FCAT writing assessment. Beginning in 2009-10, in order to accommodate changes in scoring procedures for grades 4 and 8, this percentage shall be determined for schools serving grades 4 and 8 by averaging the percentage of students scoring “3.0” or higher and the percentage of students scoring “4.0” or higher;

(d) through (e) No change.

(f) One (1) point for each percent of students in the lowest twenty-five (25) percent in reading in the school as defined in paragraph (5)(c) of this rule who make learning gains as defined in paragraph (5)(b) of this rule.

The percent of students reflected in each of the six (6) school grade point elements defined in paragraphs (6)(a) through (f) of this rule shall be expressed to the nearest whole number. The corresponding points assigned for each grade point element shall also be expressed to the nearest whole number. In the event that a school does not have at least ~~ten (10) thirty (30)~~ eligible students tested in writing, the district average in writing as defined in paragraph (6)(c) of this rule shall be substituted. In the event that a school does not have at least thirty (30) students in the lowest twenty-five (25) percent in reading as defined in paragraph (5)(c) of this rule, the lowest performing thirty (30) students at or below proficiency, defined as FCAT Achievement Levels 1, 2, and 3, ~~shall will~~ be used. In the event there are still not thirty (30) qualified students in the lowest achieving group, the grade point element defined in paragraph (6)(d) of this rule shall be substituted for the grade point element defined in paragraph (6)(f) of this rule.

(7) No change.

(8) Planned System Enhancements. As indicated in this subsection, planned enhancements will occur in Florida’s System of School Improvement and Accountability. The Commissioner of Education will periodically recommend additional changes to the system to the State Board of Education as necessary to ensure that continuous improvements are made in the educational programs of the state.

(a) ~~Science will be added as an additional category of performance beginning in 2006-07. For this category of achievement, schools will earn one (1) point for each percent of students who score at or above Achievement Level 3, proficient, as established as will be recommended by committees of educators and approved by the State Board of Education during 2005-06. In the event that a school does not have at least ten (10) eligible students tested in science, the district average for percent proficient in science shall be substituted.~~

(b) Math lowest twenty-five (25) percent will be added as an additional category of performance beginning in 2006-07. For this category of achievement, schools will earn one (1) point for each percent of students in the lowest twenty-five (25) percent in mathematics in the school who make learning

gains as defined in paragraph (5)(b) of this rule. Improvement of the lowest twenty-five (25) percent of students in mathematics in each grade, as defined in paragraph (5)(b) of this rule, shall be aggregated for each school, unless the students so designated are performing above proficiency, defined as FCAT Achievement Levels 4 and 5.

1. Schools designated as Performance Grade “C” or above shall be required to demonstrate that adequate progress in mathematics, defined as annual learning gains in paragraph (5)(b) of this rule, has been made by the lowest twenty-five (25) percent of students in the school who scored at or below FCAT Achievement Level 3, based on their previous year’s FCAT score. The minimum requirement for adequate progress is deemed to be met when at least fifty (50) percent of such students make learning gains as defined in paragraph (5)(b) of this rule. If the percent of such students making learning gains is below fifty (50) percent in the current year, adequate progress can be met if:

a. Schools demonstrate a one (1) percentage point improvement in the percent of such students making learning gains over the prior year, if the percent of such students making learning gains is at least forty (40) percent in the current year; or

b. Schools demonstrate a five (5) percentage point improvement in the percent of such students making learning gains over the prior year, if the percent of such students making learning gains is below forty (40) percent in the current year.

If the minimum requirement for adequate progress in mathematics among the lowest twenty-five (25) percent of students in the school is not met, the School Advisory Council shall amend its School Improvement Plan to include a component for improving learning gains of the lowest performing students. If a school otherwise designated as Performance Grade “B” or “C” does not meet the minimum requirement for make adequate progress by having at least fifty (50) percent of its lowest performing students making learning gains in reading and in math, as defined above, in at least one (1) of two (2) consecutive years, or demonstrate improvement as defined in sub-subparagraphs (8)(b)1.a. and b. of this rule, the final Performance Grade designation shall be reduced by one (1) letter grade. No school shall be designated as Performance Grade “A” unless the adequate progress criterion in mathematics is met each year.

2. In the event that a school does not have at least thirty (30) students in the lowest twenty-five (25) percent in mathematics as defined in paragraph (8)(b) of this rule, the lowest performing thirty (30) students at or below proficiency, defined as FCAT Achievement Levels 1, 2, and 3, will be used. In the event there are still not thirty (30) qualified students in the lowest achieving group, the grade point element defined in paragraph (6)(e) of this rule shall be substituted for the grade point element defined in paragraph (8)(b) of this rule.

(c) through (d) No change.

(e) School performance grades for high schools (schools that include grades 9 through 12 among grades taught) shall be evaluated on a revised scale beginning with school grading for the 2009-10 school year. Beginning in 2009-10, fifty (50) percent of the performance grade for high schools shall be based on the following components in addition to the components previously described in paragraphs (6)(a) through (f) and (8)(a) through (b) of this rule:

1. Four-year high school graduation rate. For the 2009-10 and 2010-11 School Years, the graduation rate will be calculated using criteria for modified No Child Left Behind (NCLB) graduation rate. The procedures used to calculate this rate can be found in the 2008-09 Guide to Calculations for the NCLB School Public Accountability Reports, April 2009, <http://www.fldoe.org/eias/eiaspubs/word/nclbguide.doc>. For this component, two (2) grade points shall be awarded for each percent of students counted as on-time graduates in the graduation rate. The total possible points awarded for this component is 200 points.

2. Four-year high school graduation rate for academically at-risk students. For purposes of this component, students shall be identified as academically at risk if they have scored at FCAT Achievement Level 2 or lower on both the mathematics and reading subtests of the FCAT in grade 8. The cohort of academically at-risk students is a sub-population of the adjusted cohort for the graduation rate described in subparagraph (8)(e)1. of this rule. The method of rate calculation and the criteria for inclusion in the numerator and denominator are the same as for the graduation rate described in subparagraph (8)(e)1. of this rule. For this component, one (1) grade point shall be awarded for each percent of students counted as on-time graduates in the graduation rate. The total possible points awarded for this component is 100 points.

3. Participation in accelerated coursework, defined as Advanced Placement (AP), International Baccalaureate (IB), dual enrollment, Advanced International Certificate of Education (AICE), and industry certification courses. Participation shall be calculated for the school year by dividing a weighted count of accelerated coursework participants in grades 9 through 12 (numerator) by the count of all students enrolled in grades 11 and 12 (denominator). For AP, IB, and AICE participation, a student shall be counted in the numerator if he or she has taken the applicable subject area examination (i.e., the AP, IB, or AICE subject area examination). For dual enrollment courses, a student must earn a grade in the course in order to be counted as a participant. For industry certification, a student must be enrolled in a career and technical education course and have taken an industry certification examination on the Industry Certification Funding List approved by the State Board of Education in Rule 6A-6.0573, F.A.C., in order to be counted as a participant.

a. Weighting of counts for individual participants. For each student counted as a participant in accelerated coursework, the weighted count that is credited to the student is established at 1.0 for a student who has taken one course/examination in accelerated coursework and is increased incrementally by 0.1 for each additional course/examination taken. The weighted counts for all participants are summed to produce the numerator described in subparagraph (8)(e)3. of this rule.

b. Grade points assigned. For this component, in 2009-10, two (2) grade points shall be awarded for each percentage point produced by the weighted calculation of participation in accelerated coursework described in subparagraph (8)(e)3. and sub-subparagraph (8)(e)3.a. of this rule. The total possible points awarded for this component is 200 points.

4. Performance in accelerated coursework, defined as Advanced Placement (AP), International Baccalaureate (IB), dual enrollment, Advanced International Certificate of Education (AICE), and industry certification courses. Performance shall be calculated for the school by dividing the weighted number of grade 9-12 students with successful completions in accelerated coursework (numerator) by the count of all students in grades 9 through 12 who took an accelerated course or subject area examination during the academic year (denominator). For AP, IB, and AICE successful completion is defined as earning a passing score and being awarded credit for specific postsecondary course(s) as determined by the 2008 Articulation Coordinating Committee's Credit by Exam Equivalencies list. Schools can earn additional successful completions for students who achieve industry certifications that result in credit for more than one (1) college course through statewide articulation agreements. Those agreements can be accessed at <http://www.fldoe.org/workforce/dwdframe/articframe.asp>.

a. Weighting of counts for students with successful completions. For each student identified as having successfully completed accelerated coursework, the weighted count that is assigned to the student is established at 1.0 for a student with one successful completion in accelerated coursework and is increased incrementally by 0.1 for each additional successful completion credited to the student. The weighted counts for all successful completers are summed to produce the numerator described in subparagraph (8)(e)4. of this rule.

b. Grade points assigned. For this component, one (1) grade point shall be awarded for each percentage point produced by the weighted calculation of performance in accelerated coursework described in subparagraph (8)(e)4. and sub-subparagraph (8)(e)4.a. of this rule. The total possible points awarded for this component is 100 points.

5. Postsecondary readiness. This measure consists of two separate components, one for reading and one for mathematics. For each subject area component, postsecondary readiness shall be calculated by dividing the count of on-time high

school graduates scoring “ready” on the SAT, ACT, and/or the Common Placement Test (CPT) at any time during their high school careers by the count of on-time high school graduates who scored at Level 3 or higher on the grade 10 FCAT in the applicable subject. Readiness cutoff scores by subject area on the ACT, SAT, and CPT are established in Rule 6A-10.0315, F.A.C. For students who have taken multiple tests among the ACT, SAT, and CPT, the student’s highest score by subtest shall be used to determine postsecondary readiness for the applicable subject area component. For each of the subject area components, one (1) grade point is awarded for each percentage point outcome of the postsecondary readiness calculation. The total possible points that may be awarded to a school for each component is 100 points.

6. Annual growth or decline in the components described in subparagraphs (8)(e)1. through 5. of this rule. For each component described in subparagraphs (8)(e)1. through 5., additional points are awarded based on the percentage point improvement over the prior year. Schools shall earn one additional point for each percentage point improved over the prior year. Schools shall earn no more than twenty (20) additional points on each component described in subparagraphs (8)(e)1. through 5. of this rule. Schools that show no improvement in results, or show declining results, shall receive no additional points.

7. Adequate progress requirement for at-risk students as criterion for a school grade of “A.” A high school that would otherwise earn a grade of “A” based on earned grading points must meet an additional requirement for adequate progress of at-risk students in order to be assigned a grade of “A” rather than one letter grade lower (“B”). For such schools, the graduation rate for academically at-risk students, as described in subparagraph (8)(e)2. of this rule, must meet one or more of the following criteria to satisfy this requirement:

a. be no lower than seventy-five (75) percent; or

b. show improvement of at least one (1) percentage point over the prior year’s rate, if the current year rate is at least sixty-five (65) percent; or

c. show improvement of at least five (5) percentage points over the prior year’s rate, if the current year rate is below sixty-five (65) percent.

8. The school grading measures and requirements described in subparagraphs (8)(e)1. through 7. of this rule, shall be applied to high schools for which there are at least ten (10) students included in the denominator of each component described in subparagraphs (8)(e)1. and 3. through 5. of this rule. For high schools in which there are fewer than ten (10) students in the denominator of any one of these components, the school grade shall be determined using the same FCAT-based components that are applied in determining the grades of schools serving grades 8 and lower, and shall not include any of the components described in subparagraphs (8)(e)1. through 7. of this rule. For high schools in which their

are fewer than ten (10) students in the denominator of the four-year high school graduation rate for academically at-risk students component (subparagraph (8)(e)2.), the grade point component defined in subparagraph (8)(e)1. of this rule shall be substituted for the grade point component defined in subparagraph (8)(e)2. of this rule.

9. Grading scale for high schools. Beginning in 2009-10, the following school grading scale shall be applied to high schools:

a. At least 1,050 school grade points shall be required for a School Performance Grade of A.

b. At least 990 school grade points shall be required for a School Performance Grade of B.

c. At least 870 school grade points shall be required for a School Performance Grade of C.

d. At least 780 school grade points shall be required for a School Performance Grade of D.

e. If a high school accumulates fewer than 790 school grade points, it shall be assigned a School Performance Grade of E.

10. Adjusted weighting of FCAT-based components and non-FCAT-based components for combination high schools’ grades. For schools in which grades 9 through 12 are taught in addition to other grades below grade 9, the school grade shall be based on a weighting of FCAT-based components and non-FCAT-based components, as described in subparagraphs (8)(e)1. through 8. of this rule, that is proportional to the number and level of non-high-school grades taught at the school at tested grade levels. Whereas the point totals for regular high schools (serving only grades 9 through 12) weight the FCAT-based components at fifty (50) percent of the grade and the non-FCAT-based components at fifty (50) percent of the grade, the following weightings for FCAT-based and non-FCAT-based components shall be applied to combination high schools:

a. A combination high school serving more than three (3) tested grade levels below grade 9 shall have a school grade point total that weights the FCAT-based components as eighty (80) percent of the grade and the non-FCAT-based components as twenty (20) percent of the grade.

b. A combination high school serving three (3) or fewer tested grade levels below grade 9 shall have a school grade point total that weights the FCAT-based components as seventy (70) percent of the grade and the non-FCAT-based components as thirty (30) percent of the grade.

(9) Accuracy and Representativeness of Performance Data. The Commissioner shall ~~with~~ review all information submitted by school districts to represent the performance of schools receiving a school performance grade.

(a) No change.

(b) The Commissioner shall withhold the designation of a school’s performance grade if he or she determines that the performance data does not accurately represent the progress of

~~the school. Circumstances under which a school's performance data may be considered to not accurately represent the progress of the school include: Unless performance data can be determined to accurately represent the progress of the school, the Commissioner is authorized to withhold the designation of a school's performance grade or designate the school in a lower performance grade. If less than ninety (90) percent of the school's student population eligible for inclusion in the designation of the school's performance grade were assessed, the school's performance grade shall be designated incomplete (I) for at least thirty (30) days or until the data are determined by the Commissioner to accurately represent the performance of the school. In the event that the percent tested remains less than ninety (90) percent, the final performance grade will be one letter grade lower than indicated by the points described in subsection (7) of this rule or will be a grade determined by the Commissioner of Education to accurately represent the performance of the school.~~

1. Less than ninety (90) percent of the school's student population eligible for inclusion in the designation of the school's performance grade was assessed;

2. Circumstances identified before, during, or following the administration of any state assessment where the validity or integrity of the test results are called into question and are subject to an investigation or review as determined by the Department. The school's performance grade shall be designated incomplete (I) until the state, district, and/or local investigation(s) are complete. If, following the completion of investigations, data are determined to accurately represent the performance of the school, a school's performance grade reflecting the data shall be reported.

(c) After the initial issuance of school performance grades, the school district shall have at least thirty (30) days to review the data on which the performance grade was based. If the school district determines that a different performance grade should be assigned because of the omission of student data, a data miscalculation, or special circumstances that might have affected the grade assigned, a request for a state review of the data can be submitted. Changes to the criteria or process described in paragraph (9)(a) ~~shall~~ will not be considered as part of this review and must be addressed as described therein. Appropriate documentation of all elements and data to be reviewed by the Department must be submitted within the time limits specified by the Commissioner.

The Commissioner's determination of a school's performance grade shall be final.

(10) through (11)(a) No change.

(b) The Commissioner is authorized to give preference to schools designated School Performance Grade F and School Performance Grade D in awarding federal and state grants designed to improve student achievement. The Department shall give priority to School Performance Grade F and School Performance Grade D schools in providing school

improvement assistance and resources. The Department ~~shall~~ will identify demographically similar, but higher performing, schools in the state for possible assistance.

(c) through (14) No change.

(15) Measures of Student Performance. The Department shall develop statewide assessments designed to measure student performance based on the following four standards to achieve the goal set forth in Section 1001.03(1), F.S., with special emphasis on reading, writing, and mathematics as defined in Rule 6A-1.09401, F.A.C., in the "Sunshine State Standards 1996" as incorporated by reference. ~~Beginning in school year 2002-2003, science will be added as a subject area for special emphasis.~~

(a) through (d) No change.

Rulemaking Specific Authority 1001.02, 1008.22, 1008.33, 1008.345 FS. Law Implemented 1000.03, 1001.42, 1003.63, 1008.33, 1008.34, 1008.345, 1008.36 FS. History--New 10-11-93, Amended 12-19-95, 3-3-97, 1-24-99, 2-2-00, 2-11-02, 12-23-03, 5-15-06, 6-19-08, 11-26-08, _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 24, 2009

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.0012 RULE TITLE: Application Information

PURPOSE AND EFFECT: The purpose of the rule amendment is to adopt the updated certification application forms CG-10 and CG-10R. The effect will be the adoption of the most current applications forms.

SUMMARY: The certification application forms have been revised to include the new federal reporting requirements for ethnicity and race. The three sections of the application relating to the reporting of sealed/expunged records, criminal history records, and professional certificate sanctions have been revised to include an expanded series of relevant questions for each section that must be answered by a yes/no response. The questions have been identified by legal counsel and the Bureau of Professional Practices Services as necessary for full disclosure of information.

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

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

RULEMAKING AUTHORITY: 1001.02, 1012.55, 1012.56, 1012.586, 1012.59 FS.

LAW IMPLEMENTED: 943.0585, 943.059, 1012.32, 1012.54, 1012.55, 1012.56, 1012.586, 1012.59, 1012.789 FS.

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

DATE AND TIME: September 15, 2009, 9:00 a.m.

PLACE: Wolfson Campus, Miami-Dade College, Miami, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Beverly Gregory, Chief, Bureau of Educator Certification, Department of Education 325 West Gaines Street, Room 201, Tallahassee, FL 32399-0400; (850)245-0431

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0012 Application Information.

(1) Application process. To apply for a Florida Educator’s Certificate, an individual shall submit to the Bureau of Educator Certification the following:

(a) A completed Form CG-10 and a nonrefundable application fee. Form CG-10, Application for Florida Educator’s Certificate, effective ~~October 2008~~ ~~January 1, 2008~~, is hereby incorporated by reference and made a part of this rule. The form may be obtained without cost from the Florida Department of Education, Bureau of Educator Certification, 325 West Gaines Street, Tallahassee, Florida 32399-0400 or may be submitted online via the Department of Education, Educator Certification website. The nonrefundable application fee is prescribed below:

1. Request for a professional certificate – \$75.00,
2. Request for a temporary certificate – \$75.00,
3. Request for an addition of a coverage or endorsement to a valid certificate – \$75.00,
4. Request for a name change only – \$20.00,
5. Request for a duplicate certificate/subject deletion – \$20.00; or

(b) A completed Form CG-10R and a nonrefundable application fee. Form CG-10R, Application for Renewal or Reinstatement of a Professional Florida Educator’s Certificate effective ~~October 2008~~ ~~January 1, 2008~~, is hereby incorporated by reference and made a part of this rule. The form may be obtained without cost from the Florida Department of Education, Bureau of Educator Certification, 325 West Gaines Street, Tallahassee, Florida 32399-0400 or may be submitted online via the Department of Education, Educator Certification website. The nonrefundable application fee is \$75.00. An application for renewal of a professional certificate that is

received by the Bureau of Educator Certification or by a district school board office after the expiration of the professional certificate as specified in Rule 6A-4.0051, F.A.C., shall be submitted with a \$30.00 late fee in addition to the nonrefundable application fee.

(2) through (5) No change.

~~Rulemaking Specific~~ Authority 1001.02, 1012.55, 1012.56, 1012.586, 1012.59 FS. Law Implemented 943.0585, 943.059, 1012.32, 1012.54, 1012.55, 1012.56, 1012.586, 1012.59, 1012.798 FS. History–New 7-6-82, Amended 9-27-83, Formerly 6A-4.012, Amended 12-25-86, 10-26-88, 5-2-90, 4-24-91, 7-7-92, 5-3-94, 7-18-95, 9-17-01, 11-25-03, 12-27-04, 1-1-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Frances Haithcock, Chancellor, K-12 Public Schools, Department of Education

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 15, 2009

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE
6A-6.0970	John M. McKay Scholarship for Students with Disabilities Program

PURPOSE AND EFFECT: The purpose of this rule amendment is to clarify and establish specific participation adherence for parents and private schools as related to the John M. McKay Scholarship program by requiring a signed parent affidavit affirming parental compliance with the program. Additionally, this rule amendment will clarify private school requirements as related to the return of scholarship funds and allow the Department the authority to conduct private school on-site inspections, as appropriate, in conjunction with a formal complaint. The effect will be a rule that will further strengthen the Department’s administration and implementation of the program.

SUMMARY: The proposed rule amendment outlines administrative requirements for parental participation, return of scholarship funds received erroneously, allows Departmental authority to conduct private school on-site inspections at the Department’s discretion, and requires a signed notarized parent affidavit asserting knowledge and compliance with the McKay Scholarship Program.

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

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

RULEMAKING AUTHORITY: 1002.39 FS.

LAW IMPLEMENTED: 1002.39 FS.

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

DATE AND TIME: September 15, 2009, 9:00 a.m.

PLACE: Miami Dade College, Wolfson Campus, 300 N.E. 2nd Avenue, Miami, FL 33132

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael D. Kooi, Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 W. Gaines Street, Suite 522, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0970 John M. McKay Scholarship for Students with Disabilities Program.

The John M. McKay Scholarship for Students with Disabilities Program will be implemented as required by Section 1002.39, F.S., in an effective and equitable manner that will maintain the integrity of the program.

(1) through (4) No change.

(5) Scholarship payments. The following provisions detail information related to scholarship payments including timeframes, eligibility, and Departmental procedures.

(a) Scholarship payments will be made on or before September 1, November 1, February 1, and April 1 of each year. For purposes of statutory deadlines associated with payment dates, the above listed dates shall be considered the official payment dates.

(b) The following payment periods are established for administration of the scholarship payments:

Payment	Payment Period
September 1	July 1 – September 30
November 1	October 1 – December 31
February 1	January 1 – February 28
April 1	March 1 – June 30

(c) The following requirements must be met to qualify for a scholarship payment:

1. The notice of intent, described in subsection (1) of this rule, must be filed sixty (60) days before the first scholarship payment. This is a one-time requirement that applies to scholarship students entering the program for the first time, and no payment can be earned until such time as the notice requirement has been met.

2. A student must have an enrollment date thirty (30) days before the first scholarship payment is made. The submission of the school and student fee schedules are required to establish the enrollment date and are completed using the Department’s

website. A student that changes private schools after meeting the enrollment date requirement may still qualify for payment for that payment period.

3. Prior to receiving a scholarship payment, all parents of participating students must have on file with the Department Form IEPC-AFF1, Affidavit, signed and notarized affirming that the parent understands and agrees to uphold the responsibilities of the parent and the student as outlined in Section 1002.39(9), F.S., including restrictive endorsement of the scholarship warrants. Form IEPC-AFF1 is hereby incorporated by reference in this rule to become effective with the effective date of this rule and may be obtained from the Department’s website at <http://www.floridaschoolchoice.org/>.

~~4.3.~~ A student must not be enrolled in a public school or violate any of the prohibitions found in Section 1002.39(3), F.S.

5.4. The private school must verify each student’s continued enrollment and attendance using the Department’s website three (3) times per year before the November, February, and April scholarship payments. Failure to verify a student’s continued enrollment and attendance will result in a delayed payment until the next payment period. To receive payment at that time, the private school must verify student attendance for the delayed payment’s payment period and, if the student is still enrolled in the program, for the current payment period.

(d) Private schools are responsible for the return of all scholarship funds to the Department that were received in error, including: for students that were not in attendance, or for services listed on a student’s fee schedule that were not provided. If the Department identifies scholarship funds that should be returned, it shall send a letter via both regular and certified mail requesting the return of the funds. The letter shall state the reason the funds are being requested, the student or students involved, instructions on returning the funds, and the procedure to be followed if the private school believes that return of the funds is being requested in error or wishes to provide additional information related to the requested funds. The Department’s letter may also require the school to provide an explanation for how the private school claimed funds that were erroneously obtained.

