

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-104.101 News Media Visitors

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to: clarify that Rules 33-104.201-.204, F.A.C., shall govern the procedures for news media visits with those inmates confined under sentenced of death who have an active death warrant; clarify the permissible types of news media visits (Inmate Interviews and Program Visits), how many media representatives may attend each interview, and the permissible times for interviews; specify the requisite information that must be provided to the Department and institution prior to a news media visit; clarify the procedures that news media outlets and representatives must follow in order to be permitted the particular type of interview sought; specify that inmates' attorneys, family members, and doctors may not accompany news media representatives on their visits.

SUBJECT AREA TO BE ADDRESSED: News Media Visitors.

RULEMAKING AUTHORITY: 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23 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:

33-104.101 News Media Visitors.

(1) Permission for visits by bona fide news media representatives shall not be unreasonably withheld. This shall apply for visits to inmates other than death sentence inmates with an active death warrant those confined under sentence of death. Rules 33-104.201-.204, F.A.C., shall govern procedures for media interviews with inmates under sentence of death once an execution date has been set. It shall be the

responsibility of the news media representatives requesting the visitation to present to the Office of Public Affairs public affairs office; evidence sufficient to establish that such person is a bona fide news media representative; and to provide the information sufficiently in advance that it may be verified.

~~(2)(a)~~ News media representatives consist of persons whose principal employment is gathering and reporting news for a:

~~(a)1-~~ Radio or television program whose primary purpose is news reporting for a licensee of the Federal Communications Commission;

~~(b)2-~~ Newspaper reporting general interest information news and circulated to the public in the community where it is published;

~~(c)3-~~ News magazine that has a national circulation, is sold by mail subscriptions, or on newsstands to the general public; and

~~(d)4-~~ National or international news service.

~~(3)(b)~~ News media visits to correctional facilities shall be pre-arranged with the Office of Public Affairs public affairs office. There are two (2) types of media visits allowed under this Rule: Inmate Interviews and Program Visits. The following conditions apply to both types of visits ~~News media representatives shall request access to the facility in writing and shall provide the following information:~~

(a) News media representatives shall be required to provide news station ID and two verifiable contacts for the media group they represent. Phone numbers for these contacts and for each member of a media crew must also be provided. If the contacts provided do not confirm the representative's association with the respective media group, the representative shall be required to provide two additional contacts. If such contacts do not confirm the representative's association with the respective media group, the interview shall be cancelled and the media representative shall not be permitted future interviews.

~~1. Full name, date of birth, race and gender for all persons entering the facility;~~

~~2. Purpose of visit;~~

~~3. Identity of staff or offender to be seen, if applicable; and~~

~~4. Proposed use of camera or other recording devices. The warden must approve possession of news media cameras and recording devices before they are allowed into the facility.~~

~~(c) News media representatives must provide positive identification. Foreign media must have an "I" Visa on their passports.~~

~~(b)(d)~~ Representatives of news media visiting a facility are subject to search pursuant to ~~per~~ Rule 33-601.726, F.A.C.

~~(c)(e)~~ News media representatives must be escorted by staff. Random access not specific to the purpose of the visit is prohibited.

~~(d)(f)~~ During an emergency, news media representatives will be restricted to a designated media center.

(e) Media crews are limited to three (3) members.

(f) Attorneys, doctors, inmate family members, and victims or victim family members may not accompany media representatives on their visits.

(g) Each member of a media crew must fill out Form DC1-406, Media Access Background Form, and pass an NCIC/FCIC background check. Form DC1-406 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____. Form DC1-406 remains valid for six months from the date of signature.

(h) Media representatives must provide identification upon entry into the prison facility.

(i) Foreign media representatives must have an I Visa on their passports.

(j) Media will be given 30 minutes for equipment setup.

(k)(g) Interviews and photographs of on-duty staff may be permitted only with prior authorization of the Office of Public Affairs public affairs office and the staff member.

1. Department employees are not permitted to accept compensation for on-duty news media interviews.

2. Photographing on-duty staff without their permission is prohibited.

3. Inmate are not allowed to accept compensation for media interviews.

~~(2) The warden of an institution or his designee may authorize members of the news media to visit that institution for the purpose of observing institutional programs. Such visits may be authorized between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except holidays, provided the warden, or his designee, determines that such visits would not impair or disrupt the normal operations or security of the facility, and would not endanger the safety of the visitor.~~

~~The warden, or his designee, also may restrict the use of photographic or recording equipment, and may restrict areas of the facility which may be toured. Casual contact with inmates during tours shall not be of such duration that they are disruptive of program operations or institutional functions.~~

(l) Privacy rights of inmates shall be observed by the media. No photographs, movie films, television tapes, or recordings may be made without the consent of the inmate involved and the prior approval of the warden or his designee.

~~(3) A request from a news media representative for an interview with a specific inmate shall include the name of the inmate and such other identification as the media representative might possess. The request for an interview shall be made to the Department of Corrections Public Affairs Office in Tallahassee. Interviews may be granted, subject to prior approval of such interview by the inmate. The time and duration of the interview shall be determined by the public affairs office. Such interviews may be refused if:~~

~~(a) The inmate is in disciplinary confinement;~~

~~(b) The inmate is classified as close management;~~

~~(c) The inmate has serious psychological problems;~~

~~(d) The warden, or the assistant warden or the next senior officer present in the chain of command in the absence of the warden, has reason to believe that such interview will impair the security or normal operation of the facility;~~

~~(e) The inmate is a hospital or infirmary patient.~~

~~Interviews shall be approved at a time mutually agreeable to the facility warden, or the assistant warden or the next senior officer present in the chain of command in the absence of the warden, to the inmate and to the interviewer.~~

(4) Inmate Interviews. Media representatives wishing to conduct in-person inmate interviews must: News media representatives desiring to visit must be fully clothed, which includes shoes. Visitors shall not be admitted to the visiting area if they are not appropriately clothed or are dressed in revealing attire. Examples of inappropriate attire are: miniskirts, see through blouses, bra less attire, tank tops, swimsuits, shorts, undershirts, and other like attire.

(a) Write the inmate in accordance with the provisions of Rule 33-210.101, F.A.C., and request a handwritten, signed, and dated letter of consent from the inmate.

(b) Fax the inmate's consent as well as the contact information required by paragraph (3)(a) of this Rule to the Office of Public Affairs. Media representatives should allow at least two weeks for the interview clearance process. In addition to the provisions of subsection (3) of this Rule, the following conditions apply to all inmate interviews:

1. Phone interviews. Phone interviews are not coordinated through the Office of Public Affairs. To obtain a phone interview, news media representatives must write the inmate and request to be added to his phone list. The inmate will call you collect at his discretion once you have been added. This process can take several months.

2. The following will result in cancellation of an inmate interview and may result in refusal of future interviews for both the individual media representative and the media group:

a. Submitting false or incomplete information on a background form.

b. Failure to comply with security procedures, including dress code and interview setup procedures.

c. Failure to comply with instructions of on-site security staff.

d. A request by the inmate at any time and for any reason to cancel the interview.

3. Media representatives shall not be given access to inmates in special housing, such as disciplinary or administrative confinement, protective management, close or maximum management, mental health housing or infirmaries or to inmates receiving hospital care.

4. Inmates are allowed only one hour-long interview per month.

5. Only bona fide news media representatives are permitted on-site, on-camera interviews with inmates.

6. All inmate interviews must be conducted for the purpose of gathering information for a media event. The Office of Public Affairs strives to accommodate as broad a definition of media as possible.

7. The Florida Department of Corrections does not sign film crew or media location releases.

8. Visits may be authorized between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except holidays, provided the warden or designee determines that such visits would not impair or disrupt the normal operations or security of the facility and would not endanger the safety of the visitor.

9. Interviews shall not be allowed during inmate visitation.

10. No part of the institution may be filmed except the interior of the interview room.

11. Filming may only begin after the inmate has arrived and been seated. Close up shots of the prison sign at the institution's entrance are permitted. No exterior shots of the institution will be permitted. Failure to comply constitutes a serious threat to security. Violators shall have their interview cancelled and shall not be permitted future interviews.

12. Foreign Press. In addition to all of the above, foreign press members must provide criminal history clearance from the official criminal history registry of their native country. Contact information for a representative from the agency that maintains that registry must also be provided. A legible copy of the foreign media representative's passport must be submitted to the Office of Public Affairs.

13. Media representatives wanting to interview inmates housed at private facilities must contact the Florida Department of Management Services to arrange the interview.

(5) Program Visits – In addition to the provisions of subsection (3) of this Rule, the following conditions apply to all program visits, which are visits to a volunteer or staff led inmate betterment program:

(a) News media visits to inmate programs must be pre-arranged with the Office of Public Affairs.

(b) Programs qualifying for media visits can have one (1) visit per month for up to four (4) hours. Media representatives will have no more than 30 minutes to set up equipment.

(c) Programs involving inmate mental and physical health information do not qualify for media visits.

(d) The volunteer or staff program leader must pre-approve a program visit.

(e) Inmates who do not want to appear on film must be able to attend a program that is the subject of a program visit, and such inmates may not be filmed during the visit. Inmates shall be asked in advance of each program visit to sign Form DC6-236, Inmate Request, indicating consent to be videotaped.

Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C. Inmates who decline to provide written consent to be filmed shall be grouped together in a section during the program visit, and media representatives shall be advised not to film this group during the visit. Department personnel shall immediately stop any interview or program visit if it is discovered that a media representative is disregarding the wishes of an inmate who has not consented to being on camera.

(f) Department personnel shall immediately stop any interview or program visit if the media are refusing to cooperate with staff.

(g) Filming is allowed only in the program area and not on the open compound.

Rulemaking Specific Authority 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New 10-16-83, Amended 6-20-85, Formerly 33-5.14, 33-5.014, Amended 10-30-02,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-208.002
RULE TITLE: Rules of Conduct

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the search procedures to which employees are subject prior to entering a Department facility or institution.

SUBJECT AREA TO BE ADDRESSED: Rules of Conduct.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09, 944.14, 944.35, 944.36, 944.37, 944.38, 944.39, 944.47 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:

33-208.002 Rules of Conduct.

The Department of Corrections requires all employees to familiarize themselves with all rules and regulations pertaining to their positions and duties; and requires that employees abide by these rules and regulations. The following rules of conduct and performance standards are applicable both on and off the job to all Department of Corrections employees. Some of these rules of conduct are found again in abbreviated form in the next section titled "Range of Disciplinary Actions;" however, all rules of conduct are enforceable by appropriate disciplinary action regardless of whether they are listed in the range of disciplinary actions.

(1) Each warden, officer-in-charge, and circuit administrator, or supervisor, as well as designated Central Office staff ~~Officer Staff~~, shall be responsible for insuring that each employee under his supervision, before assuming the duties of his employment, is familiar with all rules and regulations of the Department and institution ~~that~~ which pertain to such employee and to the protection, custody, control, care and treatment of persons under his supervision or control. Each employee shall keep himself completely familiar and comply with all such rules and regulations during his employment. Copies of the rules and regulations shall be made available for inspection by employees.

(2)(a) Each employee shall make a full written report of any of the following within 24 hours or upon reporting to work for his next assigned shift, whichever is sooner:

1. Criminal charge filed against him; or
2. Arrest or receipt of a Notice to Appear for violation of any criminal law involving a misdemeanor, ~~or~~ felony, or ordinance except minor violations for which the fine or bond forfeiture is \$200 or less.
3. through (5) No change.

(6) No employee shall refuse to truthfully answer questions specifically relating to the performance of his ~~or her~~ official duties.

(7)(a) No employee shall refuse to submit to a search or inspection by an authorized employee, of his person, personal property or vehicle while entering, departing or otherwise being upon the premises of an institution. Refusal of an employee to submit to such search or inspection is considered as a serious form of insubordination. Upon proper notice to an employee occupying state-owned housing, such housing is subject to reasonable inspections for maintenance and sanitation purposes at least annually.

(b) All employees and contract staff shall be subject to some form of metal detection system search, and items in their possession or on their person shall be inspected prior to gaining entry to an institution or facility of the Department. Employees and contract staff may also be subject to a clothed pat search as a part of this routine search process. Outer wear such as jackets or coats and footwear shall be removed and inspected upon request during the metal detection process and during clothed pat searches. Routine searches conducted prior to entry to a Department institution or facility shall be performed by an employee of the rank of correctional officer or above.

(b) through (e) renumbered (c) through (f) No change.

~~(f) Any search of an employee's person which involves the touching of the employee's clothed body or visual inspection of the employee's unclothed body shall be conducted in private and out of the sight and hearing of other employees and inmates. The warden or officer-in-charge is authorized to make exceptions to the provisions regarding individual private clothed body searches when the physical plant makes~~

~~individual clothed searches impractical. In such cases, small groups of employees of the same sex can be subjected to clothed searches in a private area out of the sight and hearing of inmates and other employees. Such searches shall only be conducted, observed and supervised by officials of the same sex as the employee. Body cavity searches shall not be conducted.~~

~~(g) Clothed body searches shall be conducted by not less than two employees, one of which will serve as the observer. At least one of the officers shall be of the rank of sergeant or higher.~~

~~(g)(h)~~ Any search of an employee's person ~~that~~ which involves the visual inspection of the employee's unclothed body shall be conducted in private and out of the sight and hearing of other employees and inmates. Such searches shall only be conducted, observed and supervised by officials of the same sex as the employee being searched. Such searches shall be conducted by not less than two employees, one of whom ~~which~~ will be at least the rank of correctional officer lieutenant. The correctional officer inspector shall assist in such searches unless he is unavailable and the delay associated with awaiting the inspector's arrival would jeopardize the effectiveness of the search. No more than three staff members shall be involved in the actual search. Group strip searches of employees shall not be permitted.

~~(i) An intensive search of an employee's person, property or vehicle shall be conducted by not less than two officials, at least one of whom shall be of a sergeant rank or higher to assume official responsibility for the search.~~

~~(h)(j)~~ Property that is introduced into the secure perimeter such as purses, briefcases, ~~or~~ lunch boxes, or bags is subject to search at any time by an employee of the rank of a correctional officer or above ~~higher~~.

(8) No employee shall willfully or negligently treat an inmate in a cruel or inhuman manner, nor shall profane or abusive language be used in dealing with an inmate or person under the employee's ~~his~~ supervision.

(9) No employee shall report for duty or exercise supervision or control over any person while under the influence of a narcotic, barbiturate, hallucinogenic drug, central nervous system stimulant or an intoxicant. However, in the event any of the foregoing drugs is prescribed and administered to an employee, the employee shall report this to the circuit administrator, supervisor or officer-in-charge and provide him ~~or her~~ with a prescription receipt detailing the type of medication, dosage, and possible side effects. The circuit administrator, supervisor or officer-in-charge shall then make a determination whether the employee can perform his duties without detrimental effect. No employee shall refuse to submit to a scientific test to measure his alcohol blood level when

reporting for duty or while on duty if the circuit administrator, supervisor or officer-in-charge has reason to believe that the employee is under the influence of alcohol.

(10) through (13) No change.

(14) No employee shall apply physical force to the person of an inmate except as provided in Rule 33-602.210, F.A.C., or to any other person under his supervision except and only to the degree that it reasonably appears to be necessary in self-defense, to prevent escape, to prevent injury to a person or damage to property, to quell a disturbance, or when an inmate exhibits physical resistance to a lawful command. When force becomes necessary, a detailed written report shall be made by the employee to the warden who shall have an investigation made and shall approve or disapprove the force used. The employee's report, together with the warden's written approval or disapproval of the force used and his reasons therefore, shall be forwarded and distributed in accordance with Rule 33-602.210, F.A.C., ~~Use of Force.~~

(15) No employee shall recommend or furnish any advice concerning the retention of a legal or bonding firm or a specific lawyer or bondsman ~~to for~~ an inmate, ~~either to such inmate, a~~ person under the employee's his supervision, or to anyone else on such individual's in his behalf.

(16) through (20) No change.

(21) No employee shall solicit funds or services, sell tickets, or distribute petitions or literature for any purpose other than official business on Department of Corrections property or at any other place while on duty, except that an employee may engage in such activities on Department of Corrections property when off-duty (before or after work, while on lunch hour or during breaks) provided advance permission is obtained from the employee's supervisor. Such permission shall be given by the supervisor, if such solicitation is legal, if no employee is approached with a solicitation while on duty; and if such solicitations are conducted courteously without pressuring employees to participate.

(22) through (24) No change.

(25) Unauthorized possession or use of firearms or other weapons on Department of Corrections property, or at any other place while on duty, is prohibited.

(26) Employees shall maintain a professional relationship with all persons in the custody or under supervision of the Department; and their immediate family or visitors. No personal or business relationships are permitted. Marriage between employees and inmates is not permitted.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09, 944.14, 944.35, 944.36, 944.37, 944.38, 944.39, 944.47 FS. History—New 10-8-76, Amended 10-11-77, 4-19-79, 6-18-83, Formerly 33-4.02, Amended 8-15-89, 10-20-90, 3-20-91, 1-30-96, 3-24-97, 4-19-98, Formerly 33-4.002, Amended 7-17-02, 4-5-04, 4-17-06, 11-6-08, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-19.0051
 RULE TITLE: Notice of Noncompliance
 PURPOSE AND EFFECT: To add language in compliance with new statutory guidelines.
 SUBJECT AREA TO BE ADDRESSED: The Board proposes to add language in compliance with new statutory guidelines.
 RULEMAKING AUTHORITY: 455.225 FS.
 LAW IMPLEMENTED: 455.224 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: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-19.0051 Notice of Noncompliance.

(1) As an alternative to investigation and prosecution, when a complaint is received, FEMC shall provide a licensee with a notice of noncompliance for an initial offense for the following violations:

(a) Failure to date documents when affixing signature and seal.

(b) Practice with an inactive or delinquent license less than one month.

(c) Firm practicing without a current certificate of authorization less than one month.

(d) Failing to report a criminal conviction or plea of nolo contendere, regardless of adjudication, pursuant to Section 455.227(1)(t), F.S., if the conviction or plea occurred prior to July 1, 2009. This subsection shall remain in effect until July 1, 2012.

(2) A second offense shall result in issuance of a citation pursuant to Rule 61G15-19.0071, F.A.C.

Rulemaking Specific Authority 455.225 FS. Law Implemented 455.224 FS. History—New 4-2-00, Amended _____.

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 NO.: 62-302.700
 RULE TITLE: Special Protection, Outstanding Florida Waters, Outstanding National Resource Waters

PURPOSE AND EFFECT: On February 24, 2009, the St. Johns River Water Management District submitted a petition requesting that the Department designate certain waters in the Matanzas River basin as Outstanding Florida Waters (OFW). The petitioned area includes the coastal estuary between Moultrie Creek and the City of Palm Coast in southern St. Johns County and northern Flagler County.

SUBJECT AREA TO BE ADDRESSED: The Department is considering the proposal to designate this area as Outstanding Florida Waters and is holding a public workshop to discuss the proposal, gather information, and seek public opinion.

RULEMAKING AUTHORITY: 403.061, 403.087, 403.088, 403.804, 403.805 FS.

LAW IMPLEMENTED: 403.021, 403.061, 403.062, 403.087, 403.088, 403.101, 403.141, 403.182, 403.502, 403.702, 403.708, 403.918 FS.

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

DATE AND TIME: Tuesday, January 19, 2010, 7:00 p.m.

PLACE: City Hall/Lightner Building, Alcazar Room, 75 King St., St. Augustine, Florida 32084

Pursuant to the provisions of 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: Janet Klemm at (850)245-8427, or email: janet.klemm@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet Klemm at (850)245-8427, or by email: janet.klemm@dep.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-5.002
 RULE TITLE: Continuing Education Requirement

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language to clarify the rule in the practice of prosthetics and orthotics.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirement.

RULEMAKING AUTHORITY: 468.802, 468.806 FS.

LAW IMPLEMENTED: 456.013, 456.024, 468.806 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists /MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-5.002 Continuing Education Requirement.

(1) As a condition of license renewal or recertification, each licensee must complete approved continuing education.

(a) Each licensee must complete the following continuing education within 24 months immediately preceding the date license renewal is due:

1. Orthotists/Prosthetists: 30 hours.
2. Pedorthists: 30 hours.
3. Orthotic fitters: 20 hours.
4. Orthotic Fitter Assistants: 10 hours.

5. Any licensee holding more than 1 license must complete a minimum of 30 hours of continuing education.

(b) For the biennium beginning December 1, 2009, each licensee's continuing education must include two hours on Chapters 456, 468 Part XIV, F.S., and Rule Chapter 64B14, F.A.C.; an up to date registration showing competency as a Healthcare Provider by the American Red Cross; and two hours of continuing education relating to the prevention of medical errors in the practice of prosthetics and orthotics, which shall include a study of root cause analysis, error reduction and prevention, and patient safety; and one hour in infection control, including HIV/AIDS.

(2) through (8) No change.

Rulemaking Authority 468.802, 468.803 FS. Law Implemented 456.013, 456.024, 468.806 FS. History--New 7-1-98, Amended 5-18-00, 7-18-02, 11-11-02, 2-15-05, 11-1-05, 3-2-08, 7-13-09.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-7.001
 RULE TITLE: Standards of Practice

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language to clarify the rule in the practice of prosthetics and orthotics.

SUBJECT AREA TO BE ADDRESSED: Standards of Practice.

RULEMAKING AUTHORITY: 468.802, 468.806 FS.

LAW IMPLEMENTED: 456.013, 456.024, 468.806 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-7.001 Standards of Practice.

(1) Pursuant to a licensed physician's written prescription, the orthotist, prosthetist, resident, internship or pedorthist orthotic fitter or orthotic fitter assistant shall assume the responsibility for assessing the patient, planning the patient's treatment plan program, and directing the program. No licensee shall implement a prescription that, in the licensee's judgment, is contraindicated. No change shall be made in the prescription without the authorization of the prescribing physician.

(2) The licensee's or registrant's orthotist, prosthetist, or pedorthist's professional responsibilities include:

(a) Ongoing consultation with the prescribing physician regarding information that will impact the patient's medical and functional outcomes.

(b) Orthotic/prosthetic evaluation of the patient.

(c) Identification and documentation of precautions, special problems, or contraindications.

(d) Development of a treatment plan including the short and long terms goals.

(e) Implementation of a treatment plan.

(f) Periodic review and update of the treatment plan, including reassessment of the patient in reference to goals and, when necessary, modification of the treatment plan.

(g) Collaboration with members of the health care team when appropriate.

(h) Prior to rendering services, a ~~Advising the patient or guardian, in terms which the patient or guardian can understand, of the nature and purpose of the services to be rendered, the nature and purposes of the prescribed device, and the treatment plan, techniques for use and care of an orthosis or prosthesis, and an estimate of delivery time and financial responsibilities.~~

(i) Determination of the appropriateness of proper fit and function of any orthosis or prosthesis.

