

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-1.099821 Voluntary Prekindergarten (VPK)
 Provider Kindergarten Readiness
 Rate

PURPOSE AND EFFECT: The purpose of the rule development is to adopt standardized procedures for the Department to ensure that submission of data by the private prekindergarten provider or public school which documents on a standardized assessment the achievement and progress of the children served.

SUBJECT AREA TO BE ADDRESSED: Submission of data on a standardized assessment the achievement and progress of the children served.

RULEMAKING AUTHORITY: 1002.69(5), (6), 1002.73(2)(d) FS.

LAW IMPLEMENTED: 1002.69(5), (6) 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: Stuart Greenberg, Executive Director, Office of Early Learning/Prekindergarten, 325 West Gaines Street, Tallahassee, Florida or stuart.greenberg@fldoe.org

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400 or lynn.abbott@fldoe.org

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-6.014 General Requirements for Adult
 General Education Program

PURPOSE AND EFFECT: The purpose of the rule development is to review the requirements for the adult general education program to determine if additional assessments should be included.

SUBJECT AREA TO BE ADDRESSED: Adult Education.

RULEMAKING AUTHORITY: 1001.02(1) FS.

LAW IMPLEMENTED: 1008.405, 1011.80 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: Zelda Rogers, Adult and Career Education, Department of Education, (850)245-9906. TO REQUEST A RULE DEVELOPMENT WORKSHOP contact Lynn Abbott at lynn.abbott@fldoe.org or (850)245-9661

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-10.041 Substitution for Requirements for
 Eligible Disabled Students at
 Florida Colleges and Postsecondary
 Career Centers

PURPOSE AND EFFECT: The purpose of the rule development is to add the definitions of disability types to align with governing statute, to allow students who are eligible for a course substitution in a skill area to be waived from taking the college preparatory coursework in the respective skill area so that such students will not be prevented from continuing their education, and to clarify when and to whom colleges should submit the report of the number of granted substitutions by type of disability, the substitutions provided, the substitutions identified as available for each documented disability and the number of requests for substitutions which were denied.

SUBJECT AREA TO BE ADDRESSED: Course substitution requirements for students with disabilities in the Florida College System.

RULEMAKING AUTHORITY: 1001.02, 1007.264, 1007.265 FS.

LAW IMPLEMENTED: 1007.02, 1007.264, 1007.265 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: Amy Albee, Florida Department of Education, Division of Florida Colleges, amy.albee@fldoe.org, (850)245-9488

Requests for the rule development workshop should be addressed to Lynn Abbott, Agency Clerk, Department of Education at lynn.abbott@fldoe.org or (850)245-9661.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-10.041 Substitution for Requirements for Eligible Disabled Students at ~~Florida State Universities, Community Colleges, and Postsecondary Career Centers.~~

(1) Each ~~university and community college~~ board of trustees within The Florida College System and each district school board which operates a postsecondary career center shall develop and implement policies and procedures for providing reasonable substitution for eligible students as required by Sections 1007.264 and 1007.265, Florida Statutes. In determining whether to grant a substitution, documentation to substantiate that the disability can be reasonably expected to prevent the individual from meeting requirements for admission to the institution, admission to a program of study, entry to upper division, or graduation shall be provided. In determining whether to grant a substitution, a college may consider pertinent educational records. For purposes of this rule, the following definitions shall apply.

(a) Deaf/Hard of Hearing. A hearing loss of thirty (30) decibels or greater, pure tone average of 500, 1000, 2000, and 4000 hertz (Hz), ANSI unaided, in the better ear. Examples include, but are not limited to, conductive hearing impairment or deafness, sensorineural hearing impairment or deafness, high or low tone hearing loss or deafness, and acoustic trauma hearing loss or deafness.

(b) Visual Impairment. Disorders in the structure and function of the eye as manifested by at least one of the following: visual acuity of 20/70 or less in the better eye after the best possible correction, a peripheral field so constricted that it affects one's ability to function in an educational setting, or a progressive loss of vision which may affect one's ability to function in an educational setting. Examples include, but are not limited to, cataracts, glaucoma, nystagmus, retinal detachment, retinitis pigmentosa, and strabismus.

(c) Specific Learning Disability. A disorder in one or more of the basic psychological or neurological processes involved in understanding or in using spoken or written language. Disorders may be manifested in listening, thinking, reading, writing, spelling, or performing arithmetic calculations. Examples include dyslexia, dysgraphia, dysphasia, dyscalculia, and other specific learning disabilities in the basic psychological or neurological processes. Such disorders do not include learning problems which are due primarily to visual, hearing, or motor handicaps, to mental retardation, to emotional disturbance, or to an environmental deprivation.

(d) Orthopedic Impairment. A disorder of the musculoskeletal, connective tissue disorders, and neuromuscular system. Examples include but are not limited to cerebral palsy, absence of some body member, clubfoot, nerve damage to the hand and arm, cardiovascular aneurysm (CVA), head injury and spinal cord injury, arthritis and rheumatism, epilepsy, intracranial hemorrhage, embolism, thrombosis (stroke), poliomyelitis, multiple sclerosis, Parkinson's disease, congenital malformation of brain cellular tissue, and physical disorders pertaining to muscles and nerves, usually as a result of disease or birth defect, including but not limited to muscular dystrophy and congenital muscle disorders.

(e) Speech/Language Impairment. Disorders of language, articulation, fluency, or voice which interfere with communication, pre-academic or academic learning, vocational training, or social adjustment. Examples include, but are not limited to, cleft lip and/or palate with speech impairment, stammering, stuttering, laryngectomy, and aphasia.

(f) Emotional or Behavioral Disability. Any mental or psychological disorder including but not limited to organic brain syndrome, emotional or mental illness, or attention deficit disorders.

(g) Autism Spectrum Disorder. Disorders characterized by an uneven developmental profile and a pattern of qualitative impairments in social interaction, communication, and the presence of restricted repetitive, and/or stereotyped patterns of behavior, interests, or activities. These characteristics may manifest in a variety of combinations and range from mild to severe.

(h) Traumatic Brain Injury. An injury to the brain, not of a degenerative or congenital nature but caused by an external force, that may produce a diminished or altered state of consciousness, which results in impairment of cognitive ability and/or physical functioning.

(i) Other Health Impairment. Any disability not identified in paragraphs (1)(a)-(h), except those students who have been documented as having an intellectual disability, deemed by a disability professional to make completion of the requirement impossible.

(2) The policies and procedures shall include at least the following:

(a) A mechanism to ~~identify~~ inform persons eligible for reasonable substitutions due to a ~~disability vision impairment, hearing impairment, dyslexia or other specific learning disability.~~

(b) A mechanism for identifying reasonable substitutions for criteria for admission to the institution, admission to a program of study, entry to upper division, or graduation related to each disability,

(c) A mechanism for making the designated substitutions known to affected persons,

(d) A mechanism for making substitution decisions on an individual basis, and

(e) A mechanism for a student to appeal denial of a substitution or a determination of eligibility.

(3) The policies shall provide for articulation with other state institutions which shall include, at a minimum, acceptance of all substitutions previously granted by a state postsecondary institution.

(4) The policies shall include a provision for students who qualify for a course substitution which would allow such students to be exempt from the college preparatory requirements, as provided in State Board Rule 6A-10.0315, F.A.C., in the basic skill area for which the student is eligible for a course substitution, provided that successful completion of the college preparatory coursework is not considered an essential part of the curriculum in the student's academic program.

~~(5)(4)~~ The Commissioner of Education shall coordinate with the Chancellor of the State University System to, shall provide for coordination of the provision of technical assistance in the implementation of this rule.

~~(6)(5)~~ Each Florida public university, community college and postsecondary career center operated by a school district shall maintain and report records on the number of students granted substitutions by type of disability, the substitutions provided, the substitutions identified as available for each documented disability and the number of requests for substitutions which were denied. Each college within The Florida College System shall report such information to the Department of Education, Division of Florida Colleges once a year by July 1. The Course Substitution Report is incorporated by reference herein and can be obtained at <http://www.fldoe.org/cc/educators/Disability/dss.asp>.

Rulemaking Specific Authority 1007.264, 1007.265 FS. Law Implemented 1007.264, 1007.265 FS. History--New 4-13-87, Amended 12-18-05,_____.

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE NO.: 9N-1.001 RULE TITLE: State Building Code Adopted

PURPOSE AND EFFECT: To correct the notice published on June 25, 2010, to reflect a new date upon which the Special Occupancy TAC will conduct a rule development workshop to accept public input regarding proposed modifications to the selected edition of the model codes, the combination of which to comprise the 2010 Florida Building Code in conformity with the triennial update process specified in Sections 553.73(3), (6), Florida Statutes. Local technical amendments to the 2007 Florida Building Code and continuation of previously adopted Florida-specific amendments will be considered. This correction relates only to the date and time of the workshop before the Special Occupancy Technical Advisory Committee.

All other meetings to which the June 25, 2010, notice refers shall take place as indicated. The specific modifications and amendments for consideration at this workshop are identified in the agenda for the Special Occupancy Technical Advisory Committee meeting noticed on July 15, 2010, and available in accordance with Section 120.525(1)-(2), Florida Statutes available via the Commissions website, www.floridabuilding.org.

SUBJECT AREA TO BE ADDRESSED: The Florida Building Code.

RULEMAKING AUTHORITY: 553.73(1), 553.73(2), 553.73(7), 553.73(8), 553.901 FS.

LAW IMPLEMENTED: 553.72, 553.73(2), 553.73(3), 553.73(7), 553.73(8), 553.73(9), 553.901 FS.

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

DATE AND TIME: July 27, 2010, 9:00 a.m.

PLACE: Special Occupancy TAC, Department of Community Affairs, Randall Kelley Training Center, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)921-2247. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)921-2247

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

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE NOS.:	RULE TITLES:
9N-3.002	Definitions
9N-3.007	Product Approval by the Commission
9N-3.008	Approval of Product Evaluation Entities, Product Validation Entities, Testing Laboratories, Certification Agencies, Quality Assurance Agencies and Accreditation Bodies
9N-3.011	Forms

PURPOSE AND EFFECT: This notice supersedes the notice published on July 16, 2010. The purpose of the rule development workshop is to implement section 39, chapter 2010-176, Laws of Florida, and create an expedited method of product approval for products certified to comply with the Florida Building Code and repeal means by which the Florida Building Commission approves evaluation entities in addition to those identified in statute. To update the forms/BCIS (Building Code Information System) to update the payment screens and to add provision for approval of product by DCA.