1. Private school shall respond to such letter within thirty (30) days by either returning the funds or detailing in writing why its retention of the funds is proper.

2. If the Department receives a letter detailing why the funds were properly retained, it shall determine whether the explanation is sufficient and thereafter alert the private school to any funds still due and a timeframe for the return of those funds. The response shall give the private school or parent at least twenty (20) additional days to repay the funds.

3. Failure to return the funds due back to the Department, or failure to provide a sufficient explanation for how the school claimed funds that were erroneously obtained, within the time

period allotted in subparagraphs (5)(d)1. and 2. of this rule. shall result in the initiation of noncompliance procedures pursuant to the Commissioner's authority described in Section 1002.39(7), F.S., and this rule. If the Commissioner has suspended a private school's participation in the program pursuant to Section 1002.39(7), F.S., in order to ensure that scholarship payments are received on the scheduled payment date, any funds requested by the Department must be received at least twenty (20) days prior to the scheduled quarterly payment date. Otherwise scholarship payments will be delayed until the subsequent scholarship payment date.

(e) through (7) No change.

(8) Complaint process. The following process is established to allow individuals to notify the Department of any violation by parents, private schools, or school districts of laws or rules related to scholarship program participation.

(a) Persons interested in filing a complaint should contact the Department through the toll-free hotline, established pursuant to Section 1002.39, F.S., or through the Department's website.

(b) An initial complaint shall include, at a minimum, the complainant's name, phone number, and address, and details of the situation.

(c) After receipt of the initial complaint, the Department shall offer to provide a formal complaint form to the complainant.

(d) To register a formal complaint, the complainant must complete the formal complaint form, sign it, and mail or fax it to the Department within thirty (30) days of making the initial complaint.

(e) Upon receipt of a formal complaint, the Department shall review the complaint for legal sufficiency. If the complaint is legally sufficient, the Department shall conduct an inquiry, as described in subsection (9) of this rule, or refer the matter to the appropriate agency for investigation. If the complaint is not legally sufficient, the Department may close the complaint.

(f) The Department shall notify the complainant of the final result of all legally sufficient formal complaints.

(9) Inquiry process. If an inquiry is made as to the conduct of an individual or entity participating in the program:

(a) A letter of inquiry will be delivered using regular and certified mail that alerts the individual or entity to the inquiry and provides the opportunity to respond. The letter of inquiry shall detail any alleged violations of program rules or law, the response required, any documentation requested, and the deadline for responding to the Department.

(b) Failure to respond to a letter of inquiry in a timely manner by:

1. A parent, then the Department shall determine the effect on ~~notify the parent that the parent's failure to respond to the letter of inquiry is deemed to be an acceptance of the allegations made in the formal complaint and may affect student eligibility.~~

2. A private school, then the Department shall proceed with the noncompliance procedures related to the Commissioner's authority established pursuant to Section 1002.39(7), F.S., and this rule.

3. A school district, then the Department shall take any actions allowable under law to compel school district compliance with program requirements and to ameliorate the effect of the violation on the parent, the student, or private school as appropriate ~~a formal notice will be sent from the Commissioner to the district's Superintendent stating that failure to respond within five (5) working days shall be deemed to be an admission of the stated violation or allegation.~~

(c) The Department shall review the response to the letter of inquiry and:

1. If satisfied that no violation of laws or rules related to scholarship program participation occurred, notify the parent, private school, or school district and complainant that the inquiry will be closed.

2. If more information is needed, request additional information related to the inquiry from the complainant, parent, private school, ~~or~~ school district, or conduct a site audit/inspection as appropriate.

3. If a violation of laws or rules related to scholarship program participation has been committed by:

a. A parent, then the Department shall notify the parent of any violation of laws or rules committed and any effect it will have on student eligibility.

b. A private school, then the Department shall proceed with the noncompliance procedures related to the Commissioner's authority established pursuant to Section 1002.39(7), F.S., and this rule.

c. A school district, then the Department shall take any actions allowable under law to compel school district compliance with program requirements and to ameliorate the effect of the violation on the parent, student, or private school as appropriate.

(d) The Department may at any point in the process set forth in this rule, refer an inquiry to the Department's Office of Inspector General or another appropriate agency for full investigation.

(e) Notwithstanding any other provision of this rule, the Commissioner may at any point before or during the inquiry process exercise the authority given under Section 1002.39(7), F.S., and this rule ~~to immediately suspend payments to a private school if there is probable cause to believe that there is an imminent threat to the health, safety, and welfare of students or suspected fraudulent activity on the part of the private school.~~

Rulemaking Authority 1002.39(13) FS. Law Implemented 1002.39 FS. History—New 1-18-07, Amended 4-21-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael D. Kooi, Executive Director, Office of Independent Education and Parental Choice

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 10, 2009

DEPARTMENT OF EDUCATION

State Board of Education

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

PURPOSE AND EFFECT: The purpose of the rule amendment is to clarify procedures relating to the application process to become a virtual instruction program provider and to adopt a new application form. The effect of the amendment is a rule which better outlines the process for applicants to follow.

SUMMARY: The rule is amended to clarify procedures relating to the application process and to delete unnecessary language relating to grade levels.

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: 1002.45 FS.

LAW IMPLEMENTED: 1002.45 FS.

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

DATE AND TIME: September 15, 2009, 9:00 a.m.

PLACE: Miami Dade College, Wolfson Campus, 300 N.E. 2nd Avenue, Miami, FL 33132

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sally Roberts, Educational Policy Consultant, Division of Public Schools, Department of Education, 325 West Gaines Street, Room 514, Tallahassee, Florida 32399-0400, (850)245-9617

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0981 School District Virtual Instruction Program.

(1) Purpose. Section 1002.45, F.S., requires each school ~~district~~ districts, beginning with the 2009-2010 school year, to provide eligible students within its boundaries the option to

participate in a virtual instruction program. The Department of Education will provide school districts annually with a list of providers approved to offer virtual instruction programs under this section of law. The program must be full-time for K-8 students and may be full-time or part-time for students in grades 9-12 in Department of Juvenile Justice Education Programs, dropout prevention programs, vocational programs, or career education programs. Each school district's virtual instruction program may be operated by the district or by virtual instruction program contracted providers. Virtual instruction program providers must be approved by the Department of Education.

(2) Application Form. Form VSP-02, School District Virtual Instruction Program Provider Approval Application for becoming an approved provider for the School District Virtual Instruction Program, will be used for those virtual education providers applying for approved status from the Department of Education. Form VSP-02 is hereby incorporated by reference and made a part of this rule to become effective with the effective date of this rule. Form VSP-02 will be published electronically at www.fldoe.org/Schools/virtual-schools/DistrictVIP.asp. ~~www.floridaschoolchoice.org, or A~~ hard copy may be obtained by contacting the Division of Public Schools, Office of the Chancellor Independent Education and Parental Choice, Florida Department of Education, 325 West Gaines Street, Room ~~514~~ 522, Tallahassee, Florida 32399.

(3) Application. The application to become an approved provider ~~For the 2009-10 school year, Form VSP-02 will be available beginning October 1 of each year for the following school year. The deadline for filing the application is October 31 on-line at www.floridaschoolchoice.org; the application date for providers to begin submission shall be published at www.floridaschoolchoice.org and the application shall remain open for thirty (30) calendar days. Each year thereafter, Form VSP-02 will be available online beginning September 1 for providers intending to contract with school districts in the subsequent school year. Applications will be due on or before November 1.~~

(4) The Department of Education will review each application and provide the applicant with a written decision regarding the approval or denial of the application no later than forty-five (45) calendar days after the deadline ~~November 1~~. Approved providers will be posted to the website: www.fldoe.org/Schools/virtual-schools/DistrictVIP.asp ~~www.floridaschoolchoice.org, no later than March 1 each year. The approval is valid for the following three (3) years.~~

(5) Notice of Denial. If the application is denied, the applicant will receive written notification identifying the specific areas of deficiency. The applicant shall have forty-five (45) calendar days after receipt of the notice of denial to resolve any outstanding issues, and resubmit its ~~their~~ application for reconsideration. The applicant will receive a final notice of approval or denial ~~no later than February 28 of~~

~~each year.~~ If an application is denied a second time, the Department of Education will provide a final written notice to the provider indicating that the application has been administratively closed and that the provider may apply during the next application phase in accordance with subsection (3) of this rule.

(6) Revocation. The Department shall revoke the approval of a provider who fails to comply with all the requirements of Section 1002.45, F.S.

Rulemaking Specific Authority 1002.45(12) FS. Law Implemented 1002.45 FS. History–New 11-26-08, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Frances Haithecock, Chancellor, Division of Public Schools

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 26, 2009

DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-54.0012	Definitions
14-54.00121	Route Evaluation Standards
14-54.00131	Signing of Posted Roads
14-54.00161	Florida Turnpike
14-54.005	Other Regulations
14-54.006	Tractor Requirements
14-54.0061	Tire Requirements
14-54.007	Brake Regulations
14-54.0071	Axle Requirements
14-54.008	Emergency Equipment
14-54.0081	Lead Trailer Requirements
14-54.010	Converter Dolly Requirements
14-54.011	Lamps, Etc.
14-54.012	Inspection by Driver
14-54.013	Coupling Devices/Hitch Connections
14-54.014	Staging
14-54.015	Speed Limits, Minimum Distances, Passing, and Operations under Hazardous Conditions

PURPOSE AND EFFECT: Rule Chapter 14-54, F.A.C., is being repealed and its language adopted by the new amendments to Rule Chapter 14-61, F.A.C. The language of Rule Chapter 14-54, F.A.C., is being adopted by Rule Chapter 14-61, F.A.C., in order to update and organize all turnpike rules into one rule chapter.

SUMMARY: Rule Chapter 14-54, F.A.C., is being repealed.

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: 316.515, 316.555, 316.611, 334.044(2), 338.239(1) FS.

LAW IMPLEMENTED: 316.252, 316.515, 316.555, 316.611, 338.22-338.244 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: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULES IS:

14-54.0012 Definitions.

Rulemaking Specific Authority 334.044(2), 316.515, 316.611 FS. Law Implemented 316.515 FS. History–New 12-12-83, Formerly 14-54.012, Amended 9-29-91, 5-14-96, Repealed _____.

14-54.00121 Route Evaluation Standards.

Rulemaking Specific Authority 334.044(2), 316.515, 316.611 FS. Law Implemented 316.515, 316.611 FS. History–New 9-29-91, Amended 5-14-96, Repealed _____.

14-54.00131 Signing of Posted Roads.

Rulemaking Specific Authority 334.044(2), 316.515, 316.555, 316.611 FS. Law Implemented 316.515, 316.611 FS. History–New 9-29-91, Amended 5-14-96, Repealed _____.

14-54.00161 Florida Turnpike.

Rulemaking Specific Authority 334.044(2), 316.515, 316.611, 338.239(1) FS. Law Implemented 316.515, 338.239(1), 338.22-.244 FS. History–New 9-29-91, Amended 5-14-96, Repealed _____.

14-54.005 Other Regulations.

Rulemaking Specific Authority 334.044(2), 316.515, 316.611 FS. Law Implemented 316.515, 316.555 FS. History–New 10-29-79, Amended 12-12-83, Formerly 14-54.05, Amended 9-29-91, Amended 5-14-96, Repealed _____.

14-54.006 Tractor Requirements.

Rulemaking Specific Authority 334.044(2), 316.515, 316.611, 338.239(1) FS. Law Implemented 316.515, 316.555 FS. History–New 10-29-79, Amended 12-12-83, Formerly 14-54.06, Repromulgated 9-29-91, Amended 5-14-96, Repealed _____.

14-54.0061 Tire Requirements.

Rulemaking Specific Authority 316.611, 334.044(2), 338.239(1) FS. Law Implemented 316.611, 338.222, 338.239(1) FS. History--New 5-14-96, Repealed_____.

14-54.007 Brake Regulations.

Rulemaking Specific Authority 334.044(2), 316.611, 338.239(1) FS. Law Implemented 316.261-.263, 316.611, 338.222, 338.239(1) FS. History--New 10-29-79, Amended 12-12-83, Formerly 14-54.07, Amended 9-29-91, 5-14-96, Repealed_____.

14-54.0071 Axle Requirements.

Rulemaking Specific Authority 316.611, 334.044(2), 338.239(1) FS. Law Implemented 316.611, 338.222, 338.239(1) FS. History--New 5-14-96, Repealed_____.

14-54.008 Emergency Equipment.

Rulemaking Specific Authority 334.044(2), 316.611, 338.239(1) FS. Law Implemented 316.611, 338.222, 338.239(1) FS. History--New 10-29-79, Amended 12-12-83, Formerly 14-54.08, Amended 9-29-91, 5-14-96, Repealed_____.

14-54.0081 Lead Trailer Requirements.

Rulemaking Specific Authority 316.611, 334.044(2), 338.239(1) FS. Law Implemented 316.611, 338.222, 338.239(1) FS. History--New 5-14-96, Repealed_____.

14-54.010 Converter Dolly Requirements.

Rulemaking Specific Authority 334.044(2), 316.611, 338.239(1) FS. Law Implemented 316.611, 338.222, 338.239(1) FS. History--New 10-29-79, Amended 12-12-83, Formerly 14-54.10, Amended 9-29-91, 5-14-96, Repealed_____.

14-54.011 Lamps, Etc.

Rulemaking Specific Authority 334.044(2), 316.252, 316.611, 338.239(1) FS. Law Implemented 316.252, 316.611, 338.222, 338.239(1) FS. History--New 10-29-79, Amended 12-12-83, Formerly 14-54.11, Amended 9-29-91, 5-14-96, Repealed_____.

14-54.012 Inspection by Driver.

Rulemaking Specific Authority 334.044(2), 316.611, 338.239(1) FS. Law Implemented 316.611, 338.222, 338.239(1) FS. History--New 10-29-79, Amended 12-12-83, Formerly 14-54.12, Amended 9-29-91, 5-14-96, Repealed_____.

14-54.013 Coupling Devices/Hitch Connections.

Rulemaking Specific Authority 334.044(2), 316.611, 338.239 FS. Law Implemented 316.611, 338.222, 338.239(1) FS. History--New 10-29-79, Amended 12-12-83, Formerly 14-54.13, Amended 9-29-91, 5-14-96, Repealed_____.

14-54.014 Staging.

Rulemaking Specific Authority 334.044(2), 316.611, 338.239(1) FS. Law Implemented 316.611, 338.222, 338.239(1) FS. History--New 10-29-79, Amended 12-12-83, Formerly 14-54.14, Amended 9-29-91, 5-14-96, Repealed_____.

14-54.015 Speed Limits, Minimum Distances, Passing, and Operations under Hazardous Conditions.

Rulemaking Specific Authority 334.044(2), 316.611, 338.239(1) FS. Law Implemented 316.611, 338.239 FS. History--New 10-29-79, Amended 12-12-83, Formerly 14-54.15, Repromulgated 9-29-91, Amended 5-14-96, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tim Lattner

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 3, 2009

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

EXECUTIVE OFFICE OF THE GOVERNOR

Florida Commission on Community Service

RULE NOS.:	RULE TITLES:
270-1.001	Direct Support Organization Function, Bylaws and Services Contract
270-1.002	Governance
270-1.003	Disposition of Funds
270-1.004	Budget
270-1.005	Use of Commission Property and Facilities
270-1.006	Use of Personal Services

PURPOSE AND EFFECT: The purpose of this rule is to comply with Section 14.29(13), F.S. The statute requires the commission to adopt rules.

SUMMARY: Procedures by which the direct-support organization is governed and any conditions with which the direct-support organization must comply to use property, facilities, or personal services of the commission.

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: 14.29(10), 14.29(13) FS.

LAW IMPLEMENTED: 14.29 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: September 9, 2009, 1:30 p.m. – 3:00 p.m. EDT.

PLACE: Elliot Building, 401 South Monroe Street, Conference Room 212A, Tallahassee, Florida 32301

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Tom Linley, Governor’s Commission on Volunteerism and Community Service, 401 South Monroe Street, Tallahassee, Florida 32301. Telephone number: (850)922-2101. Email address: tom@volunteerflorida.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(850)921-5172.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Tom Linley, 401 South Monroe Street, Tallahassee, FL 32301, e-mail: tom@volunteerflorida.org

THE FULL TEXT OF THE PROPOSED RULES IS:

270-1.001 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, F.S.

(2) In order to be considered for certification as a DSO, an organization must fulfill the requirements of Section 14.29, F.S., 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), F.S.; 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(10), 14.29(13) FS. Law Implemented 14.29 FS. History–New _____.

270-1.002 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(10), 14.29(13) FS. Law Implemented 14.29 FS. History–New _____.

270-1.003 Disposition of Funds.

If the Commission determines that the DSO is no longer complying with the Services Contact 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), F.S.

Rulemaking Authority 14.29(10), 14.29(13) FS. Law Implemented 14.29 FS. History–New _____.

270-1.004 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(10), 14.29(13) FS. Law Implemented 14.29 FS. History--New _____.

27O-1.005 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(10), 14.29(13) FS. Law Implemented 14.29 FS. History--New _____.

27O-1.006 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(10), 14.29(13) FS. Law Implemented 14.29 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tom Linley

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor's Commission on Volunteerism and Community Service

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 7, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 24, 2009

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-103.019
RULE TITLE: Inmate Grievances – Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Form DC6-236, Inmate Request, to move language regarding use of the form as an informal grievance to the first page of the form and to clarify the procedure by which copies of the form are maintained and distributed to the inmate and responding official.

SUMMARY: Proposed rule amends Form DC6-236, Inmate Request, by moving language regarding use of the form as an informal grievance to the first page and by clarifying the procedure by which copies of the form are maintained and distributed to the inmate and responding official.

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

Any person who wishes to provide information regarding 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.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-103.019 Inmate Grievances – Forms.

The following forms relevant to this chapter are hereby incorporated by reference. A copy of any of these forms is available from the Bureau of Inmate Grievance Appeals, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(1) No change.

(2) Form DC6-236, Inmate Request, effective _____ 8-27-07.

(3) through (5) No change.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 10-12-89, Amended 4-10-95, 12-7-97, Formerly 33-29.018, Amended 8-1-00, 10-11-00, 2-9-05, 12-17-06, 6-18-07, 8-27-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Redd, Assistant Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Walter A. McNeil, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 17, 2009

COMMISSION ON ETHICS

RULE NO.: 34-7.010
RULE TITLE: List of Forms and Instructions

PURPOSE AND EFFECT: The purpose of the proposed amendment is to make revisions to various forms that are required to be filed by the Code of Ethics, and that are adopted

by reference in Rule 34-7.010, Florida Administrative Code. The filing year on all of the forms will be changed to 2009. Additionally, the instructions in the Form 6 series will be amended regarding the valuation of real property, and members of all expressway authorities will be added to the list of who is required to file. The changes to the Form 1 series includes directing the filer to put “none” or “n/a” if there is nothing to report; amending the instructions regarding the reporting of liabilities and for reporting primary sources of income; and deleting references to expressway authorities as all are now required to file the CE Form 6. Also, the instructions on the CE Form 20 (Executive Branch Lobbyist Registration Form) are being amended to delete the requirement that the principal’s original signature be provided in order to be consistent with the Legislative Lobbying provisions.

SUMMARY: CE Form 1 (Statement of Financial Interests), CE Form 1F (Final Statement of Financial Interests), CE Form 1X (Amendment to Form 1 Statement of Financial Interests), CE Form 6 (Full and Public Disclosure of Financial Interests), CE Form 6F (Final Full and Public Disclosure of Financial Interests), CE Form 6X (Amendment to Full and Public Disclosure of Financial Interests), and CE Form 20 (Executive Branch Lobbyist Registration Form) will be affected by this rulemaking.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of estimated regulatory costs has been prepared.

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

RULEMAKING AUTHORITY: Art. II, Sec. 8(i), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(14), 112.322(9) FS., Ch. 2009-85, LOF.

LAW IMPLEMENTED: 112.313(9), (12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS., Art. II, Sec. 8(a), (f), (h), Fla. Const., Ch. 2009-85, LOF.

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

DATE AND TIME: September 11, 2009, 8:30 a.m.
 PLACE: Senate Office Building, Room 37S, 404 South Monroe Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julia Cobb Costas, Assistant General Counsel, Florida Commission on Ethics, Telephone: (850)488-7864

THE FULL TEXT OF THE PROPOSED RULE IS:

34-7.010 List of Forms and Instructions.

(1) The following forms and instructions are adopted by reference and are used by the Commission in its dealings with the public:

(a) Form 1, Statement of Financial Interests. To be utilized by state officers, local officers, candidates for state or local office and specified state employees for compliance with Section 112.3145(2) and (3), Florida Statutes. Effective 1/2010 4/2007.

(b) No change.

(c) Form 6, Full and Public Disclosure of Financial Interests. To be utilized by all elected constitutional officers, candidates for such offices, other statewide elected officers, and others as prescribed by law for compliance with Article II, Section 8(a) and (h), Florida Constitution, as specified in Chapter 34-8 of these rules. Effective 1/2010 4/2007.

(d) through (h) No change.

(i) Form 20, Executive Branch Lobbyist Registration. To be utilized by lobbyists for compliance with Section 112.3215(3), Florida Statutes. Effective 1/2010 6/2006.

(j) though (n) No change.

(o) Form 1F, Final Statement of Financial Interests. To be filed within 60 days of leaving public office or employment. Effective 1/2010 4/2007.

(p) Form 6F, Final Full and Public Disclosure of Financial Interests. To be filed within 60 days of leaving public office. Effective 1/2010 4/2007.

(q) Form 1X, Amendment to Form 1 Statement of Financial Interests. To be used to amend a previously filed CE Form 1. Effective 1/2010 4/2004.

(r) Form 6X, Amendment to Full and Public Disclosure of Financial Interests. To be used to amend a previously filed CE Form 6. Effective 1/2010 4/2004.

(2) No change.

PROPOSED EFFECTIVE DATE JANUARY 1, 2010

Specific Authority Art. II, Sec. 8(i), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(14), 112.322(9) FS., Chapter ~~2009-85~~ ~~2005-359~~, LOF. Law Implemented 112.313(9), (12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS., Art. II, Sec. 8(a), (f), (h), Fla. Const., Chapter ~~2009-85~~ ~~2005-359~~, LOF. History—New 4-11-76, Formerly 34-7.10 through 7.22, 8.10, Amended 2-23-77, 4-7-77, 5-17-77, 10-20-77, 2-25-79, 1-29-80, 4-29-81, 1-12-82, 3-25-82, 2-21-83, Formerly 34-7.10, Amended 7-10-88, 3-4-91, 10-6-91, 10-29-91, 12-22-91, 7-5-92, 10-15-92, 12-6-92, 11-10-93, 12-27-93, 11-21-94, 2-16-95, 12-26-95, 1-27-97, 1-1-98, 11-19-98, 12-28-99, 1-1-00, 12-4-00, 12-21-00, 10-14-01, 11-22-01, 1-1-02, 1-1-03, 1-1-04, 1-1-05, 1-1-06, 6-15-06, 1-1-2007, 1-1-10.

NAME OF PERSON ORIGINATING PROPOSED RULE: Julia Cobb Costas, Assistant General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Commission on Ethics

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 17, 2009

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-1.600	Permit Applications – General and Noticed General Permits
40D-1.604	Bonds
40D-1.6105	Limiting Conditions
40D-1.1003	Time for Consideration of a Petition for an Emergency Variance or Waiver
40D-1.1010	Point of Entry into Proceedings

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to make District permit application processing rules more consistent with respect to use of the term, “District,” and to conform such rules to recent statutory amendments relating to the processing of permit applications.

SUMMARY: Rule 40D-1.600, F.A.C., which required general environmental resource permits concurrently reviewed with an application for a proprietary authorization deemed to be of heightened public concern to be issued by the Governing Board, is repealed. Rules 40D-1.604 and 40D-1.1003, F.A.C., are amended to replace the word “Board” with the word “District.” Rule 40D-1.6105, F.A.C., is amended to replace the word “Board” with the word “District” and to correct a citation to a District permitting form. Paragraph 40D-1.1010(2)(a), F.A.C., is amended to apply to all final agency action taken by the District, whether by staff or the Governing Board.