(3) Sexual misconduct in the practice of "Orthotics/Prosthetics" by any person licensed under this chapter is prohibited. Sexual misconduct in the practice of orthotics/ prosthetics means exercising influence within the licensee-patient relationship for purposes of engaging a patient in sexual activity.

(4) It is below the standards of practice for any person licensed under this chapter orthotists/prosthetists to practice if they are unable to practice with reasonable skill and safety to patients by reason of illness, use of alcohol, drugs, narcotics or chemicals, or any other type of material, or as a result of any mental or physical condition.

(5) It is below the standard of practice and prohibited under this section for any person licensed under this chapter to delegate or assign activities, tasks or procedures that fall within the scope of any practice defined in Section 468.80, F.S., to support personnel, without providing direct supervision for the performance of the activities, tasks or procedures. Direct Supervision requires:

(a) The licensed orthotist, prosthetist, orthotist/prosthetist, or pedorthist to provide a physical evaluation of each patient's orthotic and or prosthetic needs and may delegate appropriate duties to support personnel. However, the licensed practitioner shall physically evaluate the effectiveness, appropriateness and fit of all devices within the scope of the licensed practitioner's licensure practice requirements, including those repaired devices in which the repairs affect the fit, physical structure or bio-mechanical function of the device, on every patient, prior to the delivery of the device;

(b) For the purpose of replacement of worn or broken components which do not in any way alter the fit, physical structure or bio-mechanical functioning of the existing device, direct supervision of support personnel providing repairs to orthoses or prosthesis means the aforementioned repair must be approved by the appropriately licensed practitioner prior to beginning of repairs. The responsible licensed practitioner must at all times be accessible by two way communication, enabling the supervisor to respond to questions relating to the repair.

Rulemaking Specific Authority 468.802 FS. Law Implemented 456.063(1), 456.072(1)(o), (u), 468.802, 468.808 FS. History--New 7-1-98, Amended 10-24-04, 1-16-06,_____.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: RULE TITLE:

64B14-7.003 Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes to revise the disciplinary guidelines.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.

RULEMAKING AUTHORITY: 456.072(4), 456.079(1) 468.802 FS.

LAW IMPLEMENTED: 456.072(4), 456.079, 468.811 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: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-7.004 RULE TITLE: Citations

PURPOSE AND EFFECT: The Board proposes to change the calculation of the fine imposition.

SUBJECT AREA TO BE ADDRESSED: Citations.

RULEMAKING AUTHORITY: 456.072, 456.077 FS.

LAW IMPLEMENTED: 456.072, 456.077 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-7.004 Citations.

Pursuant to Section 456.077, F.S., the Board designates the following as citation violations:

(1) through (4) No change.

(5) Failure of the licensee to satisfy continuing education requirements established by the board: Fine of \$100 per hour of continuing education not completed ~~500~~.

(6) through (8) No change.

Rulemaking Specific Authority 456.072, 456.077 FS. Law Implemented 456.072, 456.077 FS. History--New 7-1-98, Amended 3-19-02, 10-24-04, 4-25-06,_____.

**Section II
Proposed Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: 40C-1.603 RULE TITLE: Permit Fees

PURPOSE AND EFFECT: The purposes and effects of this rule amendment are to: (1) adopt and charge the minimum fee of \$250 for all noticed general environmental resource permits contained in Chapter 40C-400, F.A.C., as set forth in Section 373.109(1)(b) F.S.; (2) adopt and charge the minimum fee of \$100 for District verification that an activity is exempt from regulation under part IV of Chapter 373, F.S., or Section 403.813, F.S., as set forth in Section 373.109(1)(c), F.S.; (3) adopt and charge the minimum fee of \$100 for the District conducting an informal wetland boundary determination, as set forth in Section 373.109(1)(d), F.S.; (4) increase each application fee authorized under part IV of Chapter 373, F.S., such that each fee reflects the upward adjustment in the Consumer Price Index compiled by the United States Department of Labor since the original fee was established or most recently revised, as set forth in Section 373.109(1)(a), F.S.; (5) establish by rule the inflation index to be used for this purpose (the Consumer Price Index for All Urban Consumers (CPI-U), compiled by the United States Department of Labor), as set forth in Section 373.109(1)(a), F.S., and subparagraph 62-113.200(12)(a)8. and paragraph 62-4.050(4)(z), F.A.C.; and (6) clarify that the application fees for propriety authorization to use State-owned lands under Chapters 253 and 258, F.S., are provided in Chapter 18-21, F.A.C.

This rulemaking implements the 2008 statutory amendments to Section 373.109, F.S., enacted pursuant to Section 18 of Senate Bill 1294 (2008), (Chapter 2008-150, Laws of Florida). Subsequent to the enactment of these statutory amendments, the Florida Department of Environmental Protection delegated its authority to implement the statutory amendment to the water management districts in subparagraph 62-113.200(12)(a)8., F.A.C. These statutory amendments require the following increases in permit application fees and

the following new fees under the Environment Resource Permit program of Part IV, Chapter 373, F.S.: a \$250 minimum fee for noticed general environmental resource permits; a new \$100 minimum fee, not to exceed \$500 if later adopted by rule, to verify qualification for an exemption from regulation; and a new \$100 minimum fee, not to exceed \$500 if later adopted by rule, to conduct an informal wetland boundary determination. Section 373.109(1)(a), F.S., also requires the District to review all of its environmental resource permit (ERP) fees, and to initiate rulemaking no later than December 1, 2008, to increase each application fee authorized under Part IV of Chapter 373, F.S., to ensure that such fees reflect, at a minimum, an upward adjustment in the Consumer Price Index compiled by the United States Department of Labor, or similar inflation indicator, since the original fee was established or more recently revised, and to establish by rule the inflation indicator to be used.

SUMMARY: The proposed rule amendments would: (1) increase the fee for all noticed general environmental resource permits to \$250; (2) create a \$100 fee for District verification that an activity is exempt from regulation; (3) create a \$100 fee for an informal wetland boundary determination; (4) increase each application fee authorized under Part IV of Chapter 373, F.S., based on a Consumer Price Index, (5) establish the Consumer Price Index used for calculating those fees increases; and (6) clarify that the application fee for proprietary authorization to use State-owned lands under Chapters 253 and 258, F.S., are provided in Chapter 18-21, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed rule amendments will increase the application fee for all environmental resource permit applications and for other applications and decisions under Part IV of Chapter 373, F.S.

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 twenty-one (21) days of this notice.

RULEMAKING AUTHORITY: 373.044, 373.109, 373.113, 373.421(2) FS.

LAW IMPLEMENTED: 373.109, 373.421(2) FS.

IF REQUESTED WITHIN TWENTY-ONE (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: Following the regularly scheduled Governing Board Meeting on January 12, 2010, 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, Executive Building, 4049 Reid Street, Palatka, Florida 32177

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Wendy Gaylord, Rules Coordinator, St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177-2529, (386)326-3026, or wgaylord@sjrwmd.com

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-1.603 Permit Fees.

A fee is required and shall be paid to the District when certain applications or petitions are filed pursuant to District rules or permit programs delegated to the District. Effective October 1, 1990, governmental entities shall be required to submit the fees established except as provided in subsection (17)(14). This fee recovers some of the District's costs of processing applications. The fee schedule is:

- (1) through (4) No change.
- (5) Chapter 40C-4, F.A.C., environmental resource permits:
 - (a) Individual and conceptual permits \$5,380 ~~4,500~~
 - (b) Mitigation Bank permits and conceptual approvals \$11,960 ~~10,000~~
 - (c) Applications for Modification of individual or conceptual environmental resource permits, or Mitigation Bank permits or conceptual approval permits, where the total land area of the project is not increased \$1,410 ~~1,000~~
 - (d) Applications for modification of individual or conceptual environmental resource permits, or Mitigation Bank permits or conceptual approval permits, where the total land area of the project is increased \$4,230 ~~3,000~~
 - (e) Requests for modification by letter of individual or conceptual environmental resource permits, or mitigation bank permits or conceptual approval permits \$270 ~~250~~
 - (f) Chapter 40C-40, F.A.C., standard environmental resource permits:
 - 1. Systems which have a project area greater than or equal to 40 acres \$1,790 ~~1,500~~
 - 2. Systems which have a project area of less than 40 acres and greater than one acre \$1,190 ~~1,000~~
 - 3. Systems which have a project area of less than or equal to one acre \$590 ~~500~~
 - 4. Applications qualifying under subsection 40C-40.302(5), F.A.C., for modification of individual or conceptual environmental resource permits, or mitigation bank permits or conceptual

approval permits, where the total land area is not increased \$1,100 ~~1,000~~

5. Applications qualifying under subsection 40C-40.302(5), F.A.C., for modification of individual or conceptual environmental resource permits, or mitigation bank permits or conceptual Approval permits, where the total land area of a project is Increased \$3,300 ~~3,000~~

6. Requests for modification by letter of Chapter 40C-40, F.A.C., standard environmental resource permits, where the total land area of a project is not increased \$160 ~~150~~

(g) Chapter 40C-400, F.A.C., noticed general environmental resource permits set forth in Rules 40C-400.417 through 40C-400.500 ~~40C-400.499~~, F.A.C. \$250 ~~400~~

(h) Variances associated with an environmental resource permit application \$550 ~~500~~

(i) Formal Determinations:

1. For property less than or equal to 10 acres \$860 ~~550~~
2. For property greater than 10 acres but less than or equal to 40 acres \$1,180 ~~750~~
3. For property greater than 40 acres but less than or equal to 120 acres \$2,370 ~~1,500~~
4. For property greater than 120 acres \$2,370 ~~1,500~~ plus \$310 ~~200~~ for each additional 100 acres or portion thereof

5. For properties with an existing formal determination that qualify for a lower fee in accordance with subsection 40C-1.1006(7), F.A.C. \$350 ~~250~~

(j) No change.

(k) Management and storage of surface waters permits under Chapters 40C-4 and 40C-40, F.A.C., as such rules existed prior to the adoption of rules pursuant to Section 373.414(9), F.S., that are submitted pursuant to the grandfathering provisions of Sections 373.414(11) through (16), F.S.

1. Individual and conceptual permits \$3,530 ~~2,500~~
2. General permits \$980 ~~700~~

(l) Permit applications and formal determinations which require wetland delineations pursuant to Section 373.421(7), F.S., will be charged a supplemental application fee of seven hundred ~~five hundred~~ dollars (\$700 ~~500~~), in addition to the application fees above.

(6) Chapter 40C-42, F.A.C., environmental resource stormwater permits and conceptual approval environmental resource stormwater permits.

- (a) Stormwater facility serving a project with a total land area less than or equal to one acre \$280 ~~200~~
- (b) Stormwater facility serving a project with a total land area greater than one acre \$490 ~~350~~

Permit applications under Chapter 40C-42, F.A.C., as such rule existed prior to the effective date of the rules adopted pursuant to Section 373.414(9), F.S., that are submitted pursuant to the grandfathering provisions of subsections 373.414(12) through (16), F.S.

1. Stormwater facility serving a project with a total land area less than or equal to one acre \$220 ~~150~~
2. Stormwater facility serving a project with a total land area greater than one acre \$440 ~~300~~

(c) Requests for modification by letter of Chapter 40C-42, F.A.C., permits \$110 ~~400~~

(7) No change.

(8) Chapters 62-4 and 62-312, F.A.C., wetland resource management (dredge and fill) permits issued pursuant to the grandfathering provisions of subsections 373.414(11) through (16), F.S.

- (a) General permits \$150 ~~400~~
- (b) Short form permits:
 1. Involving the construction of new docking or boardwalk facilities, pursuant to Rule 62-312.070, F.A.C., that provide:
 - a. 0-2 new boat slips \$460 ~~300~~
 - b. 3-9 new boat slips \$760 ~~500~~
 2. Involving dredging and filling activities that affect 10 acres or less of jurisdictional area, pursuant to subsection 62-312.070(2), F.A.C.:
 - a. Up to and including five years duration \$760 ~~500~~
 - b. From six years up to and including 10 years duration \$4,600 ~~3,000~~
- (c) Standard form permits:
 1. Up to and including five years duration \$6,130 ~~4,000~~
 2. For six years duration \$9,200 ~~6,000~~
 3. For seven years duration \$10,740 ~~7,000~~
 4. For eight years duration \$12,270 ~~8,000~~
 5. For nine years duration \$13,810 ~~9,000~~
 6. For ten years duration \$15,340 ~~10,000~~
 7. For 11 years duration \$16,880 ~~11,000~~
 8. For 12 years duration \$18,410 ~~12,000~~
 9. For 13 years duration \$19,940 ~~13,000~~
 10. For 14 years duration \$21,480 ~~14,000~~
 11. For 15 years duration \$23,010 ~~15,000~~

12. For 16 years duration	\$24,550	16,000
13. For 17 years duration	\$26,080	17,000
14. For 18 years duration	\$27,620	18,000
15. For 19 years duration	\$29,150	19,000
16. For 20 years duration	\$30,690	20,000
17. For 21 years duration	\$32,220	21,000
18. For 22 years duration	\$33,760	22,000
19. For 23 years duration	\$35,290	23,000
20. For 24 years duration	\$36,830	24,000
21. For 25 years duration	\$38,360	25,000

(d) For permit applications which involve a combination of fee categories listed above, the highest fee that applies to the appropriate standard form or short form project, pursuant to Rule 62-312.070, F.A.C., shall be charged.

(e) Variances from permitting standards, permit conditions, or water quality standards associated with a wetland resource permit application \$550 ~~500~~

(f) No change.

(g) A single additional fee of \$760 ~~500~~ shall be required for projects in which monitoring and evaluation to determine success of the mitigation will be required beyond the period of time to which the permit fee will ordinarily apply. If it is determined at the time of the permit application that monitoring and evaluation to determine the success of the mitigation will be required beyond the time period to which the permit fee will ordinarily apply, then this single additional fee will be due at that time. If it is determined after the time of permit application that monitoring and evaluation to determine the success of the mitigation will be required beyond the time period to which the permit fee will ordinarily apply, then this single additional fee shall be due when it is determined that this monitoring and evaluation is required.

(h) Minor modifications of permits that do not require substantial technical evaluation by the District, do not require a new site inspection by the District, and will not lead to substantially different environmental impacts or will lessen the impacts of the original permit:

1. That consist of transfers of permits or time extensions	\$70	50
2. Involving minor technical changes when the existing permit fee is less than <u>\$460.00</u> \$300.00 .	\$70	50
3. Involving minor technical changes when the existing permit fee is more than or equal to <u>\$460.00</u> \$300.00 .	\$380	250

(9) Chapter 40C-44, F.A.C., environmental resource agricultural system permits:

(a) Standard General Permits for agricultural operations less than 40 acres	\$420	300
(b) Standard General Permits for agricultural operations greater than 40 acres	\$1,050	750
(c) Individual Permits	\$2,820	2,000
(d) Permit applications under Chapter 40C-44, F.A.C., as such rule existed prior to the effective date of the rules adopted pursuant to Section 373.414(9), F.S., that are submitted pursuant to the grandfathering provisions of subsections 373.414(12) through (16), F.S.		

1. General Permits for agricultural operations less that 40 acres	\$470	250
2. General Permits for agricultural operations greater than 40 acres	\$940	500
3. Individual Permits	\$2,840	1,500
(10) and (11) No change.		

(12) Application fees for a Authorizations on sovereign submerged lands under Chapters 253 and 258, F.S., are provided in Chapter 18-21, F.A.C. ~~to use State-owned sovereign submerged lands~~

(a) Consents of Use	No Fee
(b) Easements and Licenses	\$200

(13) For individual, conceptual, and standard environmental resource permit, environmental resource stormwater permit, and mitigation bank permit and conceptual approval permit applications that fail to provide five copies of the application package (which package includes the signed application form, construction plan drawings, and other supporting information), for each missing application package the application fee shall be increased as follows:

(a) Chapter 40C-4, F.A.C., individual and conceptual environmental resource permits, and mitigation bank permits and conceptual approval permits	\$220	200
(b) Chapter 40C-40, F.A.C., standard environmental resource permits	\$110	400
(c) Chapter 40C-42, F.A.C., permits	\$110	400

However, this additional fee shall not apply when the application package is received electronically via the District's E-Permitting website at www.sjrwmd.com

(14) Informal wetland boundary determinations under Part IV of Chapter 373, F.S., for property less than or equal to 1 acre. \$100

(15) Verification that an activity is exempt from regulation under Part IV of Chapter 373, F.S., or Section 403.813, F.S. \$100

(16) The District shall use the Consumer Price Index, for All Urban Consumers (CPI-U), all items, compiled by the United States Department of Labor for revising fees under Part

IV of Chapter 373, F.S., pursuant to Section 373.109, F.S., and subparagraph 62-113.200(12)(a)8. and paragraph 62-4.050(4)(z), F.A.C.

~~(17)(14)~~ No change.

Rulemaking Specific Authority 373.044, 373.109, 373.113, 373.421(2) FS. Law Implemented 218.075, 373.109, 373.421(2) FS. History—New 10-1-87, Amended 6-1-88, 10-17-88, Formerly 40C-1.202, Amended 8-1-89, 10-19-89, 8-19-90, 7-21-91, 7-23-91, 8-11-91, 9-25-91, 11-12-91, 10-20-92, 11-30-92, 1-6-93, 12-6-93, 1-23-94, 4-12-95, 1-4-96, 4-25-96, 10-2-96, 10-11-01, 4-10-02, 11-11-03, 2-1-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Thomas I. Mayton Jr., Senior Assistant General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4108

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 21, 2008

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.:	RULE TITLE:
40C-4.091	Publications Incorporated by Reference

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to clarify that informal wetland determinations are discretionary, non-binding, available only to persons or entities with a legal or equitable interest in the land or power of eminent domain, and are limited to a parcel of property that does not exceed one acre in size.

SUMMARY: The proposed rule would clarify the availability of informal wetland determinations under Section 12.5.6 of the Applicant’s Handbook: Management and Storage of Surface Waters, which is adopted and incorporated by reference in paragraph 40C-4.091(1)(a), F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of estimated regulatory cost has been prepared because this rule amendment will not have an impact on small business or small governments. This rule amendment only clarifies the extent of the availability of pre-application informal wetland determinations. Once an applicant submits a permit application, the District will still perform a wetland determination, as necessary.

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, 373.421(6) FS.

LAW IMPLEMENTED: Section 18 of Chapter 2008-150, Laws of Florida, 373.109(1)(d), 373.413, 373.414, 373.421(6) 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: Following the regularly scheduled Governing Board Meeting on January 12, 2010, 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, Executive Building, 4049 Reid Street, Palatka, Florida 32177

Pursuant to the provisions of 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 at (386)329-4127 or sbertram@sjrwm.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: Wendy Gaylord, Rules Coordinator, St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177-2529, (386)326-3026, or wgaylord@sjrwm.com

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-4.091 Publications Incorporated by Reference.

(1) The Governing Board hereby adopts by reference:

(a) Part I “Policy and Procedures,” Part II “Criteria for Evaluation,” subsections 18.0, 18.1, 18.2, and 18.3 of Part III and Appendix K “Legal Description Upper St. Johns River Hydrologic Basin,” “Legal Description Ocklawaha River Hydrologic Basin,” “Legal Description of the Wekiva River Hydrologic Basin,” “Legal Description of the Wekiva Recharge Protection Basin,” “Legal Description of the Wekiva Recharge Protection Basin,”: “Legal Description of the Econlockhatchee River Hydrologic Basin,” “Legal Description of the Sensitive Karst Areas Basin, Alachua County,” “Legal Description Tomoka River Hydrologic Basin,” “Legal Description Spruce Creek Hydrologic Basin,” “Legal Description of the Sensitive Karst Areas Basin, Marion County,” and “Legal Description of the Lake Apopka Hydrologic Basin,” and Appendix M “Regional Watersheds for Mitigation Banking,” of the document entitled “Applicant’s Handbook: Management and Storage of Surface Waters,” effective ~~November 5, 2008.~~

(b) through (d) No change.

(2) No change.

Rulemaking Specific Authority 369.318, 373.044, 373.046(4), 373.113, 373.4136, 373.414, 373.415, 373.416, 373.418, 373.421, 373.461 FS. Law Implemented 120.60, 369.316, 369.318, 373.016(2), 373.042, 373.0421, 373.046, 373.085, 373.086, 373.103, 373.109, 373.146(1), 373.406, 373.413, 373.4135, 373.4136 373.414, 373.4141, 373.415, 373.416, 373.417, 373.418, 373.421(2)-(6), 373.423, 373.426, 373.461(3), 380.06(9), 403.813(2) FS. History—New 12-7-83, Amended 10-14-84, Formerly 40C-4.091, Amended 5-17-87, Formerly 40C-4.0091, Amended 8-20-87, 10-1-87, 10-11-87, 11-26-87, 8-30-88, 1-1-89, 8-1-89, 10-19-89, 4-3-91, 9-25-91, 11-12-91, 3-1-92, 7-14-92, 9-8-92, 9-16-92, 11-12-92, 11-30-92, 1-6-93, 1-23-94, 2-27-94, 11-22-94, 10-3-95, 8-20-96, 11-25-98, 12-3-98, 1-7-99, 1-11-99, 8-21-00, 7-8-01, 10-11-01, 4-10-02, 9-26-02, 3-7-03, 11-11-03, 2-1-05, 12-3-06, 7-1-07, 5-13-08, 11-5-08, _____.

APPLICANT’S HANDBOOK

12.5.6 Nonbinding Determinations

The District may issue informal nonbinding pre-application determinations or otherwise initiate nonbinding determinations on its own initiative, as District staff time and resources allow. Informal wetland boundary determinations are provided as a public service to applicants or potential applicants for permits under Part IV, Chapter 373, F.S., and are available only to the property owner, an entity that has the power of eminent domain, or any other person who has a legal or equitable interest in the parcel of property. An informal wetland boundary determination is limited to a parcel of property that is less than or equal to one acre in size. A request for an informal wetland boundary determination is not an application for a permit, is not subject to the permit review timeframes established in Chapters 120 or 373, F.S., and does not constitute final agency action.

NAME OF PERSON ORIGINATING PROPOSED RULE: Thomas I. Mayton Jr., Senior Assistant General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4108

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 21, 2008

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

<p>RULE NO.: 59G-6.010</p>	<p>RULE TITLE: Payment Methodology for Nursing Home Services</p>
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PURPOSE AND EFFECT: The purpose of the proposed rule is to incorporate changes to the Florida Title XIX Long-Term Care Reimbursement Plan (the Plan) payment methodology, effective January 1, 2009, in accordance with House Bill 5001, 2008-09 General Appropriations Act, Specific Appropriation 236 and House Bill 5085, Section 5 which amended Section

408.908(23), Florida Statutes. In addition to this change, obsolete and outdated language has been removed from the Title XIX Long-Term Care Reimbursement Plan as requested by the Centers for Medicare and Medicaid Services (CMS).