SUBJECT AREA TO BE ADDRESSED: State system of product approval.

RULEMAKING AUTHORITY: 553.77(1)(i), 553.842(1), (8) FS.

LAW IMPLEMENTED: 553.842(1), (8) FS.

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

DATE AND TIME: August 10, 2010, 8:30 a.m. or as soon thereafter as the matter comes before the Commission in accordance with its agenda.

PLACE: Crowne Plaza-Oceanfront Hotel, 2605 N. A1A Highway, Melbourne, Florida 32903

Pursuant to the provisions of 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: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-6091. If you are 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: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)921-2247 or at www.floridabuilding.org

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

EXECUTIVE OFFICE OF THE GOVERNOR

Office of Tourism, Trade and Economic Development

RULE NOS.:	RULE TITLES:
27M-5.001	Definitions and Forms
27M-5.002	Application for Certification as a Qualified Production
27M-5.003	Certification Decision Process
27M-5.004	Audit of Actual Qualified Expenditures
27M-5.005	Filing Report of Qualified Expenditures
27M-5.006	Disqualification of Productions
27M-5.007	Payment of Incentive Rebate

PURPOSE AND EFFECT: This rule implements the Entertainment Industry Financial Incentive Program (the "Program") established in the Office of Tourism, Trade, and Economic Development by Section 288.1254, F.S.

SUBJECT AREA TO BE ADDRESSED: This rule establishes a process by which production companies may apply for qualification and certification for allocation of Program funds.

RULEMAKING AUTHORITY: 288.1254(8)(a) FS.

LAW IMPLEMENTED: 288.1254 FS.

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

DATE AND TIME: August 19, 2010, 9:00 a.m. – 12:00 p.m. (noon)

PLACE: Room 2103, The Capitol, 402 S. Monroe Street, Tallahassee, Florida 32399-0001

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michelle Ramsey Dennard, Office of Tourism, Trade, and Economic Development, Suite 1902, The Capitol, 402 S. Monroe Street, Tallahassee, Florida 32399-0001, (850)487-2568

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.:	RULE TITLE:
59A-3.065	Definitions

PURPOSE AND EFFECT: The agency is proposing to revise this rule on hospital licensure to update statute and rule references, revise organization titles and descriptions.

SUBJECT AREA TO BE ADDRESSED: Revisions will be made to statutory and rule references, to accrediting organizations and to reference criteria.

RULEMAKING AUTHORITY: 395.1055 FS.

LAW IMPLEMENTED: 381.006, 381.0098, 381.231, 395.001, 395.002, 395.1023, 395.1025, 395.1055, 408.035, 408.036, 415.503, 415.5055 FS.

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

DATE AND TIME: August 9, 2010, 1:30 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kaylyn Boles, Bureau of Health Facility Regulation, at (850)412-4339 or at Kaylyn.Boles@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bill McCort, Bureau of Health Facility Regulation, at (850)412-4341 or at William.McCort@ahca.myflorida.com

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.:	RULE TITLE:
59A-7.021	Laboratory Licensure – Qualifications, Licensure, Operation and Application

PURPOSE AND EFFECT: The agency is proposing to amend the rule that incorporates the laboratory licensure application and identifies information needed in laboratory applications.

SUBJECT AREA TO BE ADDRESSED: Revisions to laboratory applications that are incorporated by reference to consolidate the application forms.

RULEMAKING AUTHORITY: 483.051 FS.

LAW IMPLEMENTED: 483.051, 483.101, 483.111, 483.172, 483.221, 483.23, 408.804, 408.805, 408.806, 408.807, 408.812, 408.813, 408.814, 408.815, 408.816, 408.817, 408.831 FS.

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

DATE AND TIME: August 20, 2010, 1:30 p.m. – 3:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Karen Rivera, Laboratory Unit, 2727 Mahan Drive, Building 1, Mail Stop 32, Tallahassee, Florida 32308, (850)412-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Karen Rivera, Laboratory Unit, 2727 Mahan Drive, Building 1, Mail Stop 32, Tallahassee, Florida 32308, (850)412-4500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59A-7.021 Laboratory Licensure – Qualifications, Licensure, Operation and Application.

(1) The application for licensure shall include the following information applicable to the laboratory operation:

(a) The application for an initial licensure, including changes of ownership and additions of specialty and subspecialty shall contain:

1. Name, mailing and street address of the laboratory.
2. Specialties and subspecialties performed.
3. A list of equipment.
4. The number of hours the director spends in the laboratory.
5. Names, mailing and street addresses of specimen collection stations, branch offices and other facilities representing the clinical laboratory.
6. Name and source of proficiency testing programs.
7. Annual volume of tests anticipated to be performed.
8. Location and type of alternate-site testing in hospital facilities.
9. The name, address and employer or tax identification number of the laboratory owner.
10. A current certificate of status or authorization pursuant to Chapter 607, 608, 617 or 620, F.S.
11. Such other information requested on AHCA Form 3170-2004 Health Care Licensing Application Clinical Laboratories – Non-Waived, January 2010 ~~B, Initial Clinical Laboratory Licensure Application, September, 2009, AHCA Form 3170-2004C, Change of Licensed Owner Application, September 2009, ACHA Form 3170-2004D, Addition of Specialty, Subspecialty or change in Specialty, September 2009, or AHCA Form 3110-1024, Health Care Licensing Application Addendum, October 2009, necessary in carrying out the purpose of this part as stated in Section 483.021, F.S., and Sections 408.805, 408.806, 408.807, 408.810 and 408.813,~~

F.S. as applicable to the laboratory operation. AHCA Forms 3170-2004B, 3170-2004C and 3170-2004D, shall be obtained from the agency and is incorporated by reference herein and are available at: http://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Laboratory_Licensure/applications.shtml.

(b) The application for renewal licensure shall contain:

1. Name, mailing and street address of the laboratory.

2. Specialties and subspecialties performed.

3. Names, mailing and street addresses of specimen collection stations, branch offices and other facilities representing the clinical laboratory.

4. Annual volume of tests performed.

5. Location and type of alternate-site testing in hospital facilities.

6. The name and employer or tax identification number of the laboratory owner.

7. Information requested on AHCA Form 3170-2004 Health Care Licensing Application Clinical Laboratories – Non-Waived, January 2010, Clinical Laboratory License Renewal Application, REV September 2009, and AHCA Form 3110-1024, Health Care Licensing Application Addendum, October 2009. AHCA Form 3170-2004, AHCA Form 3170 Health Care Licensing Application Clinical Laboratories – Non-Waived, January 2010 Clinical Laboratory License Renewal Application, REV September, 2009, and AHCA Form 3110-1024, Health Care Licensing Application Addendum, October 2009 shall be obtained from the agency and are incorporated by reference herein and are available at: http://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Laboratory_Licensure/applications.shtml.

(c) In addition to information required under paragraphs 59A-7.021(1)(a) and (b), F.A.C., accredited laboratories surveyed by an approved accreditation program in lieu of the agency, as specified in Rule 59A-7.033, F.A.C. and Chapter 408, Part II, F.S., must also submit:

1. Proof of current accreditation or licensure by the approved accreditation program; and

2. Proof of authorization for the approved accreditation program to submit to the agency such records or other information about the laboratory required for the agency to determine compliance with Chapter 59A-7, F.A.C. and Chapter 483, Part I, F.S.

(2) through (11) No change.

Rulemaking Authority 483.051, 408.819 FS. Law Implemented 483.051, 483.101, 483.111, 483.172, 483.221, 483.23, 408.804, 408.805, 408.806, 408.807, 408.812, 408.813, 408.814, 408.815, 408.816, 408.817, 408.831 FS. History—New 11-20-94, Amended 7-4-95, 12-27-95, 3-25-03, 3-1-10, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-7.034 Alternate-Site Testing

PURPOSE AND EFFECT: The agency is proposing to amend the rule that establishes criteria for alternate-site testing within hospitals to consider advancements in clinical laboratory testing equipment and clarify the requirements regarding internal needs assessments and the responsibilities of the laboratory director.

SUBJECT AREA TO BE ADDRESSED: Revisions are needed to address advancements in clinical laboratory testing equipment, who may perform clinical laboratory testing at alternate sites within hospitals, what is required to be submitted to the Agency for review and approval and timeframes for reviews.

RULEMAKING AUTHORITY: 483.051 FS.

LAW IMPLEMENTED: 483.051, 483.181, 483.201, 483.221, 483.23 408.806, 408.813, 408.814, 408.816, 483.813 FS.

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

DATE AND TIME: August 12, 2010, 1:30 p.m. – 5:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Karen Rivera, Laboratory Unit, 2727 Mahan Drive, Building 1, Mail Stop 32, Tallahassee, Florida 32308, (850)412-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Karen Rivera, Laboratory Unit, 2727 Mahan Drive, Building 1, Mail Stop 32, Tallahassee, Florida 32308, (850)412-4500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59A-7.034 Alternate-Site Testing.

(1) Agency Intent: This rule implements Section Alternate site testing shall include laboratory tests performed in a hospital facility licensed under Chapter 395, F.S., out of the physical or administrative confines of the central laboratory which is licensed under Chapter 483.051(9), Part I, F.S., regarding criteria for alternate-site testing to be performed under the supervision of a clinical laboratory director. A clinical laboratory licensed under Chapter 483, Part I, F.S., may establish satellite locations under its administrative confines on the same or adjoining grounds of a hospital

licensed under Chapter 395, F.S., that is not an alternate site. Clinical laboratory testing within the satellite locations shall be performed by clinical laboratory personnel licensed under Chapter 483, Part III, F.S., or exempt from licensure under that part, whereas testing at an alternate site location shall be performed by personnel permitted under paragraph 59A-7.034(5)(a), F.A.C. Alternate site testing allows specific personnel, who are not licensed clinical laboratory personnel, and are listed under subparagraphs 59A-7.034(5)(a)1, 7, and 9., F.A.C., to perform limited laboratory tests identified under paragraphs 59A-7.034(7)(a) (e), F.A.C. Locations of alternate site testing include, patients' bedsides, nurses' stations as well as locations determined appropriate by the laboratory director in a written plan that meets the requirements of Rule 59A-7.034, F.A.C.