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: 120.54(5), 373.044, 373.113, 373.149, 373.171 FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 253.115, 373.079(4)(a), 373.083(5), 373.085, 373.216, 373.219, 373.308, 373.309, 373.323, 373.413, 373.4136, 373.414, 373.416, 373.418, 373.421, 373.426, 373.427 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Martha A. Moore, Senior Attorney, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, ext. 4660

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-1.600 Permit Applications – General and Noticed General Permits.

~~(1) General Permits issued pursuant to Sections 373.118 and 373.414, F.S., under Chapters 40D-2, 40D-4, and 40D-40, F.A.C., are issued by staff except when the application is concurrently reviewed with an application for a proprietary authorization that is deemed to be of heightened public concern pursuant to 18-21.0051(4), F.A.C., or denied in which case final action is taken by the Governing Board.~~

~~(2) Noticed General Permits are issued or denied by staff.~~

~~Rulemaking Specific Authority 373.044, 373.113, 373.118, 373.149, 373.171 FS. Law Implemented 373.118 FS. History–New 10-1-84, Amended 12-22-94, 7-2-98, 9-26-02, 9-25-07, Repealed _____.~~

40D-1.604 Bonds.

(1) The ~~District Board~~ may require the applicant for a permit to furnish a bond made payable to the District and its successors, with a reputable bonding corporation authorized to do business in this State as surety, conditioned upon full compliance with the terms of the permit. The amount of the bond shall be in such amount as the ~~District Board~~ shall determine to be adequate.

(2) In the alternative to subsection (1), the ~~District Board~~ may require liability insurance in such amount as the ~~District Board~~ shall determine endorsed in favor of the District or a hold harmless agreement satisfactory to the ~~District Board~~.

(3) The ~~District Board~~ may require that such bond or liability insurance be maintained as a condition of the continued validity of the permit.

~~Rulemaking Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.079(4)(a), 373.083(5), 373.085, 373.413, 373.416 FS. History–Readopted 10-5-74, Formerly 16J-0.13, 40D-1.391, 40D-1.1900, Amended 6-5-05, _____.~~

40D-1.6105 Limiting Conditions.

(1) No change.

(2) A permit may be assigned to a subsequent owner subject to all terms and conditions contained in such permit upon notification in writing to the ~~District Board~~ of such assignment, provided ownership, lease, or other control of all such lands is conveyed to the assignee and further provided that the assignee, by accepting such assignment, does assume responsibility for complying with all such terms and conditions. To assign a permit a subsequent owner must submit a Notification and Request for Transfer of Environmental Resource Permit Form No. ~~LEG-R.043.00 (4/09) 04-10R-022 (7/01)~~ or an Application to Transfer a Water Use Permit, Form No. LEG-R.002.03 (09/07), as appropriate, that includes the signature of the permittee(s) or a copy of the legally recorded deed(s) to all of the land covered by the permit. Copies of these forms may be obtained from the District.

(3) If only a part of such lands is so conveyed, or if the ownership, lease, or other legal control is divided, such permit shall immediately terminate unless the terms of the permit are modified by the ~~District Board~~ or the permit is transferred pursuant to District rules.

Rulemaking Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.079(4)(a), 373.083(5), 373.219, 373.413, 373.416 FS. History—Readopted 10-5-74, Formerly 16J-0.12, Amended 2-10-93, Formerly 40D-0.381, Amended 12-16-97, 8-25-02, 10-19-05, 11-25-07,_____.

40D-1.1003 Time for Consideration of a Petition for an Emergency Variance or Waiver.

The ~~District Governing Board~~ shall grant or deny a petition for a variance or waiver within 45 days of its receipt by the District.

Rulemaking Specific Authority 120.54(5), 373.044, 373.113 FS. Law Implemented 373.079(4)(a), 373.083(5), 120.54(5) FS. History—New 7-2-98,_____.

40D-1.1010 Point of Entry into Proceedings.

(1) No change.

(2)(a) “Written notice” as set forth in Rule 28-106.111, F.A.C., means either receipt of actual written notice that the District has taken or intends to take final agency action, or publication of notice that the District has taken or intends to take final agency action. If final agency the District’s Governing Board takes action which materially differs from a written notice of the District’s intended action, persons who may be substantially affected shall have an additional 21 days, or for a notice of consolidated intent an additional 14 days, from the date of receipt or publication of notice of such action to request an administrative hearing. Such requests for an administrative hearing shall only address those aspects of the agency action which differ from the proposed agency action.

(b) No change.

(3) through (6) No change.

Rulemaking Specific Authority 120.54(5), 373.044, 373.113 FS. Law Implemented 120.54(5), 120.60, 253.115, 373.079(4)(a), 373.083(5), 373.216, 373.219, 373.308, 373.309, 373.323, 373.413, 373.4136, 373.414, 373.416, 373.418, 373.421, 373.426, 373.427 FS. History—New 7-2-98, Amended 11-2-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Martha A. Moore

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 23, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 2009

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-2.041	Permits Required
40D-2.091	Publications Incorporated by Reference
40D-2.311	Competing Applications
40D-2.331	Modification of Permits
40D-2.381	Standard Permit Conditions

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to make District rules for water use permit application processing consistent with recent statutory amendments relating to the processing of permit applications.

SUMMARY: Rule 40D-2.041, F.A.C., is amended to delete the requirement that individual water use permits be approved by the Governing Board. Rule 40D-2.091, F.A.C., is amended to incorporate by reference a revised Water Use Permit Information Manual Part B, “Basis of Review,” which now contains a revised description of the permitting process. Rules 40D-2.311, 2.331 and 2.381, F.A.C., are amended to replace “Governing Board” with “District.”

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, 373.149, 373.171, 373.216, 373.249 FS.

LAW IMPLEMENTED: 373.036, 373.079(4)(a), 373.083(5), 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.224, 373.226, 373.229, 373.233, 373.239, 373.243, 373.244 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Martha A. Moore, Senior Attorney, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, ext. 4660

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-2.041 Permits Required.

(1) No change.

(2) Water Use Permit categories are based on the combined annual average daily water demand, defined as the total reasonable-beneficial water quantity necessary for the proposed water use, to be obtained during one year from ground water, surface water, alternative water supply, imported

water or any other water source, divided by 365 days and expressed in gallons per day (gpd). The District issues the following categories of Water Use Permits:

(a) Individual. Water Use Permits for a combined annual average daily water demand of 500,000 gpd or greater are issued as Individual Water Use Permits. ~~Individual Water Use Permits must receive approval from the Governing Board.~~

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

Rulemaking Authority 373.044, 373.113, 373.118, 373.149, 373.171, 373.216, 373.249 FS. Law Implemented ~~373.079(4)(a), 373.083(5), 373.219, 373.223, 373.224, 373.226~~ FS. History–Readopted 10-5-74, Amended 12-31-74, 10-24-76, 9-4-77, 10-16-78, Formerly 16J-2.04(1), (2), (4), (5), Amended 9-1-84, 11-4-84, 10-1-89, 2-10-93, 4-11-94, 1-1-07, 12-30-08, 5-17-09,_____.

40D-2.091 Publications Incorporated by Reference.

The following publications are hereby incorporated by reference into this Chapter, and are available from the District upon request:

- (1) Water Use Permit Information Manual Part B, “Basis of Review” (_____) ~~(#3-26-09)~~;
- (2) through (3) No change.

~~Rulemaking Specific~~ Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, ~~373.079(4)(a), 373.083(5), 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243~~ FS. History–New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, 7-20-08, 9-10-08, 12-30-08,_____.

40D-2.311 Competing Applications.

(1) If two or more applications for permits, which otherwise comply with these Rules and with Governing Board orders, are pending for a quantity of water that is inadequate for both or all, or which for any other reason are in conflict, the ~~District Governing Board~~ shall have the right to approve or modify the applications in a manner which best serves the public interest as determined by the ~~District Governing Board~~.

(2) In the event that two or more competing applications qualify equally under the provisions of subsection (1), the ~~District Governing Board~~ will give preference to a renewal application over an initial application.

~~Rulemaking Specific~~ Authority 373.044, 373.113, 373.149, 373.171, 373.216, 373.249 FS. Law Implemented ~~373.079(4)(a), 373.083(5), 373.233~~ FS. History–Readopted 10-5-74, Formerly 16J-2.12, Amended 10-1-89,_____.

40D-2.331 Modification of Permits.

- (1) through (2) No change.

(3) The ~~District Governing Board~~ shall order the modification of any permit if it is shown that the use or disposition of water is detrimental to other water users or to the water resources or no longer meets the conditions for issuance identified in Rule 40D-2.301, F.A.C.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171, 373.216, 373.249 FS. Law Implemented ~~373.079(4)(a), 373.083(5), 373.171, 373.239~~ FS. History–Readopted 10-5-74, Formerly 16J-2.14(1), Amended 10-1-89, 2-10-93, 7-29-93, 1-1-07, 8-23-07, 7-1-09,_____.

40D-2.381 Standard Permit Conditions.

(1) The ~~District Governing Board~~ shall impose on any permit granted under this Chapter such reasonable conditions as are necessary to assure that the permitted operation will be consistent with the overall objectives of the District and will not be harmful to the water resources of the District or existing legal users.

- (2) No change.
- (3) Every permit acquired under this Chapter shall include the following standard conditions which impose certain limitations on the permitted water withdrawal:
 - (a) through (q) No change.

(r) Within the Southern Water Use Caution Area, if the District determines that significant water quantity or quality changes, impacts to existing legal uses, or adverse environmental impacts are occurring, the ~~District Board~~, upon reasonable notice to the permittee, including a statement of facts upon which the District based its determination, may reconsider the quantities permitted or other conditions of the permit as appropriate to address the change or impact, but only after an opportunity for the permittee to resolve or mitigate the change or impact or to request a hearing.

- (4) No change.

~~Rulemaking Specific~~ Authority 373.044, 373.113, 373.171 FS. Law Implemented ~~373.079(4)(a), 373.083(5), 373.219, 373.223, 373.244~~ FS. History–New 6-7-78, Amended 9-9-80, 10-21-80, Formerly 16J-2.112, Amended 10-1-89, 2-10-93, 5-2-93, 4-14-02, 1-1-03, 10-19-05, 7-20-08,_____.

WUP BOR

~~1.6 APPLICATION REVIEW PROCESS [Section Deleted]~~

Amended 1-1-07, 12-24-07, 12-30-08,_____.

4.3 MINIMUM FLOWS AND LEVELS

A. Withdrawals That Affect Water Bodies for Which Minimum Flows and Levels Have Been Adopted Within Those Portions of Hillsborough County north of State Road 60, and Pasco and Pinellas Counties (hereinafter the “Area”).

1. For New Withdrawals Proposed After August 3, 2000.

- a. No change.
- ii. No change.
- (1) through (3) No change.

(4) If supplemental hydration is proposed to rehydrate lakes or wetlands, in order for a water use permit authorizing the Requested Quantity to be issued, the ~~District Governing Board~~ must determine whether:

(A) through (F) [list of factors – No change.]

iii. through v. No change.

vi. The procedures described below are those applicable to the determination of an aquifer regulatory level relating to 40D-2.301(1)(d), F.A.C., where the ~~District Governing Board~~ authorizes a quantity of Upper Floridan aquifer ground water pursuant to 4.3 A.1.a.i. where an applicant proposes prevention measures, and shall be determined for, and specified in, any permit issued as follows: [No further changes]

B. No change.

New 1-1-07, Revised _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Martha A. Moore

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 23, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 2009

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-4.021	Definitions
40D-4.091	Publications and Agreements Incorporated by Reference

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to make District rules for individual environmental resource permit application processing consistent with recent statutory amendments relating to the processing of permit applications.

SUMMARY: Subsection 40D-4.021(9), F.A.C., is amended to delete the phrase, “that may be issued by District staff,” from the definition of a general permit. Subsection 40D-4.021(10), F.A.C., is amended to delete the phrase, “issued by the District Governing Board,” from the definition of an individual permit. Rule 40D-4.091, F.A.C., is amended to incorporate by reference a revised Environmental Resource Permitting Information Manual Part B, Basis of Review (BOR). Section 1.2 of the BOR now contains a revised description of the application review process.

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

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

RULEMAKING AUTHORITY: 373.044, 373.046, 373.113, 373.118, 373.149, 373.171, 373.414 FS.

LAW IMPLEMENTED: 373.0361, 373.079(4)(a), 373.083(5), 373.114, 373.171, 373.403, 373.413, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.429, 373.441 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha A. Moore, Senior Attorney, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, ext. 4660

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-4.021 Definitions.

(1) through (8) No change.

(9) “General Permit” means a General Environmental Resource Permit, as described in Chapters 40D-4 and 40D-40, F.A.C., ~~that may be issued by District staff.~~

(10) “Individual Permit” means an Individual Environmental Resource Permit, as described in Chapter 40D-4, F.A.C., ~~issued by the District Governing Board.~~

~~Rulemaking Specific~~ Authority 373.044, 373.113, 373.118, 373.149, 373.171 FS. Law Implemented ~~373.079(4)(a), 373.083(5),~~ 373.403, 373.413 FS. History–Readopted 10-5-74, Formerly 16J-4.02, Amended 10-1-84, 3-1-88, 9-11-88, 10-3-95, 7-23-96, 2-27-02, 9-26-02, 2-19-04, 2-6-07, 1-8-08, 9-29-08, _____.

40D-4.091 Publications and Agreements Incorporated by Reference.

The following documents are hereby incorporated into this chapter and Chapters 40D-40 and 40D-400, F.A.C.:

(1) Environmental Resource Permitting Information Manual Part B, Basis of Review, Environmental Resource Permit Applications within the Southwest Florida Water Management District, _____, ~~May 17, 2009.~~ This document is available from the District upon request.

(2) through (5) No change.

Rulemaking Authority 373.044, 373.046, 373.113, 373.171, 373.414 FS. Law Implemented 373.0361, ~~373.079(4)(a), 373.083(5),~~ 373.114, 373.171, 373.403, 373.413, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.429, 373.441 FS. History–New 4-2-87, Amended 3-1-88, 9-11-88, 10-1-88, 4-1-91, 11-16-92, 1-30-94, 10-3-95, 12-26-95, 5-26-96, 7-23-96, 4-17-97, 4-12-98, 7-2-98, 12-3-98, 7-28-99, 8-3-00, 9-20-00, 6-12-01, 10-11-01, 2-27-02, 7-29-02, 3-26-03, 7-22-03, 8-3-03, 3-11-04, 6-7-04, 2-1-05, 6-30-05, 10-19-05, 2-8-06, 5-2-06, 7-1-07, 9-25-07(1), 9-25-07(4), 11-26-07, 5-12-08, 5-20-08, 6-22-08, 5-12-09, 5-17-09, _____.

Environmental Resource Permitting Manual Part B
Basis of Review

Chapter One – Introduction

1.2 Application Review Process – The District issues three types of environmental resource permits as authorized by Part IV, Chapter 373, F.S.: individual including conceptual, general and noticed general permits.

~~Noticed general permits and general permits are issued by staff, while Governing Board action is required for individual permits.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Martha A. Moore

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 23, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 2009

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-40.302	Conditions for Issuance of General Permits

40D-40.381	General Conditions
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PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to make District rules for general environmental resource permit application processing consistent with recent statutory amendments relating to the processing of permit applications.

SUMMARY: Paragraph 40D-40.302(6)(a), F.A.C., is amended to delete the provision defining how District staff demonstrates that it is recommending approval of the individual permit that is associated with the incidental site activities general permit to be issued under this rule. Paragraph 40D-40.381(3)(b), F.A.C., is amended to substitute the word “District” for “Governing Board.”

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: 373.079(4)(a), 373.083(5), 373.117, 373.413, 373.414, 373.416, 373.419 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Martha A. Moore, Senior Attorney, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, ext. 4660

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-40.302 Conditions for Issuance of General Permits.

(1) through (5) No change.

(6) Additional Conditions for an Incidental Site Activities Permit

(a)1. through 5. No change.

6. District staff has reviewed the individual environmental resource permit application and is recommending approval of the individual permit. ~~For the purpose of this section, District staff is recommending approval of the individual permit when the Regulation Department Director has issued a letter informing the applicant that the application is complete and the staff will be recommending approval of the application to the Governing Board;~~

7. through 10. No change.

~~Rulemaking Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.079(4)(a), 373.083(5), 373.413, 373.414, 373.416, 373.419 FS. History–New 10-1-84, Amended 3-1-88, 5-10-88, 9-13-88, 10-3-95, 7-23-96, 7-16-02, 9-26-02, 8-3-03, 2-19-04, 2-1-05, _____.~~

40D-40.381 General Conditions.

(1) through (2) No change.

(3) For general permits authorizing incidental site activities, the following limiting general conditions shall also apply:

(a) No change.

(b) The incidental site activities are commenced at the permittee’s own risk. ~~The District Governing Board~~ II not consider the monetary costs associated with the incidental site activities or any potential restoration costs in making its decision to approve or deny the individual environmental resource permit application. Issuance of this permit shall not in any way be construed as a commitment to issue the associated individual environmental resource permit.

(4) through (5) No change.

~~Rulemaking Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.079(4)(a), 373.083(5), 373.117, 373.413, 373.414, 373.416, 373.419 FS. History–New 10-1-84, Amended 3-1-88, 10-3-95, 7-23-96, 9-26-02, 8-3-03, 2-19-04, 5-4-05, _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Martha A. Moore

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 23, 2009
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NOS.:	RULE TITLES:
61G10-18.002	Board Approval of Continuing Education Providers
61G10-18.003	Obligations of Continuing Education Providers
61G10-18.006	Approval of Continuing Education Courses

PURPOSE AND EFFECT: The Board proposes to amend the rules for consideration of additional language regarding distanced learning.

SUMMARY: The rule amendment includes additional language regarding distanced learning.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules 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: 455.219, 455.2124, 455.2179, 481.306, 481.313, 481.325(2) FS.

LAW IMPLEMENTED: 455.2179, 481.313, 553.841 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: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G10-18.002 Board Approval of Continuing Education Providers.

(1) No change.

(2) To allow the Board to evaluate an application for continuing education provider status, the applicant must submit the following on Provider Approval Application form Number DBPR-LA-001 effective 3-23-05; adopted and incorporated herein by reference and copy of which can be obtained from the Board office:

(a) The name, address and telephone number and if available email address and fax number of the prospective provider;

(b) Type of organization applying: Accredited University,

College or Community College, Vocational/Technical School, Private School, Professional Organization, Association or Independent Entity;

(c) A sample copy certificate of completion which the provider shall supply to all licensees who successfully complete courses given by the provider. The certificate of completion shall indicate on its face area, the provider name, the provider number, course title, course number, licensee name, licensee license number, date course was completed, total number of hours successfully completed in each subject covered during the continuing education course; and

(d) A non refundable application fee of \$250.

(e) A summary of qualifications to demonstrate compliance with subsection 61G10-18.002(1), F.A.C., including:

1. Whether applicant is an individual seeking provider status, a business entity seeking provider status, a professional organization seeking provider status, a governmental entity seeking provider status or an educational facility seeking provider status.

2. The scope of applicant's business.

3. The length of time the applicant has been in the business of offering continuing education courses.

4. The geographical size of business or professional organization e.g., an international company or organization, a national company or organization, a regional company or organization, or a local company or organization.

5. Whether the applicant is directly or indirectly affiliated with the profession of Landscape Architecture. (i.e., An irrigation firm is directly affiliated; an insurance company is indirectly affiliated.)

6. Whether the applicant provides continuing education services to any other Boards, or to other professions.

7. If applicant is not a business, but an individual, please attach a curriculum vitae or resume listing applicant's education and work experience.

A list of the above requested information is available for your convenience from the Board Office or may be printed from the Board Web Site at MyFlorida.com/dbpr.

8. If applicant is providing a course by distanced learning: please outline the means by which the course promotes student involvement, and demonstrates that the course measures learning and addresses comprehension of content at regular intervals.

(3) No change.

Rulemaking Specific Authority 455.2124, 455.2179, 481.306, 481.313 FS. Law Implemented 455.2179, 481.313, 553.841 FS. History—New 9-19-01, Amended 6-6-02, 4-13-03, 7-6-05,_____.

61G10-18.003 Obligations of Continuing Education Providers.

To maintain status as a continuing education provider, the provider must:

(1) through (7) No change.

(8) Allow only one hour of continuing education credit for each fifty minutes of in-person instruction time. Allow one hour for each monitored and verified 50 minutes of instruction via the internet to the licensee.

(9) through (11) No change.

Rulemaking Specific Authority 455.219, 481.306, 481.313 FS. Law Implemented 481.313 FS. History--New 9-19-01, Amended _____.

61G10-18.006 Approval of Continuing Education Courses.

(1) through (2) No change.

(3) The application shall be submitted no later than 60 days prior to the next scheduled Board meeting at which the application is to be considered for approval. It shall include:

(a) A description of the subject or subjects to be covered;

(b) An outline of the course which includes the subjects, topics, and subtopics to be presented;

(c) A current bibliography;

(d) The names of each proposed instructor and alternate instructor with the education, experience, publication lists and other information relative to his or her qualifications to teach the particular course; and

(e) The total hours of instruction which will be given.

(f) If the course is to be delivered by distanced learning: the means by which the course will demonstrate student involvement, and addresses comprehension of content at regular intervals. Laws and rules related to the practice of Landscape Architecture.

(4) through (10) No change.

Rulemaking Specific Authority 455.2179, 481.306, 481.325(2) FS. Law Implemented 455.2179 FS. History--New 9-19-01, Amended 6-6-02, 5-8-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Landscape Architecture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 23, 2009

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

RULE NOS.:

RULE TITLES:

62-731.030

Small Quantity Generator Assessment, Notification and Verification Program

62-731.050

Grants; General Specifications

62-731.060

Small Quantity Generator Assessment, Notification and Verification Program Grant Eligibility and Standards

PURPOSE AND EFFECT: The purpose of this rulemaking is to update the guidance document, clarify procedures, and eliminate outdated references.

SUMMARY: The "Guidelines to Conduct the County Small Quantity Generator Assessment, Notification and Verification Program" was revised and adopted by reference, outdated references were deleted, and procedures were clarified.

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: 403.061, 403.721 FS.

LAW IMPLEMENTED: 403.704, 403.7225, 403.7226, 403.7234, 403.7236, 403.7238, 403.7265, 403.74 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Susan Horlick, Environmental Specialist, Department of Environmental Protection, 2600 Blair Stone Road, MS 4560, Tallahassee, FL 32399-2400, (850)245-8778, susan.horlick@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-731.030 Small Quantity Generator Assessment, Notification and Verification Program.

(1) No change.

(2) Each county small quantity generator assessment, notification and verification program shall be conducted as specified in the "Guidelines to Conduct the County Small Quantity Generator Assessment, Notification and Verification Program" – July, 2009; which is here by adopted and incorporated by reference February, 1994. This manual is hereby adopted and incorporated as part of this rule by reference.

(3) If a county declines to perform the small quantity generator assessment, notification and verification program, the county shall make arrangements with its regional planning

council or other regional or state government agency to perform the program pursuant to the guidelines established in subsection 62-731.030(2), F.A.C. "Guidelines to Conduct the County Small Quantity Generator Assessment, Notification and Verification Program—February, 1994."

Rulemaking Specific Authority 403.061, 403.721, 403.7225, 403.7226, 403.7234 FS. Law Implemented 403.704, 403.7225, 403.7226, 403.7234, 403.7236, 403.74 FS. History—New 2-9-84, Amended 1-27-85, Formerly 17-31.03, 17-31.030, Amended 8-8-94, Formerly 17-731.030, Amended _____.

62-731.050 Grants; General Specifications.

(1) through (2) No change.

(3) The ~~total one-time~~ grant amount available for the small quantity generator assessment, notification and verification program shall not exceed \$30,000 per eligible county.