SUMMARY: The proposed rule incorporates changes to the Florida Title XIX Long-Term Care Reimbursement Plan (the Plan) payment methodology, effective January 1, 2009, in accordance with House Bill 5001, 2008-09 General Appropriations Act, Specific Appropriation 236 and House Bill 5085, Section 5 which amended section 408.908(23), Florida Statutes. In addition to this change, obsolete and outdated language has been removed from the Title XIX Long-Term Care Reimbursement Plan as requested by the Centers for Medicare and Medicaid Services (CMS).

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: 409.919 FS.

LAW IMPLEMENTED: 409.908 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: December 14, 2009, 9:00 a.m. – 11:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edwin Stephens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2120B, Mail Stop 21, Tallahassee, Florida 32308, (850)414-2756 or by e-mail at stephene@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.010 Payment Methodology for Nursing Home Services.

Reimbursement to participating nursing homes for services provided shall be in accord with the Florida Title XIX Long-Term Care Reimbursement Plan, Version ~~XXXIII~~ **XXXIV** Effective Date January 1, 2009 ~~July 1, 2008~~ and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Deputy Secretary for Medicaid, 2727 Mahan Drive, Mail Stop 8, Tallahassee, Florida 32308. The Plan incorporates Provider Reimbursement Manual (CMS Pub. 15-1).

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.908 FS. History--New 7-1-85, Amended 10-1-85, Formerly 10C-7.482, Amended 7-1-86, 1-1-88, 3-26-90, 9-30-90, 12-17-90, 9-15-91, 3-26-92, 10-22-92, 4-13-93, 6-27-93, Formerly 10C-7.0482, Amended 4-10-94, 9-22-94, 5-22-95, 11-27-95, 11-6-97, 2-14-99, 10-18-99, 1-11-00, 4-24-00, 9-20-00, 11-20-01, 2-20-02, 7-14-02, 1-8-03, 6-11-03, 12-3-03, 2-16-04, 7-21-04, 10-12-04, 4-19-06, 8-26-07, 2-12-08, 9-22-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Edwin Stephens
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Thomas W. Arnold
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 3, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 27, 2009

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-6.010
RULE TITLE: Payment Methodology for Nursing Home Services

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to incorporate changes to the Florida Title XIX Long-Term Care Reimbursement Plan in accordance with Senate Bill 2-A, 2008-2009 Special Appropriations Act, Specific Appropriation 116.

Effective March 1, 2009, the Agency for Health Care Administration shall implement a recurring methodology in the Title XIX Long-Term Care Reimbursement Plan to reduce individual nursing home rates proportionately until the required savings of \$231,362,589 is achieved.

SUMMARY: The proposed rule incorporates changes to the Florida Title XIX Long-Term Care Reimbursement Plan (the Plan) payment methodology, effective March 1, 2009, in accordance with Senate Bill 2-A, 2008-2009 Special Appropriations Act, Specific Appropriation 116.

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: 409.919 FS.

LAW IMPLEMENTED: 409.908 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: December 14, 2009, 9:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edwin Stephens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2120B, Mail Stop 21, Tallahassee, Florida 32308, (850)414-2756 or by e-mail at stephene@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.010 Payment Methodology for Nursing Home Services.

Reimbursement to participating nursing homes for services provided shall be in accord with the Florida Title XIX Long-Term Care Reimbursement Plan, Version ~~XXXX~~ ~~XXXIV~~ Effective Date March 1, 2009 ~~January 1, 2009~~ and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Deputy Secretary for Medicaid, 2727 Mahan Drive, Mail Stop 8, Tallahassee, Florida 32308. The Plan incorporates Provider Reimbursement Manual (CMS Pub. 15-1).

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.908 FS. History--New 7-1-85, Amended 10-1-85, Formerly 10C-7.482, Amended 7-1-86, 1-1-88, 3-26-90, 9-30-90, 12-17-90, 9-15-91, 3-26-92, 10-22-92, 4-13-93, 6-27-93, Formerly 10C-7.0482, Amended 4-10-94, 9-22-94, 5-22-95, 11-27-95, 11-6-97, 2-14-99, 10-18-99, 1-11-00, 4-24-00, 9-20-00, 11-20-01, 2-20-02, 7-14-02, 1-8-03, 6-11-03, 12-3-03, 2-16-04, 7-21-04, 10-12-04, 4-19-06, 8-26-07, 2-12-08, 9-22-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Edwin Stephens
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Thomas W. Arnold
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 3, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 27, 2009

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-6.010
RULE TITLE: Payment Methodology for Nursing Home Services

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to incorporate changes to the Florida Title XIX Long-Term Care Reimbursement Plan in accordance with Senate Bill 8A, from the January 2009 Special Session, which created Section 409.9082, Florida Statutes, as follows:

Effective April 1, 2009, there is imposed upon each nursing home facility a quality assessment. The aggregated amount of assessments for all nursing home facilities in a given year shall be an amount not exceeding 5.5 percent of the total aggregate net patient service revenue of assessed facilities. The agency

shall calculate the quality assessment rate annually on a per-resident-day basis, exclusive of those resident days funded by the Medicare program, as reported by the facilities. The per-resident-day assessment rate shall be uniform except as prescribed in subsection (1). Each facility shall report monthly to the agency its total number of resident days, exclusive of Medicare Part A resident days, and shall remit an amount equal to the assessment rate times the reported number of days. The agency shall collect, and each facility shall pay, the quality assessment each month. The agency shall collect the assessment from nursing home facility providers by no later than the 15th of the next succeeding calendar month. The agency shall notify providers of the quality assessment and provide a standardized form to complete and submit with payments. The collection of the nursing home facility quality assessment shall commence no sooner than 5 days after the agency's initial payment of the Medicaid rates containing the elements prescribed in subsection (2). Nursing home facilities may not create a separate line-item charge for the purpose of passing through the assessment to residents.

(1)(a) The following nursing home facility providers are exempt from the quality assessment:

1. Nursing home facilities that are licensed under part II of chapter 400 and located on the campus of continuing care retirement communities operating pursuant to a certificate of authority under chapter 651;
2. Nursing home facilities that have 45 or fewer beds; and
3. The skilled nursing facility units of acute care hospitals licensed by the agency under Chapter 395, F.S.

(b) The agency may apply a lower quality assessment rate to high-volume Medicaid nursing facilities. The agency shall apply the lower rate to the fewest number of such facilities necessary to meet federal Medicaid waiver requirements.

(c) The agency may apply a lower quality assessment rate to high-patient-volume nursing facilities. The agency shall apply the lower rate to the fewest number of such facilities necessary to meet federal Medicaid waiver requirements.

(2) The purpose of the nursing home facility quality assessment is to ensure continued quality of care. Collected assessment funds shall be used to obtain federal financial participation through the Medicaid program to make Medicaid payments for nursing home facility services up to the amount of nursing home facility Medicaid rates as calculated in accordance with the approved Medicaid state plan in effect on December 31, 2007. The quality assessment and federal matching funds shall be used exclusively for the following purposes and in the following order of priority:

- (a) To reimburse the Medicaid share of the quality assessment as a pass-through, Medicaid-allowable cost;
- (b) To increase to each nursing home facility's Medicaid rate, as needed, an amount that restores the rate reductions implemented January 1, 2008, and January 1, 2009;

(c) To increase to each nursing home facility's Medicaid rate, as needed, an amount that restores any rate reductions for the 2008-2009 fiscal year; and

(d) To increase each nursing home facility's Medicaid rate that accounts for the portion of the total assessment not included in paragraphs (a)-(c) which begins a phase-in to a pricing model for the operating cost component.

(3) The agency shall seek necessary federal approval in the form of waivers and state plan amendments in order to implement the provisions of this section.

(4) The quality assessment shall terminate and the agency shall discontinue the imposition, assessment, and collection of the nursing facility quality assessment if any of the following occur:

(a) The agency does not obtain necessary federal approval for the nursing home facility quality assessment or the payment rates required by subsection (2); or

(b) The weighted average Medicaid rate paid to nursing home facilities is reduced below the weighted average Medicaid rate to nursing home facilities in effect on December 31, 2008, plus any future annual amount of the quality assessment and the applicable matching federal funds.

Upon termination of the quality assessment, all collected assessment revenues, less any amounts expended by the agency, shall be returned on a pro rata basis to the nursing facilities that paid them.

(5) The agency may seek any of the following remedies for failure of any nursing home facility provider to pay its assessment timely:

(a) Withholding any medical assistance reimbursement payments until such time as the assessment amount is recovered;

(b) Suspension or revocation of the nursing home facility license; and

(c) Imposition of a fine of up to \$1,000 per day for each delinquent payment, not to exceed the amount of the assessment.

SUMMARY: The proposed rule incorporates changes to the Florida Title XIX Long-Term Care Reimbursement Plan (the Plan) payment methodology, effective April 1, 2009, in accordance with Senate Bill 8A, from the January 2009 Special Session, which created Section 409.9082, F.S.

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

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 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: December 14, 2009, 9:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edwin Stephens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2120B, Mail Stop 21, Tallahassee, Florida 32308, (850)414-2756 or by e-mail at stephene@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.010 Payment Methodology for Nursing Home Services.

Reimbursement to participating nursing homes for services provided shall be in accord with the Florida Title XIX Long-Term Care Reimbursement Plan, Version ~~XXXV~~ XXXVI Effective Date April 1, 2009 ~~March 1, 2009~~ and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Deputy Secretary for Medicaid, 2727 Mahan Drive, Mail Stop 8, Tallahassee, Florida 32308. The Plan incorporates Provider Reimbursement Manual (CMS Pub. 15-1).

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.908 FS. History—New 7-1-85, Amended 10-1-85, Formerly 10C-7.482, Amended 7-1-86, 1-1-88, 3-26-90, 9-30-90, 12-17-90, 9-15-91, 3-26-92, 10-22-92, 4-13-93, 6-27-93, Formerly 10C-7.0482, Amended 4-10-94, 9-22-94, 5-22-95, 11-27-95, 11-6-97, 2-14-99, 10-18-99, 1-11-00, 4-24-00, 9-20-00, 11-20-01, 2-20-02, 7-14-02, 1-8-03, 6-11-03, 12-3-03, 2-16-04, 7-21-04, 10-12-04, 4-19-06, 8-26-07, 2-12-08, 9-22-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Edwin Stephens

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Thomas W. Arnold

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

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-6.010
 RULE TITLE: Payment Methodology for Nursing Home Services

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to incorporate changes to the Florida Title XIX Long-Term Care Reimbursement Plan effective July 1, 2009,

in accordance with Senate Bill 2600, the 2009-10 General Appropriations Act, Specific Appropriation 219 and Senate Bill 1658.

1. The Agency shall implement a recurring methodology in the Title XIX Nursing Home Reimbursement Plan to reduce nursing home rates to achieve an \$81,333,369 rate reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget.

2. In accordance with Senate Bill 1658, Section 409.9082, F.S., Quality assessment on nursing home facility providers; exemptions; purpose; federal approval required; remedies, effective July 1, 2009, the Agency may exempt from the quality assessment or apply a lower quality assessment rate to a qualified public, non-state-owned or operated nursing home facility whose total annual indigent census days are greater than 25 percent of the facility’s total annual census days.

SUMMARY: The proposed rule incorporates changes to the Florida Title XIX Long-Term Care Reimbursement Plan (the Plan) payment methodology, effective July 1, 2009, in accordance with Senate Bill 2600, the 2009-10 General Appropriations Act, Specific Appropriation 219 and Senate Bill 1658.

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: 409.919 FS.

LAW IMPLEMENTED: 409.908 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: December 14, 2009, 9:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edwin Stephens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2120B, Mail Stop 21, Tallahassee, Florida 32308, (850)414-2756 or by e-mail at stephene@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.010 Payment Methodology for Nursing Home Services

Reimbursement to participating nursing homes for services provided shall be in accord with the Florida Title XIX Long-Term Care Reimbursement Plan, Version ~~XXXVI~~ XXXVII Effective Date July 1, 2009 ~~April 1, 2009~~ and incorporated herein by reference. A copy of the Plan as revised may be obtained by writing to the Deputy Secretary for Medicaid, 2727 Mahan Drive, Mail Stop 8, Tallahassee, Florida 32308. The Plan incorporates Provider Reimbursement Manual (CMS Pub. 15-1).

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.908 FS. History—New 7-1-85, Amended 10-1-85, Formerly 10C-7.482, Amended 7-1-86, 1-1-88, 3-26-90, 9-30-90, 12-17-90, 9-15-91, 3-26-92, 10-22-92, 4-13-93, 6-27-93, Formerly 10C-7.0482, Amended 4-10-94, 9-22-94, 5-22-95, 11-27-95, 11-6-97, 2-14-99, 10-18-99, 1-11-00, 4-24-00, 9-20-00, 11-20-01, 2-20-02, 7-14-02, 1-8-03, 6-11-03, 12-3-03, 2-16-04, 7-21-04, 10-12-04, 4-19-06, 8-26-07, 2-12-08, 9-22-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Edwin Stephens

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Thomas W. Arnold

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

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-50.003
RULE TITLE: Delegation of Powers and Duties to Electrolysis Council

PURPOSE AND EFFECT: The changes will clarify the Council's role in considering applications; language has been added for accepting non-disciplinary voluntary relinquishments and language was deleted because it is not needed.

SUMMARY: The Change clarifies the Council's role in accepting applications.

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: 478.43(1) FS.

LAW IMPLEMENTED: 478.43(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-50.003 Delegation of Powers and Duties to Electrolysis Council.

(1) Pursuant to Section 478.43, F.S., the Board delegates to the Electrolysis Council the following powers and duties.

(a) Approval and denial ~~Certification~~ of applicants for examination and applicants for endorsement.

(b) Approval and denial of continuing education providers and electrolysis training programs.

(c) The authority to accept non-disciplinary voluntary relinquishments.

(d) The authority to notice rules for development and to propose rules to the Board.

~~(2) The Board shall enter final orders in disciplinary cases against electrologists and electrology facility license holders. The determination of probable cause to issue an administrative complaint against an electrologist or a electrology facility license holder shall be made by the Probable Cause Panel of the Board.~~

~~(2)(3)~~ Rulemaking proposals, petitions for declaratory statement and petitions to adopt, amend or repeal rules, which relate to the practice of electrology shall first be presented to the Council. The Council shall consider the matter and make recommendations to the Board as to the appropriate action to be taken.

Rulemaking Specific Authority 478.43(1) FS. Law Implemented 478.43(3) FS. New 5-31-93, Formerly 21M-75.003, Amended 11-16-93, Formerly 61F6-75.003, 59R-50.003, Amended 2-11-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 6, 2009

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NOS.:	RULE TITLES:
64B9-2.001	Definitions
64B9-2.002	Certification for Approval
64B9-2.003	Student Employment
64B9-2.004	Educational Objectives
64B9-2.005	Faculty Qualifications
64B9-2.006	Curriculum Guidelines
64B9-2.007	Administrative Procedures
64B9-2.008	Clinical Training
64B9-2.009	Performance of Graduates on the Licensing Examination
64B9-2.010	Variance
64B9-2.011	Approval of Nursing Education Programs
64B9-2.013	Program Changes Requiring Board Approval
64B9-2.014	Closure of Nursing Education Programs and Storage of Records
64B9-2.015	Standards of Nursing Education

PURPOSE AND EFFECT: The purpose of this repeal is to bring the Board’s rules in compliance with the 2009 amendment to Section 464.019, F.S.

SUMMARY: The rule(s) are 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: 464.006, 464.019(2) FS.

LAW IMPLEMENTED: 464.019, 464.022(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULES IS:

64B9-2.001 Definitions.

Rulemaking Specific Authority 464.006, 464.019(2) FS. Law Implemented 464.019 FS. History–New 7-15-80, Amended 11-22-84, Formerly 21O-7.20, Amended 2-5-87, 6-8-88, Formerly 21O-7.020, Amended 9-7-93, Formerly 61F7-2.001, 59S-2.001, Amended 12-11-97, 1-28-02, 10-19-06, 10-15-07, Repealed.

64B9-2.002 Certification for Approval.

Rulemaking Specific Authority 464.006, 464.019(2) FS. Law Implemented 464.019 FS. History–New 7-15-80, Amended 11-22-84, Formerly 21O-7.21, Amended 2-5-87, 6-8-88, 3-24-91, Formerly 21O-7.021, 61F7-2.002, 59S-2.002, Amended 12-11-97, 1-26-98, 7-7-02, Repealed.

64B9-2.003 Student Employment.

Rulemaking Specific Authority 464.006 FS. Law Implemented 464.022(3) FS. History–New 7-15-80, Formerly 21O-7.22, 21O-7.022, 61F7-2.003, 59S-2.003, Repealed.

64B9-2.004 Educational Objectives.

Rulemaking Specific Authority 464.006 FS. Law Implemented 464.019(2) FS. History–New 7-15-80, Formerly 21O-7.23, 21O-7.023, 61F7-2.004, 59S-2.004, Repealed.

64B9-2.005 Faculty Qualifications.

Rulemaking Specific Authority 464.006, 464.019 FS. Law Implemented 464.019 FS. History–New 7-15-80, Amended 11-22-84, Formerly 21O-7.24, Amended 6-8-88, 3-12-91, Formerly 21O-7.024, Amended 9-7-93, Formerly 61F7-2.005, 59S-2.005, Repealed.

64B9-2.006 Curriculum Guidelines.

Rulemaking Specific Authority 464.006, 464.019 FS. Law Implemented 464.019 FS. History–New 7-15-80, Amended 11-22-84, Formerly 21O-7.25, Amended 2-5-87, 6-8-88, 3-24-91, Formerly 21O-7.025, Amended 9-7-93, Formerly 61F7-2.006, 59S-2.006, Amended 12-11-97, Repealed.

64B9-2.007 Administrative Procedures.

Rulemaking Specific Authority 464.006, 464.019(2) FS. Law Implemented 464.019 FS. History–New 7-15-80, Amended 11-22-84, Formerly 21O-7.26, Amended 2-5-87, 6-8-88, 3-28-89, Formerly 21O-7.026, 61F7-2.007, 59S-2.007, Repealed.

64B9-2.008 Clinical Training.

Rulemaking Specific Authority 464.006, 464.019 FS. Law Implemented 464.019 FS. History–New 7-15-80, Amended 11-22-84, Formerly 21O-7.27, Amended 6-8-88, 2-15-90, 3-12-91, 3-24-91, Formerly 21O-7.027, Amended 9-7-93, 5-1-94, Formerly 61F7-2.008, Amended 11-16-95, Formerly 59S-2.008, Amended 12-11-97, 9-5-00, 10-19-06, Repealed.

64B9-2.009 Performance of Graduates on the Licensing Examination.

Rulemaking Specific Authority 464.006 FS. Law Implemented 464.019(2) FS. History–New 7-15-80, Formerly 21O-7.28, 21O-7.028, 61F7-2.009, 59S-2.009, Repealed.

64B9-2.010 Variance.

Rulemaking Specific Authority 464.006, 464.019 FS. Law Implemented 464.019 FS. History–New 11-22-84, Formerly 21O-7.29, 21O-7.029, 61F7-2.010, 59S-2.010, Repealed.

64B9-2.011 Approval of Nursing Education Programs.

Rulemaking Specific Authority 464.006, 464.019(2) FS. Law Implemented 464.019 FS. History–New 5-2-02, Amended 10-19-06, Repealed _____.

64B9-2.013 Program Changes Requiring Board Approval.

Rulemaking Specific Authority 464.006, 464.019(2) FS. Law Implemented 464.019 FS. History–New 1-28-02, Amended 10-19-06, Repealed _____.

64B9-2.014 Closure of Nursing Education Programs and Storage of Records.

Rulemaking Specific Authority 464.006, 464.019(2) FS. Law Implemented 464.019 FS. History–New 1-28-02, Repealed _____.

64B9-2.015 Standards of Nursing Education.

Rulemaking Specific Authority 464.019(2) FS. Law Implemented 464.019 FS. History–New 1-28-02, Amended 10-19-06, 4-19-09, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2009

Section III Notices of Changes, Corrections and Withdrawals

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 REVENUE

Division of Child Support Enforcement

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

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. 35, September 4, 2009 issue of the Florida Administrative Weekly.

The proposed changes to Rule 12E-1.0052, F.A.C., have been made a part of the record of the public hearing held on September 29, 2009, as noticed in the September 4, 2009, issue of the Florida Administrative Weekly (Vol. 35, No. 35). The proposed change to Rule 12E-1.014, F.A.C., is to correct a revision date referenced in Rule 12E-1.014, F.A.C., to form CS-EF36A.

In response to changes made orally at the public hearing held on September 29, 2009, and having these changes available to the public in print, as provided in the public record, paragraph (b) of subsection (3); subparagraphs 4 and 5 of paragraph (b), in subsection (3); paragraph (c) of subsection (3); paragraphs (a) and (b) of subsection (4); and subparagraph 2 of paragraph (b), in subsection (4); of Rule 12E-1.0052, F.A.C., have been changed.

When adopted, paragraph (b) of subsection (3) will read:

(3)(b) When there is any legible identifying information on the payment instrument, the following steps are taken, sequentially, to try to identify the payment instrument owner, recipient, or source of payment when support collections cannot be identified by the automated remittance processing system. If the manual search identifies the owner of the payment instrument or the recipient, the collection is applied to the correct case.

When adopted, subparagraphs 4. and 5. of subsection (3) will read:

4. If the searches under subparagraphs 1. through 3. do not identify the payment instrument owner, recipient, or employer within 7 business days, further research will be conducted in an attempt to identify the collection and match it to the correct case. Further research includes the following Internet searches.

a. through h. No change.

5. If the searches under subparagraphs 1. through 4. do not identify the collection, repeat the steps described in subparagraphs 1. through 4. twice within 90 calendar days from the original collection receipt date.

When adopted, paragraph (c) of subsection (3) will read:

(3)(c) If the searches under subparagraph (3)(b)5. of this rule do not identify the owner of the payment instrument, recipient or employer, the collection is considered unidentifiable. The Department shall declare the unidentifiable collection as program income, deposit the state share of the collection in the General Revenue Fund and the federal share of the collection in the Grants and Donations Trust Funds. If there is no legible identifying information on the payment instrument a manual search under paragraph (3)(b) is not required. The collection is unidentifiable and must be processed as program income unless the Department has the name and/or address of the remitter of the payment. In those instances the Department will attempt to contact the remitter to identify the recipient of the payment. If the Department is unable to contact the remitter, the collection will be returned to the remitter.

When adopted, paragraph (a), paragraph (b), and subparagraph (c)2, of subsection (4) will read:

(4) Reclaiming Unidentifiable Collections.

(a) The obligor may reclaim unidentifiable collections. The obligor may contact the local child support office or contact the Department at (850)922-9590 and ask for the Unidentified Collection Unit.