(2) Supervision of Alternate-site Tests: All alternate site tests must be performed under the supervision of the licensed clinical laboratory director who is responsible for all laboratory testing done under the hospital's clinical laboratory license(s). Alternate sites are sites that are located outside of the physical or administrative confines of the central laboratory, but still under the administrative control of the hospital. Staff performing the testing at these alternate sites, as authorized under subsection (10), are not required to be licensed under Chapter 483, Part III, F.S., as clinical laboratory personnel.

(a) Hospitals may hold more than one clinical laboratory license. For each clinical laboratory license held by the hospital, a qualified clinical laboratory director must supervise the laboratory and any alternate sites of that licensed laboratory.

(b) There is no requirement for licensure for the clinical laboratory director of laboratory that holds a federal Certificate of Waiver.

(3)(4) Location of Alternate-site Testing: All alternate-site testing must be performed on the same or adjoining grounds and on the physical premises of the hospital licensed under Chapter 395, F.S. facility referenced in Rule 59A-7.034, F.A.C.

(4) Hospital Internal Needs Assessment: The laboratory director must document need for any alternate-site testing. The internal needs assessment submitted to the Agency for review must contain information necessary for the Agency to determine whether the protocol for implementation, tests to be performed, criterion used to select the tests to be performed, training, staffing, tracking, and competency evaluations proposed meet the criteria established in subsections (8) through (12).

(5) Submission of the Hospital Internal Needs Assessment: The internal needs assessment must be submitted to the agency for review and approval prior to the implementation of any alternate-site testing at: the Agency for Health Care Administration, Clinical Laboratory Unit, M.S. 32, 2727 Mahan Drive, Tallahassee, Florida 32308.

(a) Submission of internal needs assessment with licensure applications: When the needs assessment is submitted at time of licensure application, either initial, change of ownership, renewal or addition of speciality or subspeciality, the time frames and requirements for both the Agency and the provider are outlined in Chapter 408, Part II, F.S. and Rule 59A-35.060, Florida Administrative Code. Separate written approval for the operation of the alternate testing site is not issued when the internal needs assessment is submitted and reviewed as a part of the licensure application. The issuance of the license is evidence of Agency approval of any alternate site listed on the licensure application.

(b) Submission at times other than licensure application: Alternate site internal needs assessments may be submitted at times other than initial, change of ownership, renewal or addition of specialty or subspecialty licensure applications. When the internal needs assessment is submitted at times other than application times, the agency will respond with either approval or notification of elements that are needed to show compliance with criteria established in subsections (8) through (12) within 45 days of receipt of the internal needs assessment. Laboratories must receive written Agency approval prior to implementing the alternate test site when submitted at times other than with a licensure application described in paragraph (a).

(2) A hospital laboratory licensed under Chapter 483, Part I, F.S., located in a hospital licensed under Chapter 395, F.S., shall be permitted to maintain under its supervision, one or more testing sites as authorized under this section provided the laboratory submits written notification of such testing to the agency. Such notification shall specify the categories of personnel as provided in subsection 59A-7.034(5), F.A.C., that perform alternate site testing in that hospital facility.

The laboratory director must maintain a current listing of all personnel authorized to perform alternate site testing as required under subsection 59A-7.034(4), F.A.C.

(a) Alternate sites for testing authorized under Rule 59A-7.034, F.A.C., shall be noted on all laboratory licensure applications submitted to the agency.

(6)(b) Required Licensure: The laboratory must be licensed in all specialties or subspecialties in which testing is performed at the alternate sites referenced in paragraph (a), above. Testing at these sites shall be limited to those tests for which the laboratory supervising director and laboratory personnel are qualified pursuant to Chapter 64B3 and authorized under Chapter 59A-7, F.A.C.

(3) Testing shall be the responsibility of the clinical laboratory director and shall be performed under the director's supervision and administrative control as specified under subsection 59A-7.035(1), F.A.C. The director shall be responsible for selecting the tests to be performed in accordance with Rule 59A-7.034, F.A.C. All such testing is subject to requirements specified in Chapter 59A-7, F.A.C. The

~~laboratory director has the authority and responsibility to determine corrective action to be taken to maintain an equivalent standard of care for the entire hospital facility up to and including termination of alternate-site testing where there is documentation of noncompliance with Chapter 59A-7, F.A.C.~~

(7) Written Protocols and Quality Assurance Programs:

(a) A written protocol shall be established by the ~~laboratory~~ director and implemented according to ~~by~~ the service(s) being performed at the performing alternate-site testing as required under subsection 59A-7.029(3), F.A.C., applicable to tests performed.

1. There shall be a procedure manual at each site where alternate-site testing is performed.

2. The alternate site procedure manual ~~The procedure manual located at the alternate test site~~ shall specifically address the alternate-site testing done at that location.

3. The procedure manual shall be reviewed biennially by the laboratory director.

(b) ~~The~~ laboratory director is responsible for developing a quality assurance program that is appropriate for the test methods used at the alternate-testing site as required under Rule 59A-7.031, F.A.C. Criteria for repeating a result or obtaining a sample for assay in the hospital laboratory must be outlined by the director and included in the quality assurance program.

~~(c)†~~ The laboratory must maintain the capability of verifying the validity of test results obtained at the alternate-test site as specified in Rule 59A-7.029, F.A.C.

~~2. Subparagraph 59A-7.034(3)(b)1., F.A.C., shall not be construed to prohibit the performance of Activated Clotting Time tests or referral of infrequently performed tests to another laboratory licensed under Chapter 483, Part I, F.S., for analysis.~~

(8)(e) Elements Required in Needs Assessment: The director in consultation with the appropriate medical staff shall prepare an internal needs assessment for alternate-site testing for each testing site which shall include evaluation of patient benefits and criteria for such testing. The internal needs assessment shall also include an evaluation of proposed methodologies for tests to be performed at the alternate-sites composed, at a minimum, of evaluation of accuracy, precision, comparison of test results with the hospital laboratory, instrument performance, maintenance requirements, reagent preparation, if applicable, and storage and availability of supplies such as reagents, controls and proficiency samples for the testing site.

~~(a)†~~ The selection of alternate-site test methods shall assure that their performance and operational characteristics meet the clinical requirements for the intended alternate-site testing location.

~~(b)2:~~ A written procedure for validating alternate-site test methods shall be developed which outlines the process and criteria used to conduct the required validation to maintain an equivalent standard of care for the entire facility.

~~(c)3:~~ The validation process shall ensure that all alternate-site test methods chosen demonstrate accuracy, precision, reliability, correlation, ~~ease of operation~~, and maintenance capabilities given the environment in which each will be used.

~~(d)4:~~ In addition to requirements set forth in Rule 59A-7.029, F.A.C., each alternate-site test method shall be evaluated relative to reporting time and error.

~~5. Alternate site testing shall only be conducted at sites where the director has established and documented in the internal needs assessment that such testing is necessary for the proper care and treatment of patients.~~

~~6. The internal needs assessment must be reviewed and approved by the laboratory director prior to initiation of testing at any alternate test site and biennially thereafter.~~

~~7. Documentation of the initial and each biennial review and approval of the internal needs assessment must be maintained in the laboratory and available for review by the agency for each site for a minimum of two years after testing is discontinued.~~

~~(d) The director shall designate in writing, for each test site, a director, supervisor or technologist qualified under Chapter 483, Part III, F.S., who in the absence of the director, monitors the performance of testing personnel, reporting of results and compliance with established policies.~~

(9)(4) Recordkeeping Requirements: Records:

(a) All records of personnel authorized to perform alternate-site testing must be readily available for inspection by the agency and any other surveying agency including accrediting organizations if the laboratory is accredited, for at least two years. These records shall include the name of each person performing such testing and documentation that each individual performing alternate-site testing is licensed by the state or certified by a national organization in a health care profession as required in subsection 59A-7.034(10)(5), F.A.C., competency evaluations, patient results, quality control, corrective actions, proficiency surveys, and instrument maintenance.

(b) Results of all testing performed shall be made a part of the patient's permanent medical record and shall meet the requirements specified in Rule 59A-7.028, F.A.C.

(c) Records of alternate-site tests, testing locations, and the internal needs assessment for the tests, along with agency approval as indicated under paragraph (5)(b) must be maintained for two years and available to any surveying agency including an accrediting organization if the laboratory is accredited.

~~(10)(5) Alternate-site Testing Personnel Requirements testing personnel requirements.~~

(a) Testing personnel shall have a high school diploma, or its equivalent, and have met the HIV/AIDS educational requirements pursuant to Section 381.0035, F.S. In addition, all testing personnel in the alternate-test site locations shall meet one of the following requirements:

1. Is licensed as an advanced registered nurse practitioner, a registered nurse or licensed practical nurse pursuant to Chapter 464, F.S.,

2. Is licensed as a radiologic technologist pursuant to Chapter 468, Part IV, F.S.,

3. Is licensed as a respiratory care practitioner certified in critical care services or a respiratory therapist pursuant to Chapter 468, Part V, F.S.,

4. Is a phlebotomist certified by the American Society of Clinical Pathologists (ASCP), National Certification Agency for Medical Laboratory Personnel (NCA), American Society of Phlebotomy Technicians (ASPT) or American Medical Technologists (AMT),

5. Is licensed as a physician assistant pursuant to Chapter 458 and 459, F.S.,

6. Is a perfusionist certified by the nationally certified perfusionists organization, American Board of Cardiovascular Perfusionists,

7. Is a cardiovascular technician certified by the Cardiovascular Credentialing International (CCI),

8. Is a registered cardio invasive specialist.

~~9.~~ Is licensed as a director, supervisor, technologist or technician under Chapter 483, Part IV, F.S., or exempt from such licensure as provided in that chapter, or

~~10.~~ Is a licensed Emergency Medical Technician (EMT) or Paramedic pursuant to Chapter 401, F.S.

(b) Meets the staff training and educational requirements set out in the alternate-site policy and procedure manual developed by the laboratory director for individuals performing tests categorized as waived.

~~(c)~~(b) The laboratory director shall, in consultation with medical staff designated by the hospital, establish the training needs for the test methods used at each site. This training at a minimum must ensure that alternate-site testing personnel have received ~~had~~ instruction in the following areas:

1. Specimen collection, handling and storage including infection control procedures.

2. Instrument procedures including skills required to perform preventive maintenance, calibration and troubleshooting.

3. Skills required to implement quality control procedures and evaluate quality control results.

4. Skills required to perform specific test procedures.

5. Result reporting and documentation techniques including knowledge of reporting procedures for life threatening results.