(4) The ~~total one-time~~ grant amount for a county establishing an expanded local hazardous waste management program shall not exceed \$50,000 per eligible county.

Rulemaking Specific Authority 403.061, 403.721, 403.7225, 403.7226, 403.7234, 403.7238, 403.7265 FS. Law Implemented 403.704, 403.7225, 403.7234, 403.7238, 403.7265, 403.74 FS. History—New 2-9-84, Amended 1-27-85, Formerly 17-31.05, 17-31.050, Amended 8-8-94, Formerly 17-731.050, Amended 3-15-95, _____.

62-731.060 Small Quantity Generator Assessment, Notification and Verification Program Grant Eligibility and Standards.

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

(b) A legally binding agreement between the County and the Department that certifies the county will implement its small quantity generator assessment, notification and verification program as specified in the guidelines established in subsection 62-731.030(2), F.A.C. "Guidelines to Conduct the County Small Quantity Generator Assessment, Notification and Verification Program—February, 1994" for a five-year ~~eyele~~.

(c) No change.

Rulemaking Specific Authority 403.061, 403.721, 403.7225, 403.7226, 403.7234 FS. Law Implemented 403.704, 403.7225, 403.7234, 403.7265, 403.74 FS. History—New 2-9-84, Amended 1-27-85, Formerly 17-31.06, 17-31.060, Amended 8-8-94, Formerly 17-731.060, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tim J. Bahr

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael W. Sole

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 3, 2009

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-12.018
RULE TITLE: Special Assessment Fee

PURPOSE AND EFFECT: The purpose of this repeal is to eliminate the \$200.00 special assessment fee.

SUMMARY: The rule is being repealed.

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: 456.073(1), 468.1685 FS.

LAW IMPLEMENTED: 456.073 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-12.018 Special Assessment Fee.

Rulemaking Specific Authority 456.025(5), 468.1685(1) FS. Law Implemented 456.025(5) FS. History—New 8-7-05, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing Home Administrators

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 19, 2009

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-27.420
RULE TITLE: Registered Pharmacy Technician Responsibilities

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide clarification of registered pharmacy technician responsibilities.

SUMMARY: Registered pharmacy technician responsibilities will be clarified.

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: 465.005, 465.014 FS.

LAW IMPLEMENTED: 465.014 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: Rebecca R. Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B16-27.420 follows. See Florida Administrative Code for present text.)

64B16-27.420 Registered Pharmacy Technician Responsibilities Pharmacy Technician 2:1 or 3:1 Ratio.

(1) Registered pharmacy technicians may assist the pharmacist in performing the following tasks:

(a) Retrieval of prescription files, patient files and profiles and other such records pertaining to the practice of pharmacy;

(b) Data Entry;

(c) Label preparation;

(d) The counting, weighing, measuring, pouring and compounding of prescription medication or stock legend drugs and controlled substances, including the filling of an automated medication system;

(e) Initiate communication to a prescribing practitioner or their medical staffs (or agents) regarding patient prescription refill authorization requests. For the purposes of this section "prescription refill" means the dispensing of medications pursuant to a prescriber's authorization provided on the original prescription;

(f) Initiate communication to confirm the patient's name, medication, strength, quantity, directions and date of last refill;

(g) Initiate communication to a prescribing practitioner or their medical staff (or agents) to obtain clarification on missing or illegible dates, prescriber name, brand/generic preference, quantity, DEA registration number or license numbers; and

(h) May accept authorization for a prescription renewal. For the purposes of this section, "prescription renewal" means the dispensing of medications pursuant to a practitioner's authorization to fill an existing prescription that has no refill remaining.

(2) Pharmacy technicians shall not:

(a) Receive new verbal prescriptions or any change in the medication, strength or directions.

(b) Interpret a prescription or medication order for therapeutic acceptability and appropriateness;

(c) Conduct a final verification of dosage and directions;

(d) Engage in prospective drug review;

(e) Provide patient counseling;

(f) Monitor prescription usage;

(g) Override clinical alerts without first notifying the pharmacist.

(3) Nuclear pharmacy permits allow the pharmacy technician to receive diagnostic orders only. The pharmacist must receive therapy or blood product procedure orders.

(4)(a) All registered pharmacy technicians shall identify themselves as registered pharmacy technicians by wearing a type of identification badge that is clearly visible which specifically identifies the employee by name and by status as a "registered pharmacy technician" and

(b) All registered pharmacy technicians shall state their names and verbally identify themselves as registered pharmacy technicians in the context of telephone or other forms of communication.

Rulemaking Specific Authority 465.005, 465.014 FS. Law Implemented 465.014 FS. History--New 8-31-87, Formerly 21S-4.0025, Amended 7-30-91, Formerly 21S-27.420, 61F10-27.420, 59X-27.420, Amended 2-23-98.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 17, 2009

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.: 69J-10.001
RULE TITLE: Governmental Efficiency Program

PURPOSE AND EFFECT: Section 17.325(1), F.S., requires the Chief Financial Officer ("CFO") to establish a "Get Lean" telephone hotline to receive information or suggestions from citizens of the state on how to improve the operation of government, increase government efficiency, and eliminate waste in government. Section 17.325(3), F.S., requires the affected agency to conduct a preliminary evaluation of any suggestion and provide a response to the CFO. Section 17.30, F.S., allows the CFO to disseminate, in any form or manner she considers appropriate, information regarding the CFO's official duties. The Division of Consumer Services has set up a "Get Lean Florida" website where citizens can also submit their suggestions.

SUMMARY: The proposed rule will allow citizens to submit suggestions either through the "Get Lean" telephone hotline or the "Get Lean Florida" website. The proposed rule will allow the CFO to email the suggestions to an agency contact person

together with the secured website address where the agency can provide the CFO with a response. The proposed rule will require each suggestion to be evaluated by the agency to determine whether: (a) it was properly assigned; (b) it has merit; (c) it is practical to implement; (d) it will be implemented; and (e) there are any cost savings.

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: 17.29, 17.325(5) FS.

LAW IMPLEMENTED: 17.001, 17.30, 17.325 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: September 9, 2009, 2:00 p.m.

PLACE: Room 142, Larson Building, 200 E. Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tom Terfinko (850)413-5802 or Tom.Terfinko@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tom Terfinko, Assistant Director, Division of Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0320; (850)413-5802 or Tom.Terfinko@myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-10.001 Governmental Efficiency Program.

(1) The following definitions are applicable to this rule:

(a) "Agency" means each department, agency, board, and commission in the executive branch, the judicial branch and the legislative branch of Florida government and includes the State University System.

(b) "Suggestion" means the information received on the Get Lean hotline or Get Lean Florida website that relates to a specific government agency.

(c) "Suggestion Criteria" means those suggestions that improve the operation of government, increase government efficiency, or eliminate waste in government.

1. "Improve the operation of government" means to suggest a change that would reduce the cost or time it takes for an agency to provide a service pertaining to a new or existing contract and issues relating to the purchase of goods and services.

2. "Increase government efficiency" means to suggest a change that would increase productivity and improve the quality of services by identifying the misuse of state property and government resources.

3. "Eliminate waste in government" means to suggest a change that would reduce the cost or time it takes for an agency to provide a service by identifying wasteful practices or behavior resulting in savings to the State of Florida.

(d) "Get Lean Florida Website" means the Chief Financial Officer's secured website to provide citizens with information about the Get Lean hotline and to provide an alternative contact method for initiating a Get Lean hotline suggestion.

(e) "Get Lean Data Base" means the information that is captured to establish a Get Lean suggestion. Such data shall be used by the Chief Financial Officer to prepare reports and track suggestions.

(f) "Agency Contact" means the agency contact person that is designated to receive the Get Lean suggestions for evaluation and response.

(g) "Get Lean Agency Response Program" means the Chief Financial Officer's secured internet website that shall be used to send Get Lean suggestions to an agency and to allow reporting by the affected agency back to the Chief Financial Officer.

(2) The statewide toll-free Get Lean hotline and Get Lean Florida website shall receive information or suggestions on improving the operation of government, increasing governmental efficiency, and eliminating waste in government.

(3) The Chief Financial Officer shall advertise the availability of the hotline and website in at least one newspaper of general circulation or newspaper on-line service in each of the major media markets throughout the State and shall provide for posting of notices in other places used by the public.

(4) The Get Lean hotline number shall be 1(800)Get-Lean 1(800)438-5326. The phone line shall operate during the regular business hours of 8:00 A.M. to 5:00 P.M. on Monday through Friday. After hours, citizens may leave a message on the Get Lean hotline confidential call recording system or be directed to the Get Lean Florida website at www.GetLeanFlorida.com. Pursuant to Section 17.325(3), F.S., a caller on the Get Lean hotline may remain anonymous, and if the caller provides his or her name, the name shall be confidential. If a state employee voluntarily discloses his or her name on the Get Lean hotline for referral to a state award program, the name of the state employee shall not be considered confidential. Suggestions submitted on the Get Lean Florida website can be anonymous and are subject to the public records law pursuant to Chapter 119, Florida Statutes.

(5) Each suggestion or item of information shall be evaluated by the Chief Financial Officer to determine if it meets the criteria in paragraph (1)(c) and shall be logged into the Get Lean data base. If the suggestion or item of information does not meet the criteria in paragraph (1)(c), the logged item shall be marked as closed.

(6) Each agency shall designate and maintain a contact person to receive Get Lean suggestions that are submitted to the Chief Financial Officer.

(7) If the suggestion or item of information meets the criteria in paragraph (1)(c), the Chief Financial Officer shall forward it in an email to the proper agency contact person together with the secured website address to the Get Lean Agency Response Program where the agency can provide the Chief Financial Officer with a response. Each suggestion shall be evaluated by the agency to determine whether: (a) it was properly assigned; (b) it has merit; (c) it is practical to implement; (d) it will be implemented; and (e) there are any cost savings. Upon completion of the evaluation, the agency shall email it back to the Chief Financial Officer through the Get Lean Agency Response Program.

(8) If the agency fails to respond to the email for a period of 60 days, the Chief Financial Officer shall send an email reminder notice to the agency contact person.

(9) Each month, the Chief Financial Officer shall submit a written report to the appropriations committee of the Senate and the House of Representatives that contains:

(a) The information or suggestions received through the "Get Lean" hotline and website; and

(b) The evaluations and determinations provided to the Chief Financial Officer by the affected agency with respect to such information or suggestions.

Rulemaking Authority 17.29, 17.325(5) FS. Law Implemented 17.001, 17.30, 17.325 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tom Terfinko, Assistant Director, Division of Consumer Services, Department of Financial Services

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-1.005
PURPOSE AND EFFECT: Section 497.103(2), F.S., gives the Department the authority to prescribe the forms and procedures to be used by applicants in submitting applications for licensure pursuant to Chapter 497, F.S.

SUMMARY: The proposed rule sets forth the Department's procedure for processing applications of persons and entities who apply for the following licenses under Chapter 497, Florida Statutes: burial rights broker; centralized embalming facility; cinerator facility; concurrent intern (funeral director & embalmer); direct disposal establishment; direct disposer; embalmer apprentice; embalmer intern; embalmer; funeral director and embalmer; funeral director intern; funeral director; funeral establishment; monument establishment; refrigeration facility; and removal service.

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

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

RULEMAKING AUTHORITY: 497.103(2), (5)(b), 497.141(12)(g) FS.

LAW IMPLEMENTED: 120.60, 497.103(2), 497.141, 497.167(9), (13) 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: September 8, 2009, 2:00 p.m.
PLACE: Alexander Building, 2020 Capital Circle, S.E., Tallahassee, Florida

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-1.005 Licensure Application Procedures.

(1)(a) This rule sets forth the Department's procedure for processing applications of persons and entities who apply for the following licenses under Chapter 497, Florida Statutes.

1. Broker of burial rights;
2. Centralized embalming facility;
3. Cinerator facility;
4. Concurrent intern (funeral director & embalmer);
5. Direct disposal establishment;

- 6. Direct disposer;
- 7. Embalmer apprentice;
- 8. Embalmer intern;
- 9. Embalmer;
- 10. Funeral director and embalmer;
- 11. Funeral director intern;
- 12. Funeral director;
- 13. Funeral establishment;
- 14. Monument establishment;
- 15. Refrigeration facility;
- 16. Removal service.

(b) The provisions of this rule do not apply to persons or entities submitting applications for the following licenses under Chapter 497, F.S.

- 1. Cemetery;
- 2. Monument establishment sales agent;
- 3. Preneed sales agent;
- 4. Preneed sales business (main and branch office).

(2) For purposes of this rule, the following definitions shall apply.

(a) "Application form" means the Department form adopted by Rule 69K-1.001, F.A.C., to be used for applying for a particular license under Chapter 497, F.S. Forms can be obtained on the Department's website (www.myfloridacfo.com/FuneralCemetery) or by mail from the Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361.

(b) "Complete application" means an application form which the applicant submits to the Department, upon which the applicant has furnished all correct information, including any additional or accompanying documentation, required by Chapter 497, F.S., or Chapter 69K, F.A.C. An application which contains errors, omissions, or which requires additional or clarifying information is not considered a complete application and shall be referred to in this rule as an "incomplete application".

(c) "Deficiency notice" means a notice by the Department to an applicant that the applicant's application is incomplete and which informs the applicant of what is required to cure the deficiency.

(3) Within thirty (30) days of receipt of an application, the Department shall review the application to determine if it is a complete or an incomplete application.

(4) Pursuant to Section 497.167(9), F.S., any application which must be reviewed and acted upon by the Board shall be acted upon by the Board at a regularly scheduled Board meeting. Such application must be complete at least 25 days in advance of a regularly scheduled Board meeting to be considered by the Board at such Board meeting. The time for approval of completed applications under Section 120.60, F.S.,

shall be deemed tolled between the date the application is complete and the next regularly scheduled Board meeting at which the application may be considered by the Board.

(5) If the Department determines that the application is complete, the application shall be presented to the Board at the next regularly scheduled Board meeting subject to the requirements in subsection (4) of this rule.

(6) If the Department determines that the application is incomplete, it shall send a deficiency notice to the applicant within thirty (30) days of receipt of the application.

(7) The applicant shall have forty-five (45) days from the date of the deficiency notice, unless that time is extended pursuant to an agreement with the Department, to:

- (a) Furnish the requested information; or
- (b) Show cause in writing why such information cannot be supplied.

(8) If the information requested in the deficiency notice is not timely submitted or if the applicant does not show why the requested information cannot be supplied, the application shall be considered an incomplete application. No additional deficiency notice shall be sent by the Department. Since the Department is not required to approve or deny an incomplete application, the Department's file on the incomplete application shall be closed. Any applicant whose application file has been closed by the Department pursuant to this rule shall submit a new complete application, with the appropriate fees, if the applicant wishes to apply again for licensure with the Department.

(9) If the applicant submits a timely response indicating that the information or corrections requested in the deficiency notice cannot be supplied, the Department shall present the application to the Board based on the information currently contained in the application file.

(10) If all of the requested information in the deficiency notice is timely submitted, the application shall be presented to the Board at the next regularly scheduled Board meeting subject to the requirements in subsection (4) of this rule.

Rulemaking Authority 497.103(2), (5)(b), 497.141(12)(g) FS. Law Implemented 120.60, 497.103(2), 497.141, 497.167(9), (13) FS. History—New _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 12, 2009

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-137.001
 RULE TITLE: Annual and Quarterly Reporting Requirements

PURPOSE AND EFFECT: This rule is being amended to adopt the 2009 NAIC Quarterly Statement Instructions and also adopts the 2009 NAIC accounting practices and procedures manual.

SUMMARY: Section 624.424, Florida Statutes, requires insurers to file quarterly and annual financial reports with the Office of Insurance Regulation and allows the Office to enact rules setting the standards for those reports. By establishing up-to-date, uniform standards for annual and quarterly reports, this rule enhances the Office’s position under the statute. This rule ensures that all reports are in a standard format which provides the information needed to evaluate the insurer’s financial condition. In addition, by adopting the 2009 versions of the manuals, the Office is preventing any potential challenges from insurers who may protest the Office using manuals which have not been formally adopted.

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: 624.308(1), 624.424(1) FS.

LAW IMPLEMENTED: 624.424(1) 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: September 15, 2009, 9:30 a.m.

PLACE: 143 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail kerry.krantz@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail kerry.krantz@fldfs.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-137.001 Annual and Quarterly Reporting Requirements.

(1) through (3) No change.

(4) Manuals Adopted.

(a) No change.

(b) Quarterly statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:

1. The NAIC’s Quarterly Statement Instructions, Property and Casualty, 2009 2008;

2. The NAIC’s Quarterly Statement Instructions, Life, Accident and Health, 2009 2008;

3. The NAIC’s Quarterly Statement Instructions, Health, 2009 2008;

4. The NAIC’s Quarterly Statement Instructions, Title, 2009 2008; and

5. The NAIC’s Accounting Practices and Procedures Manual, as of March 2009 2008.

(c) No change.

Rulemaking Specific Authority 624.308(1), 624.424(1) FS. Law Implemented 624.424(1) FS. History–New 3-31-92, Amended 8-24-93, 4-9-95, 4-9-97, 4-4-99, 11-30-99, 2-11-01, 4-5-01, 12-4-01, 12-25-01, 8-18-02, 7-27-03, Formerly 4-137.001, Amended 1-6-05, 9-15-05, 1-25-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail kerry.krantz@fldfs.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 22, 2009

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-138.001
 RULE TITLE: NAIC Financial Condition Examiners Handbook Adopted

PURPOSE AND EFFECT: This rule is being amended to adopt the 2009 NAIC Financial Condition Examiners Handbook. The current rule adopted the 2008 version.

SUMMARY: Section 624.316, Florida Statutes, requires the Office to examine insurer’s financial condition, using generally accepted accounting procedures. This statute also allows the Office to adopt the NAIC Financial Condition Examiners Handbook to facilitate these exams. By adopting the newest version of the handbook, this rule improves the Offices’ position by ensuring that the procedures used to examine insurers are the current generally accepted accounting practices.

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: 624.308(1), 624.316(1)(c) FS. LAW IMPLEMENTED: 624.316(1)(c) 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: September 15, 2009, 9:30 a.m.

PLACE: 143 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail kerry.krantz@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail kerry.krantz@fldfs.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-138.001 NAIC Financial Condition Examiners Handbook Adopted.

(1)(a) No change.

(b) The National Association of Insurance Commissioners Financial Condition Examiners Handbook 2009 ~~2008~~ is hereby adopted and incorporated by reference.

(2) through (3) No change.

~~Rulemaking Specific~~ Authority 624.308(1), 624.316(1)(c) FS. Law Implemented 624.316(1)(c) FS. History--New 3-30-92, Amended 4-9-97, 4-4-99, 11-30-99, 2-11-01, 12-25-01, 8-18-02, 7-27-03, Formerly 4-138.001, Amended 1-6-05, 9-15-05, 1-25-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Krantz, Bureau of Life and Health, Office of Insurance Regulation, E-mail kerry.krantz@fldfs.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 22, 2009

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Fruit and Vegetables

RULE NOS.:	RULE TITLES:
5G-6.007	Annual Food Permit Requirements of Tomato Packers and Repackers
5G-6.009	Tomato Best Practices Manual

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. 3, January 23, 2009 issue of the Florida Administrative Weekly.

5G-6.007 Annual Food Permit Requirements of Tomato Packers and Repackers.

(1) An annual food permit is required for all packers and repackers of tomatoes in Florida. A permit number will be assigned by the Department following receipt of the Annual Tomato Packer/Repacker Permit Application, DACS-07151 (Rev. ~~06/09 08/08~~), herein incorporated by reference. A copy of the permit application can be obtained by contacting the Florida Department of Agriculture and Consumer Services, Division of Fruit and Vegetables, P. O. Box 1072, Winter Haven, Florida 32881-3403 or on the internet at <http://www.doacs.state.fl.us/onestop/forms/07151.pdf>.

(2) The annual permit fee shall be \$100.00 per applicant and must accompany the Annual Tomato_Packer/Repacker Permit Application. No establishment shall be issued a food permit until all applicable fees are received by the Department.

(3) All fees and fines collected by the Department to cover the cost of providing the inspection service for tomato packinghouses and repackers shall be deposited into the General Inspection Trust Fund.

Rulemaking Authority 500.09(3), 500.12(1)(b), (f), ~~570.07(6)~~, 570.07(23) FS. Law Implemented 500.03(1)(n), 500.12(1)(a), (b), 570.48(2)(e), 570.481(1)(a), (b) FS. History--New 4-16-08, Amended_____.

5G-6.009 Tomato Best Practices Manual.

(1) The Tomato Best Practices Manual (DACS-P-01580, Rev.10/08) is hereby incorporated by reference and contains the specifications of the T-GAP and the T-BMP. Copies of the manual may be obtained by contacting the Florida Department

of Agriculture and Consumer Services, Division of Fruits and Vegetables, P. O. Box 1072, Winter Haven, Florida 33881-3403, (863)291-5820 or obtained electronically through the following website: <http://www.doacs.state.fl.us/fruits/>. The Tomato Best Practices Manual (DACS-P-01580, Rev.10/08) refers to the following Federal regulations which are hereby adopted and incorporated by reference: 21 CFR § 110 (2008); 21 CFR § 178.1010 (2008); 29 CFR § 1928.110 (2008); 40 CFR § 131.41(c) (2008); and 40 CFR § 141.63 (2008) which are available at <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>.

(2) The Commodity Specific Food Safety Guidelines for the Fresh Tomato Supply Chain, 2nd Edition (July 2008), is hereby adopted and incorporated by reference with the exception that on page 18, chapter VI.4.a.vii. all preharvest agricultural water sources used in greenhouse production for non-foliar irrigation shall meet the standard for *E.coli* in recreational waters contained in 40 CFR § 131.41(c) (2008). The Guidelines document was developed by the North American Tomato Trade Working Group composed of the United States, Canada and Mexico and is recognized in the Tomato Best Practices Manual as guidance for good agricultural practices. A copy may be obtained electronically through the following website: [http://www.florida.tomatoes.org/Tomato Guidelines July08 FINAL.pdf](http://www.florida.tomatoes.org/Tomato_Guidelines_July08_FINAL.pdf). The Commodity Specific Food Safety Guidelines for the Fresh Tomato Supply Chain, 2nd Edition (July 2008) refers to following Federal regulations which are hereby adopted and incorporated by reference: 21 CFR 173.315; and 21 CFR Chapter 1, Subpart J (1.326-1.368) (2008) which are available at <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>.

Rulemaking Authority 500.09(1)(b), (4), 500.12(1)(f), ~~570.07(6)~~, 570.07(23) FS. Law Implemented 500.09(1)(b), (4), 500.12(1)(f) FS. History—New 4-16-08, Amended.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 18, May 8, 2009 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:
 61C-3.001 Sanitation and Safety Requirements
 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. 22, June 5, 2009 issue of the Florida Administrative Weekly.

The changes are in response to public comment received from the public hearing held on July 15, 2009, and written comments received from the Joint Administrative Procedures Committee.

61C-3.001 Sanitation and Safety Requirements.

The following requirements and standards shall be met by all public lodging establishments.

(1) through (11) No change.

(12) Carbon Monoxide Sensor Devices. Carbon monoxide sensor devices shall be installed or carbon monoxide mitigation shall be approved in accordance with Section 509.211(4), F.S., and this rule.

(a) No change.

(b) Installation.

1. No change.

2. Carbon monoxide detectors shall be integrated into any new or the existing fire alarm detection system as a supervisory signal in accordance with ~~according to~~ NFPA 72, National Fire Alarm Code, as adopted by the State Fire Marshal in Rule 69A-3.012, F.A.C.

a. The activation of a carbon monoxide detector shall initiate a supervisory signal at a constantly attended location. Acknowledgement at the attended location of the initiation of the supervisory signal shall occur within 15 seconds of activation in order to initiate an investigation of the cause of the carbon monoxide detector activation. If the signal is not acknowledged within 15 seconds, the connected fire alarm shall be automatically and immediately activated.

b. Trained personnel shall have up to 180 seconds to determine the cause of the carbon monoxide detector activation and reset the system. If the system is not reset within 180 seconds, the connected fire alarm shall be automatically and immediately activated.

c. If a second carbon monoxide detector or any automatic smoke or fire detector connected to the fire alarm system is activated during this 180 second period, the connected fire alarm shall be automatically and immediately activated.