(b) To reclaim a collection, the obligor must complete and send to the Department, Form CS-FM100, Request to Return Collection, dated September 2009, incorporated by reference in this rule. The obligor must prove they are the collection owner by giving his or her name, their mailing address, child support or case number, date and amount of collection, and proof of payment. Examples of acceptable proof include: front and back copy of canceled check; money order receipt; or pay stub showing date and amount of payment.

(c)1. No change.

2. If denied, the Department will mail Form CS-FM101, Request for Collection Return Denied, dated September 2009, incorporated by reference in this rule, to the obligor. Form CS-FM101 states the request is denied, reason for the denial, and the obligor may contest the decision by seeking an administrative hearing under Chapter 120, F.S. The form includes a Notice of Rights.

To correct a revision date referenced in Rule 12E-1.014, F.A.C., to form CS-EF36A, paragraph (b) of subsection (4); has been changed.

When adopted, paragraph (b) of subsection (4) will read:

(b) If the Department cannot resolve the obligor's concerns during the informal review, the Department shall notify the obligor by regular mail at his or her last known address using Department of Revenue Form CS-EF36A, Notice of Outcome of Informal Conference for IRS Offset Certification/Passport Denial. Form CS-EF36A (R. 11/05) is incorporated by reference in this rule. Members of the public may obtain a copy of this form by writing to: Department of Revenue, Child Support Enforcement Program, attn.: Forms Coordinator, P. O. Box 8030, Tallahassee, FL 32314-8030. The notice tells the obligor that the Department will certify the obligor's past-due support for offset, passport denial, or both. The notice also tells the obligor that he or she may ask for an administrative hearing by filling in the backside of the notice and returning it to the Department within 30 days from the date on the notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULE NO.: 61G2-2.006 RULE TITLE: Reinstate Null & Void Licenses

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 47, November 21, 2007 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.001 RULE TITLE: Qualification for Certification

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 10, March 7, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.028 RULE TITLE: Precision Tank Testers

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 10, March 7, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.029 RULE TITLE: Tank Lining Applicators

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 10, March 7, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.032 RULE TITLE: Certification of Swimming Pool Specialty Contractors

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 14, April 4, 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 HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.100
 RULE TITLE: Requirements for Prosthetic or Orthotic Residency or Internship
 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. 35, September 4, 2009 issue of the Florida Administrative Weekly.

The change updates the revision date on the two forms incorporated by reference. The changes are as follows:

64B14-4.100 Requirements for Prosthetic or Orthotic Residency or Internship.

(1) through (7) No change.

(8) To register for an orthotic or prosthetic internship or residency program. The applicant must submit a completed Registration Form for Orthotic or Prosthetic Internship/Residency Program, Application Form for Internship/Residency form number DH-MQA1126, 11/08, which is available from the Board office or at the Board's web site:<http://www.doh.state.fl.us/mqa/OrthPros/index.html>.

(9) If a change in supervisor is required, the applicant must submit a completed Update Supervisor Form Registration in an Orthotic or Prosthetic Internship/Residency Program, form number DH-MQA 1133, 11/08, which is available for the Board office or the Board's web site: <http://www.doh.state.fl.us/mqa/OrthPros/index.html>.

Rulemaking Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History--New 11-1-99, Amended 7-2-07, 5-28-09, _____.

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

RULE NOS.: 69L-5.201
 RULE TITLES: Definitions
 69L-5.203 Payroll Reporting
 69L-5.204 Maintenance of Payroll Records, Review and Audit
 69L-5.205 Loss Data Reporting
 69L-5.206 Maintenance of Loss Data Records, Review and Audit
 69L-5.207 Outstanding Liabilities Reporting
 69L-5.208 Maintenance of Outstanding Liabilities Records, Review and Audit
 69L-5.210 Actuarial Reports
 69L-5.211 Changes in Anniversary Rating Date

69L-5.213 Subsidiary, Affiliate and Location Reporting
 69L-5.214 Indemnity Agreements for Affiliated Self-Insurers
 69L-5.215 Parental Guaranty
 69L-5.216 Provision of Benefits and Safe Working Environment by Self-Insurers
 69L-5.217 Civil Penalties and Fines
 69L-5.218 Security Deposits
 69L-5.219 Excess Insurance
 69L-5.220 Drug-Free Workplace Premium Credit Program
 69L-5.221 Safety Program Premium Credit
 69L-5.223 Election Process
 69L-5.225 Requirements
 69L-5.226 Application Process
 69L-5.227 Alien Corporations Additional Requirements
 69L-5.229 Application Process
 69L-5.230 Contracting with a Qualified Servicing Entity

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. 21, May 29, 2009 issue of the Florida Administrative Weekly.

GENERAL REQUIREMENTS

69L-5.201 Definitions.

(1) When used in these rules, the following words or terms shall mean:

(a) No change.

(b) "Affiliated Self-Insurer" – Two or more entities affiliated by common majority ownership, as discussed in Rule 3, R13, D., of the NCCI Experience Rating Plan Manual for Workers' Compensation and Employers Liability Insurance, which do not have a parent company to hold the self-insurance authorization, and which are approved by the Department to fund their workers' co mpensation liabilities as prescribed in Section 440.38(1)(b), F.S. The NCCI Experience Rating Plan Manual for Workers' Compensation and Employers Liability, 2003 Edition including updates through October 2008, is hereby incorporated by reference. A copy of the Manual may be obtained from the National Council on Compensation Insurance, Inc., Customer Service Center, 901 Peninsula Corporate Circle, Boca Raton, FL 33487, telephone (800)622-4123. A copy of the manual is also available for viewing at the Division of Workers' Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224.

(c) through (m) No change.

(n) “FSIGA Member” – An individual self-insurer, as defined in Section 440.02(24)(a) and 440.38(1)(b), F.S., other than individual self-insurers which are public utilities or governmental entities, that received authorization from the Department to self-insure pursuant to Section 440.38(1)(b), F.S., including individual self-insurers for which the self-insurance authorization has been revoked or voluntarily surrendered.

(o) through (t) No change.

(u) “Manual Premium” – Premium determined by multiplying the payroll (segregated into the proper workers’ compensation job classifications) times the manual rates per \$100 of payroll in effect at the start of the payroll period covered, as further defined in the NCCI Basic Manual for Workers’ Compensation and Employers’ Liability Insurance. The NCCI Basic Manual for Workers’ Compensation and Employers Liability, 2001 Edition including updates through June 1, 2009 is hereby incorporated by reference. A copy of the Manual may be obtained from the National Council on Compensation Insurance, Inc., Customer Service Center, 901 Peninsula Corporate Circle, Boca Raton, FL 33487, telephone (800)622-4123. A copy of the manual is also available for viewing at the Division of Workers’ Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224.

(v) through (z) No change.

(aa) “Standard Premium” – As defined in Rule 3, R33, 20., of the NCCI Basic Manual for Workers’ Compensation and Employers’ Liability Insurance. The NCCI Basic Manual for Workers’ Compensation and Employers Liability Insurance, 2001 Edition including updates through June 1, 2009 has been previously incorporated by reference.

(bb) “Successor Entity” – Any person, business entity, or group of persons or business entities, which holds or acquires legal or beneficial title to the majority of the assets or the majority of the shares of a Current Self-Insurer or Former Self-Insurer, pursuant to Sections 440.38(1)(b)3. and 440.385(1)(b), F.S.

69L-5.203 Payroll Reporting.

Self-Insurers shall report payroll data for all entities covered under the self-insurance authorization using Form DFS-F2-SI-5 (Self-Insurer Payroll Report), effective 08/09, as incorporated by reference. Failure to submit the required payroll reports, understatement or concealment of payroll, or the misrepresentation of employee duties so as to avoid proper classification shall constitute good cause for revocation of the self-insurance authorization in addition to civil penalties specified in Rule 69L-5.217, F.A.C. Copies of this form are available at the Division of Workers’ Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224.

(1) Current Self-Insurers and Former Self-Insurers shall complete Form DFS-F2-SI-5 (Self-Insurer Payroll Report), effective 08/09, by submitting payroll by classification code for the latest completed period beginning on the Anniversary Rating Date.

(2) Former Self-Insurers shall submit this report until the final payroll period has been reported.

(3) Current Self-Insurers shall submit Form DFS-F2-SI-5 (Self-Insurer Payroll Report), effective 08/09, no later than sixty (60) days after their Anniversary Rating Date. Former Self-Insurers shall submit their final Form DFS-F2-SI-5 (Self-Insurer Payroll Report), effective 08/09, no later than ninety (90) days after the revocation or voluntary termination of the self-insurance authorization.

(a) Governmental Entities and Public Utilities shall submit Form DFS-F2-SI-5 (Self-Insurer Payroll Report), effective 08/09, to the:

Department of Financial Services
Division of Workers’ Compensation
Bureau of Monitoring and Audit/Self-Insurance
200 East Gaines Street
Tallahassee, Florida 32399-4224

(b) FSIGA Members shall submit Form DFS-F2-SI-5 (Self-Insurer Payroll Report), effective 08/09, to the:

Florida Self-Insurers Guaranty Association, Inc.
1427 E. Piedmont Dr., 2nd Floor
Tallahassee, Florida 32308

69L-5.204 Maintenance of Payroll Records, Review and Audit.

(1) The payroll records of all Current Self-Insurers and Former Self-Insurers shall be open for inspection and audit by the Department, or its Authorized Representative, during regular business hours. Self-insurers are required to maintain payroll records that reflect a true and accurate division by the classification codes contained in the SCOPES of Basic Manual Classifications and the NCCI Basic Manual for Workers’ Compensation and Employers Liability Insurance so the proper classification code for each employee may be determined. The SCOPES of Basic Manual Classifications effective June 1, 2008 is hereby incorporated by reference. A copy of the SCOPES of Basic Manual Classifications may be obtained from the National Council on Compensation Insurance, Inc., Customer Service Center, 901 Peninsula Corporate Circle, Boca Raton, FL 33487, telephone (800)622-4123. A copy of the manual is also available for viewing at the Division of Workers’ Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224. The NCCI Basic Manual for Workers’ Compensation and Employers Liability Insurance, 2001 Edition, including updates through June 1, 2009, is previously incorporated by reference into Rule 69L-5.201, F.A.C.

If such records are not maintained, then the entire payroll shall be presumed to be within the classification code to which the highest manual rate is applicable. To ensure their availability for audit purposes, the records shall be retained for five (5) years from the end of the payroll period. The location of these records shall be provided to the Department upon submission of the application for self-insurance and updated within fifteen (15) days of any relocation.

(2) No change.

69L-5.205 Loss Data Reporting.

Current Self-Insurers and Former Self-Insurers shall submit loss data for all entities covered under the self-insurance authorization on Form DFS-F2-SI-17 (Unit Statistical Report), effective 08/09, as incorporated by reference, or the electronic equivalent provided by the Department. Copies of this form are available at the Division of Workers' Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224. Failure to submit the required loss data forms or material understatement or concealment of data shall constitute good cause for revocation of the self-insurance authorization in addition to civil penalties specified in Rule 69L-5.217, F.A.C.

(1) The Division or the Association shall, within at least ten (10) days prior to the evaluation date, advise each self insurer of the covered periods for the submission of the loss data.

(2) Current Self-Insurers will complete Form DFS-F2-SI-17 (Unit Statistical Report), effective 08/09, or the electronic equivalent of Form DFS-F2-SI-17 (Unit Statistical Report), effective 08/09, by submitting loss data for the current evaluation year and the prior two (2) evaluation years.

(3) No change.

(4) The completed Form DFS-F2-SI-17 (Unit Statistical Report), effective 08/09, or the electronic equivalent of Form DFS-F2-SI-17 (Unit Statistical Report), effective 08/09, shall be mailed or transmitted to the Division or the Association no later than sixty (60) days after the evaluation date.

(a) Governmental Entities who are unable to transmit an electronic version of Form DFS-F2-SI-17 (Unit Statistical Report), effective 08/09, shall mail the completed Form DFS-F2-SI-17 (Unit Statistical Report), effective 08/09, no later than 60 days after the evaluation date to the:

Department of Financial Services
Division of Workers' Compensation
Bureau of Monitoring and Audit/Self-Insurance
200 East Gaines Street
Tallahassee, Florida 32399-4224

(b) FSIIGA Members who are unable to transmit the electronic version of Form DFS-F2-SI-17 (Unit Statistical Report), effective 08/09, shall mail the completed Form DFS-F2-SI-17 (Unit Statistical Report), effective 08/09, to:

Florida Self-Insurers Guaranty Association, Inc.
1427 E. Piedmont Dr., 2nd Floor
Tallahassee, Florida 32308

(5) The Division will promulgate the experience modification using the NCCI Basic Manual for Workers' Compensation and Employers' Liability Insurance and the NCCI Experience Rating Plan Manual for Workers' Compensation and Employers' Liability Insurance. The NCCI Experience Rating Plan Manual for Workers' Compensation and Employers Liability Insurance, 2003 Edition, including updates through October 2008, and the NCCI Basic Manual for Workers' Compensation and Employers Liability Insurance, 2001 Edition, including updates through June 1, 2009, are previously incorporated by reference into Rule 69L-5.201, F.A.C.

(6) through (7) No change.

69L-5.206 Maintenance of Loss Data Records, Review and Audit.

(1) All records supporting the submitted Form DFS-F2-SI-17 (Unit Statistical Report), effective 08/09, as previously incorporated by reference in Rule 69L-5.205, F.A.C., or its electronic equivalent shall be open for inspection and audit by the Department or its Authorized Representative, during regular business hours. Copies of this form are available at the Division of Workers' Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224. Self-insurers are required to maintain loss records that reflect a true and accurate division by the classification codes, status type, and injury codes contained in the NCCI Workers' Compensation Statistical Plan Manual and the NCCI Basic Manual for Workers' Compensation and Employers Liability Insurance so the proper classification code, status type, and injury code for each accident may be determined. The Workers' Compensation Statistical Plan Manual 2008 edition including updates through April 1, 2009 is hereby incorporated by reference. A copy of the Manual may be obtained from the National Council on Compensation Insurance, Inc., Customer Service Center, 901 Peninsula Corporate Circle, Boca Raton, FL 33487, telephone (800)622-4123. A copy of the manual is also available for viewing at the Division of Workers' Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224. The NCCI Basic Manual for Workers' Compensation and Employers Liability Insurance, 2001 Edition, including updates through June 1, 2009, is previously incorporated by reference into Rule 69L-5.201, F.A.C.

To ensure their availability for audit purposes, the records shall be retained for five (5) years from the last date the claims data was used for calculation of the experience modification. The

location of these records shall be provided to the Department upon submission of the application for self-insurance and updated within fifteen (15) days of any relocation.

(2) No change.

69L-5.207 Outstanding Liabilities Reporting.

(1) Current Self-Insurers and Former Self-Insurers, other than Governmental Entities, shall report their outstanding self-insured workers' compensation liabilities for all entities covered under the self-insurance authorization on Form DFS-F2-SI-20 (Report of Outstanding Workers' Compensation Liabilities), effective 08/09, as incorporated by reference. Copies of this form are available at the Division of Workers' Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224. This includes all outstanding liabilities of Former Self-Insurers for which the Current Self-Insurer is the Successor Entity. Form DFS-F2-SI-20 (Report of Outstanding Workers' Compensation Liabilities), effective 08/09, shall be accompanied by a loss run substantiating all amounts reported on the form, be signed by an Authorized Representative of the Self-Insurer or its Qualified Servicing Entity, and be submitted no later than 120 days after the end of the self-insurer's fiscal year. Copies of this form are available at the Division of Workers' Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224. The evaluation date shall not be prior to the end of the self-insurer's latest fiscal year. Failure to submit the required Form DFS-F2-SI-20 (Report of Outstanding Workers' Compensation Liabilities), effective 08/09, or material understatement or concealment of loss reserves, shall constitute good cause for revocation of the self-insurance authorization in addition to civil penalties specified in Rule 69L-5.217, F.A.C.

(2) FSIGA Members shall submit Form DFS-F2-SI-20 (Report of Outstanding Workers' Compensation Liabilities), effective 08/09, to the:

Florida Self-Insurers Guaranty Association, Inc.
1427 E. Piedmont Dr., 2nd Floor
Tallahassee, Florida 32308

69L-5.208 Maintenance of Outstanding Liabilities Records, Review and Audit.

(1) All records supporting Form DFS-F2-SI-20, (Report of Outstanding Workers' Compensation Liabilities), effective 08/09, shall be open for inspection and audit by the Department, the Association, or their Authorized Representative, during regular business hours. Each self-insurer is required to maintain all records supporting Form DFS-F2-SI-20 (Report of Outstanding Workers' Compensation Liabilities), effective 08/09. To ensure their availability for audit purposes, the records shall be retained for five (5) years after closing of a claims file.

(2) No change.

69L-5.210 Actuarial Reports.

(1) Current Self-Insurers and Former Self-Insurers, other than Governmental Entities, that do not have Investment Grade Credit Ratings shall be required to submit Actuarial Reports within 120 days after the end of their fiscal year or within 90 days of the date requested by the Department or the Association.

(a) No change.

(b) If requested by the Department or the Association in order to determine the value of the current loss reserves, any Current Self-Insurer or Former Self-Insurer, other than a Governmental Entity, shall be required to submit an Actuarial Report.

(2) The Department or the Association shall require that the Actuarial Report include a forecast of loss reserves to a future date for Current Self-Insurers.

(3) No change.

69L-5.211 Changes in Anniversary Rating Date.

(1) No change.

(2) Upon receipt of the written request, the Division or the Association shall advise the self-insurer in writing within thirty (30) days as to the effective date of the change, using the NCCI Workers' Compensation Experience Rating Plan Manual for Workers' Compensation and Employers' Liability Insurance as previously incorporated by reference in Rule 69L-5. 201, F.A.C., to determine this date.

69L-5.213 Subsidiary, Affiliate and Location Reporting.

(1) No change.

(2) Current Self-Insurers shall annually provide a written statement of the accuracy of their subsidiary, affiliate and location information. Such statement shall be signed by an officer of the Current Self-Insurer.

(3) No change.

69L-5.214 Indemnity Agreements for Affiliated Self-Insurers.

Affiliated Self-Insurers must execute a new Form DFS-F2-SI-11 (Indemnity Agreement), effective 08/09, as incorporated by reference, within thirty (30) days of changes in the affiliates included under the self-insurance authorization. Copies of this form are available at the Division of Workers' Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224. Form DFS-F2-SI-11 (Indemnity Agreement), effective 08/09, shall be executed by an officer of each affiliated entity to be included under the self-insurance authorization. The executed form shall be submitted to the:

Florida Self-Insurers Guaranty Association, Inc.
1427 E. Piedmont Dr., 2nd Floor
Tallahassee, Florida 32308

69L-5.215 Parental Guaranty.

Notwithstanding any other provisions of these Rules to the contrary, if a parent company that directly or indirectly owns 100% of a Current Self-Insurer, Former Self-Insurer or applicant for self-insurance elects to execute Form DFS-F2-SI-10 (Parental Guaranty and Corporate Resolution for Self-Insured Subsidiary Entity), effective 08/09, as incorporated by reference, then:

(1) through (5) No change.

(6) Copies of Form DFS-F2-SI-10 (Parental Guaranty and Corporate Resolution for Self-Insured Subsidiary Entity), effective 08/09, are available at the Division of Workers' Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224.

69L-5.216 Provision of Benefits and a Safe Working Environment by Self-Insurers.

(1) It shall be the sole responsibility of Current Self-Insurers and Former Self-Insurers to provide for competent persons to service their self-insurance program in the areas of claims adjusting, safety engineering and loss control. This shall be done through either the use of their own employees, who are determined by the Department to have experience in these areas, or by contracting with a Qualified Servicing Entity approved by the Department to provide these services. A list of Qualified Servicing Entities may be obtained by contacting the Department at:

Department of Financial Services
Division of Workers' Compensation
Bureau of Monitoring and Audit/Self-Insurance
200 East Gaines Street
Tallahassee, Florida 32399-4224

(2) Current Self-Insurers and Former Self-Insurers choosing to use their own employees to provide these services must obtain prior approval from the Department and shall submit Form DFS-F2-SI-19 (Certification of Servicing for Self-Insurers), effective 08/09, as incorporated by reference, within thirty (30) days of a change in servicing arrangement and at least every three (3) years thereafter. Resumes of employees with experience in these areas must be provided for approval.

(3) Current Self-Insurers or Former Self-Insurers contracting with Qualified Servicing Entities must file Form DFS-F2-SI-19 (Certification of Servicing for Self-Insurers), effective 08/09, within thirty (30) days of entering into a servicing contract.

(a) For Governmental Entities, Form DFS-F2-SI-19 (Certification of Servicing for Self-Insurers), effective 08/09, shall be obtained from and submitted to the:

Department of Financial Services
Division of Workers' Compensation
Bureau of Monitoring and Audit/Self-Insurance
200 East Gaines Street
Tallahassee, Florida 32399-4224

(b) For FSIGA Members, Form DFS-F2-SI-19 (Certification of Servicing for Self-Insurers), effective 08/09, shall be obtained from and submitted to the:

Florida Self-Insurers Guaranty Association, Inc.
1427 E. Piedmont Dr., 2nd Floor
Tallahassee, Florida 32308

(4) Failure to submit the required Form DFS-F2-SI-19 (Certification of Servicing for Self-Insurers), effective 08/09, shall constitute good cause for revocation of the self-insurance authorization in addition to civil penalties specified in Rule 69L-5.217, F.A.C.

(5) No change.

69L-5.217 Civil Penalties and Fines.

(1) No change.

(2) A request for an extension of time to file a form, report or document shall be made in writing by the self-insurer or its Qualified Servicing Entity and shall be postmarked no later than fifteen (15) days prior to the due date of the form, report or document. Extensions shall be granted in writing and notice provided to the self-insurer or Qualified Servicing Entity. Such extension shall establish a new one-time due date subject to the same provision for late filing.

(a) For forms, reports, or documents, other than Actuarial Reports requested by the Association and Financial Statements, extensions shall be granted by the Division if proof is supplied by the self-insurer or Qualified Servicing Entity that circumstances entirely beyond the control of the self-insurer or its Qualified Servicing Entity have made it impossible to file in a timely manner. Such circumstances shall be limited to:

1. through 3. No change.

(b) No change.

(c) For Financial Statements, extensions shall be granted by the Division if proof is supplied by the self-insurer that circumstances entirely beyond the control of the self-insurer have made it impossible to file in a timely manner. Extensions may be granted for up to sixty (60) days if the self-insurer submits draft Financial Statements and provides evidence that the reason for the delay in submittal is entirely beyond the control of the self-insurer. For extensions beyond sixty (60) days from the original due date, circumstances shall be limited to:

1. through 3. No change.

(3) No change.

(4) Fines for Delinquent Payment of Assessments – Assessments payable to the Florida Self-Insurers Guaranty Association, Inc., not postmarked by the due date, shall incur a fine of \$100 or 5% of the assessment due, whichever is greater, per month until paid. Total penalties under this section shall not exceed the greater of \$25,000 or 50% of the total assessment amount.