6. Awareness of the factors that influence test results including the skills required to assess and verify the validity of patient test results through the assessment and correlation of pre-analytical and post-analytical phases of testing with laboratory data generated during the analytical phase of testing as they relate to common physiological conditions and quality control, and

7. Monitoring of systems and results for errors including instruction on corrective action including whether or not results can be reported.

~~(d)~~(e) Successful completion of a training program approved by the Board of Clinical Laboratory Personnel provided under Section 483.811, F.S., shall meet the minimum training requirements specified in paragraph (b), above.

~~(11)(6)~~ Responsibilities of the Laboratory Director Pertaining to laboratory director pertaining to the Alternate-test Site alternate-test site.

(a) The laboratory director shall:

1. Ensure that testing personnel are limited to those who meet the requirements of paragraph 59A-7.034~~(10)(5)~~(a), F.A.C.; and

2. Establish methods for the evaluation of competency to verify that alternate-site testing personnel perform procedures and report test results promptly and accurately. Evaluation of competency shall include:

a. Sample handling skills;

b. Skills required to perform the test method;

c. Skills required to perform preventive maintenance, troubleshooting, and calibration procedures, applicable to the test methodologies;

d. Demonstration of knowledge of reagent stability and storage applicable to the test system in use;

e. Skills required to implement quality control policies and procedures and evaluate quality control results;

f. An awareness of the factors that influence test results;

g. Skills required to assess and verify the validity of patient test results through the assessment of quality control testing outcomes ~~results~~;

h. Demonstration of knowledge of patient preparation for each test performed;

i. Demonstration of knowledge of infection control procedures; and

j. Demonstration of knowledge of reporting procedures for life threatening results.

(b) Validation of personnel competency shall include review of test results, quality control records, proficiency testing results and preventive maintenance records; direct observation of test performance and instrument maintenance; and assessment of performance through testing previously analyzed specimens, internal blind samples, or proficiency testing samples.

(c) Evaluation of competency for alternate-site testing personnel must be performed prior to initiation of patient testing and at least annually thereafter.

(d) Documentation of licensure or certification, as applicable, pursuant to subsection 59A-7.034(10)(5), F.A.C., and competency evaluations must be maintained during the tenure of all testing personnel and for a minimum of two years thereafter and made available to the agency at the time of inspection.

~~(12)(7)~~ Tests Performed performed. Only test procedures approved by the agency laboratory director and documented in the internal needs assessment in accordance with Rule 59A-7.034, F.A.C., shall be performed at the alternate-test site.

(a) Tests performed at these sites shall not exceed moderately complex test procedures and must:

1. Employ whole blood specimens that require no specimen or reagent manipulation, treatment, extraction, separation or any other processing of any kind; and
2. Utilize automated test systems in which a specimen is directly introduced into the system. Such instrumentation shall automatically provide for instrument calibration without access by the operator to modify or adjust calibration limits.

(b) Alternate-test sites are also permitted to perform waived tests, activated clotting times, gastric occult blood, gastric pH and urine specific gravity by refractometer. Heparin concentration, heparin dose response and thrombelastograph tests are permitted to be performed only by perfusionists certified by nationally certified perfusionists and laboratory personnel licensed as director, supervisor, or technologist under Chapter 483, Part IV, F.S.

(c) Data output must be directly reportable in the final units of measurement needed for patient care without need for data conversion or other manipulation.

(d) Electronic instrumentation must have a mechanism whereby the operator is alerted when patient results exceed the reportable operating range of the test method and when calibration is not acceptable; such results shall not be used for the diagnosis, treatment, management or monitoring of patients as required under Rule 59A-7.029, F.A.C., and shall be validated through the central laboratory.

~~(e) Waived tests are permitted to be performed by hospital staff designated to provide the testing under the hospital's policies and procedures.~~

~~(13)(8)~~ The agency shall take administrative action pursuant to Sections 483.201, 483.221, 408.813, 408.814, 408.816 and 483.23, F.S., up to and including revocation of the approval for operation of any or all alternate-testing sites where the agency determines that said sites have operated in violation of Chapter 483, Part I, F.S., and the provisions of Chapter 59A-7, F.A.C. In addition, pursuant to Sections 483.201, 483.221, and 483.23, F.S., in the event of such a

violation, the agency shall take administrative action up to and including revocation of the laboratory license of the laboratory maintaining the alternate-testing site.

Rulemaking Authority 483.051 FS. Law Implemented 483.051, 483.181, 483.201, 483.221, 483.23, 408.806, 408.813, 408.814, 408.816, 483.813 FS. History—New 12-27-95, Amended 12-8-09, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:	RULE TITLE:
59G-4.002	Medicaid Provider Reimbursement Schedule

PURPOSE AND EFFECT: The amendment to Rule 59G-4.002, F.A.C., incorporates by reference the Florida Medicaid Provider Reimbursement Schedule, January 1, 2010. The reimbursement schedule contains the procedure codes and maximum fees that are effective January 1, 2010 for the following providers whose fees are based on a resource-based relative value scale: advanced registered nurse practitioner, birth center, chiropractic, dental, hearing, licensed midwife, optometric, outpatient hospital laboratory, physician, physician assistant, podiatry, registered nurse first assistant, and visual. The amendment to Rule 59G-4.002, F.A.C., will permit the Agency to implement revisions to the Florida Medicaid Provider Reimbursement Schedule.

SUBJECT AREA TO BE ADDRESSED: Medicaid Provider Reimbursement Schedule.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.906, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: Tuesday, August 10, 2010, 9:00 a.m. – 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jessica Kenny at the Bureau of Medicaid Services, (850)412-4231. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jessica Kenny, Medicaid

Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4231, e-mail: jessica.kenny@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.002 Medicaid Provider Reimbursement Schedule.

Medicaid providers who provide the following services and their billing agents who submit claims on behalf of an enrolled Medicaid provider must be in compliance with the provisions of the Florida Medicaid Provider Reimbursement Schedule, January 1, 2010 ~~March 2009~~, which is incorporated by reference: advanced registered nurse practitioner, birth center, chiropractic, dental, hearing, ~~independent laboratory~~, licensed midwife, optometric, outpatient hospital laboratory, physician, physician assistant, podiatry, ~~portable x-ray~~, registered nurse first assistant, and visual. The Florida Medicaid Provider Reimbursement Schedule is available from the Medicaid fiscal agent's Web ~~site Portal~~ at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies of the reimbursement schedule may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting Option 7.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.906, 409.908, 409.912, 409.913 FS. History—New 8-18-05, Amended 11-30-05, 4-16-06, 10-11-06, 3-27-07, 7-25-07, 9-29-08, 4-28-09, 2-11-10, _____.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE NOS.:	RULE TITLES:
60A-1.002	Purchase of Commodities or Contractual Services
60A-1.016	Contract and Purchase Order Requirements
60A-1.041	Solicitation Requirements

PURPOSE AND EFFECT: To revise Chapter 60A-1, Florida Administrative Code, and forms PUR 1000 and 1001 with needed updates, to incorporate changes from Chapter 2010-151, Laws of Florida, and to clarify these rules and incorporate additional information regarding current practices and procedures related to purchases made by state offices.

SUBJECT AREA TO BE ADDRESSED: Incorporating changes regarding purchases made by state offices into Chapter 60A-1, Florida Administrative Code, and corresponding forms.

RULEMAKING AUTHORITY: 287.042(3), 287.042(12) FS.
LAW IMPLEMENTED: 287.057, 287.058 FS., Chapter 2010-151, Laws of Florida.

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

DATE AND TIME: August 26, 2010, 2:00 p.m. – 4:00 p.m.
PLACE: Department of Management Services, 4050 Esplanade Way, Room 101, Tallahassee, Florida 32399-0950
 Pursuant to the provisions of 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: Karen Armstrong, (850)488-8440, Karen.armstrong@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Karen Armstrong, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, (850)488-8440, Karen.armstrong@dms.myflorida.com
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF MANAGEMENT SERVICES

Division of State Employees' Insurance

RULE NO.:	RULE TITLE:
60P-2.0036	Spouse Program

PURPOSE AND EFFECT: The purpose of the amendment to Rule 60P-2.0036, F.A.C., is to create rule conformity with the changes outlined by the most recent General Appropriations Act. The effect will be that the rules reflect the most recent legislative intent. The Division of State Group of Insurance decided to substantially reword the entire rule for overall clarity, but the only substantive change is that the State no longer pays the entire premium for married couples who participate in the spouse program.

SUBJECT AREA TO BE ADDRESSED: Spouse Program in State Group Health Insurance.

RULEMAKING AUTHORITY: 110.123(5) FS.

LAW IMPLEMENTED: 110.123 FS.

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

DATE AND TIME: August 11, 2010, 10:00 a.m. – 11:30 a.m.
PLACE: Betty Easley Conference Center, 4075 Esplanade way, Building 4075, Room 152, Tallahassee, FL 32399
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Michelle Robleto, Director, telephone (850)921-4658, fax (850)488-0252. If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Michelle Robleto, Director, Division of State Group Insurance, Department of Management Services, 4050 Esplanade Way, Tallahassee, FL 32399-0905, telephone (850)921-4658, fax (850)488-0252

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewrite of Rule 60P-2.0036 follows. See Florida Administrative Code for present text.)

60P-2.0036 Spouse Program.

(1) The spouse program is pretax family health insurance coverage where each employee contributes to the monthly premiums as determined by the annual funding by the Legislature through the General Appropriations Account.

(2) For the purposes of this section, "Designated Agent" means an entity the Department may contract with to provide benefits administration services, but does not include an employee's agency personnel office or other employees of the employee's agency, unless so designated in writing by the Division.

(3) Participation in the spouse program is voluntary and available to any married state employee whose spouse is also a state employee. To enroll in the spouse program, married state employees must submit an application completed by both spouses to the Designated Agent within the specified timeframe for one of the following events:

(a) Within thirty-one (31) days of marriage to another state employee in accordance with Rule 60P-2.002 or 60P-2.003, F.A.C.; or

(b) Within sixty (60) days of spouse's new employment or re-employment with the State of Florida; or

(c) During the annual Open Enrollment period.

(4) In no case shall a retroactive effective date be assigned. Spouse program benefits begin the first of the month following receipt and approval by the Designated Agent of the application.

(5) Eligibility for and participation in the spouse program and state contributions shall cease, if one of the following disqualifying events occurs:

(a) One or both employees end employment with the state;

or

(b) One or both employees go on leave without pay status;

or

(c) The employees divorce; or

(d) The death of a spouse.