3. Public lodging establishments not required by law to have a fire ~~alarm detection~~ system shall install either a single station carbon monoxide alarm or a fire ~~alarm detection~~ system including a carbon monoxide detector integrated as a supervisory signal. A single station carbon monoxide alarm installed in compliance with this rule shall provide an audible

signal with a minimum rating of 85 dBA at a distance of 10 feet ~~capable of being heard outside of the space in which it has been installed~~ and shall activate a visible signal with a minimum rating of 15 candela ~~capable of being seen outside of the space in which it has been installed.~~

4. Carbon monoxide sensor devices shall receive primary power from the public lodging establishment's electrical system and shall connect to a secondary power source ~~consisting of Secondary power sources include~~ a battery directly installed in the carbon monoxide sensor device or an external generator connected to the carbon monoxide sensor device.

(c) Mitigation. Under Section 509.211(4), F.S., a public lodging establishment may perform carbon monoxide hazard mitigation instead of installing a carbon monoxide sensor device. A public lodging establishment performing carbon monoxide hazard mitigation shall have the mitigation certified and submit certification to the division as specified in this rule.

1. No change.

2. The operator of the public lodging establishment shall obtain certification of adequate carbon monoxide hazard mitigation on DBPR Form HR 5022-048, CERTIFICATE OF CARBON MONOXIDE MITIGATION (certificate), incorporated herein by reference and effective ~~2009 July 31 2009 May 13~~. This form is available on the division's Internet website www.MyFloridaLicense.com/dbpr/hr, from any division office, or by writing to Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

3. All carbon monoxide hazard mitigation certifications must be conducted by a licensed professional engineer whose license is current and in good standing with the Florida Board of Professional Engineers. ~~The operator of the public lodging establishment is responsible for verifying the license status of the person conducting the certification.~~ The professional engineer's license number and license expiration date shall be clearly written on the certificate.

4. The operator of the public lodging establishment shall submit the completed certificate to the division at the address listed above. The division shall review the certificate to determine completeness, mark the determination status on the certificate, date stamp the certificate upon receipt, keep a copy of the completed certificate for its records, and provide the original ~~completed date stamped~~ certificate to the operator of the public lodging establishment. The operator of the public lodging establishment shall post either the original or a copy of the ~~completed date stamped~~ certificate in the room containing the boiler. Incomplete certificates shall be marked as incomplete and retained by the division. The division shall notify the person submitting the certificate of the incomplete

status of the certificate and advise the specific section of the certificate determined to be incomplete. Such notification shall be in writing.

- 5. through 6. No change.
- (13) No change.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-4.010
 RULE TITLE: Sanitation and Safety Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule development, as noticed in Vol. 34, No. 33, August 15, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.: 69B-162.011
 RULE TITLE: Suitability and Disclosure in Annuity Contracts-Forms Required

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.

These changes are being made to address concerns expressed at the public hearing.

The text of forms DFS-H1-1980, "Annuity Suitability Questionnaire" and DFS-H1-1981, "Disclosure and Comparison of Annuity Contracts" in subsection 69B-162.011(1), F.A.C., have been modified to include the statement "The applicant, joint applicant and/or owner may substitute their initials for signatures on all form pages with the exception of the signatures below, which are required." Other minor changes were made which included the addition of the language "out-of-pocket" on page two of form DFS-H1-1980 on the third and fourth questions, and on form DFS-H1-1981 the definition of "Asset Fees" has been modified to include the word "are".

The remainder of the rule reads as previously published.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-12.002
 RULE TITLE: Procedure for Licensing a Monument Establishment

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. 24, June 19, 2009 issue of the Florida Administrative Weekly.

These changes are being made in response to comments received from the Joint Administrative Procedures Committee. The changes are as follows:

Law Implemented ~~497.550~~ ~~497.361~~ FS.

THE PERSON TO BE CONTACTED REGARDING THESE CHANGES IS: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.: 69O-156.006
 RULE TITLES: Minimum Benefit Standards for Policies or Certificates Issued for Delivery Prior to January 1, 1992

69O-156.0085
 Standard Medicare Supplement Benefit Plans for 2010 Standardized Medicare Supplement Benefit Plan Policies or Certificates Issued for Delivery with an Effective Date for Coverage on or After June 1, 2010.

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. 24, June 19, 2009 issue of the Florida Administrative Weekly.

- 1) The phrase “Except as authorized by the office” has been removed from 69O-156.006(1)(f)1.
 - 2) In 69O-156.0085, an effective date has been added to form OIR-B2-MS2, May 2009.
 - 3) Persons wishing to review and download the forms are instructed to enter the form number at the search page of the Office’s website at www.floir.com.
 - 4) In 69O-156.0085, the Form title for OIR-B2-MS2 has been corrected.
- The remainder of the rules reads as previously published.

FINANCIAL SERVICES COMMISSION

Finance

RULE NO.: 69V-560.1012
 RULE TITLE: Adoption of Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 22, June 5, 2009 issue of the Florida Administrative Weekly.

In response to written comments from the Joint Administrative Procedures Committee, form OFR-560-01, Application for Licensure as a Money Services Business, has been amended to request the name of an applicant’s registered agent in Florida for service of process, which is required by Section 560.141(1)(a)11., F.S. Technical and clarifying changes have also been made to this form and form OFR-560-07.

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-560.1012 Adoption of Forms.

(1) The following forms are incorporated by reference and readopted by this rule for the purposes of Rules 69V-560.102-.913, F.A.C.:

- (a) Application for Licensure as a Money Services Business, Form OFR-560-01, effective ~~1-13-09~~.
- (b) Location Notification Form, Form OFR-560-02, effective 1-13-09.
- (c) Declaration of Intent to Engage in Deferred Presentment Transactions, Form OFR-560-03, effective 1-13-09.
- (d) Money Services Business Quarterly Report Form, Form OFR-560-04, effective 1-13-09.
- (e) Pledge Agreement, Form OFR-560-05, effective 1-13-09.
- (f) Money Services Business Surety Bond Form, Form OFR-560-06, effective 1-13-09.
- (g) Security Device Calculation Form, Form OFR-560-07, effective ~~1-13-09~~.
- (h) Florida Fingerprint Card (FL922720Z), effective 1-13-09.
- (i) Currency Transaction Report, FinCEN Form 104, effective 1-13-09.
- (j) Suspicious Activity Report by Money Services Business, FinCEN Form 109, effective 1-13-09.
- (k) Report of International Transportation of Currency or Monetary Instruments, FinCEN Form 105, effective 1-13-09.

(2) All forms adopted by this rule are available on the Office’s website at www.flofr.com and by mail from the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376.

Rulemaking Authority 560.105, 560.118, 560.141, 560.2085, 560.209, 560.403 FS. Law Implemented 560.118, 560.1401, 560.141, 560.205, 560.2085, 560.209, 560.403 FS. History—New 1-13-09, Amended _____.

Section IV Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Bellsouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast's petition for waiver of subsection 25-4.040(2), Florida Administrative Code, filed February 13, 2009, in Docket No. 090082-TL was denied by the Commission by Order No. PSC-09-0492-PAA-TL, issued July 8, 2009, consummated by Order No.: PSC-09-0529-CO-TL, issued July 31, 2009. The rule addresses the requirement of a local exchange company to furnish one copy of the residential listings section of the telephone directory to its subscribers on an up front basis. The petition was denied; however, a temporary rule waiver for a period of two (2) years was granted. Notice of the petition was published in the F.A.W., on March 6, 2009.

A copy of the Order can be obtained from: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

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 on July 31, 2009, in Docket No. 090009-EI, seeking a variance from or partial waiver from subparagraph 25-6.0423(5)(c)4., Florida Administrative Code. The rule prescribes the time frame within which the utility must file revisions to its fuel and purchased power cost recovery filings. Comments on the petition should be filed with the: 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 (850)413-6226.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Agency for Health Care Administration has issued an order.

The Agency for Health Care Administration has entered a Final Order denying the Petition for Waiver from Rule 59A-7.020, F.A.C., filed by DVA Laboratory Services Inc., on June 3, 2009. The Agency issued its Order on July 23, 2009, and a Corrected Order on July 30, 2009. The corrected Order informed DVA of the administrative procedures required to challenge the Agency's action only. The Petition was assigned Agency Case Number 2009000045. The following is a summary of the agency's Order on the petition: The Agency for Health Care Administration has issued a Final Order declaring that DVA's request for waiver did not show that DVA had a substantial hardship.

A copy of the Order may be obtained by contacting: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, MS #3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on July 28, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building

Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, 6000 Park Place Condominium Association, Inc., 3001 Executive Drive, Suite 260, Clearwater, FL 33762, and location of 5849 Park Street, North, St. Petersburg, FL 33709, SN 37440, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Steve Carpenter, Association Manager (VW 2009-332).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 28, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, The Addison Condominium Association, Inc., 1500 South Ocean Blvd., Boca Raton, FL 33432, and location of the same, SN 35427-35433, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Bud Guyer, General Manager (VW 2009-333).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 29, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Rule 3.11.3, regarding Fire Service, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Lakesie at Delray, 1915 Lavers Circle, E106, Delray Beach, FL 33444, and location of Buildings D, E, F, and G, for SNs 36241, 36242, 36553, and 36554, requests the variance due to time extension and to economic/financial hardship. The petition was received from Joseph W. La Rue, President (VW 2009-341).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 29, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, The Admiralty of Vanderbilt Beach, 6305 Wilshire Pines Circle, #504, Naples, FL 34108, and location of 9415 Gulfshore Drive, Naples, FL 34108, SNs 36137, requests the

variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Beverly Rondeau, Manager. (VW 2009-342)

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 29, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Caxambas Tower Condominium Association, Inc., and location of 1036 S. Collier Blvd., Marco Island, FL 34145 SNs 26345 and 26346, requests the variance for time extension to complete repairs and for economic/financial hardship. The petition was received from Cathy Ballinger, President (VW 2009-343).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 29, 2009, the Department of Business And Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from unspecified codes. The petitioner, Azalea Trace, an ACTS Retirement-Life Community, 10100 Hillview Drive, Pensacola, FL 32514, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Jeff Rock, Executive Director (VW 2009-344).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Rule 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, University Community Medical Center, Inc., 13801 Bruce B. Downs Blvd., Tampa, FL 33613, SN 23876, requests the variance due to time extension and to economic/financial hardship. The petition was received from B.A. Bobanic, Property Manager (VW 2009-345).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.1 and A17.3, Rule 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Resource Property Management, 7300 Park Street, Seminole, FL 33777 and location of Shipwatch I, 11730 Shipwatch Dr., Largo, FL 33774, SNs 35372-35373, requests the variance for time extension to complete repairs and for economic/financial hardship. The petition was received from Gary Niznik, Property Manager (VW 2009-346).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT University Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL 32803 and location of 3452 Lake Lynda Drive, Orlando, FL 32817-1472, SNs 14080, 41085 and 41086, requests the variance for time extension to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-347). A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 31, 2009, the Department of Business & Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for ASME A17.3, Rule 2.7.4, Restricted Opening of Doors, as adopted by Chapter 30, Section 3001.2, Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner DRA/CRT University Center, 930 Woodcock Road, Ste. 127, Orlando, FL 32803 at location DRA/CRT University Center d/b/a Laurel Building, 3504 Lake Lynda Drive, Orlando, FL 32817-1419, for SNs 40890 through 40892 requests the variance due to economic financial burden. The petition was received from Pam Magda, Property Manager (VW 2009-348).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4.,

as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of St. Paul Building, 1080 Woodcock Rd., Orlando, FL 32803-3715, SN 4800, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-349).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Palmetto Building, 1040 Woodcock Rd., Orlando, FL 32803-3510, SN 7558, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-350).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Lexington Building, 3319 Maguire Rd., Orlando, FL 32803-3520, SN 10207, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-351).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The

petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Langley Building, 3751 Maguire Rd., Orlando, FL 32803-3011, SN 30081, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager. (VW 2009-352).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Independence Building, 1010 Executive Center Dr., Orlando, FL 32803, SN 6792, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-353).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Hollister Building, 3535 Lawton Rd. Orlando, FL 32803-3743, SN 23211, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-354).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930

Woodcock Rd., Ste. 127, Orlando, FL, and location of Forrestal Building, 930 Woodcock Rd., Orlando, FL 32803-3713, SN 12047, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-355).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN that on July 30, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires restriction of doors from Pam Magda on behalf of DRA/CRT Orlando Central Center LLC, Essex Building, License Number 7301. The petitioner is requesting additional time to complete the costly upgrade due to economic hardship.(VW 2009-356)

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Enterprise Building, 1001 Executive Center Dr., Orlando, FL 32803-3520, SNs 7912, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-357).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Chandler Building Orlando, 3438 Lawton Rd., Orlando, FL 32803-2948, SNs 22109, requests the variance for an extension

of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-358).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Carr Building, 3113 Lawton Rd., Orlando, FL 32803-3519, SNs 4156, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-359).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Bennington Building, 3555 Maguire Blvd., Orlando, FL 32803-3715, SNs 9244, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-360).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Tedder Building, 988 Woodcock Rd., Orlando, FL 32803-3715, SNs 7052, requests the variance for an extension of time to

complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-361).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Amherst Building, 3203 Lawton Rd., Orlando, FL 32803-2935, SNs 8846, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-362).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(5), Florida Administrative Code, Paragraph 4-301.12(A), 2001 FDA Food Code, Section 509.221(1)(b), Florida Statutes, subsection 61C-1.004(1), paragraph 61C-1.004(1)(d), Florida Administrative Code, and Paragraph 5-202.11(A), 2001 FDA Food Code from Cantina located in Lake Buena Vista. The above referenced F.A.C. addresses the requirement that each establishment have facilities for washing, rinsing and sanitizing dishes and utensils and requirement that each establishment must discharge sewage into an approved collection system and have an approved plumbing system installed. They are requesting to utilize the dishwashing facilities located within another licensed establishment and use holding tanks to provide potable water and to collect waste water at the hand wash sink.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia E. Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on July 29, 2009, the The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received on May 4, 2009 a Petition for a Routine Variance for subsections 61C-4.010(7) and 61C-4.010(6), Florida Administrative Code, from New China Restaurant located in Miami. The above referenced F.A.C. addresses the requirement that customer bathrooms be of easy and convenient access. They are requesting to utilize a bathroom for customer use that has a travel distance over 300 feet.

Notice of this petition was filed and published in Vol. 35, No. 19, May 15, 2009, of the Florida Administrative Weekly. The variance was approved on July 29, 2009, contingent upon the Petitioner ensuring the travel path to the rear of the establishment is accessible and the bathroom located within the rear of the establishment is maintained in a clean and sanitary manner and is provided with hot and cold running water under pressure, soap, approved hand drying devices, and available during all hours of operation. Access to the rear bathroom cannot be through a food preparation, food storage or warewashing area. The Petitioner shall also ensure directional signage is installed in the establishment clearly stating the location of and travel path to the bathroom. If the access to the bathroom changes, updated information for use of the bathroom 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: Lydia E. Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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 August 20, 2008, the Department of Environmental Protection, Division of Air Resource Management has issued an order.

An Order Granting Variance was issued under Section 120.542, F.S., from subparagraph 62-296.418(2)(b)2., F.A.C., for the Combs Oil Company bulk gasoline plant located at 76 Industrial Boulevard, in Naples, Florida. The Petition for Waiver was received by the Department on May 30, 2007. Notice of receipt of the petition was published in the Florida Administrative Weekly on June 22, 2007. Subparagraph 62-296.418(2)(b)2., F.A.C., requires installation and operation of vapor collection and control systems on loading racks at bulk gasoline plants which commence operation on or after August 1, 2007. Bulk gasoline plants which began operation

prior to August 1, 2007, are not subject to the requirement of installation and operation vapor collection and control systems on the loading racks. Combs Oil Company has demonstrated that applicability of subparagraph 62-296.418(2)(b)2., F.A.C., to its bulk gasoline plant would violate principles of fairness based on circumstances outlined in the Order.

A copy of the Order may be obtained by contacting: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on July 28, 2009, the Department of Environmental Protection, received a petition for a temporary variance from the requirements of subparagraph 62-761.400(3)(a)2., F.A.C., for providing financial responsibility for single-walled underground storage tanks where insurance has been cancelled for certain facilities owned by The Radiant Group, LLC, N.C.J. Investment Co., Gas Kwick, Inc., and O'Brady's Ark, LLC., until the facilities are closed or upgraded with secondary containment. OGC Case number is 09-3246.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lewis Cornman, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #4525, Tallahassee, Florida 32399-2400, (850)245-8846, e-mail: Lewis.Cornman@dep.state.fl.us

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on July 27, 2009, the Department of Health, received a petition for Variance from subsection 64E-11.007(7), Florida Administrative Code (F.A.C.), from Gold Mouse, Inc. d/b/a Beach Shack, located at 1 Minutemen Causeway, Cocoa Beach, Florida 32931. This rule section requires all openings to the outside air, including windows, doors, skylights, transoms, intake and exhaust ducts to be effectively protected against the entrance of flies and other flying insects by self-closing doors which open outward, closed windows, screening, controlled air currents or other effective means. Screening material shall not be less than 16 mesh to the inch or equivalent and screens for windows, doors, skylights, transoms and other openings to the outside air shall be tight fitting and free of breaks. Comments on this petition should be filed with: 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: Ric Mathis, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida 32399-1710, (850)245-4277.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

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

DATE AND TIME: Tuesday, September 15, 2009, 9:00 a.m. – conclusion

PLACE: R. A. Gray Building, 500 S. Bronough St., Room 306B, Tallahassee, Florida, via teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business meeting.

A copy of the agenda may be obtained by contacting: Pam Stanley at (850)245-6302.

Pursuant to the provisions of 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: Pam Stanley at (850)245-6302. If you are 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: Pam Stanley at (850)245-6302.

The **National Register Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 16, 2009, 9:00 a.m. – conclusion

PLACE: R. A. Gray Building, 500 S. Bronough St., Room 306B, Tallahassee, Florida, via teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: National Register Nominations.

A copy of the agenda may be obtained by contacting: Pam Stanley at (850)245-6302.

Pursuant to the provisions of 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: Pam Stanley at (850)245-6302. If you are 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: Pam Stanley at (850)245-6302.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Division of Plant Industry** announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2009, 10:00 a.m.

PLACE: Florida Department of Agriculture, Bureau of Citrus Budwood Registration, 9870 N. W. 42nd Court, Chiefland, FL 32626

GENERAL SUBJECT MATTER TO BE CONSIDERED: Citrus Budwood Technical Advisory Committee Meeting – citrus budwood issues.

A copy of the agenda may be obtained by contacting: Mike Kesinger at (863)298-7712.

Pursuant to the provisions of 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: Mike Kesinger at (863)298-7712. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

NOTICE OF CORRECTION – Division of Forestry, Florida Forestry Council announces a public meeting to which all persons are invited.

DATE AND TIME: September 8, 2009, 1:30 p.m. (EST)

PLACE: The Renaissance Resort at World Golf Village, 500 South Legacy Trail, St. Augustine, Florida 32092

GENERAL SUBJECT MATTER TO BE CONSIDERED: Updates on the Division of Forestry programs.

A copy of the agenda may be obtained by contacting: Jim Karels, Director, Florida Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-4274.

Pursuant to the provisions of 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: Jim Karels, Director, Florida Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-4274. If you are 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: Jim Karels, Director, Florida Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-4274.

DEPARTMENT OF EDUCATION

The **Joint Library Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2009, 10:00 a.m. – 4:00 p.m.

PLACE: College Center for Library Automation, 1753 West Paul Dirac Drive, Tallahassee, Florida 32310

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting between staff of the Department of Education, the State University System, The Florida College System, and the Department of State to jointly prepare and provide to the chairs of the House of Representatives Full Appropriations Council on Education and Economic Development, the Senate Policy and Steering Committee on Ways and Means, and the Executive Office of the Governor, options and recommendations for consolidating library services and systems to maximize efficiencies, reduce costs and increase collaboration.

Other Notes: There will be a 30-minute break for lunch around 12:00 Noon. For those wishing to order sandwiches or salads to be delivered, an order may be placed at the beginning of the meeting.

A copy of the agenda may be obtained by contacting: Nancy McKee at Nancy.McKee@flbog.edu or via the web page (www.fldoe.org/cc).

DEPARTMENT OF REVENUE

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

DATE AND TIME: August 25, 2009, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish a Notice of Proposed Rule for the following rule sections.

Rule 12A-1.097, F.A.C. (Public Use Forms – Sales and Use Tax)

Rule 12A-13.002, F.A.C. (Collection and Remittance of Fee – Fee on the Sale or Lease of Motor Vehicles)

Rule 12A-16.008, F.A.C. (Public Use Forms – Solid Waste Fees and Rental Car Surcharge)

Rule 12A-17.005, F.A.C. (Public Use Forms – Registration as Secondhand Dealer or Secondary Metals Recycler)

Rule 12A-19.100, F.A.C. (Public Use Forms – Communications Services Tax)

Rule 12B-4.003, F.A.C. (Public Use Forms – Documentary Stamp Tax)

Rule 12B-5.150, F.A.C. (Public Use Forms – Fuels and Pollutants Tax)

Rule 12B-7.004, F.A.C. (Rate of Tax; Oil, and Sulfur) and Rules 12B-7.008, and 12B-7.026, F.A.C. (Public Use Forms – Severance Taxes and Fees)

Rule 12B-8.003, F.A.C. (Tax Statement; Overpayments – Insurance Premium Taxes, Fees and Surcharges)

Rule 12C-1.051, F.A.C. (Forms – Corporate Income Tax)

Rule 12C-2.0115, F.A.C. (Public Use Forms – Intangible Tax on Government Leasehold Estates)

A copy of the agenda and the meeting materials may be obtained by going to the Department's Internet site at: <http://dor.myflorida.com/dor/rules> or by contacting: Larry Green at (850)922-4830.

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

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

DATE AND TIME: August 25, 2009, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish Notices of Proposed Rule to hold public hearings on the proposed rules about uniform procedures and supporting forms for hearings before value adjustment boards and their special magistrates. These proposed rules include new Chapter 12D-9 (Requirements for Value Adjustment Boards in Administrative Reviews; Uniform Rules of Procedure for Hearings) and revised Rule 12D-16.002 (Index to Forms), Florida Administrative Code. The Department held a rule development workshop on August 4, 2009, at which the public offered comments and concerns. The Department will produce a revised draft based on this workshop for review by the Governor and Cabinet before their meeting on August 25, 2009.

A copy of the agenda and the meeting materials, including the revised draft, may be obtained by going to the Department's Internet site: <http://dor.myflorida.com/dor/rules> or by contacting: Janice Forrester at (850)922-7945 or ForrestJ@dor.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting: Janice Forrester at (850)922-7945 or ForrestJ@dor.state.fl.us. If you are hearing or speech impaired, please contact the Department using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: August 25, 2009, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish Notices of Proposed Rule for proposed new Rule 12E-1.0052 (Unidentifiable Collections) and proposed changes to existing Rule 12E-1.014, F.A.C. (Internal Revenue Service Tax Refund Offset Program; Passport Denial; Internal Revenue Service Full Collection Services).

A copy of the agenda and meeting materials may be obtained by going to the Department's Internet site: www.dor.myflorida.com/dor/rules/ or by contacting: Stephen Robinson, Government Analyst II, Child Support Enforcement Program, Department of Revenue, P. O. Box 8030, Tallahassee, Florida 32314-8030, (850)922-9716, e-mail: robinsos@dor.state.fl.us, for proposed Rule 12E-1.014, F.A.C.; Phil Scroggs, Government Analyst II, Child Support Enforcement Program, Department of Revenue, P. O. Box 8030, Tallahassee, Florida 32314-8030, (850)922-9558, e-mail: scroggsp@dor.state.fl.us, for proposed Rule 12E-1.0052, F.A.C.