(5) through (6) No change.

69L-5.218 Security Deposits.

(1) through (6) No change.

(7) If the self-insurer is a FSIIGA Member, the Security Deposit must be submitted to and executed in favor of the Association. The Security Deposit shall be held by the Association or the Department exclusively for the benefit of workers' compensation claimants. The Security Deposit shall not be subject to assignment, execution, attachment, or any legal process whatsoever, except as necessary to guarantee the payment of workers' compensation benefits under Chapter 440, F.S.

For FSIIGA Members, security deposit forms DFS-F2-SI-4F (Self-Insurer's Surety Bond for FSIIGA Member) and Form DFS-F2-SI-6 (Self-Insurer's Irrevocable Letter of Credit) can be obtained from and shall be submitted to the:

Florida Self-Insurers Guaranty Association, Inc.

1427 E. Piedmont Dr., 2nd Floor

Tallahassee, Florida 32308

(8) A Security Deposit shall consist of, at the option of the employer:

(a) A surety bond on Form DFS-F2-SI-4F (Self-Insurer's Surety Bond for FSIIGA Member), effective 08/09, as incorporated by reference, which shall be issued by a corporation surety authorized to transact surety business by the Florida Department of Financial Services, Office of Insurance Regulation, and whose financial strength and size ratings from A. M. Best Company are not less than "A" and "V" respectively, or

(b) An irrevocable letter of credit on Form DFS-F2-SI-6 (Self-Insurer's Irrevocable Letter of Credit), effective 08/09, as incorporated by reference, which shall be issued by a financial institution located within the State of Florida and the deposits of which are insured through the Federal Deposit Insurance Corporation.

(9) No change.

69L-5.219 Excess Insurance.

(1) Current Self-Insurers, other than Governmental Entities, shall maintain a Specific Excess Insurance Policy. Such policy shall have a workers' compensation limit of not less than \$50,000,000.

(a) The self-insured retention of Specific Excess Insurance Policies shall be as follows:

1. No change.

2. A higher self-insured retention shall be allowed, if approved by the Department. The Department shall consider the Current Self-Insurer's financial strength in its review of the requested self-insured retention.

(b) through (g) No change.

(h) Provides that, in the event any commutation is effected, the Department shall have the right to direct that such sum either be placed in trust for the benefit of the injured employee or employees entitled to such future payments of compensation or be invested in approved securities and deposited with the Department to insure such future payments of compensation to the employee or employees entitled thereto. Said commutation must contain a provision that the Department may order that the monies due under the terms of the Specific Excess Insurance Policy be paid directly to the injured employee or a trustee appointed by the Department. Such an action shall be ordered only if the Department determines that it is necessary to ensure continued benefits to the injured employee.

(i) through (k) No change.

(2) through (3) No change.

(4) If requested by the Association or the Division to verify compliance with these rules or to evaluate a self-insurers financial condition, self-insurers shall provide copies of excess insurance policies to support estimated excess insurance recoveries included in their Actuarial Reports provided to the Association or the Division.

69L-5.220 Drug-Free Workplace Premium Credit Program.

(1) In order for self-insurers to receive up to a five percent (5%) credit on the computation of premiums used in the determination of the assessments for the Workers' Compensation Administration Trust Fund, the Special Disability Trust Fund and the Florida Self-Insurers Guaranty Association, Inc., they must state that they have established a drug-free workplace in accordance with Sections 440.101 and 440.102, F.S.

(2) The application must be completed using Form DFS-F2-SI-8 (Self-Insured Employer Application for Drug-Free Workplace Premium Credit Program), effective 08/09, as incorporated by reference, and shall be filed annually, sixty (60) days prior to their Anniversary Rating Date. Copies of this form are available at the Division of Workers' Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224. The completed Form DFS-F2-SI-8 (Self-Insured Employer Application for Drug-Free Workplace Premium Credit Program), effective 08/09, shall be mailed to the:

Department of Financial Services
Division of Workers' Compensation
Assessments Unit
200 East Gaines Street
Tallahassee, FL 32399-4221

(3) Applications not received prior to the Anniversary Rating Date shall be applied pro rata as of the date the certification is received at the Division.

69L-5.221 Safety Program Premium Credit.

(1) In order for self-insurers to receive up to a two percent (2%) credit on the computation of premiums used in the determination of the assessments for the Workers' Compensation Administration Trust Fund, the Special Disability Trust Fund and the Florida Self-Insurers Guaranty Association, Inc., they must state that they have established a workplace safety program in accordance with Section 440.1025, F.S.

(2) The statement must be completed using Form DFS-F2-SI-9 (Self-Insurer Certification of Workplace Safety Program Premium Credit) effective 08/09, as incorporated by reference, and shall be filed annually sixty (60) days prior to their Anniversary Rating Date. Copies of this form are available at the Division of Workers' Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224. The completed Form DFS-F2-SI-9 (Self-Insurer Certification of Employer Workplace Safety Program Premium Credit) effective 08/09, shall be mailed to the:

Department of Financial Services
Division of Workers' Compensation
Assessments Unit
200 East Gaines Street
Tallahassee, Florida 32399-4221

(3) Certifications not received prior to the Anniversary Rating Date shall be applied pro rata as of the date the certification is received at the Division.

Rulemaking Authority 440.1025, 440.38(1), (2), (3), 440.385(6), 440.591 FS. Law Implemented 440.1025, 440.38(1), (2), (3), 440.385(1), (3), (6) FS. History—New _____.

69L-5.223 Election Process.

(1) The state and its boards, bureaus, departments, and agencies and all of its political subdivisions which employ labor, and the state universities that are electing to self-insure pursuant to Section 440.38(6), F.S., shall submit to the Division for review at least ninety (90) days prior to the preferred effective date of self-insured status, the following information:

(a) No change.

(b) Application for Governmental Self-Insurance, Form DFS-F2-SI-1G, effective 08/09, as incorporated by reference;

(c) Application for Governmental Self-Insurance Estimated Payroll, Form DFS-F2-SI-GEP, effective 08/09, as incorporated by reference;

(d) Certification of Servicing for Self-Insurers, Form DFS-F2-SI-19, effective 08/09, as previously incorporated by reference in Rule 69L-5.216, F.A.C.; and

(e) NCCI Workers' Compensation Experience Modification Promulgation Worksheet for the current and two (2) preceding years, as set forth in the National Council on Compensation Insurance (NCCI) Experience Rating Plan Manual for Workers' Compensation and Employers Liability Insurance. The NCCI Experience Rating Plan Manual for Workers' Compensation and Employers Liability Insurance, 2003 Edition, including updates through October 2008, is previously incorporated by reference into Rule 69L-5.201, F.A.C.

The notification, forms and supporting documentation can be obtained from and shall be submitted to the:

Department of Financial Services
Division of Workers' Compensation
Bureau of Monitoring and Audit/Self-Insurance
200 East Gaines Street
Tallahassee, Florida 32399-4224

(2) No change.

Rulemaking Authority 440.38(1), (2), (3), 440.385(6), 440.591 FS. Law Implemented 440.38(1), (2), (3), 440.385(1), (3), (6) FS. History—New _____.

69L-5.225 Requirements.

(1) through (6) No change.

(7) Provision of Benefits and a Safe Working Environment – The applicant shall provide a completed Form DFS-F2-SI-19 (Certification of Servicing for Self-Insurers), effective 08/09, as previously incorporated by reference in Rule 69L-5.216, F.A.C., detailing the proposed servicing arrangements and accompanying documentation that conforms to the requirements of Rule 69L-5.216, F.A.C.

(8) No change.

69L-5.226 Application Process.

(1) An application for self-insurance shall be made on Form DFS-F2-SI-1 (Application for Self-Insurance), effective 08/09, as incorporated by reference. An application may be obtained at:

Florida Self-Insurers Guaranty Association, Inc.
1427 E. Piedmont Dr., 2nd Floor
Tallahassee, FL 32308

or:
www.fsig.org

(2) No change.

(3) The following information shall be submitted in duplicate with the application:

(a) through (b) No change.

(c) A completed Form DFS-F2-SI-19 (Certification of Servicing for Self-Insurers), effective 08/09, as previously incorporated by reference in Rule 69L-5.216, F.A.C., detailing the proposed servicing arrangements and accompanying documentation that conforms to the requirements of Rule 69L-5.216, F.A.C.

(d) No change.

(e) If the applicant is seeking approval as an Affiliated Self-Insurer, Form DFS-F2-SI-11 (Indemnity Agreement), effective 08/09, as previously incorporated by reference in Rule 69L-5.214, F.A.C., shall be executed by an officer of each affiliated company to be included under the self-insurance authorization.

(f) If the applicant is seeking approval using the Financial Statements of a parent company under Rule 69L-5.215, F.A.C., Form DFS-F2-SI-10 (Parental Guaranty and Corporate Resolution for Self-Insured Subsidiary Entity), effective 08/09, as previously incorporated by reference in Rule 69L-5.215, F.A.C., must be executed by a corporate officer of the parent company.

(g) through (k) No change.

(l) Experience modification promulgation worksheet for the current and two (2) preceding years as set forth in the NCCI Experience Rating Plan Manual for Workers' Compensation and Employers Liability Insurance as previously incorporated by reference in Rule 69L-5.201, F.A.C.

(m) through (n) No change.

(4) through (5) No change.

69L-5.227 Alien Corporations Additional Requirements.

(1) An opinion from an attorney, with a minimum of three years experience in international law, that states that the Alien Corporation's country of domicile has substantially similar laws with respect to the jurisdiction of the Department and the Courts of the State of Florida for the purpose of securing timely payment of all current and future workers' compensation claims of the Alien Corporation.

(2) through (3) No change.

69L-5.229 Application Process.

(1) Application to become a Qualified Servicing Entity shall be made on Form DFS-F2-SI-22 (Qualified Servicing Entity Application), effective 08/09, incorporated by reference. Entities may apply to become a Qualified Servicing Entity in any or all of the following: claims-adjusting, loss control or safety engineering. The application shall be submitted to the Division at least ninety (90) days prior to the desired effective date. The application may be obtained at:

Department of Financial Services
Division of Workers' Compensation
Bureau of Monitoring and Audit/Self-Insurance
200 East Gaines Street
Tallahassee, FL 32399-4224

(a) Entities that are not insurance companies licensed to write workers' compensation insurance by the Florida Office of Insurance Regulation shall include the following in the application package:

1. A completed Form DFS-F2-SI-22 (Qualified Servicing Entity Application), effective 08/09, as incorporated by reference.

2. No change.

(b) A completed Form DFS-F2-SI-27 (Biographical Statement and Affidavit), effective 08/09, as incorporated by reference, for each owner and member of management, along with a brief resume. Copies of this form are available at the Division of Workers' Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224.

(c) through (f) No change.

(g) A statement signed by an officer of the company that the Qualified Servicing Entity utilizes only authorized rehabilitation services pursuant to Section 440.491(7), F.S.,

(h) through (j) No change.

(2) Entities that are insurance companies licensed to write workers' compensation insurance by the Florida Office of Insurance Regulation shall include the following in the application package:

(a) A completed Form DFS-F2-SI-22 (Qualified Servicing Entity Application), effective 08/09, and

(b) No change.

(3) through (4) No change.

69L-5.230 Contracting with a Qualified Servicing Entity.

(1) Each Qualified Servicing Entity shall file Form DFS-F2-SI-19 (Certification of Servicing for Self-Insurers), effective 08/09, as previously incorporated by reference in Rule 69L-5.216, F.A.C., within thirty (30) days of entering into a contract for servicing.

(a) For Governmental Entities, Form DFS-F2-SI-19 (Certification of Servicing for Self-Insurers), effective 08/09, shall be obtained from and submitted to the:

Department of Financial Services
Division of Workers' Compensation
Bureau of Monitoring and Audit/Self-Insurance
200 East Gaines Street
Tallahassee, FL 32399-4224

(b) For FSIGA Members, Form DFS-F2-SI-19 (Certification of Servicing for Self-Insurers), effective 08/09, shall be obtained from and submitted to the:

Florida Self-Insurers Guaranty Association, Inc.
1427 E. Piedmont Drive, 2nd Floor
Tallahassee, FL 32308

(2) through (10) No change.

(11) Each Qualified Servicing Entity shall file with the Division no later than March 1 of each year, Form DFS-F2-SI-23 (Qualified Servicing Entity Annual Report

Form), effective 08/09, as incorporated by reference. A copy of Form DFS-F2-SI-23 (Qualified Servicing Entity Annual Report Form), effective 08/09, is available at the:

Department of Financial Services
Division of Workers' Compensation
Bureau of Monitoring and Audit/Self-Insurance
200 East Gaines Street
Tallahassee, FL 32399-4224

(12) through (13) No change.

The remainder of the rule reads as previously published.

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."

ADMINISTRATION COMMISSION

NOTICE IS HEREBY GIVEN THAT on November 2, 2009, the Administration Commission, received a petition for variance from or waiver of the 20% ROGO allocation reduction in Rule 28-20.110, F.A.C., filed by the Board of County Commissioners of Monroe County, Florida. The Monroe County Board of County Commissioners are seeking a temporary variance and/or waiver from that portion of Rule 28-20.110, F.A.C., which provides for a minimum reduction of 20% in new residential building permit allocations should the Administration Commission find that the County has not made

"substantial progress" towards its Work Program tasks. The Monroe County Board of County Commissioners request a temporary variance and/or waiver for a period of one year.

Any interested person or other agency may submit written comments on the petition to: Barbara Leighty, Clerk, Administration Commission, Office of the Governor, Room 1801, The Capitol, Tallahassee, Florida 32399-0001, (850)487-1884. Comments must be received by the Clerk within 14 days after this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Barbara Leighty, Office of the Governor, Room 1801, The Capitol, Tallahassee, Florida 32399-0001, (850)487-1884.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on October 30, 2009, the Agency for Health Care Administration has issued an order.

Final Order Denying Emergency Petition for Variance or Waiver from Rule 59G-13.083, Florida Administrative Code, and Determining that the Petition is not an Emergency.

September 24, 2009, the Agency for Health Care Administration, received an Emergency Petition for Variance or Waiver from Rule 59G-13.083, Florida Administrative Code, from M.J. by and through A.J. and R.J. ("Petition"). Rule 59G-13.083, Florida Administrative Code, entitled Developmental Disabilities Waiver Services, governs all developmental disabilities waiver services providers enrolled in the Florida Medicaid program, and incorporates by reference the Florida Medicaid Developmental Disabilities Waiver Services Coverage and Limitations Handbook, July 2007 ("Handbook"). M.J. seeks a permanent variance or waiver from the portion of the Handbook regarding the service limitation that classifies Companion Services as a Meaningful Day Activity. The Notice of the Petition was published in the Florida Administrative Weekly on October 9, 2009.

On October 30, 2009, AHCA issued a Final Order denying the Petition. AHCA's findings were two-fold. First, the situation presented in the Petition was not an emergency. Second, the Petition failed to provide facts that constitute competent, substantial evidence, pursuant to Section 120.542(8), Florida Statutes, to support a variance or waiver of Rule 59G-13.083, Florida Administrative Code.

A copy of the Final Order may be obtained by writing: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Mail Station 3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on November 4, 2009 the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety

has received an order. That order granted a variance to Ned Willis, Kennedy Square Investors, St. Petersburg, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until April 2, 2010 (VW 2009-258).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Courtney L. Collins, Centre Court Condo Assoc., Inc., Ft. Myers, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until August 1, 2012 (VW 2009-283 & 437).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Michael McLaughlin of Midtown Center Office Park 1200 Building of Jacksonville, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until March 31, 2010 (VW 2009-369).

A copy of the Order 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 November 4, 2009 the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Michael McLaughlin, 1100 Building, Jacksonville, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until March 31, 2010 (VW 2009-370).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Colleen Ansell of Downtown Patient Bldg. LLC of Orlando to not comply with Rules 2.20.1, 2.20.9 and 2.24.2, ASME A17.1, 2004 edition to allow the installation of an Otis Gen2TM elevator system (VW 2009-387).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Gary Glass, The Inn on the Beach, Longboat Key, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-394).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Sandra Ballestra, One Tampa Center, Tampa, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until December 31, 2010 (VW 2009-404).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to William Snyder, Constellation Condo Assoc., St. Pete Beach, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until October 31, 2011 (VW 2009-406).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to John Coleman, The Terraces, Naples, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until October 30, 2010 (VW 2009-416).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Hugh

Whitehouse of Jupiter Cove of Jupiter to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until June 30, 2010 (VW 2009-417).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Rob Magrath, Horizon's Building, West Palm Beach, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until March 2, 2011 (VW 2009-421 & 442).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Keith Rogers, City of Tampa, Tampa, FL, to not comply with Rules 3.11.3 and 3.11.1, ASME A17.3, 1996 edition until August 13, 2012 (VW 2009-422).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Theodore M. Baranowski, Halifax Health Medical Center, Daytona Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until October 31, 2012 (VW 2009-440).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Thomas L. Klepacki of Harbor View Manor Condominium of Clearwater to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until July 31, 2012 (VW 2009-447).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Karen J. Cochran, Islander Condominium Association, Clearwater, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until October 31, 2012 (VW 2009-449).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Paul Levine, Transflorida Centre, Boca Raton, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until October 31, 2012 (VW 2009-459 and 651).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lee Rigby, Fairway Pines at Sun N' Lake, Sebring, FL, to not comply with Rules 3.11.3 and 3.11.1, ASME A17.3, 1996 edition until October 1, 2011 (VW 2009-569).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Darrel Self, Shipp's Landing, Marco Island, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until June 1, 2011 (VW 2009-585).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lee Rigby, 5728 Major Center Blvd., Orlando, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until October 1, 2012 (VW 2009-598).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lee Rigby, Panama Club, Marco Island, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until October 1, 2012 (VW 2009-600).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Rachel Sardenga, Sand Lake IV Building, Orlando, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until October 1, 2010 (VW 2009-612).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Jim Veigle, Regions Bank Building, Winter Park, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until March 1, 2011 (VW 2009-616).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Kay Vega of Armenia Professional Center of Clearwater to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until August 1, 2011 (VW 2009-633).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Michael

Valore, Hillcrest Building, Orlando, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until August 1, 2010 (VW 2009-636).

A copy of the Order 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 November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Veronica Franco, Comeau Building, West Palm Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 15, 2010 (VW 2009-655).

A copy of the Order 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 October 16, 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, SK Fairgreen LLC of Orlando, and location of the Serial Number 44663, requests the variance for an extension of time to complete repairs and for economic/ financial hardship. The petition was received from Mona Adams, Office Manager (VW 2009-669).

A copy of the Order 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 October 21, 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 an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Keys Energy Services, Key West, FL, and location of the Serial Number 44746, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Randall Roberts, Facilities Supervisor (VW 2009-670).

A copy of the Order 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 October 21, 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, Sections 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, Envision Credit Union, Tallahassee, FL, and location of the Serial Number 3563, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Anthony Maldonado, Facilities Operations Specialist (VW 2009-671).

A copy of the Order 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 October 22, 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, Mariner's Boathouse & Beach Resort Condo. Assoc., Inc., Ft. Myers Beach, FL, and location of the Serial Number 33751, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Hazel E. King, General Manager (VW 2009-672).

A copy of the Order 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 October 22, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency 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, Eastpointe Building, Tampa, FL, and location of the Serial Numbers 40354 and 38824, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Patricia Del Villar, Senior Property Manager (VW 2009-673).

A copy of the Order 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 October 22, 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 an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, City Center of St. Petersburg, St. Petersburg, FL, and location of the Serial Numbers 34431-37 and 35674-75, requests the variance for an extension of time to

complete repairs and for economic/ financial hardship. The petition was received from John H. Murray, Vice President (VW 2009-674).

A copy of the Order 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 October 22, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency 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, Lakeview Center of Tampa, and location of the Serial Numbers 35144-46, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Patricia Del Villar, Senior Property Manager (VW 2009-675).

A copy of the Order 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 October 23, 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, The Anthony Building, West Palm Beach, FL, and location of the Serial Number 674, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Paul Komie, Agent (VW 2009-676).

A copy of the Order 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 October 23, 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, Sections 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, Gulfstream, Lake Worth, FL, and location of the Serial Number 16580, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Paul Komie, Agent (VW 2009-677).

A copy of the Order 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 October 23, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency 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, Canton Building of Winter Park, and location of the Serial Numbers 21831-32, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Sherrie Hallock, Vice President (VW 2009-678).

A copy of the Order 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 October 26, 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, Sections 2.7.4 and 3.3.2, 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 Madrid Club of Naples, and location of the Serial Numbers 23080-81, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Vanessa Mundy (VW 2009-679).

A copy of the Order 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 October 26, 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, Sections 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, 1900/2000 NW Corporate Blvd., Boca Raton, FL, and location of the Serial Numbers 38118-19 and 28199, requests the variance for an extension of time to complete repairs and for economic/ financial hardship. The petition was received from Anne Hutter, Assistant Property Manager (VW 2009-680).

A copy of the Order 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 October 26, 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 an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Inlet Harbor Club, Boynton Beach, FL, and location of unspecified Serial Number(s), requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from John P. Caparosa, President (VW 2009-681).

A copy of the Order 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 October 26, 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, Wiggins Pass West Condo. Assoc., Naples, FL, and location of the Serial Number 35731, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from BJ Savard-Boyer, Treasurer (VW 2009-682).

A copy of the Order 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 October 26, 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, Seville Condo #14, Clearwater, FL, and location of the Serial Number 10661, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Sherri L. Fogel, President (VW 2009-683).

A copy of the Order 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 October 26, 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 600 Center, Bradenton, FL, and location of the Serial Numbers 33602-03, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from James U. Wade (VW 2009-684).

A copy of the Order 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 October 27, 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 an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, RLLP of Cape Coral, and location of the Serial Number 41211, requests the variance for an extension of time to complete repairs and for economic/ financial hardship. The petition was received from Bill B. Berke, Manager (VW 2009-685).

A copy of the Order 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 October 27, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for an emergency 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, Amerilife Tower, Clearwater, FL, and location of the Serial Numbers 22377-79, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Michael Dean (VW 2009-686).

A copy of the Order 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 October 27, 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 an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Seminole Isle Bldg.s D, E and F, Seminole, FL, and location of the Serial Numbers 88631-32, 90004-05, 90599 and 90601, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Loey Antonucci, Manager (VW 2009-687).

A copy of the Order 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 November 6, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition on October 16, 2009 for an Emergency Variance for Section 509.221(1)(b), F.S., paragraph 61C-1.004(2)(a), subsections 61C-4.010(6), (7), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code from 7th Floor Concierge Lounge, Coral Springs, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to utilize the public bathrooms located on a different level (1st Floor) of the lodging.