(6) All state employees participating in the spouse program shall report any above described disqualifying event to the Designated Agent to avoid any underpayment of premiums.

(7) Upon learning of ineligibility, the Designated Agent shall investigate and determine the effective end-date of participation in the spouse program and make the change, regardless of whether or not one or both spouses submitted an application to terminate participation. The effective end-date of participation in the spouse program shall be as of the date of the disqualifying event listed in subsection (5) above.

(8) Unless otherwise directed by the employee, each disqualifying event will result in the following health insurance coverage levels as follows:

(a) If one employee ends employment with the state, the remaining employee's coverage level will be changed to family coverage level.

(b) If one employee goes on leave without pay status, the remaining employee's coverage level will be changed to family coverage level.

(c) If the employees' divorce, and there are eligible dependents, each remaining employee's coverage will be determined as set forth under the terms and conditions of the divorce decree.

(d) If the employees' divorce, and there are no eligible dependents, each remaining employee will be changed to individual coverage.

(e) If the employees' divorce, at no time will family coverage level include a former spouse.

(f) If one spouse dies, and there are eligible dependents, the remaining employee's coverage level will be family coverage.

(g) If one spouse dies, and there are no eligible dependents, the coverage level of the remaining employee will change to individual coverage.

(9) If participants in the spouse program do not timely notify the designated agent of their disqualifying event, the participants shall be financially liable for medical or prescription drug claims incurred by the participants and their dependents, and any premiums paid by the state during the time the participants and/or their dependents were not eligible.

(10) If an ineligible spouse returns to eligible state employment, the spouse program shall only become effective upon the re-enrollment in the program by both employees in accordance with subsection (3) above.

Rulemaking Authority 110.123(5) FS. Law Implemented 110.123 FS. History—New 8-22-96, Repromulgated 1-31-02, Amended _____.

DEPARTMENT OF MANAGEMENT SERVICES

Division of State Employees' Insurance

RULE NO.: 60P-6.0075
 RULE TITLE: Benefits

PURPOSE AND EFFECT: The purpose of the amendment to Rule 60P-6.0075, F.A.C., is to reflect the changes to state employee's benefits as required in the most recent General Appropriations Act. The State will no longer be offering to cover 100% of the premium payments for state group health insurance for Senior Management Service or Selected Exempt Service employees.

SUBJECT AREA TO BE ADDRESSED: State Group Insurance Benefits.

RULEMAKING AUTHORITY: 110.161(5), 110.403(1), 110.605(1) FS.

LAW IMPLEMENTED: 110.205(2), 110.403(1)(c), 110.603(2) FS.

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

DATE AND TIME: August 11, 2010, 10:00 a.m. – 11:00 a.m.
 PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Building 4075, Room 152, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Michelle Robleto, Director, telephone (850)921-4658, fax (850)488-0252. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Michelle Robleto, Director, Division of State Group Insurance, Department of Management Services, 4050 Esplanade Way, Tallahassee, FL 32399-0905, telephone (850)921-4658, fax (850)488-0252

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60P-6.0075 Benefits.

(1) Subject to the limitations provided under the Internal Revenue Code to avoid discrimination, the amount of salary reduction which a participant may elect under the Pretax Premium Plan shall be the aggregate amount of employee premiums for coverage under the State Group Insurance Program.

(2) All participants' contributions to any reimbursement account under the Program shall be made by salary reduction except in the case of certain participants of the Medical Reimbursement Account whose employment has terminated.

(3) A participant's gross compensation shall not be affected by participation in any Plan. A participant who contributes to a deferred compensation plan or a tax sheltered annuity may be required to adjust his contributions to such programs. Employee contributions under the State University System Optional Retirement Program will be computed on the participant's adjusted gross income automatically.

(4) ~~The Subject to the appropriation of funds the State shall pay a monthly contribution towards for the following insurance coverage for each full-time member of the Senior Management Service or Selected Exempt Service as funded annually by the Legislature through the General Appropriations Act, or otherwise absorbed within the existing budget authority of the employing agency, as follows; in addition, the State may pay 100% of the premium for an individual or family dental insurance plan, provided that premiums are funded by the Legislature through the appropriations act or otherwise absorbed within the existing budget authority of the employing agency:~~

(a) ~~The 100% of the premium for the state individual life insurance policy;~~

~~(b) 100% of the premium for the individual or family state group health insurance plan, or up to an equal dollar amount for a health maintenance organization premium; and~~

~~(b)(e) The 100% of the premium for the state individual disability insurance policy; and~~

(c) The premium for a state group health insurance plan.

Rulemaking Specific Authority 110.161(5), 110.403(1), 110.605(1) FS. Law Implemented 110.161, 110.205(2), 110.403(1)(c), 110.603(2) FS. History--New 8-26-96, Repromulgated 4-25-02, Repromulgated as Amended 4-25-02, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.00205
 RULE TITLE: General Inspection Requirements

PURPOSE AND EFFECT: The proposed rule development will move the general inspection requirements from Rule 61C-1.002, F.A.C., to a new rule section; update forms incorporated by reference; specify inspection frequency for permanent public food service establishments, theme park food carts, and mobile food dispensing vehicles; improve readability under the plain language initiative; and ensure accurate and consistent terms throughout the rule.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development addresses forms incorporated by reference; public food service establishment inspection frequency; and a general update of the rule language to improve readability and ensure accurate and consistent terms throughout the rule.

RULEMAKING AUTHORITY: 509.032 FS.

LAW IMPLEMENTED: 509.032 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: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, telephone: (850)488-1133

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61C-1.00205 General Inspection Requirements.

(1)(a) Division personnel shall inspect all public lodging establishments as often as necessary to enforce law and protect the public's health, safety and welfare. The result of each inspection shall be recorded on DBPR Form HR-5022-014, LODGING INSPECTION REPORT, incorporated herein by reference and effective 2009 December 3, and a legible copy shall be provided to the operator.

(b) Division personnel shall inspect all public food service establishments and other places where food is served to or prepared for service to the public as often as necessary to enforce the law and protect the public's health, safety and welfare. The result of each inspection shall be recorded on DBPR Form HR-5022-015, FOOD SERVICE INSPECTION REPORT, incorporated herein by reference and effective 2009 October 1, and a legible copy shall be provided to the operator. Persons operating a public food service establishment shall permit division personnel right of entry during operating hours to observe food preparation and service, and if necessary, examine records of the establishment to obtain information relating to food and supplies purchased, received or used.

(c) The operator of each public food service establishment shall maintain the latest inspection report on premises and shall make it available to any consumer upon request.

(d) Inspection Frequency.

1. Except as otherwise provided in this section, public lodging establishments and permanent public food service establishments shall be inspected a minimum of three times annually.

2. Nontransient rooming houses, vending machines, theme park food carts, and mobile food dispensing vehicles shall be inspected a minimum of twice annually.

3. Vendors at temporary food service events shall be inspected at the time of licensure and shall be inspected at such other times as the division determines is necessary to ensure the public's health, safety, and welfare.

4. Nontransient and transient apartments shall be inspected once annually.

5. Establishments licensed for a partial year will receive a prorated number of inspections, including the opening inspection, during the first partial year of operation.

(2) Obtaining forms. Samples of the forms incorporated in this section are available from the Division of Hotels and Restaurants Internet website www.MyFloridaLicense.com/dbpr/hr; by e-mail to call.center@dbpr.state.fl.us; or upon written request to the Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

Rulemaking Authority 509.032 FS. Law Implemented 509.032 FS. History—New _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-3.002
 RULE TITLE: Qualifications for Examination
 PURPOSE AND EFFECT: The Board proposes these changes to delete the health certification, require the submission of a high school diploma, to adopt and incorporate by reference licensure forms and add the Board's website where the forms may be obtained.

SUBJECT AREA TO BE ADDRESSED: Qualifications for Examination

RULEMAKING AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 456.013, 464.008 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 Nursing, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-3.002 Qualifications for Examination.

(1) An applicant seeking certification to take the licensure examination shall submit a completed Application for Nursing Licensure by Examination, form number DH-MQA 1094, 10/08 or Application for Nursing Licensure by Re-Examination, form number DH-MQA 1120, 10/08, hereby incorporated by reference demonstrating, on forms provided by the Department, evidence that he or she meets the qualifications prescribed by the Nurse Practice Act, Chapter 464, F.S. These forms are available from the Board office or on the Board's website: www.doh.state.fl.us/mqa/nursing. The demonstration shall include ~~Such evidence shall consist of:~~

~~(a) Certification by a physician licensed pursuant to Chapter 458 or 459, F.S., physician's assistant licensed pursuant to Chapter 458 or 459, F.S., or A.R.N.P. certified pursuant to Chapter 464, F.S., that the applicant is in good mental and physical health.~~

~~(a)(b)~~ A high school diploma, or a high school diploma equivalent.

~~(b)(e)~~ For graduates of an approved nursing program, a notice of graduation or of completion of the requirements for graduation. For graduates of an approved program equivalent, an official transcript or equivalent documentation which identifies all courses completed with a minimum acceptable passing score established by the institution or program at which each course was completed that meet graduation requirements. For graduates of programs in ~~If the applicant is seeking to qualify to write the examination on the basis of education received in~~ a country other than the United States, the applicant must obtain a report by a credentialing agency that meets the requirements of Rule 64B9-3.014, F.A.C.

~~(c)(d)~~ For an applicant writing the examination for practical nurses on the basis of practical nursing education equivalency, a completed Practical Nurse Equivalence (PNEQ) Application Letter, form number DH-MQA 1233, 03/10, hereby incorporated by reference documentation from the professional nursing school which states the number of completed clock hours or theoretical and clinical instruction comparable to practical nursing program requirements as set forth in Rule Chapter 64B9-2, F.A.C., or an official certified transcript which sets forth graduation from an approved professional program. The form is available from the Board office or on the Board's website: www.doh.state.fl.us/mqa/nursing.

~~(d)(e)~~ Successful completion of any one of the approved English competency examinations with:

1. through 8. No change;
9. A valid U.S. High School Diploma;
- ~~10.~~ 9. Completion of a college level course for academic credit in a U.S. institution; or

(2) through (5) No change.