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

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation**, District Two announces a hearing to which all persons are invited.

DATE AND TIME: September 10, 2009, 6:00 p.m.

PLACE: Florida Department of Transportation, Training Facility, 2198 Edison Avenue, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning changes to the Access Management Classifications for the following projects: US 17 From State Street to Trout River Bridge, SR 152 from San Jose Blvd. to Bayberry Road, SR 115 from Palmdale Street to Trout River Bridge, SR 104 from I-95 to North Main Street, and SR 116 from SR 9A to SR A1A in Duval County, Florida. This public hearing regarding Access Management Classifications is an administrative action and does not include any new construction. The Access Management Classification is used to determine signal spacing, driveway spacing and median openings. This hearing is being conducted to inform the public of the designated classification and afford the public the opportunity to provide comments. Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874.

Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Mr. Henderson, 1(800)749-2967 at least seven days before the hearing. If you are 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 be held quarterly, to which all persons are invited.

DATE AND TIME: Tuesday, September 1, 2009, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Scheduled meeting with the Trustees to discuss general State Board of Administration operations and investments of trust funds.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration of Florida, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32308, (850)413-1253 or by viewing the SBA website at: www.sba.fl.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: James Linn at (850)413-1166. If you are 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 Prepaid College Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 2, 2009, 9:00 a.m. or soon thereafter – until completion

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida, 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. The purpose of this meeting is to conduct the regular business of the Florida Prepaid College Board Investment Committee, to which all persons are invited.

A copy of the agenda may be obtained by contacting: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, (850)488-8514.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by Faxing a written request for same to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board at (850)488-3555. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Florida Prepaid College Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 2, 2009, 11:00 a.m. or soon thereafter – until completion

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. The purpose of this meeting is to conduct the regular business of the Florida Prepaid College Board to which all persons are invited.

A copy of the agenda may be obtained by contacting: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, (850)488-8514.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by Faxing a written request for same to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board at (850)488-3555. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Florida Prepaid College Foundation Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 2, 2009, 12:30 p.m. or soon thereafter – until completion

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida, 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. The purpose of this meeting is to conduct the regular business of the Florida Prepaid College Foundation Board to which all persons are invited.

A copy of the agenda may be obtained by contacting: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, (850)488-8514.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by Faxing a written request for same to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board at (850)488-3555. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

FLORIDA PAROLE COMMISSION

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

DATES AND TIME: Wednesday, September 2, 2009; September 16, 2009; September 23, 2009; September 30, 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.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Office of Drug Control** announces a public meeting to which all persons are invited.

DATE AND TIME: September 10, 2009, 10:00 a.m. – 3:00 p.m.

PLACE: Conference Room 2103, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Drug Policy Advisory Council.

A copy of the agenda may be obtained by contacting: Claude Shipley at (850)414-8820.

Pursuant to the provisions of 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: Claude Shipley at (850)414-8820. If you are 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: Claude Shipley at (850)414-8820.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: August 27, 2009, 5:00 p.m.

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

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

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

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

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

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

DATE AND TIME: August 27, 2009, 6:00 p.m.

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

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

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

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

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

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

DATE AND TIME: August 27, 2009, 6:00 p.m.

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

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

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

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

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

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

DATE AND TIME: August 27, 2009, 7:30 p.m.

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

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

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

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

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

The **Withlacoochee Regional Planning Council**, Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 20, 2009, 6:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: To formulate the Council's Budget for Fiscal Year 2009-2010.

A copy of the agenda may be obtained by contacting: Executive Director, Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323.

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

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

DATE AND TIME: Wednesday, August 19, 2009, 10:00 a.m.

PLACE: East Central Florida Regional Planning Council, 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, Florida 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Council Meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Tuesday Brunsonbyrd-Bowden, Administrative Assistant, East Central Florida Regional Planning Council, 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, Florida 32701 or emailing her: tbyrd@ecfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 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).

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

The **Southwest Florida Regional Planning Council**, LEPC announces a public meeting to which all persons are invited.

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

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and implement provisions of the Emergency Planning and Community Right-To-Know Act. Additionally, the Southwest Florida Regional Hazmat Teams Meeting will be held at the same location beginning at 1:00 p.m.

A copy of the agenda may be obtained by contacting: Mr. John Gibbons at (239)338-2550, ext. 229 or jgibbons@swfrpc.org.

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

contacting: Ms. Debborah Kooi at (239)338-2550, ext. 210 or dkooi@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: www.swfrpc.org.

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

DATE AND TIME: Monday, September 14, 2009, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Development of Regional Impact Assessment for Lauderhill City Center – City of Lauderhill; Development Order for Chapel Trail NOPC – City of Pembroke Pines; Any Development Order received prior to the meeting. Any proposed Local Government Comprehensive Plan received prior to the meeting. Any adopted Local Government Comprehensive Plan received prior to the meeting. Any Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting. Any Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting. Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location. Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices at (954)985-4416 (Broward).

A copy of the agenda may be obtained by contacting: (954)985-4416.

Pursuant to the provisions of 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)985-4416. If you are 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: (954)985-4416.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 26, 2009, 8:30 a.m. – 5:00 p.m.

PLACE: New Hope Power Plant, 8001 S. US Highway 27, South Bay, FL 33493

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Energy Committee will take a field trip to the New Hope Power Plant. The committee will tour the facility, meet with the staff, and hold a committee meeting.

A copy of the agenda may be obtained by contacting: Peter G. Merritt at (772)221-4060.

Pursuant to the provisions of 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: Liz Gulick at (772)221-4060. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL TRANSPORTATION AUTHORITIES

The **Tampa Bay Area Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 28, 2009, 9:30 a.m.

PLACE: Florida Department of Transportation (FDOT), District Seven Office, 11201 N. McKinley Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Tampa Bay Area Regional Transportation Authority (TBARTA) announces its monthly calendar of meetings.

The TBARTA Board and its advisory committees will meet to discuss the implementation of regional transportation solutions.

The TBARTA Board

DATE AND TIME: Friday, August 28, 2009, 9:30 a.m.

PLACE: Florida Department of Transportation (FDOT), District Seven Office, 11201 N. McKinley Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss implementing a comprehensive Regional Transportation Master Plan for Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota Counties. The Transit Management Committee (TMC)

DATE AND TIME: Wednesday, August 19, 2009, 10:00 a.m.

PLACE: USF Connect Building, 3802 Spectrum Blvd., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consisting of representatives of the region's transit and transportation agencies, this group advises the Board on implementation of the Master Plan.

The Citizens Advisory Committee (CAC)

DATE AND TIME: Wednesday, August 19, 2009, 1:30 p.m.

PLACE: USF Connect Building, 3802 Spectrum Blvd., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This group of volunteers provides region-oriented advice to the Board from a citizen's perspective.

Additional Board subcommittee meetings will be noticed on the TBARTA website. All meetings of the TBARTA Board and its advisory committees are open to the public. These meetings are being conducted pursuant to Section 120.525, Florida Statutes and Title VI and Title VIII of the United States Civil Rights Acts of 1964 and 1968.

Individuals requiring accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Brandie Miklus, Transportation Planner, (813)217-4037 at least three (3) days prior to the meeting. Public participation is solicited without regard to race, color, religion, sex, age, nation origin, disability, or family status.

A copy of the agenda may be obtained by contacting: <http://www.tbarta.com> approximately three to five days prior to the meeting.

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: August 28, 2009, 1:00 p.m. (EDT)

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

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

OTHER MEETINGS HELD ON AUGUST 27, 2009:

- 10:45 a.m. – 11:45 a.m. District Lands Committee – to discuss Land Acquisition Matters
- 11:45 a.m. – 12:00 Noon Administration, Budget and Finance Committee – to consider Revised Fiscal Year 2009-2010 Tentative Proposed Budget
- 12:00 Noon – 12:30 p.m. Regulations Committee – to discuss Regulatory Permitting issues
- 1:15 p.m. Public Hearing on Regulatory Matters
- 1:20 p.m. Public Hearing on Land Acquisition Matters
- 1:25 p.m. Public Hearing on Consideration of Update to the St. Marks River Watershed Surface Water Improvement and Management (SWIM) Plan

A copy of the agenda may be obtained by contacting: Robin Tucker, NFWFMD, 81 Water Management Drive, Havana, FL 32333, (850)539-5999 (also available through the Internet at www.nwfwmd.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Mr. Larry Wright at (850)539-5999. If you are 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 **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 25, 2009, 10:00 a.m. – 12:00 Noon

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Director, or his designee, will conduct a public meeting to receive public comment on pending applications for individual consumptive use permits and individual environmental resource permits. An agenda will be available at least 7 days before the meeting; the agenda will identify those permit applications for which the District will receive public testimony or information.

A copy of the agenda may be obtained by contacting: RIM (Division of Regulatory Information Management), St. Johns River Water Management District, Attention: Vicki Young, 4049 Reid Street, Palatka, FL 32177, (386)329-4523 or by visiting the District’s web site: www.sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Tuesday, August 25, 2009, 9:00 a.m.

PLACE: 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board and Basin Board Committee Meetings, Board Meeting and Public Hearing: Conduct Committee meetings, Governing Board meetings and public hearing. Ad Order 62350.

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), et. 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 (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 26, 2009, 1:30 p.m. (This is a change of date from the published year-long calendar)

PLACE: Tampa Service Office, 7601 US Hwy. 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Hillsborough River Basin Board Meeting: Consider Basin business, including discussion of the fiscal year 2010 budget, followed by adoption of a final millage rate and budget. (Ad Order 62350)

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); 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 (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 27, 2009, 9:00 a.m. (This is a change of date from the published year-long calendar)

PLACE: West Pasco Government Center, 7530 Little Road, New Port Richey, FL 34654

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pinellas-Anclote River Basin Board Meeting: Consider Basin business, including discussion of the fiscal year 2010 budget, followed by adoption of a final millage rate and budget. (Ad Order 62350)

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, (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); 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 (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIMES: Thursday, August 27, 2009, Green Industry Advisory Committee, 9:00 a.m.; Agricultural Advisory Committee, 1:00 p.m.

PLACE: Tampa Service Office, 7601 Highway 301 N., Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southwest Florida Water Management District meeting to discuss committee business.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, Planning Department, 2379 Broad Street, Brooksville, FL 34604-6899, 1(800)423-1476 (FL Only) or Teri Hudson at (352)796-7211, ext. 4402.

Pursuant to the provisions of 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 Human Resources Director at 1(800)423-1476, ext. 4702; TDD (FL Only) 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: Friday, August 21, 2009, 10:00 a.m.

PLACE: South Florida Water Management District, Building B-1, Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting to Discuss Regulatory Matters.

All or part of these meetings will be video-conferenced in order to permit maximum participation from the South Florida Water Management District Service Centers located at:

Lower West Coast Service Center
2301 McGregor Blvd.
Fort Myers, FL 33901

Martin/St. Lucie Service Center
780 S. E. Indian Street
Stuart, FL 34997

Orlando Service Center
1707 Orlando Central Parkway, Suite 200
Orlando, FL 32809

A copy of the agenda will be posted to our website seven (7) days prior to the meeting date. You may obtain a copy of the agenda by going to our website at: www.sfwmd.gov.

- Clicking the "SFWMD Permits" link in the right-hand column
- Then the "News & Meetings" link on the left-hand column.

For additional information, you may also call our information line at: (561)682-6207 or Florida toll-free: 1(800)432-2045, ext. 6207.

Pursuant to the provisions of 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).

For more information, you may contact: District Clerk's Office at (561)682-2087.

The **Water Resources Advisory Commission (WRAC)**, Year Round Irrigation Rule Development Issues Workshop announces a public meeting to which all persons are invited.

DATE AND TIME: August 24, 2009, 10:00 a.m. – 4:00 p.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Rd., West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding Year-Round Landscape Irrigation Rule Redevelopment.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Water Resources Advisory Commission (WRAC)**, Adaptive Protocols Issues Workshop announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2009, 10:00 a.m. – 4:00 p.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Rd., West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding Adaptive Protocols and the Lake Okeechobee Water Regulation Schedule 2008 (LORS2008).

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or website: <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

SPACE FLORIDA

The **Space Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: September 3, 2009, 10:00 a.m. – 5:00 p.m. (Central Time)

PLACE: Florida Institute for Human & Machine Cognition, 40 South Alcaniz Street, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida President Search Committee.

A copy of the agenda may be obtained by contacting: Deb Spicer, Vice President of Communications, Government and External Affairs at dspicer@spaceflorida.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Deb Spicer, Vice President of Communications, Government and External Affairs at dspicer@spaceflorida.gov. If you are 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: Deb Spicer, Vice President of Communications, Government and External Affairs at dspicer@spaceflorida.gov.

DEPARTMENT OF ELDER AFFAIRS

The Florida **Department of Elder Affairs**, Elder Rights Bureau announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 27, 2009, 9:30 a.m. – 12:00 Noon (EST)

PLACE: Florida Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Statewide technical assistance initiative addressing elder abuse for criminal justice personnel and other professionals working with elders, in conjunction with the US Department of Justice.

A copy of the agenda may be obtained by contacting: Larry E. Baxter, Elder Rights Bureau Chief at (850)414-2058 or via email: Baxterl@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Steven McFarland at (850)414-2078. If you are 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: Larry E. Baxter, Elder Rights Bureau Chief at (850)414-2058 or via email: Baxterl@elderaffairs.org.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** (DMS) announces a weekly public meeting to which all persons are invited.

DATE AND TIME: Thursdays, 3:30 p.m. – 5:00 p.m. Check for status of DMS Broadband-ARRA meetings at: www.dms.myflorida.com/SUNCOM

PLACE: Building 4030, 4030 Esplanade Way, Room 225A, Capital Circle Office Center, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Weekly meeting to facilitate discussion on the deployment of Broadband to maximize the potential receipt of federal Stimulus funding for the State of Florida.

A copy of the agenda may be obtained by contacting: Bill Price at (850)410-0709, or bill.price@dms.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 2 days before the workshop/meeting by contacting: Linda Collins at (850)487-9971 or linda.collins@dms.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: Bill Price at (850)410-0709 or bill.price@dms.myflorida.com.

The **Department of Management Services** announces a public meeting to which all persons are invited.

DATES AND TIME: August 13, 2009; September 21, 2009, 1:00 p.m.

PLACE: 4050 Esplanade Way, Suite 360, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 120.525 Florida Statutes, meetings of the Negotiation Team and Evaluation Team are hereby noticed within the timeline for the Invitation to Negotiate (Number: 07-973-120-X) for a Universal Platform for Purchasing Card Services. The Department reserves the right to issue

amendments, addenda, and changes to this timeline and specifically to the meeting notices listed above. Notice of any change will be posted within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not be re advertised in the Florida Administrative Weekly (FAW). The VBS can be accessed at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: David Bennett at (850)921-4072, david.bennett@dms.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 5 days before the workshop/meeting by contacting: David Bennett at (850)921-4072, david.bennett@dms.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: David Bennett at (850)921-4072 or david.bennett@dms.myflorida.com.

The **Office of Early Learning** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 3, 2009, 10:00 a.m. – Until business is concluded

PLACE: Children’s Board of Hillsborough County, 1002 East Palm Avenue, Tampa, FL 33605, (813)229-2884

GENERAL SUBJECT MATTER TO BE CONSIDERED: ELAC Taskforce Meeting: To meet and discuss potential 2010 legislative recommendations.

A copy of the agenda may be obtained by contacting: <http://www.floridajobs.org/earlylearning/ELACMeetingMaterials.html>.

The **Office of Early Learning** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 11, 2009, 10:00 a.m. – 3:00 p.m.

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, Florida 32822. Please contact this hotel at 1(800)228-9290 and reference that you are with the “Agency for Workforce Innovation” group block to obtain the rate of \$129 per night. Reservations must be made by August 28, 2009 to be assured of the Early Learning rate.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Early Learning Advisory Council Quarterly Meeting.

A copy of the agenda may be obtained by contacting: Lisa K Billups at (850)921-3413 or lisa.billups@flaawi.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Architecture and Interior Design** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 25, 2009, 10:00 a.m.

PLACE: To participate in the telephone Conference Call: 1(888)808-6959, Conference Code: 4879597

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-075, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida. If you are 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 Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, (850)487-1395.

The **Board of Auctioneers** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 29, 2009, 9:00 a.m.

PLACE: InterContinental Tampa, 4860 West Kennedy Boulevard, Tampa, Florida 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Board of Auctioneers 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 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.

For more information, you may contact: Board of Auctioneers at (850)922-5012 or via Fax: (850)617-4458.

The **Department of Business and Professional Regulation, Barbers Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, August 24, 2009, 9:30 a.m. (EST) or soon thereafter

PLACE: To join the conference call board meeting, please dial 1(888)808-6959. When prompted, enter 4878197 followed by # GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the board to conduct regular business.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Barbers Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0769, (850)922-6096.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Barbers' Board Office, Robyn Barineau, Executive Director at (850)922-6096. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: August 25, 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, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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 **Department of Business and Professional Regulation, Board of Cosmetology** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 12, 2009, 9:00 a.m.

PLACE: Marriott Tampa Waterside Hotel and Marina, 700 South Florida Avenue, Tampa, Florida 33602, (813)221-4900

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the board to conduct regular business.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Cosmetology Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)922-6096.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting. If you are 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 **Electrical Contractors' Licensing Board** announces a public meeting to which all persons are invited.

DATES AND TIMES: September 23, 2009, 4:00 p.m.; September 24, 2009, 8:30 a.m.; September 25, 2009, 8:30 a.m.

PLACE: Pink Shell Beach Resort & Spa, 275 Estero Blvd., Ft. Myers Beach, FL 33931, 1(866)348-5256

GENERAL SUBJECT MATTER TO BE CONSIDERED: September 23, 2009, 4:00 p.m. – Probable Cause Panel (portions closed to the public); September 24, 2009, 8:30 a.m. – Discipline and General Business; and September 25, 2009, 8:30 a.m. – General Business.

A copy of the agenda may be obtained by contacting: Ruthanne Christie, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)487-8304.

Pursuant to the provisions of 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: Ruthanne Christie, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)487-8304. If you are 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: Ruthanne Christie, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)487-8304.

The **Board of Landscape Architecture** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 26, 2009, 2:00 p.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 Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 31, 2009, 9:00 a.m., or soon thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Division of Real Estate, Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5632, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF 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: Thursday, August 20, 2009, 1:00 p.m.

PLACE: Sylvan Lake Park, 845 Lake Markham Rd., Sanford, FL 32771

GENERAL SUBJECT MATTER TO BE CONSIDERED: This technical meeting will include discussion about water quality monitoring and pollutant load reduction projects in the Lake Jesup basin. This meeting is part of the Lake Jesup Basin Management Action Plan process.

A copy of the agenda may be obtained by contacting: Jennifer Gihring, Department of Environmental Protection, Watershed Planning and Coordination Section, 2600 Blair Stone Road, MS #3565, Tallahassee, Florida 32399-2400, (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: 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 Florida **Department of Environmental Protection**, Bureau of Beaches and Coastal Systems announces a hearing to which all persons are invited.

DATE AND TIME: August 26, 2009, 3:00 p.m.

PLACE: City of Riviera Beach, City Council Chambers, 600 West Blue Heron Blvd., Riviera Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The proposed establishment of an Erosion Control Line, pursuant to Section 161.161, Florida Statutes. This hearing will consider evidence on the location of the proposed Erosion Control Line for the beach erosion control project known as the Singer Island Erosion Control Project. The proposed Erosion Control Line lies along Singer Island, Palm Beach County, Florida fronting the Atlantic Ocean. The Erosion Control Line lies in Section 15, 22, and 23, Township 42 South, Ranger 43 East in Palm Beach County, Florida.

A copy of the agenda may be obtained by contacting: Rob Buda at (850)922-7721 or e-mail: rob.buda@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: Rob Buda at (850)922-7721 or e-mail: rob.buda@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 **Governor's Task Force on Autism Spectrum Disorders** announces a public meeting to which all persons are invited.

DATE AND TIME: September 16, 2009, 9:00 a.m. – 5:00 p.m.

PLACE: FSU Foundation Board Room, 2010 Levy Avenue, Building B, Tallahassee, FL 32310, Toll-Free Conference Call: 1(888)808-6959, Code: 9439484

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting for the Governor's Task Force on Autism Spectrum Disorders. The Task Force will discuss the scope and prioritization of issues to be addressed as listed in Executive Order 09-82.

Members of the public who wish to address the Task Force are asked to sign up before 9:00 a.m., Public Comment table.

A copy of the agenda may be obtained by contacting: Kimberly Copley at (850)487-3763 or email: Kimberly_Copley@apd.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: Kimberly Copley at (850)487-3763 or email: Kimberly_Copley@apd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: www.healthyfloridians.com/autism.html.

The **Department of Health**, Electrolysis Council announces a telephone conference call to which all persons are invited.

DATES AND TIME: February 15, 2010; May 3, 2010; August 2, 2010; November 8, 2010, 9:00 a.m. or soon thereafter

PLACE: Meet Me Conference Call: 1(888)808-6959. After dialing the meet me number, when prompted enter Conference Code: 4246812343 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 31399-3255 or by calling the Board Office at (850)245-4373, ext. 3467.

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

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

The **Department of Health, Board of Acupuncture** hereby gives notice that, pursuant to Section 120.54(3)(c)1., F.S., a Public Hearing will be held in person on Rules 64B1-4.001 and 64B1-6.005, F.A.C., to which all interested persons are invited.

DATE AND TIME: Thursday, September 3, 2009, 7:00 p.m. or as soon thereafter as possible

PLACE: Crowne Plaza Universal, 7800 Universal Boulevard, Salons A and B, Orlando, Florida 32819, (407)355-0550

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed amendment to Rules 64B1-4.001 and 64B1-6.005, F.A.C.

A copy of the agenda and the rule being considered by the Board may be obtained by contacting: Department of Health, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, emailing a request to the Board Office at MQA_Acupuncture@doh.state.fl.us, or by calling (850)245-4161.

All written materials must be received by the Board office no later than August 21, 2009.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the workshop. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Probation Meeting Notice announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday August 29, 2009, 8:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the Probation Committee.

A copy of the agenda may be obtained by contacting: Reginald Colston, Medical Compliance Officer, Department of Health, Division of Medical Quality Assurance, Compliance Management Unit, 4052 Bald Cypress Way, Bin #C01, Tallahassee, FL 32399-3251.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Reginald Colston at (850)245-4268, ext. 3546. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Medicine** and Osteopathic Medicine Pain Clinic Registration and Inspection Program Joint Committee announces a workshop to which all persons are invited.

DATE AND TIME: Saturday, August 29, 2009, 12:00 Noon or soon thereafter

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss implementation of SB 462: Pain Clinic Registration and Inspection. Please check the Board Web Site at www.flhealthsource.com for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at crystal_sanford@doh.state.fl.us or (850)245-4132.

Pursuant to the provisions of 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: Crystal Sanford at crystal_sanford@doh.state.fl.us or (850)245-4132. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Medicine**, announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 2, 2009, 12:00 Noon (EST)

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board.

This meeting is being scheduled to address any business of the Board of Medicine that requires action before the regularly scheduled Board of Medicine meeting on October 2-3, 2009. This meeting may be cancelled for lack of any issues to act upon. Any cancellations will be posted on the Board Web Site at www.Floridashealth.com.

A copy of the agenda may be obtained by contacting: Gwyn Willis at (850)245-4131, ext. 3532 or www.Gwyn_Willis@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gwyn Willis at (850)245-4131, ext. 3532 or www.Gwyn_Willis@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Medicine**, Expert Witness Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 2, 2009, immediately following the Board of Medicine Telephone Conference Call scheduled to begin at 12:00 Noon (EST). If

the Board of Medicine Telephone Conference Call meeting is cancelled, the Expert Witness Committee meeting will begin at 12:00 Noon (EST).