The variance request was published in Vol. 35, No. 43, October 30, 2009, and is contingent upon the Petitioner ensuring the public bathrooms located on the 1st floor of the lodging are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, employee hand washing signage and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within and outside the establishment clearly stating the location of the bathrooms. If the circumstances governing access to the public bathrooms change, this variance approval will be revisited. 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.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on October 30, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition on September 16, 2009, for a Routine Variance for subsection 61C-4.010(5), Florida Administrative Code and Paragraph 4-301.12(A), 2001 FDA Food Code from Big Top of Tampa I, II & III, Thonotosassa, FL. The above referenced F.A.C. addresses the requirement that each establishment have facilities for washing, rinsing and sanitizing dishes and utensils. They are requesting to utilize the dishwashing facilities located within another licensed establishment under the same ownership.

The variance request was published in Vol. 35, No. 40, October 9, 2009, and is contingent upon the Petitioner ensuring the three-compartment sink located within Big Top of Tampa is maintained in a clean and sanitary manner and provided with hot and cold running water under pressure and available during all hours of operation. If the owner of Big Top of Tampa

changes, an updated signed agreement for use of the three-compartment sink 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.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 October 26, 2009, the Department of Environmental Protection, received a petition for variance from provisions in subsection 62-521.200(7), and paragraph 62-521.400(1)(f), F.A.C., on behalf of the City of Lake Worth for its water treatment plant located at 301 College Street, to allow construction of a deep underground injection control well within 500 feet of three drinking water supply wells. The rules require at least a 500-foot setback between a new injection well and a public drinking water supply well. The injection well is used for disposal of reverse osmosis concentrate resulting from the treatment of the water from the supply wells to produce drinking water for the City.

Any interested person may submit written comments on this petition within 14 days from the date of publication of this notice to the person listed below.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Cynthia Christen, OGC, MS #35, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, cynthia.christen@dep.state.fl.us, (850)245-2230.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on March 27, 2009, the Board of Nursing, received a petition for waiver or variance filed by Bryan Millares, from Rule 64B9-2.008, F.A.C., with regard to the clinical component of the educational requirement of Rule 64B9-2.008, F.A.C. Comments on this petition should be filed with: Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3052, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rick Garcia, Executive Director, Board of Nursing, at the above address, or telephone (850)245-4620.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Board of Nursing, received a petition for waiver or variance filed by Tina A. Rayfield, from Rule 64B9-2.008, F.A.C., with regard to the clinical component of the educational requirement of Rule 64B9-2.008, F.A.C. Comments on this petition should be filed with the Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3052, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rick Garcia, Executive Director, Board of Nursing, at the above address, or telephone (850)245-4620.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on October 22, 2009, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Adoption By Shepherd Care and Terri Maikkula, assigned Case No. 09-036W. subsection 65C-15.017(3), F.A.C., require agency staff responsible for performing casework services shall have a bachelor's or master's degree in social work or related area of study from an accredited college or university.

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

**Section VI
Notices of Meetings, Workshops and Public Hearings**

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

- State Board of Administration
- Division of Bond Finance
- Financial Services Commission:
- Office of Insurance Regulation
- Office of Financial Regulation
- Agency for Enterprise Information Technology
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: December 8, 2009, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

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

The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the Office of Insurance Regulation concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the Office of Financial Regulation relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The Agency for Enterprise Information Technology will take action on matters duly presented on its agenda which may include, but not be limited to, the presentation and approval of the Agency's Annual Operational Work Plan as well as matters relating to rulemaking for all activities of the Agency.

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

agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

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

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

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

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

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters and other matters within its authority.

The Department of Environmental Protection will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting the Governor's Cabinet Affairs Office, (850)488-5152.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

DEPARTMENT OF EDUCATION

The **Florida State College at Jacksonville District**, Board of Trustees announces the following meetings to which the public is invited.

STRATEGIC CONVERSATION:

DATE AND TIME: December 1, 2009, 12:00 Noon – 2:00 p.m.

PLACE: Betty P. Cook Nassau Center, Room T-117, 76346 William Burgess Blvd., Yulee, FL 32097

GENERAL SUBJECT MATTER TO BE CONSIDERED: Joint meeting with the Nassau County School Board and Superintendent.

REGULAR MONTHLY BOARD MEETING:

DATE AND TIME: December 1, 2009, 2:00 p.m. – 3:00 p.m.

PLACE: Betty P. Cook Nassau Center, Room T-126, 76346 William Burgess Blvd., Yulee, FL 32097

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

DISCUSSION OF COLLEGE OPERATIONAL MATTERS:

DATE AND TIME: December 1, 2009, 3:00 p.m. – 5:00 p.m.

PLACE: Betty P. Cook Nassau Center, Room T-108, 76346 William Burgess Blvd., Yulee, FL 32097

GENERAL SUBJECT MATTER TO BE CONSIDERED: College operational matters.

Copies of the agenda for the regular monthly Board meeting will be available for inspection on and after Tuesday, November 24, 2009, and copies will be provided upon written request and the payment of approved duplicating charges. Any person wishing to address agenda items at the Board of Trustees meeting will be provided an opportunity to do so by appearing before the Board at the meeting. All objections to this notice or the propriety of the scheduled public meetings should be filed in writing with: College President, Florida State College at Jacksonville, on or before December 1, 2009. All legal issues should be brought to the College's attention and an attempt made to resolve them prior to the public meeting.

Any person wishing to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made. Through the months of December 2009 and January 2010, the Board will hold informal meetings each Thursday from 12:00 Noon – 4:00 p.m., Donald T. Martin Center for College Services, Room 462, for the purpose of discussing College business as appropriate.

The College does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action college. If special accommodations are required, please advise human resources 24 hours in advance of the meeting.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs, Division of Housing and Community Development**, The Florida Building Commission, "The Commission" announces a public meeting to which all persons are invited.

DATE AND TIME: December 1, 2009, 9:00 a.m. – until completion

PLACE: Meeting to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Conference Code: 1967168#. Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration and recommendation of Declaratory Statement and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 322399-2100, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The Department of Community Affairs, Division of Housing and Community Development, The Florida Building Commission, "The Commission" announces a public meeting to which all persons are invited.

DATE AND TIME: December 1, 2009, 9:00 a.m. – until completion

PLACE: Meeting to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Conference Code: 1967168#. Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration and recommendation of Declaratory Statement, take up Code overlapping requirements for the development of the 2010 Florida Building Code (FBC) and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The Department of Community Affairs, Division of Housing and Community Development, The Florida Building Commission, "The Commission" announces a public meeting to which all persons are invited.

Special Occupancy Technical Advisory Committee:

DATE AND TIME: December 1, 2009, 9:00 a.m. – until completion

PLACE: Meeting to be conducted via Communications Media Technology, specifically Conference Call: 1(888)808-6959, Conference Code: 1967168#. Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration and recommendation of Declaratory Statement, take up Code overlapping requirements for the development of the 2010 Florida Building Code (FBC) and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

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For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The Department of Community Affairs, Division of Housing and Community Development, The Florida Building Commission, "The Commission" announces a public meeting to which all persons are invited.

Structural Technical Advisory Committee:

DATE AND TIME: December 1, 2009, 9:00 a.m. – until completion

PLACE: Meeting to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Conference Code: 1967168#. Point of access: 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration and recommendation of Declaratory Statement and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, or Fax: (850)414-8436, Website: www.floridabuilding.org.

The **Department of Community Affairs, Division of Housing and Community Development**, The Florida Building Commission, "The Commission" announces a public meeting to which all persons are invited.

Swimming Pool Sub-committee concurrent with the Plumbing Technical Advisory Committee:

DATE AND TIME: December 1, 2009, 10:30 a.m. – until completion

PLACE: Meeting to be conducted via Communications Media Technology, specifically Conference Call: 1(888)808-6959, Conference Code: 1967168#. Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration and recommendation of Declaratory Statement and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards, Division of Housing and Community Affairs, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Fax: (850)414-8436, Website: www.floridabuilding.org.

The **Department of Community Affairs, Division of Housing and Community Development**, The Florida Building Commission, "The Commission" announces a public meeting to which all persons are invited.

Code Administration Technical Advisory Committee:

DATE AND TIME: December 1, 2009, 1:30 p.m. – until completion

PLACE: Meeting to be conducted via Communications Media Technology, specifically Conference Call: 1(888)808-6959, Conference Code: 1967168. Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration and recommendation of Declaratory Statement, take up Code overlapping requirements for the development of the 2010 Florida Building Code (FBC) and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

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

agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850) 414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Fax: (850)414-8436, Website: www.floridabuilding.org.

The **Department of Community Affairs, Division of Housing and Community Development**, The Florida Building Commission, "The Commission" announces a public meeting to which all persons are invited.

Electrical Technical Advisory Committee:

DATE AND TIME: December 1, 2009, 1:30 p.m. – until completion

PLACE: Meeting to be conducted via Communications Media Technology, specifically Conference Call: 1(888)808-6959, Conference Code: 1967168. Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration and recommendation of Declaratory Statement and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Fax: (850)414-8436, Website: www.floridabuilding.org.

The **Florida Building Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 4, 2009, 10:00 a.m. – 11:30 a.m.

PLACE: Meetings to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Conference Code: 1967168#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss "accreditor" and "course" applications for recommendation to the Florida Building Commission; discuss self-affirmation rather than accreditation for approved courses with only minor changes, and general subject matters.

A copy of the agenda may be obtained by contacting: Ms. Ila Jones, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Ila Jones, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, Fax: (850)414-8436, Website: www.floridabuilding.org.

The **State Emergency Response Commission Subcommittee on Training** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, December 3, 2009, 9:30 a.m. – 11:30 a.m.

PLACE: This is a telephone conference call which can be attended via the internet and telephone. To attend by telephone, Dial: (850)410-3315. To join by internet go to: <https://www2.gotomeeting.com/join/500835250>

GENERAL SUBJECT MATTER TO BE CONSIDERED: Model protocols and other projects on the project board.

A copy of the agenda may be obtained by contacting: Division of Emergency Management at (850)413-9970.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850)413-9970. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF REVENUE

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

DATE AND TIME: December 8, 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: Adoption of new Rule 12E-1.0052, F.A.C., (Unidentifiable Collections) and changes to existing Rule 12E-1.014, Florida Administrative Code, (Internal Revenue Service Tax Refund Offset Program; Passport Denial; Internal Revenue Service Full Collection Services). Notice of this proposed adoption was published in the Florida Administrative Weekly on November 20, 2009. A Notice of Change will be published in the Florida Administrative Weekly on November 20, 2009, because the Department is making changes to proposed Rules 12E-1.0052 and 12E-1.014, Florida Administrative Code, as published in the Florida Administrative Weekly on September 4, 2009 (Vol. 35, No. 35, pp. 4280-4284). The proposed changes to Rule 12E-1.0052, Florida Administrative Code, were made a part of the record of the public hearing held on September 29, 2009. The proposed change to Rule 12E-1.014, F.A.C., will include a corrected revision date referenced in the rule for form CS-EF36A (Notice of Outcome of Informal Conference For IRS Offset Certification/Passport Denial).

A copy of the agenda may be obtained by contacting: the Department's Internet site: 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 Scruggs, Government Analyst II, Child Support Enforcement Program, Department of Revenue, P. O. Box 8030, Tallahassee, Florida 32314-8030, (850)922-9558, e-mail: scruggsp@dor.state.fl.us for proposed Rule 12E-1.0052, F.A.C.

DEPARTMENT OF TRANSPORTATION

The **Florida Transportation Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 30, 2009, (850)414-4105 for time (TBD)

PLACE: Florida Transportation Commission, 605 Suwannee Street, MS #9, Room 176, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Nominating Committee for FTC 2010 Officers.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Lisa O. Stone at (850)414-4316. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, 605 Suwannee Street, MS #9, Room 176, Tallahassee, Florida 32399-0450, (850)414-4105.

The Florida **Department of Transportation**, District 3 hereby announces public hearings to which all persons are invited.

1. Escambia, Santa Rosa, Okaloosa, and Walton Counties:

DATE AND TIME: Thursday, December 3, 2009, 10:00 a.m. – 11:00 a.m. (CST)

PLACE: FDOT, Milton Operations Center, Conference Room, 6025 Old Bagdad Highway, Milton, FL 32583

2. Bay, Calhoun, Gulf, Jackson, Holmes and Washington Counties:

DATE AND TIME: Friday, December 4, 2009, 10:00 a.m. – 11:00 a.m. (CST)

PLACE: FDOT, District 3 Headquarters Design Conference Room, 1074 Highway 90, Chipley, FL 32428

3. Franklin, Gadsden, Liberty, Jefferson, Leon and Wakulla Counties:

DATE AND TIME: Tuesday, December 8, 2009 11:00 a.m. – 12:00 Noon (EST)

PLACE: FDOT, Midway Operations Center Conference Room, 17 Commerce Blvd., Midway, FL 32343

GENERAL SUBJECT MATTER TO BE CONSIDERED: These Public Hearings are being conducted pursuant to Section 339.135(4)(c), Florida Statutes. The purpose of the public hearings is to consider the Department's Improved Tentative Work Program for District Three, for the period 2010/2011 through 2014/2015, and to consider the necessity of making any changes to the program.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact the District's ADA Office at (850)415-9520 at least seven days prior to the meeting.

Written comments from TPOs/TPAs and other interested parties will be received by the Department at the Public Hearings and within 10 days thereafter. Comments should be addressed to: Mr. James T. Barfield, P.E., District Secretary, FDOT, District Three, Post Office Box 607, Chipley, FL 32428.

The Florida **Department of Transportation**, District Two announces a public meeting to which all persons are invited.

DATE AND TIME: Live Oak Hearing, Monday, December 7, 2009, 5:30 p.m.

PLACE: Suwannee River Water Management District, Board Room #103, 9225 County Road 49, Live Oak, Florida

DATE AND TIME: Lake City Hearing, Tuesday, December 8, 2009, 5:30 p.m.

PLACE: Florida Department of Transportation, Lake City District Office, Madison Room, 1109 South Marion Avenue, Lake City, Florida.

DATE AND TIME: Jacksonville Hearing, Tuesday, December 15, 2009, 5:30 p.m.

PLACE: Florida Department of Transportation, Jacksonville Urban Office, Training Facility, 2198 Edison Avenue, Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation of the Department's Tentative Work Program for Fiscal Years beginning July 1, 2010, through June 30, 2015. These Public Hearings are being conducted pursuant to Section 339.135(4)(c), Florida Statutes, to consider the Department's Tentative Work Program for the period 2010/2011 through 2014/2015, and to consider the necessity of making any changes to the Department's Tentative Work Program. Written comments from the Commissions and other interested parties will be received by the Department at the public hearings and through Thursday, December 31, 2009. Comments should be addressed to: Ms. Lora B. Hollingsworth, P.E., Interim District Two Secretary, Florida Department of Transportation, District Two, 1109 South Marion Avenue, Lake City, Florida 32025-5874, 1(800)749-2967.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Lake City District Two Office at 1(800)749-2967.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Lake City District Two Office at 1(800)749-2967. If you are 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 Transportation**, District Five announces a Public Hearing to which all persons are invited.

DATE AND TIMES: December 14, 2009, 5:00 p.m., Open House; 6:00 p.m., Presentation; 6:30 p.m. – 7:30 p.m., Public Testimony

PLACE: St. John the Baptist Catholic Church, 7525 S. US Highway 41, Dunnellon, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of widening SR 45 from 111th Place Lane to approximately S. W. 61st Street, Marion County, a distance of approximately 4.3 miles. Financial Project Number 238648-1-22-01/238648-1-22-02, otherwise known as the SR 45/US 41 Project Development and Environment (PD&E) Study.

Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act of 1990 should write: Florida Department of Transportation, District Five, 719 South Woodland Boulevard, MS #4-501, DeLand, Florida 32720, or call Amy Sirmans, Project Manager at (386)943-5404.

Special accommodation requests under the Americans with Disabilities Act should be made at least seven (7) days prior to the public hearing.

A copy of the agenda may be obtained by writing: Amy Sirmans, Project Manager, Florida Department of Transportation, District Five, 719 South Woodland Boulevard, MS #4-501, DeLand, Florida 32720.

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."

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas acting as staff to the **Board of Trustees of the Internal Improvement Trust Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 16, 2009, 6:00 p.m.

PLACE: Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR), 505 Guana River Rd., Ponte Vedra Beach, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Management Advisory Group for GTMNERR is holding a meeting to provide advisory input for the management of GTMNERR.

A copy of the agenda may be obtained by contacting: Annette Odom, GTMNERR, 505 Guana River Rd., Ponte Vedra Beach, FL 32082, (904)823-4500, annette.odom@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: Annette Odom, GTMNERR, 505 Guana River Rd., Ponte Vedra Beach, FL 32082, (904)823-4500, annette.odom@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).

STATE BOARD OF ADMINISTRATION

The **State Board of Administration** of Florida (the "SBA") has solicited competitive responses from law firms that are interested and qualified to provide legal representation to the SBA or matters related to securities litigation. The Invitation to Negotiate (the "ITN") is available as of October 19, 2009 and may be obtained from the SBA's website at <http://www.sbafla.com> under "Meetings & Notices" and "Vendors". The SBA reserves the right to reject any and all responses and to cancel the above ITN at any time. The SBA announces the following meeting dates, times and locations with respect to this ITN, and all meetings are open to the public.

DATE AND TIME: Thursday, November 19, 2009, 9:00 a.m. – until the conclusion of business

PLACE: Hermitage Room (1st Floor), 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the responses received concerning the above ITN and to designate short-listed respondents for interviews and further consideration.

DATES AND TIME: Monday, December 7, 2009 through Friday, December 11, 2009 (excluding week-ends), 8:00 a.m. – until the conclusion of business

PLACE: Hermitage Room (1st Floor), 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the responses received concerning the above ITN and to conduct interviews with the short-listed respondents.

DATE AND TIME: Wednesday, December 16, 2009, 9:00 a.m. – until the conclusion of business

PLACE: Hermitage Room (1st Floor), 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the responses received and all other information gathered concerning the above ITN to determine a final ranking of short-listed respondents and to determine which respondents will be included in the SBA's updated pool of law firms eligible to serve as securities litigation counsel.

Any changes to the above meeting dates and/or times (including the cancellation of any meeting) will be posted on the SBA's website at <http://www.sbafla.com> at least 7 days prior to the meeting.

Anyone requiring special accommodations to participate in any meeting or anyone wishing further information should contact: Thomas A. Beenck, General Counsel at (850)413-1183 or Maureen M. Hazen, Deputy General Counsel at (850)413-1198 or by mail: 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308.

The **State Board of Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 2, 2009, 2:00 p.m.

PLACE: The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Audit Committee.

A copy of the agenda may be obtained by contacting: Loveleen Verma, State Board of Administration of Florida, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 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 members of the **Florida Prepaid College Board** will have a dinner in advance of the Board meeting on December 1, 2009, in Orlando, Florida.

DATE AND TIME: Monday, November 30, 2009, 6:30 p.m. or soon thereafter – until completion

PLACE: Restaurant location in Orlando, Florida, to be determined. For information as to the restaurant location, please visit our website at www.myfloridaprepaid.com.

GENERAL SUBJECT MATTER TO BE CONSIDERED: There is no agenda. This notice is for public information purposes only.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces that the election of a Commission Chairman for a two-year term beginning January 2, 2010, will be held at the beginning of the Commission Conference, to which all interested persons are invited.

DATE AND TIME: December 1, 2009, 9:30 a.m.

PLACE: Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

The Florida **Public Service Commission** will consider at its December 1, 2009, Agenda Conference, Docket No. 090494-EI, Application of Florida Power & Light Company for authority to issue and sell securities pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code. The Company seeks PSC approval pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code, to issue and sell, and/or exchange any combination of the long-term debt and equity securities and/or to assume liabilities or obligations as guarantor, endorser, or surety in an aggregate amount not to exceed \$6.1 billion during calendar year 2010. In addition, the Company seeks permission to issue and sell short-term securities during the calendar years 2010 and 2011 in an amount or amounts such that the aggregate principal amount of short-term securities outstanding at the time of, and including, any such sale shall not exceed \$3.5 billion.

DATE AND TIME: Tuesday, December 1, 2009, The Agenda Conference, 9:30 a.m. although the time at which this item will be heard cannot be determined at this time

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take final action in Docket No. 090494-EI.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate in this hearing because of a physical impairment should call: Office of Commission Clerk, (850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech

impaired should contact the Florida Public Service Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, please contact: Katherine Fleming, Office of the General Counsel at (850)413-6218.

The Florida **Public Service Commission** announces a public hearing in the following docket to which all persons are invited.

DATE AND TIME: Wednesday, December 9, 2009, 6:00 p.m.

PLACE: Gainesville City Hall, City Commission Auditorium, 200 East University Avenue, Gainesville, Florida 32601

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 090451-EI – Joint petition to determine need for Gainesville Renewable Energy Center in Alachua County, by Gainesville Regional Utilities and Gainesville Renewable Energy Center, LLC. In determining the need for the project, the Commission must take into account the need for electric system reliability and integrity, the need for fuel diversity and supply reliability, the need for adequate electricity at a reasonable cost, whether the proposed plant is the most cost-effective alternative available, and whether any renewable energy sources and technologies or conservation measures taken by or reasonably available to GRU and GREC might mitigate the need for the plant. The purpose of this hearing is to provide the customers of GRU and other interested persons an opportunity to provide public testimony regarding the need for the proposed renewable energy electrical power plant. Separate hearings may be held before the Division of Administrative Hearings at a later date to consider environmental and other impacts of the proposed plant. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this hearing. For questions, contact: Commission staff person Dick Durbin at (850)413-6121.

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

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

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida **Film and Entertainment Advisory Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 11, 2009, 10:00 a.m. – 12:00 Noon

PLACE: Please Call: 1(888)808-6959, Conference Code: 4104765#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues concerning the film and entertainment industry, general administrative matters of the Advisory Council and hear public input and advisement.

A copy of the agenda may be obtained by contacting: Office of Film and Entertainment at (850)410-4765.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Film and Entertainment at (850)410-4765. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Office of Film and Entertainment at (850)410-4765.

REGIONAL PLANNING COUNCILS

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

DATE AND TIMES: December 3, 2009, Planning and Growth Management Committee, 8:30 a.m.; Personnel, Budget & Finance Committee, 9:00 a.m.; Full Board of Directors, 10:00 a.m.; Legislative Committee immediately following the Board Meeting. Please check our website for any changes in meeting times

PLACE: 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meetings.

A copy of the agenda may be obtained by contacting: Sheron Forde at (904)279-0880 or sforde@nefrc.org.

COMMISSION ON ETHICS

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

DATE AND TIME: Friday, December 4, 2009, 8:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Commission on Ethics at (850)488-7864. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: Tuesday, December 1, 2009, 9:30 a.m.