Rulemaking Specific Authority 464.006 FS. Law Implemented 456.013, 464.008 FS. History—New 4-27-80, Amended 3-16-81, 8-2-81, 7-11-83, Formerly 21O-8.21, Amended 3-3-87, 12-8-87, 6-8-88, Formerly 21O-8.021, Amended 1-30-94, Formerly 61F7-3.002, Amended 9-25-96, Formerly 59S-3.002, Amended 7-27-98, 4-19-00, 5-8-01, 9-23-03, 1-29-07, 11-22-07, _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-3.0025
 RULE TITLE: Remedial Courses for Reexamination
 PURPOSE AND EFFECT: The Board proposes the rule amendment to delete references to repealed rules and add references to appropriate statutory educational standards.
 SUBJECT AREA TO BE ADDRESSED: Remedial Courses for Reexamination.
 RULEMAKING AUTHORITY: 464.008(3) FS.
 LAW IMPLEMENTED: 464.008(3) FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-3.0025 Remedial Courses for Reexamination.
 To meet the requirements of Section 464.008(3), F.S., remedial courses must be approved by the Board, and must meet the following requirements:

(1) ~~The education objectives, faculty qualifications, administrative procedures and clinical training shall comply with the standards in Sections 464.019(1)(a), (b), (d), (e) and (f), F.S. Rules 64B9-2.004, 64B9-2.005, 64B9-2.007 and 64B9-2.008, F.A.C.~~

(2) The curriculum shall comply with the guidelines in Sections 464.019(1)(g) and (h), F.S.:

~~(a) Comply with the guidelines in paragraphs 64B9-2.006(1)(a), (b), (c), (d) and (e), F.A.C.;~~

~~(b) Meet the content requirements in subparagraphs 64B9-2.006(2)(c)3. and (3)(a)3., F.A.C.;~~

(e) and shall include a minimum of 80 hours didactic education and 96 hours clinical experience in a medical-surgical setting.

~~1. Content for professional nurse remedial course must include medical, surgical, obstetric, pediatric, geriatric and psychiatric nursing~~

~~2. Content of practical nurse remedial course must include medical, surgical, obstetric, pediatric and geriatric nursing~~

Rulemaking Specific Authority 464.008(3) FS. Law Implemented 464.008(3) FS. History–New 3-23-00, Amended _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-4.002
 RULE TITLE: Requirements for Certification
 PURPOSE AND EFFECT: The Board proposes to adopt and incorporate by reference licensure application form and add the Board’s website where the form can be obtained, and to approve an additional nursing specialty certifying agency.
 SUBJECT AREA TO BE ADDRESSED: Requirements for Certification.

RULEMAKING AUTHORITY: 456.048, 464.006, 464.012 FS.

LAW IMPLEMENTED: 456.048, 456.072(1)(f), (2), 464.012, 464.018(1)(b), (2) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-4.002 Requirements for Certification.

(1) In accordance with the provisions of Section 464.012, F.S., any person who wishes to be certified as an Advanced Registered Nurse Practitioner shall submit a completed Application for Dual Registered Nurse (RN) and Advanced Registered Nurse Practitioner, form number DH-MQA 1124, 08/09, hereby incorporated by reference an application to the Department, on forms prescribed by it, as incorporated in subsection 64B9 4.004(1), F.A.C., demonstrating that the applicant holds a current unencumbered license to practice professional nursing in Florida. The form is available from the Board office or on the Board’s website: www.doh.state.fl.us/mqa/nursing.

- (2) No change.
- (3) Professional or national nursing specialty boards recognized by the Board include, but are not limited to:
 - (a) through (g) No change.
 - (h) Oncology Nursing Certification Corporation.
 - (4) through (5) No change.

Rulemaking Authority 456.048, 464.006, 464.012 FS. Law Implemented 456.048, 456.072(1)(f), (2), 464.012, 464.018(1)(b), (2) FS. History–New 8-31-80, Amended 3-16-81, 10-6-82, 6-18-85, Formerly 21O-11.23, Amended 3-19-87, 4-6-92, Formerly 21O-11.023, Amended 3-7-94, 7-4-94, Formerly 61F7-4.002, Amended 5-1-95, 5-29-96, Formerly 59S-4.002, Amended 2-18-98, 11-12-98, 4-5-00, 3-23-06, 6-4-09, _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-4.004
 RULE TITLE: Requirements for Documentation
 PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and add new language to clarify the requirements for documentation.
 SUBJECT AREA TO BE ADDRESSED: Requirements for Certification.

RULEMAKING AUTHORITY: 456.048, 464.006, 464.012 FS.

LAW IMPLEMENTED: 456.048, 456.072(1)(f), (2), 464.012, 464.018(1)(b), (2) FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-4.004 Requirements for Documentation.

(1) A Registered Nurse applying for initial certification as an Advanced Registered Nurse Practitioner shall submit with a completed application ~~file with the Department an “Initial Application for Certification As An Advanced Registered Nurse Practitioner,” Form DOH-NUR 105 (9/97), effective 4-5-00, incorporated herein by reference, and available from the Board office, and provide the Board with the following:~~

- (a) Documentation acceptable to the Board that the educational program attended meets the program guidelines stipulated in subsections 64B9-4.003(1) and (2), F.A.C.
- (b) Proof acceptable to the Board of satisfactory completion of the educational program which shall consist of:
 - 1. An official Registrar’s copy of the applicant’s transcript shall be sent directly to the Board from the school and shall denote successful completion of the formal post-basic program or awarding of the masters’ degree in a nursing clinical specialty.

2. A verification form prescribed by the Board submitted by the director of the advanced nursing program indicating successful completion with the official school seal.

3. Documentation which demonstrates compliance with subsection 64B9-4.003(2), F.A.C.

4. Such other documentary proof which evidences completion.

(c) Documentation of national certification by a national nursing specialty board identified in subsection 64B9-4.002(3), F.A.C., or documentation of certification by a specialty board that meets the requirements set forth in subsection 64B9-4.002(4), F.A.C., by submitting: If the applicant is required to be nationally certified, one of the following shall also be submitted:

1. A notarized true and correct copy of the original or recertification specialty board certificate.

2. Such other documentary proof which evidences certification by an appropriate specialty board.

3. Verification from the specialty association of certification.

~~(2) A Registered Nurse applying for certification as an Advanced Registered Nurse Practitioner in the category of certified nurse midwife, shall file the appropriate application form with the Department and provide the Board with the following:~~

~~(a) Documentation that the specialty board meets requirements stipulated in Rule 64B9-4.002, F.A.C., or proof of certification by an appropriate specialty board recognized by the Board in subsection 64B9-4.002(4), F.A.C.~~

~~(b) Proof of certification by a specialty Board recognized by the Board shall consist of one of the following:~~

~~1. The original specialty certificate.~~

~~2. A notarized true and correct copy of the current specialty certificate.~~

~~3. Such other documentary proof specialty which evidences certification by an appropriate specialty Board.~~

~~4. Verification from the specialty association of certification.~~

~~(c) Documentation acceptable to the Board as set forth in section (1)(b) of this rule which demonstrates compliance with subsection 64B9-4.003(2), F.A.C.~~

Rulemaking Specific Authority 464.006, 464.012 FS. Law Implemented 464.012 FS. History—New 8-31-80, Amended 10-6-82, Formerly 21O-11.25, Amended 3-19-87, Formerly 21O-11.025, 61F7-4.004, Amended 5-29-96, 2-12-97, Formerly 59S-4.004, Amended 4-5-00,_____.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.601
 RULE TITLE: Standards for Approval of Courses and Providers

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the standards for approval of continuing education courses and providers.

SUBJECT AREA TO BE ADDRESSED: Standards for Approval of Continuing Education Courses and Providers.

RULEMAKING AUTHORITY: 465.005, 465.009 FS.

LAW IMPLEMENTED: 456.025(7), 465.009 FS.

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

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

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NO.: 64D-3.046
 RULE TITLE: Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes

PURPOSE AND EFFECT: The Bureau of Immunization proposes an amendment to update forms and guidelines that are incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed include an updated DH 680 Form (Certification of Immunization) and the Immunization Guidelines for Florida Schools, Childcare Facilities and Family Day Care Homes. The guidelines will be updated to require a tetanus-diphtheria-acellular-pertussis (Tdap) vaccination rather than a tetanus-diphtheria (Td) vaccination at 7th grade entry to be implemented with the 2009-2010 school year.

RULEMAKING AUTHORITY: 381.003 FS.

LAW IMPLEMENTED: 381.003 FS.

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

DATE AND TIME: August 9, 2010, 8:30 a.m. (EDT)

PLACE: 2585 Merchants Row Blvd., Tallahassee, FL 32399-1719

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan Lincicome, Senior

Management Analyst Supervisor, Department of Health, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A11, Tallahassee, FL 32399-1719

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64D-3.046 Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes.

(1)(a) Immunization and Documentation Requirements:

~~(a)(b)~~ A student may attend a public or non-public school, grades preschool through 12 or and adult education class if younger than 21, if prior to admittance, attendance or transfer, they present one of the following for inspection for validity by an authorized school official:

1. DH Form 680, Florida Certification of Immunization (July 2010 ~~2008~~), incorporated by reference, available from Department of Health (DOH) county health departments (CHDs), or physicians' offices; or

2. DH Form 681, Religious Exemptions for Immunizations (English/Spanish/Haitian-Creole) (February 2002), incorporated by reference, available at DOH CHDs, must be signed by the local county health department medical director or designee. Documentation of receipt of or exemption from must be noted for the following immunizations: diphtheria, tetanus, pertussis, poliomyelitis, measles (rubeola), rubella, mumps, varicella and hepatitis B. The manner and frequency of administration of the immunizations shall conform to recognized standards of medical practice.

~~(b)(2)~~ Specific immunization requirements by grade, in addition to those in paragraph (1)(a), which must be documented prior to admittance, attendance or any other initial entrance are detailed in the Immunizations Guidelines-Florida Schools, Childcare Facilities and Family Daycare Homes (July 2010), incorporated by reference, available online at: www.doh.state.fl.us/disease_ctrl/immune/schoolguide.pdf transfer.

~~(a)~~ Preschool Completion of Haemophilus influenzae type b vaccination.

~~(b)~~ Preschool or kindergarten effective with the 2001/2002 school year completion of varicella vaccination. Each subsequent year thereafter the next highest grade will be included in the requirement so that students transferring into Florida schools are added to the varicella immunized cohort.

1. 7th Grade Completion of a tetanus diphtheria booster.