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board.

A copy of the agenda may be obtained by contacting: Gwyn Willis at (850)245-4131 or Gwyn_Willis@doh.state.fl.us for more information.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gwyn Willis at (850)245-4131 or Gwyn_Willis@doh.state.fl.us for more information. If you are 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 Nursing Home Administrators** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, September 3, 2009, 9:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399. Conference Call: 1(888)808-6959, Conference Code: 9849329103.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing: www.doh.state.fl.us/mqa/nurshome/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 **Department of Health, Board of Psychology** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 31, 2009, 9:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959. After dialing the meet me number, when prompted, enter Conference Code: 4246812343 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Committee Meeting.

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

The Florida **Department of Health**, Drug Wholesale Distributor Advisory Council, announces a public meeting to which all persons are invited.

DATE AND TIME: September 10, 2009, 9:30 a.m.

PLACE: Betty Easley Center, 4075 Esplanade Way, Room 166, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include the approval of previous meeting minutes, Rules and Rules Workshop Update, Program Office Update, Election of Chair and Vice Chair, Select February 2010 Meeting Date, and open discussion.

The agenda will be sent out electronically to the interested party distribution list and placed on the website and web board one week prior to the meeting.

For more information, you may contact: Drugs, Devices and Cosmetics Program at (850)245-4292.

The **Department of Health** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 28, 2009, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Code: 2454144

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues related to the physician component of the Healthcare Practitioner Workforce Ad Hoc Committee.

A copy of the agenda may be obtained by contacting: Jessica Swanson Rivenbark at (850)245-4144, ext. 2711, 4052 Bald Cypress Way, Bin #C-15, Tallahassee, FL 32399-1799.

Pursuant to the provisions of 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: (850)245-4144, ext. 2711, 4052 Bald Cypress Way, Bin #C-15, Tallahassee, FL 32399-1799. If you are 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: (850)245-4144, ext. 2711, 4052 Bald Cypress Way, Bin #C-15, Tallahassee, FL 32399-1799.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 10, 2009, 9:00 a.m. – 3:30 p.m.

PLACE: Marriott Orlando Downtown, 400 West Livingston Street, Orlando, Florida 32808

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the full Advisory Committee of Economic Security (ACES) to provide feedback from the three ACES subcommittees on preliminary recommendations to strengthen the safety net for vulnerable citizens in the state of Florida.

A copy of the agenda may be obtained by contacting: ACCESS Florida Headquarters' Office at (850)488-3169.

The **Agency for Persons with Disabilities** announces a public meeting to which all persons are invited.

DATE AND TIMES: August 25, 2009

1:00 p.m. (EST) Oriented toward providers and

3:00 p.m. (EST) Oriented toward consumers and families

PLACE: Northland Church, 530 Dog Track Road, Longwood, Florida 32750, ADA Contact: Area 7 Office at (407)245-0440

DATE AND TIMES: September 2, 2009

1:00 p.m. (EST) Oriented toward providers and

3:00 p.m. (EST) Oriented toward consumers and families

PLACE: Tallahassee Community College, 4444 Appleyard Drive, Workforce Development Building, Grand Banquet Hall, Tallahassee, Florida 32399, ADA Contact: Nilda Barreto at (850)922-9188

DATE AND TIMES: September 3, 2009

1:00 p.m. (EST) Oriented toward providers

3:00 p.m. (EST) Oriented toward consumers and families

PLACE: Santa Fe Community College, 3000 N. W. 83rd Street, Room R01, Gainesville, Florida, ADA Contact: Donna Sparks at (352)395-5521

DATE AND TIMES: September 14, 2009

1:00 p.m. (EST) Oriented toward providers

3:00 p.m. (EST) Oriented toward consumers and families

PLACE: Marian Center, 15701 N. W. 37th Avenue, Auditorium/multipurpose Building, OpaLocka, Florida, ADA Contact: Area 11 Office at (305)349-1478

DATE AND TIMES: September 21, 2009

1:00 p.m. (EST) Oriented toward providers

3:00 p.m. (EST) Oriented toward consumers and families

PLACE: Gulf Coast Center, 5820 Buckingham Road, Gulf Coast Center Chapel, Ft. Myers, Florida, ADA Contact: Area 8 Office at (239)338-1370

DATE AND TIMES: September 22, 2009

1:00 p.m. (EST) Oriented toward providers and

3:00 p.m. (EST) Oriented toward consumers and families

PLACE: Trinity Lutheran Church, 401 5th Street, North, St. Petersburg, Florida, ADA Contact: Suncoast Region at (813)233-4300

GENERAL SUBJECT MATTER TO BE CONSIDERED: A presentation of information about agency goals and initiatives such as the CDC+ expansion, the flexible services benefit, and the development of a plan for individual budgeting (“iBudget Florida”) and opportunity for the public to provide comment. Pursuant to the provisions of 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 the individual or entity listed under “ADA Contact” for each meeting location. If you are 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: Hilary Brazzell at (850)488-4877.

A copy of the agenda may be obtained by contacting: Hilary Brazzell, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)488-4877.

Pursuant to the provisions of 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: Hilary Brazzell, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)414-5853. If you are 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: Hilary Brazzell, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)488-4877.

The **Agency for Persons with Disabilities** announces a workshop to which all persons are invited.

DATE AND TIME: August 25, 2009, 6:00 p.m. – 8:00 p.m.

PLACE: Orlando, Florida; Northland Church, 530 Dog Track Road, Longwood, Florida 32750, ADA Contact: Area 7 Office at (407)245-0440

DATE AND TIME: September 2, 2009, 6:00 p.m. – 8:00 p.m.

PLACE: Tallahassee Community College, Workforce Development Building, Grand Banquet Hall, Tallahassee, Florida 32399, ADA Contact: Nilda Barreto at (850)922-9188
GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the rule development is to solicit public input to be used in developing a rule for the process and procedures for prioritizing the wait list for enrollment on the Developmental Disabilities Home and Community Based Services Waiver. This rule is required to implement statutory language adopted during the 2009 Florida legislative session.

A copy of the agenda may be obtained by contacting: Denise Arnold, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)488-3673 or www.apd.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 3 days before the workshop/meeting by contacting: Mike Dunn, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)414-5853. If you are 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: Pete Mallison, Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)921-3779.

The **Agency for Persons with Disabilities** announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, August 27, 2009, 9:00 a.m. – 12:00 Noon

PLACE: Department of State, R. A. Gray Building, 500 South Bronough Street, 1st Floor, Auditorium, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To give affected persons an opportunity to present evidence and arguments concerning the proposed adoption of Rules 65G-4.0021, 65G-4.0022, 65G-4.0024 and 65G-4.0025, F.A.C. A copy of the agenda may be obtained by contacting: Lorena Fulcher, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)488-5998.

Pursuant to the provisions of 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: Mike Dunn, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)414-5853. If you are 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: Pete Mallison, Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)921-3779.

The **Family Care Council – Highlands-Hardee Satellite Group** announces a public meeting to which all persons are invited.

DATE AND TIME: August 28, 2009, 10:00 a.m.

PLACE: Visions ADT, 155 US 27 North, Suite 2, Sebring, Florida 33872

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Sara Howerton at (863)413-3364.

Pursuant to the provisions of 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).

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: Sara Howerton at (863)413-3364.

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: August 25, 2009, 1:00 p.m.

PLACE: Senator Jim King Committee Room (401 Senate Office Building), Tallahassee, Florida (adjacent to The Capitol)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Citizens Property Insurance Corporation has requested rate increases for its Florida homeowners, dwelling fire, and commercial property residential multi-peril programs. The effective date of the proposed rate increases for the programs listed herein is January 1, 2010, for new and renewal business. The requested rate increases are not uniform and some areas are subject to higher rate increases.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from the insurers as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at ratehearings@flor.com; the subject line of your e-mail should read "Citizens."

A copy of the agenda may be obtained by contacting: Rhoda K. Johnson, Esquire at (850)413-4252 or Cindy Walden at (850)413-2616.

Pursuant to the provisions of 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: Cindy Walden at (850)413-2616 or e-mail: cindy.walden@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: Rhoda K. Johnson, Esquire at (850)413-4252 or Cindy Walden at (850)413-2616.

The **Financial Services Commission, Office of Financial Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: August 25, 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 Rule 69V-560.1012, F.A.C., published on June 5, 2009, in Vol. 35, No. 22 of the Florida Administrative Weekly (F.A.W.). A notice of change for this rule is published in this edition of the Florida Administrative Weekly. The proposed rule amends forms OFR-560-01 and OFR-560-07 to factor the existence of cargo insurance into the surety bond or alternative security device calculation for licensees whose business is limited to the physical transportation of currency or other valuables via armored cars.

A copy of the agenda may be obtained by contacting: Governor and Cabinet website at: <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

Pursuant to the provisions of 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: Andrea Moreland at (850)410-9601, andreamoreland@flofr.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: Andrea Moreland at (850)410-9601 or via email: andreamoreland@flofr.com.

TAMPA BAY ESTUARY PROGRAM

The **Tampa Bay Estuary Program** announces a public meeting to which all persons are invited.

DATE AND TIMES: August 21, 2009, Management Board, 9:00 a.m.; Policy Board, 1:00 p.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Pinellas Park, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Action will be taken on Adoption of Initial FY09-10 TBEP Program-Wide Budget and approval of Contractor for the Development of Designs for the Restoration of Tidal Wetlands in Feather Sound.

A copy of the agenda may be obtained by contacting: ron@tbep.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 10 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).

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: ron@tbep.org.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **Florida Workers' Compensation Joint Underwriting Association, Inc.**, Producer Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 24, 2009, 10:00 a.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items may include application process, Agency Producer Agreement; and agency revocation/suspension rules.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

The **Florida Workers' Compensation Joint Underwriting Association, Inc.**, Reinsurance Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 24, 2009, 2:00 p.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items may include the 2010 reinsurance program goals and market strategy; reinsurance intermediary confirmation; and commutation matters.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

The **Florida Workers' Compensation Joint Underwriting Association, Inc.**, Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 24, 2009, 3:00 p.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items may include approval of minutes; 2010 business plan & forecast preliminary outline; disaster recovery matters; travel policy; service provider audit results; application process quote solicitation recommendation; employee benefits; budget expense considerations; Section 627.311(5)(t), Florida Statutes; and operations report.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

The **Florida Workers' Compensation Joint Underwriting Association, Inc.**, Executive Compensation Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 31, 2009, 10:00 a.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items will include executive compensation plans.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408, or from the FWCJUA's website: www.fwcjua.com.

The **Florida Workers' Compensation Joint Underwriting Association, Inc.**, Rates and Forms Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 31, 2009, 2:00 p.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items may include approval of minutes; 2009 loss ratio selection; confirmation of actuary; Policyholder Dividend Policy; review of rates, rating plans and policy forms and associated matters to include application forms; Operations Manual; and forms associated with agency authorization process.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

SOIL AND WATER CONSERVATION DISTRICTS

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

DATE AND TIME: August 27, 2009, 1:00 p.m.

PLACE: Dallas B Townsend Agriculture Building, 1085 Pratt Blvd., LaBelle, Florida 33935

GENERAL SUBJECT MATTER TO BE CONSIDERED: regular scheduled board meeting.

A copy of the agenda may be obtained by contacting: Barbara Tillis at (863)674-4160.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation**, Consumer Services Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2009, 12:30 p.m. (EST)

PLACE: Tampa Airport Marriott or via teleconference 1(877)524-8401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, business before the committee.

A copy of the agenda may be obtained by contacting: Sara Golding at 1(800)807-7647, ext. 3874.

Pursuant to the provisions of 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: Sara Golding at 1(800)807-7647, ext. 3874. If you are 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: Sara Golding at 1(800)807-7647, ext. 3874.

The **Citizens Property Insurance Corporation**, Market Accountability Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2009, 2:00 p.m. (EST)

PLACE: Tampa Airport Marriott or via teleconference 1(866)526-0550

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, business before the committee.

A copy of the agenda may be obtained by contacting: Sara Golding at 1(800)807-7647, ext. 3874.

Pursuant to the provisions of 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: Sara Golding at 1(800)807-7647, ext. 3874. If you

are 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: Sara Golding at 1(800)807-7647, ext. 3874.

The Audit Committee of **Citizens Property Insurance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 27, 2009, 3.30 p.m.

PLACE: Tampa Airport Marriott, Tampa, FL; Teleconference: 1(877)260-2826

GENERAL SUBJECT MATTER TO BE CONSIDERED: As per agenda.

A copy of the agenda may be obtained by contacting: Betty Veal at (904)407-0440.

Pursuant to the provisions of 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: Betty Veal at (904)407-0440. If you are 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 **Citizens Property Insurance Corporation**, Board of Governors announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 28, 2009, 9:00 a.m. (EDT)

PLACE: Tampa Airport Marriott, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, financial statements and committee updates.

A copy of the agenda may be obtained by contacting: www.citizensfla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Barbara Walker at 1(800)807-7647, extension 3744. If you are 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: Barbara Walker at 1(800)807-7647, extension 3744.

SMALL BUSINESS REGULATORY ADVISORY COUNCIL

The **Small Business Regulatory Advisory Council** announces a public meeting to which all persons are invited.

DATES AND TIMES: Friday, August 28, 2009, 10:00 a.m. – 5:00 p.m. (Eastern Time); September 11, 2009, 9:00 a.m. (Eastern Time) as a conference call if needed

PLACE: Disney Entrepreneur Center, 315 E. Robinson Street, Suite 100, Room TR-1, Orlando, FL. Teleconference participation is available by calling: 1(888)808-6959, Conference Code: 4737801

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business, rule reviews, and finalization of Small Business Friendliness and Development Scorecards for agencies up for sunset review.

A copy of the agenda may be obtained by contacting: Vicky Baker at (850)473-7816, email: vicky.baker@floridasbrac.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 7 days before the workshop/meeting by contacting: Jennifer Crews at (850)473-7807, email: jennifer.crews@floridasbrac.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).

REGION XII TRAINING COUNCIL

The **Region XII Training Council** announces a public meeting to which all persons are invited.

DATE AND TIME: September 3, 2009, 8:30 a.m.

PLACE: Clayton Hutchinson Agricultural Center, Exhibit Hall "B", 559 North Military Trail, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include but is not limited to: F.D.L.E./C.J.S.T.C. updates: Palm Beach Community College/Criminal Justice Institute Assessment Center update; Region XII budget approval and any other business.

A copy of the agenda may be obtained by contacting: Sue Voccola at (561)868-3403.

FLORIDA HEALTH CHOICES, INC.

The **Florida Health Choices, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 21, 2009, 2:00 p.m.

PLACE: GrayRobinson, P.A., 301 East Pine Street, Suite 1400, Orlando, Florida; Call-In Number: 1(877)776-0428, Code: 8234840#

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

A copy of the agenda may be obtained by contacting: Lauren McCarthy, Florida Health Choices, Inc., Post Office Box 10369, Tallahassee, Florida 32302, (850)222-0933.

Pursuant to the provisions of 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: Lauren McCarthy at (850)222-0933. If you are 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 Bhamani, Ford & Associates, Inc., DCA09-DEC-269. The petition seeks the agency's opinion as to the applicability of Section 13-413.1 AB 1.1, Florida Building Code, Building Volume (2007, as modified 3/1/09) as it applies to the petitioner.

The Petitioner asks if the maximum voltage drop of 2% for feeders and customer owned service conductors described in Section 13-413.1 AB 1.1, Florida Building Code, Building Volume (2007, as modified 3/1/09) is correct.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Florida Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, FL 32399.

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 Arthur Alston and Mary Alston, Unit Owners, In Re: Indian Pines Village Condominium Association, Inc., on March 24, 2009. The following is a summary of the agency's declination of the petition:

The division may not issue a statement where the facts complained of have already occurred; or where the facts are disputed; or where the rights of persons who are not parties to the proceeding would be affected; or where the division did not receive a full current copy of the governing documents.

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 Phyllis J. Graham, Petitioner, In Re: Westwood Homeowners Association, Inc., Docket No. 2009039581. The petition seeks the agency's opinion as to the applicability of Section 718.113, Florida Statutes, as it applies to the petitioner.

Whether Westwood Homeowners' Association, Inc., is responsible for maintaining and repairing walls, roofs and fixtures under Section 718.113, 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 declined to rule on the petition for declaratory statement filed by Bruce Tennyson, Petitioner, In Re: Monaco Beach Club, Inc. on May 15, 2009, Docket Nos. 2009025312 and 2009026099 on May 15, 2009. The following is a summary of the agency's declination of the petition:

The division declined to issue declaratory statements because the division may not issue a declaratory statement where the facts concern events that have already taken place and where a court has addressed the question of insurance liability for damages and costs; or where it would affect the rights of other unit owners who are not parties to this proceeding; or issue a declaratory statement where there are facts in dispute.

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 declined to rule on the petition for declaratory statement filed by Sherman Tobin, Petitioner, In Re: Towers of Quayside Homeowners' Association, Inc., on May 18, 2009. The following is a summary of the agency's declination of the petition:

The division declined to issue a Declaratory Statement because the petitioner failed to provide a complete copy of the current governing document. Thus, the division does not possess the requisite "competent substantial evidence" to issue a declaratory statement.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Jack Stevenson, Fire Marshal City of Venice. The petition seeks the agency's opinion as to the applicability of Section 633.022(1)(b), F.S.; subsections 69A-43.018(1), 69A-3.012(1), F.A.C.; NFPA 101 Life Safety Code, 2006 FL edition Chapters 24.3.5.1, 4.6.7.1(5), 4.6.7.2, and 43.7.2. as it applies to the petitioner.

Petitioner is the local code official for the City of Venice in charge with the correct application and enforcement of provisions of the Uniform Firesafety Standards as they apply to a permit application for a new resort dwelling. The address of the dwelling affected by this petition is 404 Spadaro Drive, Venice, FL 34285.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238, Fax: (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to: Lesley.Mendelson@myflorida.cfo.com.

**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

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

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

STATE BOARD OF ADMINISTRATION

The Florida Prepaid College Board is accepting proposals in response to a Request for Information, RFI #09-03, to obtain information from qualified law firms to provide legal services for the Florida Prepaid College Board and the Florida Prepaid College Foundation.

Copies of the Request for Information, RFI #09-03, are available on or after August 14, 2009, by submitting a written request to: Thomas J. Wallace, Executive Director Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, Facsimile: (850)488-3555 or by submitting an electronic request to: robin.hindle@myflorida.com. All information received in regard to this RFI must be sent to the above named address.

The original unbound copy and three (3) copies of each response to the RFI must be received by 12:00 Noon (Eastern Time), August 24, 2009, Florida Prepaid College Board, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308. Proposals must be submitted in accordance with the requirements of the RFI.

The Board may procure services based on the information submitted. Certified Minority Business Enterprises are encouraged to participate.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the bid opening because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, at (850)488-3555, no later than five (5) days prior to the bid opening.

The Florida Prepaid College Foundation is accepting proposals in response to a Request for Information, RFI #09-04, to obtain information from firms to provide governmental consulting services for the Florida Prepaid College Foundation, Inc.

Copies of the Request for Information, RFI #09-04, are available on or after August 14, 2009, by submitting a written request to: Thomas J. Wallace, Executive Director, Florida Prepaid College Foundation, Inc., 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308, Facsimile: (850)488-3555 or

by submitting an electronic request to: robin.hindle@myflorida.com. All information received in regard to this ITN must be sent to the above named address.

The original unbound copy and three(3) copies of each response to the RFI must be received by 12:00 Noon (Eastern Time), August 24, 2009, Florida Prepaid College Foundation, Inc., 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308. Proposals must be submitted in accordance with the requirements of the RFI.

The Foundation may procure services based on the information submitted. Certified Minority Business Enterprises are encouraged to participate.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the bid opening because of a disability should Fax a written request for same to: Thomas J. Wallace, Executive Director, Florida Prepaid College Foundation, Inc. at (850)488-3555, no later than five (5) days prior to the bid opening.

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 13-09/10**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from contractors certified with the Florida Department of Transportation for this type of construction and prequalified with the Department of Environmental Protection for the project listed below:

PROJECT NAME: Florida Keys Overseas Heritage Trail – Lower Sugarloaf Bridge Retrofit

SCOPE OF WORK The contractor shall provide the necessary labor, materials, equipment, and supervision to retrofit the historic Lower Sugarloaf Bridge along the Florida Keys Overseas Heritage Trail (MM15.5). The scope includes milling and resurfacing, deck repairs, spall repairs, handrail installation, guardrail removal, and bollard installation. The project shall be constructed according to plans and updated to include the most recent version of Florida Department of Transportation's Standard Specifications for Road and Bridge Construction.

PROJECT BUDGET: \$750,000.00

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.

PARK LOCATION: Florida Keys Overseas Heritage Trail (MM 15.5) Lower Sugarloaf Bridge

PROJECT MANAGER: Patricia (Trish) Smith, Office of Greenways and Trails, 3900 Commonwealth Blvd., MS #795, Tallahassee, Florida 32399-3000, (305)420-8432, Fax: (305)853-3574.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489 or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1-June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Compact Disk (CD) containing the plans and specifications will be available on August 14, 2009, Office of Greenways and Trails, 3 LaCroix Court, Key Largo, Florida 33037, Attention: Shelley Welch at (305)853-3571, Fax: (305)853-3574 or email: Shelley.Welch@dep.state.fl.us.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact: Michael Renard, Bureau of Design and Construction, (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 2:30 p.m. (ET), Tuesday, September 15, 2009, to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administer, Bureau of Design and Construction at (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Tuesday, September 22, 2009, unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS #35, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2242, Fax: (850)245-2303, 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 Rule 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 CHILDREN AND FAMILY SERVICES

INVITATION TO BID

Proposals are requested from qualified General or Building Contractors by the Department of Children and Families, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF 10245300

PROJECT: SHOWER STALL RENOVATIONS
BUILDING 1012
FLORIDA STATE HOSPITAL
CHATTAHOOCHEE, FLORIDA

PREQUALIFICATION: The Owner accepts bids from those firms which demonstrate current relevant licensure with the Florida Department of Business and Professional Registration by submittal of a copy of that license or certificate with their bid and compliance with the pre-qualification requirements as stated hereinbefore and in the project specifications. In the General and Technical Specifications, Exhibit 9, Owner's Experience Questionnaire and Contractor's Financial Statement shall be submitted with bid.

The work includes but is not limited to replacing 67 ceramic tile shower stalls with new gel-coated fiberglass units. The contractor will be responsible for the remove of existing thick set and thin set ceramic tile showers, removal of existing sheetrock walls down to studs and the replacement of rotten wood studs. Contractor shall replace sheetrock and thin coated ceramic tile walls where necessary and install new gel-coated fiberglass shower units. All new and existing walls within the bathroom shall receive paint.

BID GUARANTEE: On projects where the base bid and sum of all additives exceeds \$100,000.00, bids shall be accompanied by a bid guarantee of not less than five (5) percent of the amount of the bid.

PUBLIC CONSTRUCTION BOND: If the construction award is \$100,000.00 or more, a Public Construction Bond, Exhibit 4, is required.

BID DATE AND TIME: Sealed bids will be received at Operations and Facilities Directors Main Conference Room, Florida State Hospital, Operations and Facilities Building, Chattahoochee, Florida 32324, on Thursday, September 3, 2009, until 2:00 p.m. (Eastern Standard Time), at which time they will be publicly opened and read aloud.