PLACE: Green Swamp West Field Office, 13645 Ranch Road, Dade City, FL 33525

GENERAL SUBJECT MATTER TO BE CONSIDERED: Basin Board Land Resources Committee Meeting – consider committee business.

A copy of the agenda may be obtained by contacting: www.WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of 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 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Cheryl.Hill@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4452 (Ad Order EXE0002).

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

DATE AND TIME: December 2, 2009, 9:00 a.m. – 11:00 a.m. unless business concludes earlier

PLACE: Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33637-6759

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Permit #	Project Name
20005750.007	The City of Davenport
43035097.000	Elizabeth Place Hydrologic Enhancement

A copy of the agenda may be obtained by contacting: Patty McLeod, PMO, 2379 Broad Street, Brooksville, FL 34609-6899, (352)796-7211, ext. 4346 or by visiting the District's website: www.watermatters.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: District's Human Resources Director, 2379 Broad Street, Brooksville, Florida 34609-6899, (352)796-7211, ext. 4702 or 1(800)423-1476 (FL Only), ext. 4702; TDD (FL Only) 1(800)231-6103; or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Water Resources Advisory Commission (WRAC)**, Lake Okeechobee Committee announces a public meeting to which all persons are invited.

DATE AND TIME: December 3, 2009, 9:00 a.m. – 4:00 p.m.

PLACE: Marriott Key Largo, 103800 Overseas Highway, Key Largo, FL 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: A combined Public Meeting of the Water Resources Advisory Commission (WRAC), Lake Okeechobee Committee regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: December 15, 2009, 10:00 a.m.

PLACE: South Florida Water Management District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained by contacting: (1) District Website (http://www.sfwmd.gov/org/ema/toc/draft_agenda.html) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: District Clerk's Office at (561)682-2087.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 6, 2009, 9:00 a.m.

PLACE: 2575 Enterprise Road, Clearwater, FL 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special Board Meeting to approve three Settlement Offers in the MTBE Litigation totaling \$111,720. The three defendants in the case requested all plaintiffs timely accept the offer. Due to Board Policy No. 510-01 delegating authority to the General Manager to settle litigation for amounts up to \$50,000, Board approval of the settlement offer was required. Since the next

regular meeting of the Board of Directors is not scheduled until December 14, 2009, a special meeting of the Board was convened via a telephone conference call.

The Board unanimously approved the settlements in the amount of \$111,720 in the Methyl Tertiary Butyl Ether (MBTE) Products Liability Litigation, Tampa Bay Water v. Amerada Hess Corp. et al, United States District Court Southern District of New York, Master File C.A. No. 1:00-1898, MDL 1358 (SAS), M21-88.

For more information, you may contact: Richard Lotspeich, General Counsel at (727)796-2355.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, Office of the General Counsel announces a hearing to which all persons are invited.

DATE AND TIME: December 17, 2009, 10:00 a.m. – 11:30 a.m. (EST)

THE RULE HEARING SCHEDULED FOR NOVEMBER 10, 2009 HAS BEEN CANCELLED.

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225 F, Tallahassee, FL 32399-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule 58C-1.0031, F.A.C., Lead Agency Dispute Resolution. The contents of the rule can be found in the October 16, 2009, edition of the Florida Administrative Weekly or the department website: <http://elderaffairs.state.fl.us/english/rulemaking.php> under the heading entitled "Community Care for the Elderly, etc."

A copy of the agenda may be obtained by contacting: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2113, email: crochetj@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: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2113, email: crochetj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2113, email: crochetj@elderaffairs.org.

The **Department of Elder Affairs**, Office of the General Counsel announces a hearing to which all persons are invited.

DATE AND TIME: December 17, 2009, 2:00 p.m. – 3:30 p.m. (EST)

THE RULE HEARING SCHEDULED FOR NOVEMBER 10, 2009 HAS BEEN CANCELLED.

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225F, Tallahassee, FL 32399-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ombudsman 58L-1.0011: Definitions; 58L-1.005: Access; 58L-1.006: Conflict of Interest; 58L-1.007: Complaint Procedures, F.A.C. The contents of the rules can be found in the October 16, 2009 issue of the Florida Administrative Weekly or the department website at: <http://elderaffairs.state.fl.us/english/rulemaking.php>, under the heading entitled "Long-Term Care Ombudsman Program, etc."

A copy of the agenda may be obtained by contacting: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2113, email: crochetj@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: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2113, email: crochetj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2113, email: crochetj@elderaffairs.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration**, on behalf of the Low Income Pool (LIP) Council, announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 2, 2009, 10:00 a.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida 32308. To participate by telephone: 1(866)882-6451, Pass Code: 40897098#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the LIP program including funding methodology, policies and procedures in accordance with the approved Medicaid Reform Section 1115 Demonstration.

A copy of the agenda may be obtained by contacting: Edwin Stephens at (850)413-8067, stephene@ahca.myflorida.com.

For more information, you may contact: Edwin Stephens at (850)413-8067, stephene@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation** announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2009, 9:00 a.m. – 1:00 p.m.

PLACE: Department of Business and Professional Regulation, Division of Hotels and Restaurants, Lower Level, 1940 North Monroe Street, Tallahassee, FL 32399-1013

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Elevator Safety Technical Advisory Council will meet to discuss issues pertaining to elevator safety within the State of Florida.

A copy of the agenda may be obtained by contacting: doug.melvin@dbpr.state.fl.us.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: December 1, 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 **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 30, 2009, 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code 4878197#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement Committee.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399-0773.

Pursuant to the provisions of 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 Pilot Commissioners office. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Florida Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATES AND TIME: Monday, December 7, 2009 and Tuesday, December 8, 2009, 8:30 a.m., continuing until all Board business is complete

PLACE: Division of Real Estate, Room 1N901, North Tower, 400 W. Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board: Topics include, but not limited to, proposed legislation affecting Chapter 475, Part II, F.S., rule development workshops, Florida Administrative Code 61J1 rule amendments, disciplinary actions, and general subject matter.

A copy of the agenda may be obtained by contacting: Florida Real Estate Appraisal Board, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1757.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5632. If you

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

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

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 9, 2009, 9:00 a.m., or soon thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Division of Real Estate, Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5632. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The **Environmental Regulation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: December 1, 2009, 9:00 a.m.

PLACE: 3900 Commonwealth Blvd., Douglas Building, Conference Room A, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A regularly scheduled meeting of the Environmental Regulation Commission will be held for the purpose of briefings regarding

Chapters 62-302, Chapter 62-709 and amendments to Chapter 62-640, F.A.C. Briefing on Refinements to Surface Water Classification System (Designated Uses). Staff will brief the Commission on proposed revisions to the surface water classification system (Rule 62-302.400, F.A.C.). Proposed rule changes include revising the classification system into both aquatic life uses and human uses. Two public workshops were held earlier this fall.

The Department is proposing to amend Chapter 62-709, Florida Administrative Code (F.A.C.), which contains regulations for processing yard trash and for composting solid waste. The proposed amendments would allow registrations in lieu of permits for certain composting projects, and would also create a simplified permit for small composting pilot projects.

The Department is proposing to amend Chapter 62-640, Florida Administrative Code (F.A.C.), which contains regulations for domestic wastewater residuals (biosolids), to improve biosolids land application site accountability and management, address growing nutrient concerns, and support public confidence in the beneficial use of biosolids. While the Department is proposing numerous revisions to Chapter 62-640, F.A.C., the primary proposed changes include requiring site permitting for biosolids land application sites, requiring nutrient management plans, and requiring distributed and marketed Class AA biosolids to be fertilizers.

A copy of the agenda may be obtained by contacting: Kay Buchanan at (850)245-2293, or by going to the DEP website at the following address: <http://www.dep.state.fl.us/legal/ERC>. The agenda will be posted ten days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kay Buchanan at (850)245-2293. If you are 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 Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, December 14, 2009, 10:00 a.m. – 12:00 Noon

PLACE: 1(888)808-6959, Conference Code: 4513843

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Oceans and Coastal Council will meet to further its duties under the Oceans and Coastal Resources Act.

A copy of the agenda may be obtained by contacting: Becky Prado by e-mail at rebecca.prado@dep.state.fl.us, by phone (850)245-2094 or by mail: 3900 Commonwealth Blvd., MS #235, 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: Becky Prado at rebecca.prado@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Greenways and Trails Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 3, 2009, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2452066#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Jim Wood, Office of Greenways and Trails, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 795, Tallahassee, Florida 32399-3000. Mr. Wood may also be reached by telephone at (850)245-2052, by email: Jim.M.Wood@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 3 days before the workshop/meeting by contacting: Jim Wood at (850)245-2052. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jim Wood.

The **Department of Environmental Protection**, Florida Coastal Management Program announces a public meeting to which all persons are invited.

DATE AND TIMES: Committee “A”, Tuesday, December 15, 2009, 9:00 a.m. – 12:00 Noon; Committee “B”, 1:00 p.m. – 4:00 p.m.

PLACE: Conference Room A, Douglas Bldg., 3900 Commonwealth Blvd., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of these meetings is for the Coastal Partnership Initiative (CPI) evaluation committees to score and rank CPI applications to be considered for funding in FY 10-11 pursuant to Rule 62S-4.007, F.A.C.

Committee “A” will score and rank applications submitted under the Coastal Resource Stewardship CPI category.

Committee “B” will score and rank applications submitted under Resilient Communities, Access to Coastal Resources and Working Waterfronts CPI categories.

A copy of the agenda may be obtained by contacting: Susan Goggin, Department of Environmental Protection, MS #47, 3900 Commonwealth Blvd., Tallahassee, Florida 32399, (850)245-2161 or by email: Susan.Goggin@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: Susan Goggin at (850)245-2161 or email: susan.goggin@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The Florida **Coordinating Council for the Deaf and Hard of Hearing Technology Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 11, 2009, 8:30 a.m. – 10:00 a.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 5221678031#; <http://www.streamtext.net/text.aspx?event=FC CDHH>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subject of the meeting will be in furtherance of the Council’s mission of Information, Education and Advocacy regarding current technology and innovations available to persons who are deaf, hard of hearing or deaf-blind. Specifically, the work of the Coalition for Accessible Technology and Vocational Rehabilitation will be discussed.

A copy of the agenda may be obtained by contacting: MaryGrace_Tavel@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 14 days before the workshop/meeting by contacting: MaryGrace_Tavel@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).

NOTICE OF CHANGE – The **Department of Health**, the Electrolysis Council under the **Board of Medicine** announces a telephone conference call to which all persons are invited.

NEW DATE AND TIME: August 9, 2010, 9:00 a.m. or soon thereafter

PLACE: 1(888)808-6959. After dialing the meet me number, enter Conference Code 4246812343 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business Meeting.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Board office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Clinical Laboratory Personnel** announces a workshop to which all persons are invited.

DATE AND TIME: Friday, December 4, 2009, 8:30 a.m.

PLACE: Renaissance, 1617 S. E. 17th Street, Ft. Lauderdale, Florida 33316, (954)626-1700 (and will be held by telephone conference call if necessary)

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Discussion of Rule Chapter 64B3, Florida Administrative Code.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing: www.doh.state.fl.us/mqa/ClinLab/index.html.

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

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

The **Board of Clinical Laboratory Personnel** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 4, 2009, 9:00 a.m., or shortly thereafter

PLACE: Renaissance, 1617 S. E. 17th Street, Ft. Lauderdale, Florida 33316, (954)626-1700 (and will be held by telephone conference call if necessary)

GENERAL SUBJECT MATTER TO BE CONSIDERED: For general board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing: www.doh.state.fl.us/mqa/ClinLab/index.html.

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

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

The **Department of Health, Board of Physical Therapy Practice** announces a public meeting to which all persons are invited.

DATES AND TIMES: February 4, 2010, 6:30 p.m. or soon thereafter; February 5, 2010, 8:00 a.m. or soon thereafter

PLACE: Crowne Plaza Universal, 7800 Universal Blvd., Orlando, FL 32819, (407)355-0550

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business Meeting and Rules Review.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext. 3472.

Pursuant to the provisions of 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: Board of Physical Therapy Practice office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Department of Health, Board of Physical Therapy Practice** announces a public meeting to which all persons are invited.

DATES AND TIMES: August 5, 2010, 6:30 p.m. or soon thereafter; August 6, 2010, 8:00 a.m. or soon thereafter

PLACE: Renaissance Tampa Hotel International Plaza, 4200 Jim Walter Blvd., Tampa, FL 33607, (813)877-9200

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting and Rules Review.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext. 3472.

Pursuant to the provisions of 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: Board of Physical Therapy Practice office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Department of Health, Board of Physical Therapy Practice** announces a public meeting to which all persons are invited.

DATES AND TIMES: November 4, 2010, 6:30 p.m. or soon thereafter; November 5, 2010, 8:00 a.m. or soon thereafter

PLACE: Crowne Plaza Universal, 7800 Universal Blvd., Orlando, FL 32819, (407)355-0550

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting and Rules Review.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext. 3472.

Pursuant to the provisions of 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: Board of Physical Therapy Practice office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Athletic Training** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 1, 2009, 9:30 a.m.

PLACE: (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting with Reconsiderations.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Athletic Training, 4052 Bald Cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster, (850)245-4474 at least one week prior to meeting date.

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

DATE AND TIME: January 8, 2010, 8:00 a.m. or soon thereafter

PLACE: Hilton Tampa Airport Westshore, 2225 North Lois Avenue, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Respiratory Care Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255 or by calling the Board office at (850)245-4373, ext 3476.

Pursuant to the provisions of 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: Board Office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: July 16, 2010, 8:30 a.m. or soon thereafter
 PLACE: Renaissance Tampa Hotel International Plaza, 4200 Jim Walter Blvd., Tampa, FL 33607, (813)877-9200

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 General Business Meeting and Rules Review.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Respiratory Care Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext. 3476.

Pursuant to the provisions of 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: Board of Respiratory Care Practice office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: October 8, 2010, 8:30 a.m. or soon thereafter

PLACE: Crowne Plaza Universal, 7800 Universal Blvd., Orlando, FL 32819, (407)355-0550

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 General Business Meeting and Rules Review.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Respiratory Care Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext. 3476.

Pursuant to the provisions of 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: Board of Respiratory Care Practice office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Department of Health** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 9, 2009, 9:00 a.m. – 12:00 Noon

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 This meeting will be for evaluating Lifeguarding and Swimming Instructor Training programs proposed to be considered as equivalent with paragraph 64E-9.008(1)(a), Florida Administrative Code. The advisory group will provide an assessment of the programs to the department. The general subject matter to be considered is Miracle Swimming Institute's Swimming Instructional Program for Adults Who Are Afraid in Water and for the Lifeguarding and Swimming Instructor Training Program.

A copy of the agenda may be obtained by contacting: Robert Pryor, Environmental Engineering, Department of Health, Bureau of Water Programs, 4052 Bald Cypress Way, BIN C-22, Tallahassee, FL 32399-7017, (850)245-4444, ext. 2369.

Pursuant to the provisions of 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: Contact Robert Pryor at (850)245-4444, ext. 2369; Pat Duncan at (850)245-4444, ext. 2366 to obtain the conference call number.

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

DATES AND TIME: Wednesday, January 13, 2010; March 10, 2010; May 12, 2010; July 14, 2010; September 8, 2010; November 3, 2010, 9:30 a.m. – 3:00 p.m.

PLACE: Conference Room A, S Tower, Hurston Building, 1st Floor, 400 West Robinson Street, Orlando, FL 32801, Telephone (407)317-7172 for directions

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Rule 64E-9.016, F.A.C. The purpose of these meetings will be for the board to make recommendations to the department for agency action on variance requests, rule and policy development, and other technical review problems.

A copy of the agenda may be obtained by contacting: Robert S. Pryor, Environmental Engineering, Department of Health, Bureau of Water Programs, 4052 Bald Cypress Way, BIN #C-22, Tallahassee, FL 32399-7017, (850)245-4444, ext. 2369.

Pursuant to the provisions of 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 calling: (407)317-7172. If you are 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: Pat Duncan at (850)245-4444, ext. 2366

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 8, 2009, 3:00 p.m. – 4:30 p.m.
 PLACE: Conference Call: 1(888)808-6959, Conference Code: 4883169#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This subcommittee of the Advisory Committee on Economic Security is focused on recommendations to increase participation in public assistance programs in the state.

A copy of the agenda may be obtained by contacting: ACCESS Florida Headquarters' Office at (850)487-8465.

For more information, you may contact: Kristi Gray at (407)245-0400.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: December 9-10, 2009, 8:30 a.m. each day

PLACE: John Boy Auditorium, 1200 South W.C. Owen Avenue, Clewiston, Florida 33440

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss substantive and procedural issues associated with the Fish and Wildlife Conservation Commission and to take action on proposed rules and policy issues. The meeting may include fact finding field trips to Commission managed areas or facilities and to other areas to learn about management, and enforcement activities.

A copy of the agenda may be obtained by contacting: Kathleen Hampton, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Tallahassee, FL 32399-1600.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Jim Antista, General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services, Office of the Insurance Consumer Advocate** announces a public meeting to which all persons are invited.

DATE AND TIME: December 3, 2009, 2:00 p.m. – 4:00 p.m.
 PLACE: Orlando World Center Marriott, 8701 World Center Drive, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A roundtable discussion of the potential for a workers' compensation advisory board.

A copy of the agenda may be obtained by contacting the website: www.myfloridacfo.com/ICA/.

Pursuant to the provisions of 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: Lauri Goldman at (850)413-5926 or e-mail: lauri.goldman@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 **Department of Financial Services** announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2009, 2:00 p.m.
 PLACE: The Hermitage Centre, Conference Room 440-C, 1801 Hermitage Blvd., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Deferred Compensation Advisory Council will hold its regular general session meeting.

A copy of the agenda may be obtained by contacting: Christine Davis at (850)413-3412.

Pursuant to the provisions of 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: If you are 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: Kandi Winters, Chief of Deferred Compensation at (850)413-3401.

The Rules Committee of the **Board of Funeral, Cemetery, and Consumer Services**, operating under Chapter 497, Florida Statutes, announces a public meeting to which all persons are invited.

DATES AND TIMES: December 1, 2009, 10:00 a.m.; January 6, 2010, 11:30 a.m.

PLACE: Room 2100, Alexander Building, 2020 Capital Circle, S. E., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Rules Committee Business. Any changes to the above meeting schedule will be published at least 10 days before the affected meeting, under the heading "Announcements," on the Division's webpage at the following web address: www.myfloridacfo.com/FuneralCemetery/.

A copy of the agenda may be obtained by contacting: Division employee LaTonya Bryant-Parker, (850)413-3039, at least 7 days before the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: LaTonya Bryant-Parker at (850)413-3039. If you are 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: LaTonya Bryant-Parker at LaTonya.Bryant-Parker@myfloridacfo.com or (850)413-3039.

The **Board of Funeral, Cemetery, and Consumer Services** operating under Chapter 497, Florida Statutes, announces a public meeting to which all persons are invited.

DATES AND TIME: By teleconference: January 6, 2010; March 3, 2010; May 5, 2010; June 2, 2010; July 14, 2010; September 1, 2010; November 3, 2010. In person, in Tallahassee: February 3, 2010; June 23, 2010; August 4, 2010; December 1, 2010. In person, in Orlando: April 7, 2010; October 6, 2010. All meetings will start at 10:00 a.m.

PLACE: All in-person meetings of the Board in Tallahassee: Room 230A, Alexander Building, Tallahassee FL. All in-person meetings in Orlando: Hawthorne Suites Lake Buena Vista, 8303 Palm Parkway, Orlando FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The public may participate in teleconference meetings by attendance at the office of the Division of Funeral, Cemetery, and Consumer Services (Division), at Room 2100, Alexander Building, 2020 Capital Circle, S. E., Tallahassee, FL. The Division will have a speaker phone connected to the teleconference by which the public can hear and address the Board.

Any changes to the above meeting schedule will be published at least 10 days before the affected meeting, under the heading "Announcements," on the Division's webpage at the following web address: www.myfloridacfo.com/FuneralCemetery/.

A copy of the agenda may be obtained by contacting: LaTonya Bryant-Parker, (850)413-4039 at least 7 days before the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: LaTonya Bryant-Parker at (850)413-4039. If you are 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: LaTonya Bryant-Parker at LaTonya.Bryant-Parker@myfloridacfo.com or (850)413-3039.

TREASURE COAST EDUCATION, RESEARCH AND DEVELOPMENT AUTHORITY

The Conceptual Design/Infrastructure Committee of the **Treasure Coast Education, Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 14, 2009, 10:00 a.m.

PLACE: Room 219 West, University of Florida Indian River Research and Education Center, 2199 South Rock Road, Fort Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Minutes of the Meeting of November 5, 2009, reports, and such other business as the Committee may deem appropriate.

A copy of the agenda may be obtained by contacting: Treasure Coast Education, Research and Development Authority ("Authority") at (772)467-3107.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Authority at (772)467-3107. If you are 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 **Treasure Coast Education, Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 14, 2009, 11:00 a.m.

PLACE: Room 219 West, University of Florida Indian River Research and Education Center, 2199 South Rock Road, Fort Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Minutes of the Meeting of November 5, 2009 Meeting, Committee Reports, and such other business as the Authority may deem appropriate.

A copy of the agenda may be obtained by contacting: Treasure Coast Education, Research and Development Authority ("Authority") at (772)467-3107.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Authority at (772)467-3107. If you are 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 **Treasure Education, Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 14, 2009, 1:00 p.m.

PLACE: Room 219 West, University of Florida Indian River Research and Education Center, 2199 South Rock Road, Fort Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Joint Meeting with the Board of County Commissioners of St. Lucie County, Florida

A copy of the agenda may be obtained by contacting: Treasure Coast Education, Research and Development Authority ("Authority") at (772)467-3107.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Authority at (772)467-3107. If you are 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 CLERKS OF COURT OPERATIONS CORPORATION

The **Florida Clerks of Court Operations Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 24, 2009, 1:00 p.m.

PLACE: Hyatt Hotel, Orlando International Airport, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: SFY 2010-2011 Budgets and other related issues.

A copy of the agenda may be obtained by contacting: www.flccoc.org.

FLORIDA ASSOCIATION OF COURT CLERKS AND COMPTROLLERS

The **Florida Electronic Recording Advisory Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 23, 2009, 10:00 a.m.

PLACE: Florida Association of Court Clerks and Comptrollers, 3544 Maclay Blvd., Tallahassee, Florida 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will hold a meeting as required by statute.

A copy of the agenda may be obtained by contacting: Beth Allman, Florida Association of Court Clerks and Comptrollers, (850)921-0808 or allman@flclerks.com.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: December 10, 2009, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace at (407)282-3944.

FLORIDA LEAGUE OF CITIES

The **Florida League of Cities** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 10, 2009, 10:00 a.m. – 3:00 p.m.