2. ~~Additional Documentation requirements for Exemptions.~~

1.3. Temporary or permanent medical exemption on DH Form 680 must be signed by a practitioner licensed under Chapter 458 or 459, Florida Statutes, or their authorized representative. For temporary or permanent medical exemption the signing practitioner must possess medical records documenting the medical basis for each such exemption. For exemption from the rubeola immunization the practitioner

~~must include with DH Form 680, Florida Certification of Immunization, incorporated by reference in subsection 64D-3.046(1), F.A.C., documentation on their own stationery of the physician's request for exemption, asserting that the student had an illness comprised of a generalized rash lasting three or more days, a fever of 101 degrees Fahrenheit or greater, a cough, and/or conjunctivitis and, in the physician's opinion, has had the ten day measles (rubeola) or serologic evidence of immunity to measles.~~

2.(e) A DH Form 680 that does not include a temporary or permanent medical exemption must be signed Forms are to be fully executed by a practitioner licensed under Chapters 458, 459, 460, or 464, F.S., or their authorized representative (where permitted in the particular certification) per instructions for the appropriate school year as provided in DH Form 150-615, Immunization Guidelines Florida Schools, Child Care Facilities and Family Day Care Homes (July 2008), incorporated by reference, available online at: www.doh.state.fl.us/disease_ctrl/immune/schoolguide.pdf.

3.(d) Florida SHOTS (State Health Online Tracking System) Electronically Certified DH Form 680 accessed directly by the school produced by a CHD or a physician's office, as provided in subsection (7), is considered certified in writing and signed by the Florida SHOTS private provider may be utilized.

~~(e)~~ DH Form 681, Religious Exemptions for Immunizations (English/Spanish/Haitian Creole) (February 2002), incorporated by reference, available at DOH CHDs, must be issued and signed by the local county health department medical director or designee.

~~(f)~~ Otherwise, required immunizations not performed must be accounted for under the Temporary or Permanent Medical Exemptions, DH Form 680, Florida Certification of Immunization, Parts B and C, incorporated by reference in subsection 64D-3.046(1), F.A.C.

~~(2)(3)~~ Documentation Requirements for Schools:

(a) The original or a copy of a valid original of the form(s) required under this rule paragraph (1)(a) shall remain in the student's cumulative health record unless accessible in Florida SHOTS.

(b) Antigen doses by dates of immunization shall be transferred as data elements through the Florida Automated System for Transferring Education Records (FASTER).

(c) Compliance Reporting:

1. Each public and nonpublic school with a kindergarten and/or seventh grade shall submit an annual compliance report. The report shall be completed on DH Form 684, Immunization Annual Report of Compliance for Kindergarten and Seventh Grade (~~June 2009 January 2007~~), incorporated by reference, available at DOH CHDs. The report shall include the immunization status of all children who were attending kindergarten and seventh grades at the beginning of the school year. The report shall be forwarded to the CHD

director/administrator no later than October 1 of each school year where the data will be compiled on DH Form 685, Kindergarten and Seventh Grade Annual Report of Compliance County Summary (~~June 2009~~ ~~November 2006~~), incorporated by reference, available at DOH CHDs; or electronically generated by the Department of Education.

2. After consultation with the Department of Education, the Department of Health shall require compliance reports from public and nonpublic schools and preschools for selected grades (K-12 and preschool) in special situations of vaccine preventable disease outbreak control or identified need for monitoring through surveys for immunization compliance levels. Such reports shall include the status of all children who were attending school at the beginning of the school year. Reports shall be forwarded to the CHD director/administrator within a specified period, as determined by the DOH.

~~(3)~~~~(4)~~ Homeless, Transfers and Juvenile Justice – A temporary exemption to requirements of subsection ~~1~~~~(2)~~ above not to exceed 30 days may be issued by an authorized school official for any of the following, consistent with the definitions in Section 1003.01, F.S.:

(a) A homeless child.

(b) A transfer student.

(c) A student who enters a juvenile justice education program or school.

(d) Children of military families as defined under Section 1000.36, F.S.

~~(4)~~~~(5)~~ Notwithstanding subsection (2), the Department may:

(a) Designate any required immunization as unnecessary or hazardous, according to recognized standards of medical practice.

(b) Upon determination that a shortage of vaccine exists, approve issuance of temporary medical exemption with extended expiration dates by practitioners or authorized school officials until such time as, in the DOH's opinion, vaccine will be available in sufficient quantity for such deferred vaccinations to be completed.

~~(5)~~~~(6)~~ Florida SHOTS (State Health Online Tracking System) Opt Out Provision – Parents or guardians may elect to decline participation in the Florida immunization registry, Florida SHOTS, by submitting a Florida SHOTS Notification and Opt Out Form to the DOH. The form, either a DH Form 1478 (English) or DH Form 1478S (Spanish) or DH Form 1478H (Haitian-Creole), incorporated by reference, is available from the DOH, Bureau of Immunization, 4052 Bald Cypress Way, Bin # A-11, Tallahassee, FL 32399-1719. The immunization records of children whose parents choose to opt-out will not be shared with other entities that are allowed by law to have access to the children's immunization record via authorized access to Florida SHOTS.

~~(6)~~~~(7)~~ Florida SHOTS Private Provider Participation – Any health care practitioner licensed in Florida under Chapters 458, 459, or 464, F.S., may request authorization to access Florida SHOTS by filling out a DH Form 1479, Authorized Private Provider User Agreement for Access to Florida SHOTS (January 2007), incorporated by reference, available from the DOH Bureau of Immunization, 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719. The DH Form 1479 will be returned to the Department of Health for processing and authorization to access Florida SHOTS. Notification of access approval and instruction for accessing Florida SHOTS will be provided by the DOH. The authorized user and the applicable licensing authority or agency shall notify the DOH, Bureau of Immunization Florida SHOTS personnel when an authorized user's license or registration has expired or has been suspended or revoked.

~~(7)~~~~(8)~~ Florida SHOTS School and Licensed or Registered Child Care Facility Participation – Any public or nonpublic school, or licensed or registered child care facility may request authorization to access Florida SHOTS by completing a DH Form 2115, Authorized School and Licensed or Registered Child Care Facility User Agreement for Access to Florida SHOTS (January 2007), incorporated by reference, available from the DOH, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719. The DH Form 2115 will be returned to the DOH for processing and authorization to access Florida SHOTS. Notification of access approval and instructions for accessing Florida SHOTS will be provided by the DOH. The authorized user and the applicable licensing authority or agency shall notify the DOH, Bureau of Immunization Florida SHOTS personnel when an authorized user's license or registration has expired or has been suspended or revoked.

Rulemaking Authority 381.0011(13), 381.003(1), (2), 381.005(2), 1003.22 FS. Law Implemented 381.0011(4), 381.003(1), 381.005(1)(i), 1003.22 FS. History—New 11-20-06, Amended 7-15-07, 7-28-08,_____.

Editorial Note: Formerly 10D-3.88, 10D-3.088 and 64D-3.011.

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

RULE NO.: RULE TITLE:

64J-2.019 Funding for Verified Trauma Centers

PURPOSE AND EFFECT: This notice is to alert the public that the Office of Trauma is proposing the development of rulemaking to revise Rule 64J-2.019, F.A.C., pursuant to the implementation of Chapter 2010-80, Laws of Florida (Enrolled CS/CS/HB 325) and Chapter 2010-161 (Enrolled HB 5311) passed during the 2010 Legislative Session. For the implementation of Chapter 2010-80, the proposed revisions add the new statutes (318.0083(1)(b)3.a. and 3.b.) for funds generated from the use of traffic infraction cameras to enforce violations of red-light running. Ten dollars of each citation

generated from the implementation of these statutes are to be deposited into the DOH administrative trust fund for distribution to verified trauma centers pursuant to Section 395.4036(1), F.S.

Enrolled HB 325 was not amended to conform to the trust fund language in HB 5311, which designated the use of the Emergency Medical Services Trust Fund for deposit of the trauma center designated funding. Pursuant to the provisions of Chapter 2010-161, F.S., the proposed revisions remove reference to the DOH Administrative Trust Fund where referenced in this rule, and provides that all funds governed under this rule shall be distributed to verified trauma centers in the quarter following deposit into the Department's trust funds. The department will be seeking revisions to Sections 318.0083(1)(b)3.a. and 3.b. to change the trust fund title currently in these sections from the DOH administrative trust fund to the Emergency Medical Services Trust Fund to ensure all funds designated for payment to trauma centers are deposited into the same trust fund.

SUBJECT AREA TO BE ADDRESSED: Funding for verified trauma centers.

RULEMAKING AUTHORITY: 395.4036 FS.

LAW IMPLEMENTED: 395.4036 FS.

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

DATE AND TIME: Friday, August 6, 2010, 10:00 a.m. (EST); 11:00 (CST)

PLACE: Capital Circle Office Complex, Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 180, Tallahassee, Florida; Conference Call Number: 1(888)808-6959; Conference Code: 2354440

Pursuant to the provisions of 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: Dana Miller (850)245-4440, *2749. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan McDevitt, Office of Trauma, Department of Health, 4052 Bald Cypress Way, Bin C-18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2760; Email: susan_mcdevitt@doh.state.fl.us; Fax: (850)488-2512

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64J-2.019 Funding for Verified Trauma Centers.

(1) No change.

(2) Funds governed under this rule shall be distributed to verified trauma centers in the quarter following deposit into the Department's trust funds. ~~Funds collected under Sections 318.14(5), 318.18(5)(e) and (20) and 318.18(15), F.S., and deposited into the department's administrative trust fund shall be distributed quarterly to the certified trauma centers.~~

(a) No change.

(b) Funds collected under Section 318.14(5), F.S., governed under this rule and deposited into the department's administrative trust fund shall be distributed to the trauma centers as follows: ~~[(.5 x funds)/Current total number of trauma centers]] + [(.5 x funds) x (Caseload volume for the trauma center for the year/The sum of caseload volume for all trauma centers during the year)].~~

(c) Funds collected under Sections 318.18(15), 316.0083(1)(b)3.a. and 316.0083(1)(b)3.b., F.S., governed under this rule and deposited in accordance with ~~into the department's administrative trust funds under Section 395.4036(1), F.S., shall be distributed as follows:~~

1. through 3. No change.

(d) Funds collected under Section 318.18(5)(c) and (20), F.S., governed under this rule and deposited into the department's administrative trust fund shall be distributed as follows.

1. through 3. No change.

(3) No change.

Rulemaking Authority 395.4036 FS. Law Implemented 395.4036 FS. History—New 4-25-06, Amended 1-9-07, Formerly 64E-2.040, Amended 10-22-09,_____.