NON-MANDATORY PRE-BID INSPECTION: The pre-bid inspection will be meeting at the Operations and Facilities Building, Florida State Hospital, Chattahoochee, on Tuesday, August 25, 2009, 2:00 p.m. (Eastern Standard Time). An informative meeting will take place @ this location followed by a visit to the project location, Building 1012. All other visits after this time shall be by Florida State Hospital appointed set time only. Qualified Bidders setting up an appointment after August 25, 2009 must contact: Mr. Rob Elliott, Operations and Facilities at (850)663-7152, Florida State Hospital to be informed of set date and time of the scheduled site visit. All questions pertaining to this project must be addressed to the architect.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, which may be examined and obtained for \$25.00 non-refundable from the Architect:

Florida Department of Children and Families
Office of General Services, Design and Construction
1317 Winewood Boulevard, Building 3, Room 205-G
Tallahassee, Florida 32399-700
Telephone: (850)413-6776
Attn.: Bill Bridges, Architect

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted by 2:00 p.m. (Local Time), September 7, 2009, at the Operations and Facilities Office. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be otherwise notified. Any protests of the bid must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes." If no protest is filed per Section B-21 of the Instructions to Bidders, "Notice and Protest Procedures: the Owner will award the contract to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C.

AREA AGENCY ON AGING FOR NORTH FLORIDA, INC.

Request for Information (RFI)

The Area Agency on Aging for North Florida, Inc., is seeking sources interested in achieving Community Care for the Elderly (CCE) Lead Agency designation in accordance with Section 430.203(9), Florida Statutes. Lead Agencies are designated to provide case management and to coordinate various community-based services to eligible individuals within a specified community care service area (CSA). For the purpose of this request for information (RFI), a CSA is defined as a county. Counties include: Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla, and Washington Counties. Prospective sources must demonstrate the ability to work with individuals age 60 and older.

The intent of the CCE program is to assist functionally impaired elderly persons in living dignified and reasonably independent lives in their own homes or in the homes of relatives or caregivers through the development, expansion, reorganization, and coordination of various community-based services. The Legislature intends that a continuum of care be established so that functionally impaired elderly persons age 60 and older may be assured the least restrictive environment suitable to their needs. The development of innovative approaches to program management, staff training, and service delivery which have an impact on cost-avoidance, cost-effectiveness, and program efficiency is encouraged.

This RFI is a preliminary step to the release of a Request for Proposal (RFP) package on or around September 4, 2009. Failure to respond by the deadline specified below shall constitute a "not interested" response.

Designated Lead Agencies will also be responsible for program management of the Alzheimer's Disease Initiative and Home Care for the Elderly Program, and must be an enrolled provider in the Aged and Disabled Adult Waiver Program to provide case management and coordinate services.

The Area Agency on Aging for North Florida, Inc. is also seeking sources interested in providing services to older adults under the federal Older Americans Act Title III-B: supportive services, and III-C1 and III-C2: nutritional services in aforementioned CSAs, or counties. Organizations interested in providing services in a CSA/county under both the Community Care for the Elderly Act and Older Americans Act should provide a response for each CSA/county of interest to the Area Agency on Aging indicating their dual interest. The Area Agency on Aging for North Florida, Inc. does not intend to award a contract on the basis of this request for information or to otherwise pay for the information solicited.

Deadline: Written responses to this RFI are due to the Area Agency on Aging for North Florida, Inc. no later than 3:00 p.m. (EST), August 21, 2009. Responses should include the

organization name, contact person's name, contact person's email address, business address and phone number. Only written responses will be accepted.

Contact: Area Agency on Aging for North Florida, Inc.
Attention: Lisa Bretz
2414 Mahan Drive
Tallahassee, Florida 32308
bretzl@elderaffairs.org

Request for Information (RFI)

The Area Agency on Aging for North Florida, Inc. is seeking sources interested in providing services to older adults under the federal Older Americans Act Title III-B: supportive services, and III-C1 & III-C2: nutritional services in Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla and Washington Counties. Prospective sources must be established and have current or previous experience in providing services to older adults.

This Request for Information (RFI) is a preliminary step to the release of a Request for Proposals (RFP) package on or around September 4, 2009. Failure to respond by the deadline specified below shall constitute a "not interested" response. A response is required for each county in which an organization wishes to provide services. The Area Agency on Aging for North Florida, Inc. does not intend to award a contract on the basis of this request for information or otherwise pay for the information solicited.

The Area Agency on Aging for North Florida, Inc. is also seeking sources interested in achieving Lead Agency designation under the Community Care for the Elderly Act (Section 430.203(9), F.S.), in the aforementioned counties. Organizations interested in providing services in a county under both the Community Care for the Elderly Act and the Older Americans Act should provide a response for each county of interest to the Area Agency on Aging indicating their dual interest.

Deadline: Written responses to this RFI are due to the Area Agency on Aging for North Florida, Inc. no later than 3:00 p.m. (EST), August 21, 2009. Responses should include the organization name, contact person's name, contact person's email address, business address and phone number. Only written responses will be accepted.

Contact: Area Agency on Aging for North Florida, Inc.
Attention: Lisa Bretz
2414 Mahan Drive
Tallahassee, Florida 32308
bretzl@elderaffairs.org

CITIZENS PROPERTY INSURANCE CORPORATION

Senior Managing or Co-Managing Bond Underwriter

The Citizens Property Insurance Corporation (Citizens) is seeking proposals from qualified investment banking firms interested in serving as Senior Managing or Co-Managing Bond Underwriter for future financings.

This is an Invitation to Negotiate for Bond Underwriting Managers. Please note that Citizens, at its sole discretion, reserves the right at any time during the process to reject any and all Proposals that are not in the best interest of Citizens.

The solicitation is anticipated to be released on August 17, 2009. The complete solicitation documents and requirements will be posted on Citizens' Website located at <http://www.citizensfla.com/about/purchasing-solicitations.cfm>.

From the date the solicitation is issued until a notice of recommended award, rejection of all proposals or other notice is made, no contact related to the proposal will be allowed between a Vendor and any other party for the purpose of influencing the award, including any member of the Board of Governors or Citizens staff, with the exception of the Procurement Officer or his/her designee. Any unauthorized contact may disqualify the Vendor from further consideration.

Section XII Miscellaneous

DEPARTMENT OF STATE

Guidelines and Applications Available
for State Aid to Libraries Grants

Grant applications and guidelines are available for the State Aid to Libraries Grant, administered by the Florida Department of State, State Library and Archives of Florida. Grant guidelines and application packets for State Aid to Libraries grants are available on the State Library and Archives' Web page at: <http://dls.dos.state.fl.us/bld/grants/forms/Stateaid/forms.html>. The guidelines and application packet may also be requested by mail: Grants Office, State Library and Archives of Florida, R. A. Gray Building, MS #9-D, 500 South Bronough Street, Tallahassee, FL 32399-0250, by e-mail: grantsoffice@dos.state.fl.us, by phone: (850)245-6620 or by Fax: (850)245-6643.

The completed application must be mailed to the address indicated above and postmarked on or before the October 1, 2009 application date.

DEPARTMENT OF COMMUNITY AFFAIRS

Office of Comprehensive Planning
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

**NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
 INTERLOCAL AGREEMENT CONSISTENT WITH
 SECTION 163.3177(2) AND (3), FLORIDA STATUTES
 DCA DOCKET NUMBER 51-02**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Dade City and the Pasco 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: City of Dade City, 38020 Meridian Avenue, Dade City, Florida 33526-1355.

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 Dade City and the Pasco 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: 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

NOTICE IS HEREBY GIVEN THAT the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.

FILE NO: BLIVR-07-2009-01
 DATE RECEIVED: August 4, 2009
 DEVELOPMENT NAME: CYPRESS GARDENS
 DEVELOPER/AGENT: Brian Philpot
 DEVELOPMENT TYPE: 28-24.002, 28-24.016, F.A.C.
 LOCAL GOVERNMENT: Polk County

Final DCA Order No.: DCA09-OR-275

In Re: LAKE COUNTY LAND DEVELOPMENT
 REGULATIONS APPROVED BY
 LAKE COUNTY ORDINANCE NO. 2009-25

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes, (2008), approving a land development regulation adopted by a local government within the Green Swamp Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern, and Lake County is a local government within the Green Swamp Area. Section 380.0551(1), Florida Statutes (2008).
2. On June 3, 2009, the Department received for review Lake County Ordinance 2009-25 (“Ord. No. 2009-25”) adopted by the Lake County Board of County Commissioners on May 5, 2009.
3. Ord. No. 2009-25 amends Section 10.03.00, Appendix E, Open Air Vendors, to allow for open air vendors in the Neighborhood Commercial District, “C-1”, Community Commercial District “C-2”, Employment Center District “C-3”, Planned Commercial District “CP”, Light Industrial District “LM”, Heavy Industrial District “HM”, Planned Industrial District “MP”, and Community Facility District “CFD.” The use of open air vendors is limited to 30 days and requires approval by Lake County requiring compliance with concurrency and other state and local laws.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes (2008).
5. Lake County is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes (2008) and Rule Chapter 28-26, Florida Administrative Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2008). The regulations adopted by the Ordinances are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Section 380.05(6), Florida Statutes; see *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code. ("Principles").
8. Ord. No. 2009-25 is furthers the Green Swamp Principles in subsection 28-26.003(1), Florida Administrative Code, Objectives to Be Achieved, and is not inconsistent with the Principles as a whole.
9. Ord. No. 2009-25 is generally consistent with Lake County Comprehensive Plan Goals and Policies; and furthers Policy 1-1.14(2) General Land Use Location Criteria and Objective 1-3 Planning For Commercial Activities.

WHEREFORE, IT IS ORDERED that the above identified Lake County Ord. No. 2009-25 is consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

 CHARLES GAUTHIER, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE

PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE: AGENCY CLERK, DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 3rd day of August, 2009.

Paula Ford, Agency Clerk

By U.S. Mail:
Sanford A. Minkoff
County Attorney
Lake County
P. O. Box 7800
Tavares, FL 32778-7800

Neil Kelly
Clerk of the Board of County
Commissioners of Lake County
P. O. Box 7800
Tavares, FL 32778-7800

Final DCA Order No.: DCA09-OR-276
In Re: CITY OF GROVELAND LAND DEVELOPMENT REGULATIONS APPROVED BY THE CITY OF GROVELAND ORDINANCE NOS. 2005-08-29, 2006-03-21, 2006-03-22, 2006-03-23, 2006-10-98, 2006-10-103, 2006-11-104, 2007-05-26, 2007-12-74, 2008-03-10, 2008-05-16, 2008-06-22, 2008-10-41, 2008-11-49, 2008-11-50, 2009-01-02, 2009-01-04, and 2009-04-17.

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes, (2008), approving land development regulations adopted by a local government within the Green Swamp Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern, and the City of Groveland is a local government within the Green Swamp Area. Section 380.0551(1), Florida Statutes (2008).
2. On June 9, 2009, the Department received for review the City of Groveland Ordinance Nos. 2005-08-29, 2006-03-21, 2006-03-22, 2006-03-23, 2006-10-98, 2006-10-103, 2006-11-104, 2007-05-26, 2007-12-74, 2008-03-10, 2008-05-16, 2008-06-22, 2008-10-41, 2008-11-49, 2008-11-50, 2009-01-02, 2009-01-04, and 2009-04-17, adopted by the City Council of the City of Groveland over a five year time period.
3. The proposed ordinances contain definitions, administrative procedures, revisions to zoning districts, floodplain review criteria, overlay design standards for new construction, requirements for trees, requirements for right of way and fences, establish requirements for inclusionary housing, establish a transportation proportionate fair share and concurrency management system, annexation of land, regulations for off site signage, procedures for site plan review and the subdivision of land, size of accessory units, permitting requirements for homeowners associations, and general guidance for administering growth decisions.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes (2008).
5. The City of Groveland is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes (2008) and Rule Chapter 28-26, Florida Administrative Code.
6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2008). The regulations adopted by the Ordinances are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Section 380.05(6), Florida Statutes; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in

- the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code. ("Principles").
8. Ordinance Nos. 2005-08-029 with the exception of Article V, Section 5.1(H) and Article 6, Variance Procedures and Conditions; 2006-03-21, 2006-03-22, 2006-03-23, 2006-10-98, 2006-10-103, 2006-11-104, 2007-05-26 with the exception of Section 3.1; 2007-12-74, 2008-03-10, 2008-05-16, 2008-06-22, 2008-10-41, 2008-11-49 with the exception of Article II Procedure for Approval of Subdivisions, Section 2.8 Alteration of Land Before Construction and Appendix B, Chapter XII, Section 3.1 Design Standards; 2008-11-50 with the exception of Article V, Appendix A. Section 5.14.1 Accessory Structures; 2009-01-02, 2009-01-04, and 2009-04-17 are consistent with the Principles in Rule 28-26.003, Florida Administrative Code.
 9. Ordinance Nos. 2005-08-029 with the exception of Article V, Section 5.1(H) and Article 6, Variance Procedures and Conditions; 2006-03-21, 2006-03-22, 2006-03-23, 2006-10-98, 2006-10-103, 2006-11-104, 2007-05-26 with the exception of Section 3.1; 2007-12-74, 2008-03-10, 2008-05-16, 2008-06-22, 2008-10-41, 2008-11-49 with the exception of Article II Procedure for Approval of Subdivisions, Section 2.8 Alteration of Land Before Construction and Appendix B, Chapter XII, Section 3.1 Design Standards; 2008-11-50 with the exception of Article V, Appendix A. Section 5.14.1 Accessory Structures; 2009-01-02, 2009-01-04, and 2009-04-17 implement the City of Groveland Comprehensive Plan Objective 1.1 Future Land Use Categories and Overlays.

WHEREFORE, IT IS ORDERED that the above identified City of Groveland Ord. Nos. Ordinance Nos. 2005-08-029 with the exception of Article V, Section 5.1(H) and Article 6, Variance Procedures and Conditions; 2006-03-21, 2006-03-22, 2006-03-23, 2006-10-98, 2006-10-103, 2006-11-104, 2007-05-26 with the exception of Section 3.1; 2007-12-74, 2008-03-10, 2008-05-16, 2008-06-22, 2008-10-41, 2008-11-49 with the exception of Article II Procedure for Approval of Subdivisions, Section 2.8 Alteration of Land Before Construction and Appendix B, Chapter XII, Section 3.1 Design Standards; 2008-11-50 with the exception of Article V, Appendix A. Section 5.14.1 Accessory Structures; 2009-01-02, 2009-01-04, and 2009-04-17 are consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and are hereby APPROVED.

WHEREFORE, IT IS ORDERED that the above identified City of Groveland Ord. Nos. Ordinance Nos. 2005-08-029 Article V, Section 5.1(H) and Article 6, Variance Procedures and Conditions; 2007-05-26 Section 3.1; 2008-11-49 Article II Procedure for Approval of Subdivisions, Section 2.8 Alteration of Land Before Construction and

Appendix B, Chapter XII, Section 3.1 Design Standards; and 2008-11-50 Article V, Appendix A. Section 5.14.1 Accessory Structures; are found to be inconsistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern and are hereby REJECTED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

CHARLES GAUTHIER, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL

ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 3rd day of August, 2009.

Paula Ford, Agency Clerk

By U.S. Mail:
Teresa Begley
City Clerk

City of Groveland
156 South Lake Avenue
Groveland, FL 34736

Ralph Hester
City Manager
City of Groveland
156 South Lake Avenue
Groveland, FL 34736

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 Universal Parts, Inc. d/b/a Partsforscooters.com, intends to allow the establishment of Eco Green Machine, LLC d/b/a Eco Green Machine, as a dealership for the sale of motorcycles manufactured by Zhejiang Leike Machinery Co. Ltd. (ZLMI) at 7000 Park Boulevard, Pinellas Park (Pinellas County), Florida 33781, on or after September 4, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Eco Green Machine, LLC d/b/a Eco Green Machine are dealer operator(s): Ron Pownall, 7000 Park Boulevard, Pinellas Park, Florida 33781; principal investor(s): Ron Pownall, 7000 Park Boulevard, Pinellas Park, Florida 33781.

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 Celestian, President, Universal Parts, Inc. d/b/a Partsforscooters.com, 2401 72nd Street, North, St. Petersburg, Florida 33710.

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 Universal Parts, Inc. d/b/a Partsforscooters.com, intends to allow the establishment of Eco Green Machine, LLC d/b/a Eco Green Machine, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 7000 Park Boulevard, Pinellas Park (Pinellas County), Florida 33781, on or after September 4, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Eco Green Machine, LLC d/b/a Eco Green Machine are dealer operator(s): Ron Pownall, 7000 Park Boulevard, Pinellas Park, Florida 33781; principal investor(s): Ron Pownall, 7000 Park Boulevard, Pinellas Park, Florida 33781.

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 Celestian, President, Universal Parts, Inc. d/b/a Partsforscooters.com, 2401 72nd Street, North, St. Petersburg, Florida 33710.

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 Renmin Motors, Inc., intends to allow the establishment of Finish Line Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng

Motorcycle Co. Ltd. (ZHNG) at 6600 Gulf Boulevard, St. Petersburg (Pinellas County), Florida 33706, on or after September 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Finish Line Scooters, LLC are dealer operator(s): John Leonard, 3269 Shore Drive, Largo, Florida 33771; principal investor(s): John Leonard, 3269 Shore Drive, Largo, Florida 33771.

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: Alexander H. Li, Renmin Motors, Inc., 1810 South Park Street, Madison, Wisconsin 53713.

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 WITHDRAWAL

Notice is hereby given that the publication of Uruhardware, Inc. d/b/a Hanissi Motors, as a new point for motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) motorcycle franchise dealership in Dade County by Uruhardware, Inc. d/b/a Hanissi Motors, published in Vol. 35, No. 30, pp. 3670 of the Florida Administrative Weekly on July 31, 2009, has been withdrawn.

Notice of Publication for the Relocation of a
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Uruhardware, Inc. d/b/a Hanissi Motors, intends to allow the relocation of Uruhardware, Inc. d/b/a Hanissi Motors, as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) from its present location at 1290 West 49 Street, Suite 2, Hialeah, Florida 33012, to a proposed location at 2540 West 84th Street, #1, Hialeah (Dade County), Florida 33016, on or after July 17, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Uruhardware, Inc. d/b/a Hanissi Motors are dealer operator(s): Gustavo Perona, 6825 Northwest 169 Street, Apt. F, Miami, Florida 33015; principal investor(s): Gustavo Perona, 6825 Northwest 169 Street, Apt. F, Miami, Florida 33015. The notice indicates intent to relocate the franchise 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, as amended by Chapter 88-395, Laws of Florida, 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: Gustavo Perona, Uruhardware, Inc. d/b/a Hanissi Motors, 2540 West 84th Street, #1, Miami, Florida 33016.

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 relocation 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 X-Power Motorsports, Inc., intends to allow the establishment of Sun Sports Cycles and Watercraft, Inc., as a dealership for the sale of motorcycles manufactured by Jiangsu Linhai Power Machinery Group (LINH) at 3441 Colonial Boulevard, Fort Myers (Lee County), Florida 33912, on or after August 3, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Sun Sports Cycles and Watercraft, Inc. are dealer operator(s): Iain Johnstone, 16541 South Oleander Drive, Fort Myers, Florida 33908; principal investor(s): Iain Johnstone, 16541 South Oleander Drive, Fort Myers, Florida 33908.

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: Ronald Ho, President, X-Power Motorsports, Inc., 225 Horizon Drive, Suwannee, Georgia 30024.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE OF INTENDED AGENCY ACTION

The South Florida Water Management District gives notice of its intent to issue the following Permit with conditions:

Permit No. 11-03044-P (Application No. 070316-23) KRG 951 and 41 LLC (Tamiami Crossing) 30 S. Meridian St., Suite 1100, Indianapolis, IN 46204, for an Environmental Resource Permit authorizing construction and operation of a surface water management system serving a 25.45 acres commercial development with discharge into the Henderson Creek Basin via the US 41 (Tamiami Trail) right-of-way. The project is located in Collier County, Section 3, Township 51 South, Range 26 East.

Permit No. 50-03711-W (Application No. 060407-19) Seminole Improvement District (Seminole Water Treatment Plant) 4001 Seminole-Pratt Whitney Road, Loxahatchee, FL 33470, for renewal and modification of an existing Water Use permit for a public water supply with a 20 year duration. Withdrawals are from the surficial aquifer system. The project is located in Palm Beach County, Section 6, Township 43 South, Range 41 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. to 5:00 p.m., Monday through Friday, except legal holidays, at: 3301 Gun Club Road, West

Palm Beach, FL 33406, Environmental Resource Regulation Department, by telephone at (561)682-6911, by 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.

As required by Sections 120.569(1), and 120.60(3), Florida Statutes, following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

Right to Request Administrative Hearing – 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 the 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

Brooksville Regional Hospital Application
for an Emergency Service Exemption

The Agency for Health Care Administration has received an application for an emergency service exemption from Brooksville Regional Hospital, 17240 Cortez Blvd., Brooksville, FL 34601 and Spring Hill Regional Hospital, 10461 Quality Drive, Spring Hill, FL 34609 pursuant to

Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospitals are requesting an emergency service exemption for Neurosurgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Julie Young, 2727 Mahan Drive, MS #31, Tallahassee, FL 32308, (850)487-2717 or e-mail: youngj@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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 JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted one revised policy for review and comment on MyFlorida.com at: http://www.djj.state.fl.us/policies_procedures/policyreview.html.

Internet Access and Use (FDJJ-1205.40) This revised policy defines the scope of use for the Department’s Internet services and establishes guidelines for both unacceptable, prohibited use and permissible limited personal use of the Department’s Internet resources.

The policy is posted for a single 20 working day review and comment period, with the closure date for submission of comments on the policy of September 11, 2009. Responses to

comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

DEPARTMENT OF HEALTH

On July 29, 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 Paul Sandman, L.M.H.C. License #LMH 02829. 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 29, 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 Robert Schwam, L.C.S.W. License #SW 08930. 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 29, 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 Reginald Keith Smith, L.M.T. License #MA 20177. 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 29, 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 John J. Rahaim, M.D. License #ME 9893. 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 29, 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 Michael W. Reed, M.D. License #ME 57768. 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 29, 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 Brett Allen Brown, L.P.N. License #PN 1187381. 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 24, 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 Darius Cedale, C.N.A. License #CNA 181507. 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 30, 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 Patricia Jane Dey, L.P.N. License #PN 760221. 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 29, 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 Shantel Denise Spencer, C.N.A. License #CNA 119087. 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 August 3, 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 Michelle Denise Wilder, L.P.N., R.N. License #PN 1316731, RN 9290859. 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.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at: <http://www.flofr.com/banking/cufm.asp>. Comments may be submitted to: Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the: Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., September 4, 2009):

Name and Address of Applicant: Gulf States Credit Union,
9405 South Highway 17-92, Maitland, Florida 32751

Expansion Includes: Select Employee Group

Received: July 29, 2009

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN July 27, 2009
 and July 31, 2009**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION

State Board of Education

6A-6.014	7/29/09	8/18/09	35/23	
6A-6.0573	7/29/09	8/18/09	35/23	

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

9B-13.0071	7/28/09	8/17/09	35/19	35/26
9B-62.002	7/30/09	8/19/09	35/19	
9B-62.003	7/30/09	8/19/09	35/19	

DEPARTMENT OF CORRECTIONS

33-102.101	7/29/09	8/18/09	35/24	
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Board of Veterinary Medicine

61G18-30.001	7/31/09	8/20/09	35/3	35/26
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Board of Accountancy

61H1-28.0052	7/31/09	8/20/09	35/25	
61H1-28.007	7/31/09	8/20/09	35/25	
61H1-31.001	7/31/09	8/20/09	35/25	

DEPARTMENT OF HEALTH

Board of Medicine

64B8-30.014	7/29/09	8/18/09	35/23	
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Board of Nursing

64B9-3.0085	7/27/09	8/16/09	35/25	
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Board of Osteopathic Medicine

64B15-6.01051	7/29/09	8/18/09	35/23	
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FLORIDA HOUSING FINANCE CORPORATION

67-53.003	7/31/09	8/20/09	35/12	
67-53.0035	7/31/09	8/20/09	35/12	
67-53.004	7/31/09	8/20/09	35/12	
67-53.006	7/31/09	8/20/09	35/12	35/24
67-53.007	7/31/09	8/20/09	35/12	35/24
67-53.008	7/31/09	8/20/09	35/12	35/24
67-53.009	7/31/09	8/20/09	35/12	
67-53.010	7/31/09	8/20/09	35/12	35/24