PLACE: Trump International Beach Resort, 18001 Collins Avenue, Sunny Isles, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- 10:00 a.m. Florida Municipal Loan Council
- 11:00 a.m. Florida Municipal Pension Trust Fund
- 12:00 Noon Joint Luncheon (FMPTF/FMIvT/FMLC)
- 1:00 p.m. FMPTF/FMIvT Joint Meeting (to receive reports from Atlanta Capital/ACG)
- 2:00 p.m. Florida Municipal Investment Trust

A copy of the agenda may be obtained by contacting: Jeannie Garner at jgarner@flcities.com.

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

For more information, you may contact: Linda Bridges at lbridges@flcities.com.

SOIL AND WATER CONSERVATION DISTRICT

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

DATE AND TIME: December 2, 2009, 5:00 p.m.

PLACE: Suite 6181-P, 6191 Orange Drive, Davie, FL 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the business of the District Board.

A copy of the agenda may be obtained by contacting: (954)584-1306 or Mail@Browardswcd.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: (954)584-1306 or Mail@Browardswcd.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Thursday, December 17, 2009, 9:30 a.m.

PLACE: South Dade Soil and Water Conservation District, USDA Service Center, 1450 N. Krome Ave., Ste. 102, Florida City, Florida 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Items for presentation to the SDSWCD Board of Supervisors: Nursery BMP Lab, MIL Lab Reports & District report and projects.

A copy of the agenda may be obtained by contacting: Norma Hernandez Wilson at (305)242-1288.

For more information, you may contact: Mr. Morgan I. Levy, Administrator at (305)242-1288.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT the Public Employees Relations Commission has received the petition for declaratory statement from Alliance of City Employees, Case No. DS-2009-002, Filed on November 4, 2009. The petition seeks the agency's opinion as to the applicability of Chapter 447, Florida Statutes, as it applies to the petitioner.

A union seeking to challenge a union currently representing public sector employees request the Public Employees Relations Commission to issue a Declaratory Statement as to whether the challenging union would be granted access to the employer's internal means of communications if the incumbent union has such access and uses it to notify employees of union meetings in which the incumbent union campaigns against the challenging union.

A copy of the Petition for Declaratory Statement may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4050 Esplanade Way, Suite 150, Tallahassee, Florida 32399-0950.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

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

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

CALL FOR BIDS

made by Florida A&M University (FAMU) for:
PROJECT NAME: Recreation Center, PH-II, Florida A&M University, PHASE-2
PROJECT NUMBER: BR-345
LOCATION: Florida A&M University (FAMU), Tallahassee, FL 32307.
QUALIFICATION: All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2.

Sealed bids will be received on:
DATE AND TIME: December 15, 2009 – until 2:00 p.m. (Local Time)
PLACE: Plant Operations Facilities, Building A, Room 100, 2400 Wahnish Way, Florida A&M University, Tallahassee, FL, immediately after which time and place they will be publicly opened and read aloud down the hall in one of the Conference Rooms (Bid Tabulation will be posted back in Suite 100).

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the Architect/Engineer: JRA Architects, 2551 Blairstone Pines Drive, Tallahassee, Florida 32301, (850)878-7891, Fax: (850)878-7491

PRE-SOLICITATION/PRE-BID MEETING: The Bidder is required to attend the pre-solicitation/pre-bid meeting. This mandatory meeting has been scheduled for:

DATE AND TIME: December 1, 2009, 2:00 p.m. (Local Time)

PLACE: Hansel E. Tookes Sr. Student Recreation Center Lobby, 2101 Wahnish Way, Florida A&M University, Tallahassee, FL

DEPOSIT: \$200 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

REFUND: The deposit shall only be refunded to those general contractors, prime bidders, or plumbing, heating/ventilating/air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

- a. Submit a bona fide bid, or
- b. Provide written evidence that they have submitted bids as subcontractors for plumbing, heating / ventilating / air conditioning, or electrical work, and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of bidding documents may be examined at the Architect/ Engineer’s office and local plan rooms. Full sets may be purchased through the Engineer for \$150 per set for the printing and handling cost.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. Direct all project related question to the Architect/Engineer first, then to: Fred D’Antonio, Project Manager at (850)412-7509.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, FOR THE CONSTRUCTION OF:

PROJECT NO: GL-35 (WRC).

PROJECT NAME & LOCATION: EXPANSION OF THE LAKE CITY WORK RELEASE CENTER, 1099 N. W. Dot Glen, Lake City, FL 32055.

FOR: STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 (one hundred thousand dollars) or less, a Performance Bond and a Labor and Material Payment Bond are not required.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

PREQUALIFICATION: Each bidder, whose field is governed by Chapters 399, 489 and 633, Florida Statutes, for licensure or certification, must submit prequalification data of their eligibility to submit proposals as soon as possible. Bidders must receive confirmation of their prequalification five (5) calendar days prior to the bid opening date. If not previously qualified by the Department for the current biennium (July 1 through June 30) of odd numbered years, or you are unsure, please contact: Ms. Sandra Rogers at (850)922-8855, for prequalification instructions. After the bid opening the low

bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the rule requirements is included in the "Instruction to Bidders" under Article B-2 "Bidder Qualification Requirements and Procedures".

Sealed bids will be received, publicly opened, and read aloud on:

DATE AND TIME: December 23, 2009, 10:00 a.m. (EST)

PLACE: Clemons Rutherford & Associates, 2027 Thomasville Road, Tallahassee, Florida 32308

Any person with a qualified disability requiring special accommodations at the pre-bid conference, and/or bid/proposal opening, shall contact the person listed below at least (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using Florida Relay Services by dialing 1(800)955-8771 (TDD).

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT-ENGINEER: Clemons Rutherford & Associates, 2027 Thomasville Road, Tallahassee, Florida 32308

Drawings and specifications may be purchased for a Non-refundable price of \$200.00 per set from the Architect/Engineer. Bidder must pay postage/shipping. Partial sets may not be purchased.

A non-mandatory pre-bid conference will be held on December 11, 2009, 9:00 a.m. (EST), Lake City Work Release Center, Multi-Purpose Building, Conference Room (see project address above). A brief walk-through of the work area(s) will be available as part of the pre-bid conference.

CONTRACT AWARD: Bid Tabulation and Notice of Award Recommendation will be sent to all bidders by Facsimile, Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, "Bid Protests, Points of Entry", the contract will be awarded by the Secretary, Department of Corrections.

RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF CORRECTIONS, FOR THE CONSTRUCTION OF:

PROJECT NO: GL-70 (WRC)

PROJECT NAME & LOCATION: Expansion of the Santa Fe Work Release Center, 2901 Northeast 39th Street, Gainesville, FL 32602

FOR: State of Florida, Department of Corrections

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 (one hundred thousand dollars) or less, a Performance Bond and a Labor and Material Payment Bond are not required.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity; may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

PREQUALIFICATION: Each bidder, whose field is governed by Chapters 399, 489 and 633, Florida Statutes, for licensure or certification, must submit prequalification data of their eligibility to submit proposals as soon as possible. Bidders must receive confirmation of their prequalification five (5) calendar days prior to the bid opening date. If not previously qualified by the Department for the current biennium (July 1 through June 30) of odd numbered years, or you are unsure, please contact: Ms. Sandra Rogers at (850)922-8855, for prequalification instructions. After the bid opening the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the rule requirements is included in the "Instruction to Bidders" under Article B-2 "Bidder Qualification Requirements and Procedures".

Sealed bids will be received, publicly opened, and read aloud on:

DATE AND TIME: December 23, 2009, 11:00 a.m. (EST)

PLACE: Clemons Rutherford & Associates, 2027 Thomasville Road, Tallahassee, Florida 32308

Any person with a qualified disability requiring special accommodations at the pre-bid conference, and/or bid/proposal opening, shall contact the person listed below at least (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using Florida Relay Services, 1(800)955-8771 (TDD).

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT-ENGINEER: Clemons Rutherford & Associates, 2027 Thomasville Road, Tallahassee, Florida 32308

Drawings and specifications may be purchased for a Non-refundable price of \$200.00 per set from the Architect/Engineer. Bidder must pay postage/shipping. Partial sets may not be purchased.

A non-mandatory pre-bid conference will be held on December 11, 2009, 1:30 p.m. (EST) at the Santa Fe Work Release Center, Training Building, Conference Room (see project address above). A brief walk-through of the work area(s) will be available as part of the pre-bid conference.

CONTRACT AWARD: Bid Tabulation and Notice of Award Recommendation will be sent to all bidders by Facsimile, Return Receipt Required. If no protest is filed per Article B-20 of the Instructions to Bidders, "Bid Protests, Points of Entry", the contract will be awarded by the Secretary, Department of Corrections.

RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

WATER MANAGEMENT DISTRICTS

INVITATION TO BID # 09/10-003RM

The Suwannee River Water Management District (referred to as "District") is inviting sealed bids to construct a stormwater management facility in the area of Vickers Court located in Jasper, Florida, Hamilton County.

The proposed schedule for this request for bids is shown below:

- | | |
|-------------------|---|
| November 13, 2009 | Release of Invitation to Bid |
| November 23, 2009 | Mandatory pre-bid meeting at 10:00 a.m.
Jasper City Hall, 208 West Hatley Street,
Jasper, Florida 32052*
(Location Correction) |
| December 15, 2009 | All sealed bids must be received at
District Headquarters, Live Oak prior
to 4:00 p.m. and bid opening will occur
at this time.* |

*Denotes a public meeting.

Any individual or firm desiring to obtain additional information and a copy of the bid package including specifications for this Invitation to Bid may do so by visiting the District's website at www.mysuwanneeriver.com or by contacting:

Kristel Callahan, Business Resource Specialist II
Suwannee River Water Management District
9225 CR 49
Live Oak, Florida 32060
Phone: (386)362-1001
1(800)226-1066 (Florida Only)
Fax: (386)362-1056

Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act should contact the District at the above address and phone numbers.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

INVITATION TO BID

Sealed bids are being received from certified general contractors by the State of Florida, Department of Children and Family Services, for the following project:

PROJECT NUMBER: DCF-07225700

PROJECT NAME: HVAC Systems & Enclosures, North Florida Evaluation and Treatment Center (Gainesville).

BID DATE AND TIME: Sealed bids will be received up to December 10, 2009 until 1:30 p.m. (Eastern Standard Time). Bids received by 1:30 p.m. (EST), December 10, 2009 will be opened, read aloud and tabulated, beginning at 2:00 p.m.

PLACE OF BID OPENING: Administration Conference Room, North Florida Evaluation and Treatment Center, 1200 N. E. 55th Boulevard, Gainesville, FL 32641-2759, Telephone: (352)375-8484, Fax: (352)264-8305.

BID REQUIREMENTS: Bids must be submitted in full accordance with requirements of the bidding conditions, contractual conditions, technical specifications and drawings prepared by Estrella Engineering Incorporated, which may be obtained for a non-refundable fee from: Reprographics Systems Inc., 5149 Sunbeam Road, Suite 3, Jacksonville, Florida 32257-6172, Contact: Bob Collins, email: Plots@rsijax.com, Telephone: (904)731-1760, Fax: (904)731-7046. Technical queries pertaining to the documents should be e-mailed to: LE@estrella-engineering.com. Bidders are advised to note changes in bidding requirements where such may have been announced through subsequently-issued addenda.

ADDITIONAL INFORMATION: A non-mandatory pre-bid walk-through will be held on December 1, 2009, 1:30 p.m. (EST), Administration Bldg. Entrance, North Florida Evaluation and Treatment Center, 1200 N. E. 55th Boulevard, Gainesville, FL 32641-2759. Requests to accommodate jobsite access at other times must be arranged through the Site Contact: Gerry Turnquist at (352)375-8484. Attendance at pre-bid walk-through is highly recommended, as access to the jobsite at other times is not guaranteed. Bidders are advised to take note of all site security restrictions when bidding this work.

CONTRACTOR QUALIFICATIONS: Bidders shall be state-certified in accordance with Chapter 489, Florida Statutes, as a general contractor (Type CG). Bidders not able to furnish proof of required Type CG certification are subject to disqualification. Bidders are encouraged to employ subcontractors for air conditioning work who are state-certified in accordance with Chapter 489, Florida Statutes. A subcontractor list must be submitted with each bid.

CORPORATE REGISTRATION: No bid shall be accepted from any corporation which is not able to demonstrate current corporate charter registration (for a domestic corporation) or authority to transact business within the State of Florida (for a foreign corporation).

BID BOND: A bid guarantee is required on any construction contract for which the base bid and sum of all additive alternates exceeds \$100,000. (See bidding conditions.)

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted on or before 1:30 p.m., December 11, 2009, at the location where the bids are opened. The Department of Children and Family Services reserves the right to reject any and all bids in the best interest of the State of Florida.

PERFORMANCE BOND AND LABOR AND MATERIAL BOND: On any construction contract for which the award amount is greater than \$100,000, a Public Construction Bond shall be required.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

GUIDELINES AND APPLICATIONS AVAILABLE FOR LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) GRANT PROGRAM

Grant applications and guidelines are available for the Library Services and Technology Act (LSTA) Grant program administered by the Florida Department of State, State Library and Archives of Florida. Applications must be either postmarked on or filed by March 15, 2010.

Guidelines and forms are available on the State Library and Archives of Florida's Web page at <http://dlis.dos.state.fl.us/bld/grants/forms/LSTAforms.html>. Grant guidelines and forms may also be requested by mail from the Grants Office, State Library and Archives of Florida, R. A. Gray Building, 500 South Bronough St., Tallahassee, Florida 32399-0250, grantsoffice@dos.state.fl.us, (850)245-6631 or by Fax: (850)245-6643. Mail completed applications to the address indicated above.

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 Genuine Scooters, LLC, intends to allow the establishment of Motorcar Exchange, LLC, as a dealership for the sale of motorcycles manufactured by LML Limited (LMLL) at 13 West Mariana Avenue, North Fort Myers (Lee County), Florida 33903, on or after November 4, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Motorcar Exchange, LLC are dealer operator(s): Mark Alexa, 4420 Southeast 29th Street, Cape Coral, Florida 33904; principal investor(s): Mark Alexa, 4420 Southeast 29th Street, Cape Coral, Florida 33904.

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: Jim Kolbe, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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 Genuine Scooters, LLC, intends to allow the establishment of Motorcar Exchange, LLC, as a dealership for the sale of motorcycles manufactured by Motive Power Industry Co. Ltd. (MOTI) at 13 West Mariana Avenue, North Fort Myers (Lee County), Florida 33903, on or after November 4, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Motorcar Exchange, LLC are dealer operator(s): Mark Alexa, 4420 Southeast 29th Street, Cape Coral, Florida 33904; principal investor(s): Mark Alexa, 4420 Southeast 29th Street, Cape Coral, Florida 33904.

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: Jim Kolbe, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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 QLink, L.P., intends to allow the establishment of Seminole Scooters, Inc. d/b/a All The Wheel Toys as a dealership for the sale of motorcycles manufactured by China Qingqi Group Co. Ltd. (QING) at 6239 Park Boulevard, Pinellas Park (Pinellas County), Florida 33781, on or after November 30, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Wenmark Inc. d/b/a All The Wheel Toys are dealer operator(s): Robert Hartman, 6239 Park Boulevard, Pinellas Park, Florida 33781; principal investor(s): Robert Hartman, 6239 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: Johnny Tai, QLink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that QLink, L.P., intends to allow the establishment of Wenmark, Inc. d/b/a All The Wheel Toys as a dealership for the sale of motorcycles manufactured by Zhejiang Jiajue Motorcycle Manufacturing Co. Ltd. (JIAJ) at 1540 Northwest Federal Highway, Stuart (Martin County), Florida 34994, on or after November 30, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Wenmark Inc. d/b/a All The Wheel Toys are dealer operator(s): Mark Mourning, 1540 Northwest Federal Highway, Stuart, Florida 34994 and Wendy Mourning, 1540 Northwest Federal Highway, Stuart, Florida 34994; principal investor(s): Mark Mourning, 1540 Northwest Federal Highway, Stuart, Florida 34994 and Wendy Mourning, 1540 Northwest Federal Highway, Stuart, Florida 34994

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Johnny Tai, QLink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

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 General Motors, LLC, intends to allow the establishment of Williamson Cadillac Company, as a dealership for the sale of automobiles manufactured by General Motors, LLC (BUIC) at 7815 Southwest 104 Street, Miami (Dade County), Florida 33156, on or after December 7, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Williamson Cadillac Company are dealer operator(s): George E. Williamson III, 7815 Southwest 104 Street, Miami, Florida 33156; principal investor(s): George E. Williamson III, 7815 Southwest 104 Street, Miami, Florida 33156.

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: Greg Ross, General Motors, LLC, 100 GM Renaissance Center, Detroit, Michigan 48265.

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 General Motors, LLC, intends to allow the establishment of Williamson Cadillac Company, as a dealership for the sale of automobiles manufactured by General Motors, LLC (GMC) at 7815 Southwest 104 Street, Miami (Dade County), Florida 33156, on or after December 7, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Williamson Cadillac Company are dealer operator(s): George E. Williamson III, 7815 Southwest 104 Street, Miami, Florida 33156; principal investor(s): George E. Williamson III, 7815 Southwest 104 Street, Miami, Florida 33156.

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: Greg Ross, General Motors, LLC, 100 GM Renaissance Center, Detroit, Michigan 48265.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

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

AGENCY FOR HEALTH CARE ADMINISTRATION

GRACE PERIOD LETTERS OF INTENT

The Agency for Health Care Administration received and accepted the following letters of intent for the November 18, 2009, application filing date for Other Beds and Programs batching cycle:

- | | |
|---|-----------------|
| County: Duval | District: 4A |
| Date Filed: 11/4/2009 | LOI #: N0910024 |
| Facility/Project: Hope Hospice and Community Services, Inc. | |
| Applicant: Hope Hospice and Community Services, Inc. | |
| Project Description: Establish a new hospice program | |
| County: Duval | District: 4A |
| Date Filed: 11/4/2009 | LOI #: N0910025 |
| Facility/Project: Seasons Palliative Care of Florida, Inc. | |
| Applicant: Seasons Palliative Care of Florida, Inc. | |
| Project Description: Establish a new hospice program | |
| County: Pinellas | District: 5B |
| Date Filed: 11/4/2009 | LOI #: N0910026 |
| Facility/Project: Hope Hospice and Community Services, Inc. | |
| Applicant: Hope Hospice and Community Services, Inc. | |
| Project Description: Establish a new hospice program | |
| County: Pinellas | District: 5B |
| Date Filed: 11/4/2009 | LOI #: N0910027 |
| Facility/Project: HPH South, Inc. | |
| Applicant: HPH South, Inc. | |
| Project Description: Establish a new hospice program | |

County: Pinellas District: 5B
 Date Filed: 11/4/2009 LOI #: N0910028
 Facility/Project: Seasons Palliative Care of Florida, Inc.
 Applicant: Seasons Palliative Care of Florida, Inc.
 Project Description: Establish a new hospice program

County: Orange District: 7B
 Date Filed: 11/4/2009 LOI #: N0910029
 Facility/Project: Catholic Hospice of Central Florida, Inc.
 Applicant: Catholic Hospice of Central Florida, Inc.
 Project Description: Establish a new hospice program

County: Orange District: 7B
 Date Filed: 11/4/2009 LOI #: N0910030
 Facility/Project: Hope Hospice and Community Services, Inc.
 Applicant: Hope Hospice and Community Services, Inc.
 Project Description: Establish a new hospice program

County: Orange District: 7B
 Date Filed: 11/4/2009 LOI #: N0910031
 Facility/Project: Seasons Palliative Care of Florida, Inc.
 Applicant: Seasons Palliative Care of Florida, Inc.
 Project Description: Establish a new hospice program

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after December 23, 2009, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on December 4, 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."

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for

providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE TO ALL POLICYHOLDERS, CREDITORS AND CLAIMANTS HAVING BUSINESS WITH AMERICAN KEYSTONE INSURANCE COMPANY
 IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
 CASE NO.: 2009-3955

In Re: The Receivership of AMERICAN KEYSTONE INSURANCE COMPANY, a Florida corporation.
 NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH AMERICAN KEYSTONE INSURANCE COMPANY

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 9th day of October, 2009, the Department of Financial Services of the State of Florida was appointed as Receiver of AMERICAN KEYSTONE INSURANCE COMPANY and was ordered to liquidate the assets located in Florida of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of AMERICAN KEYSTONE INSURANCE COMPANY, shall present such claims to the Receiver on or before 11:59 p.m., Friday, October 8, 2010, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Financial Services, Receiver for AMERICAN KEYSTONE INSURANCE COMPANY, Post Office Box 110, Tallahassee, Florida 32302-0110. Additional information may be found at: www.floridainsurancereceiver.org.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN November 2, 2009
and November 6, 2009**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Fruit and Vegetable Inspection

5G-6.007	11/4/09	11/24/09	35/3	35/32
5G-6.009	11/4/09	11/24/09	35/3	35/32

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

61G3-21.001	11/6/09	11/26/09	35/39	
61G3-21.012	11/5/09	11/25/09	35/39	

DEPARTMENT OF HEALTH

Board of Pharmacy

64B16-25.170	11/4/09	11/24/09	35/31	
64B16-26.1002	11/4/09	11/24/09	35/38	

Division of Emergency Medical Operations

64J-1.008	11/2/09	11/22/09	35/12	35/39
64J-1.009	11/2/09	11/22/09	35/12	35/39
64J-1.010	11/2/09	11/22/09	35/12	
64J-1.011	11/2/09	11/22/09	35/12	
64J-1.012	11/2/09	11/22/09	35/12	

FLORIDA HOUSING FINANCE CORPORATION

67-37.002	11/2/09	11/22/09	35/33	
67-37.005	11/2/09	11/22/09	35/33	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
67-37.006	11/2/09	11/22/09	35/33	
67-37.007	11/2/09	11/22/09	35/33	
67-37.008	11/2/09	11/22/09	35/33	
67-37.010	11/2/09	11/22/09	35/33	
67-37.019	11/2/09	11/22/09	35/33	
67-38.002	11/2/09	11/22/09	35/33	
67-38.0026	11/2/09	11/22/09	35/33	
67-38.003	11/2/09	11/22/09	35/33	
67-38.004	11/2/09	11/22/09	35/33	
67-38.005	11/2/09	11/22/09	35/33	
67-38.007	11/2/09	11/22/09	35/33	
67-38.008	11/2/09	11/22/09	35/33	
67-38.010	11/2/09	11/22/09	35/33	
67-38.011	11/2/09	11/22/09	35/33	
67-38.014	11/2/09	11/22/09	35/33	

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

69A-52.003	11/2/09	11/22/09	35/28	35/40
69A-64.005	11/2/09	11/22/09	35/36	

Division of Consumer Services

69I-44.021	11/2/09	11/22/09	35/35	
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CORRECTION

Rules 14-26.0041 through 14-26.015 were inadvertently listed as being filed in the November 13, 2009, Vol. 35, No. 45 issue of the FAW.