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

RULE NOS.:	RULE TITLES:
64J-3.001	Certification of 911 Public Safety Telecommunicators
64J-3.002	Public Safety Telecommunication Course Equivalency
64J-3.003	Renewal of 911 Public Safety Telecommunicator

PURPOSE AND EFFECT: Establish a procedure for the approval of public safety telecommunication training programs, establish rules for 911 public safety telecommunicator trainees, define receiving, transferring, and dispatching functions, establish rules for examination process, establish rules for renewal process.

SUBJECT AREA TO BE ADDRESSED: 911 public safety telecommunicators.

RULEMAKING AUTHORITY: 401.465 FS.

LAW IMPLEMENTED: 401.465 FS.

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

DATE AND TIME: August 11, 2010, 8:00 a.m. – 5:00 p.m.
 PLACE: St. Petersburg College, SPC Allstate Center, 3200 34th Street South, St. Petersburg, FL 33711

Pursuant to the provisions of 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: Rebecca Cash (850)245-4440, Ext. 2725

Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin # C-18, Tallahassee, Florida 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rebecca Cash, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C-18, Tallahassee, Florida 32399, (850)245-4440, Ext. 2725

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

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

RULE NOS.:	RULE TITLES:
64J-3.001	Certification of 911 Public Safety Telecommunicators
64J-3.002	Public Safety Telecommunication Course Equivalency
64J-3.003	Renewal of 911 Public Safety Telecommunicator

PURPOSE AND EFFECT: Change the above referenced rules in accordance with provisions in the Laws of Florida 2010-188 (SB 742). Changes include fee reduction in initial certification, renewal certification, inactive status, and reactivation. Fees to include a new application fee for determination of equivalency. Grandfather clause reduced to 3 years for eligibility, requirements of 2 years experience to be certified dropped, recertification hours reduced to 20 hours biannually. Initial certification hour increased from 208 hours to 232 hours to be eligible to sit for the State of Florida 911 public safety telecommunicator exam.

SUBJECT AREA TO BE ADDRESSED: 911 public safety telecommunicators.

RULEMAKING AUTHORITY: 401.465 FS.

LAW IMPLEMENTED: 401.465 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Rebecca Cash, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C-18, Tallahassee, Florida 32399; (850)245-4440, ext. 2725. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Rebecca Cash, Bureau of Emergency Medical Services, 4052 Bald Cypress Way Bin #C-18, Tallahassee, Florida 32399, (850)245-4440 ext. 2725

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64J-3.001 Certification of 911 Public Safety Telecommunicators ~~Emergency Dispatchers~~.

Application for 911 Public Safety Telecommunicator ~~Emergency Dispatcher~~ Certification is done through DH Form 5066, 07/10 ~~10/08~~, 911 Public Safety Telecommunicator ~~Emergency Dispatcher~~ Initial/Original Certificate Application, which is incorporated by reference and available from the department, as defined by subsection 64J-1.001(9), F.A.C., or is found on the internet forms page at <http://www.fl-ems.com>.

Rulemaking Authority 401.35, 401.465 FS. Law Implemented 401.465 FS. History–New 3-17-09, Amended _____.

64J-3.002 Public Safety Telecommunication Course Equivalency.

An agency seeking to determine equivalency of their training program shall submit to the Department of Health a copy of their training curriculum and DH Form 5067, 07/10 ~~06/09~~, 911 Public Safety Telecommunicator ~~Emergency Dispatcher~~ Training Course Equivalency Application, which is incorporated by reference and available from the department, as defined by subsection 64J-1.001(9), F.A.C., or is found on the internet forms page at: <http://www.fl-ems.com>. The training program shall consist of no less than 232 ~~208~~ hours. The department shall identify from DH Form 5067, 07/10 ~~06/09~~, 911 Public Safety Telecommunicator ~~Emergency Dispatcher~~ Training Course Equivalency Application, the instructional objectives within their training program that meet each of the student performance standards as outlined in the Department of Education’s Public Safety Telecommunication Curriculum Framework, Program Number P090101, Occupational Completion Point – Data Code A, Dispatcher: Police Fire and Ambulance effective July 2010 ~~2009~~, which is incorporated by reference and available for reference on the Department of Education website at: <http://www.fldoe>.

[org/workforce/dwdframe/law_cluster_frame09.asp](http://www.fl-ems.com/workforce/dwdframe/law_cluster_frame09.asp). Entities subject to the jurisdiction of the Department of Education are not eligible for this determination.

Rulemaking Authority 401.35, 401.465 FS. Law Implemented 401.465 FS. History–New 10-26-09, Amended.

64J-3.003 Renewal of 911 Public Safety Telecommunicator ~~Emergency Dispatcher~~ Certification.

(1) To be eligible for renewal certification as a 911 emergency dispatcher, the applicant shall submit DH Form 5068, 07/10 ~~06/09~~, Renewal/Change of Status 911 Emergency Dispatcher Certification Form, which is incorporated by reference and available from the department, as defined by subsection 64J-1.001(9), F.A.C., or is found on the internet forms page at <http://www.fl-ems.com>, prior to February 1 of each odd year and complete the following:

(a) Complete 20 ~~24~~ hours of 911 Public Safety Telecommunicator ~~emergency dispatcher~~ renewal training based on the Department of Education Public Safety Telecommunication Curriculum Framework, Program Number P090101, Occupational Completion Point – Data Code A, Dispatcher: Police Fire and Ambulance effective July 2010 ~~2009~~, available for reference on the Department of Education website at: http://www.fldoe.org/workforce/dwdframe/law_cluster_frame09.asp. The department shall accept either the affirmation from a public safety agency as defined in Section 365.171(3)(d), F.S., or a certificate of completion of 20 ~~24~~ hours of renewal training from a department-approved Florida 911 Public Safety Telecommunicator ~~emergency dispatcher~~ training program equivalent to the Department of Education Public Safety Telecommunication Curriculum Framework, Program Number P090101, Occupational Completion Point – Data Code A, Dispatcher: Police Fire and Ambulance effective July 2010 ~~2009~~.

(b) Applicants applying for recertification must obtain 20 ~~24~~ hours of renewal training, as defined in paragraph 64J-3.003(1)(a), F.A.C., which may be earned through various delivery methods outlined in Table I.

911 <u>Public Safety Telecommunicator</u> Emergency Dispatcher Renewal Requirement Table I	
Delivery Method	Maximum Credit Hours Allowed
Journal Review	12 Hours
Workshop/Seminar/Classroom	16 Hours
Multi-media	12 Hours
QA/QI Review	12 Hours
Planning and Management Meetings	12 Hours
Teaching	12 Hours
Protocol Review	12 Hours

(2) An individual who has received an initial certification as a 911 Public Safety Telecommunicator ~~emergency dispatcher~~ of no more than 180 days prior to February 1 of each odd year shall be exempt from the first renewal period. If an initial certification is obtained prior to August 1st of the preceding renewal year, that certificate holder must apply for renewal certification.

(3) In the event a certified 911 Public Safety Telecommunicator ~~emergency dispatcher~~ changes the mailing address, name, or place of supervised full-time employment he or she has provided to the department, the applicant shall notify the department upon renewal.

Rulemaking Authority 401.35, 401.465 FS. Law Implemented 401.465 FS. History–New 10-26-09, Amended.

DH Form 5066, 5067, and 5068 can be found at www.fl-ems.com/dispatchers.html

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: 65C-13.030
 RULE TITLE: Standards for Licensed Out-of-Home Caregivers

PURPOSE AND EFFECT: To amend standards for licensing out-of-home caregivers.

SUBJECT AREA TO BE ADDRESSED: Standards for Licensed Out-of-Home Caregivers.

RULEMAKING AUTHORITY: 409.175 FS.

LAW IMPLEMENTED: 409.175 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: Stacey Cleveland, Statewide Licensing Specialist, 1317 Winewood Boulevard, Tallahassee, Florida 32399, (850)921-8833, Stacey_Cleveland@dcf.state.fl.us

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

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.: 69A-37.082, 69A-37.083, 69A-37.084, 69A-37.085
 RULE TITLES: Purpose, Scope, Definitions, Eligibility Requirements for Supplemental Compensation

- 69A-37.086 Enrollment Procedures for Supplemental Compensation
- 69A-37.087 Cessation of Supplemental Compensation
- 69A-37.088 Eligibility Requirements for Re-Entry
- 69A-37.089 Prescribed Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development workshop is to determine whether changes need to be made to the definition of accreditation and if so, whether changes need to be made to related rules. In addition, all other matters encompassed in the above rules are open for discussion.

SUBJECT AREA TO BE ADDRESSED: Firefighter supplemental compensation.

RULEMAKING AUTHORITY: 633.01(1), 633.45(2)(a) FS.

LAW IMPLEMENTED: 633.082 FS.

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

DATE AND TIME: Tuesday, August 17, 2010, 1:30 p.m.

PLACE: Auditorium, Florida State Fire College, 11655 N.W. Gainesville Rd., Ocala, FL 34482

Pursuant to the provisions of 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: Karl Thompson, Standards Section Supervisor, Bureau of Fire Standards and Training, Division of the State Fire Marshal, 11655 N.W. Gainesville Rd., Ocala, FL 34482; phone (352)369-2800, Ext. 3; karl.thompson@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: The person listed above

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Risk Management

- RULE NO.: 69H-2.008
- RULE TITLE: Other Forms Adopted

PURPOSE AND EFFECT: The Division of Risk Management adjusts claims for employees, volunteers, and other covered persons per Chapter 284, F.S. Currently, the Authorization to Release form DFS-D0-1407 does not state the reason for the requested medical records. This amendment will add a sentence to the form that explicitly states that the medical authorization release concerns a workers' compensation claim.

The additional language is needed for the Division to obtain crucial medical records and to ultimately perform its statutory authority to adjust and settle workers' compensation claims for those covered persons under Section 284.31, F.S.

SUBJECT AREA TO BE ADDRESSED: Form DFS-D0-1407 for requesting information from workers' compensation claimants and liability claimants.

RULEMAKING AUTHORITY: 284.17, 284.39 FS.

LAW IMPLEMENTED: 284.30, 284.40, 284.41 FS.

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

DATE AND TIME: Tuesday, August 10, 2010, 9:30 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: George Rozes, (850)413-4754 or George.Rozes@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: George Rozes, Senior Management Analyst II, Division of Risk Management, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0336, (850)413-4754

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69H-2.008 Other Forms Adopted.

(1) The following forms are hereby adopted and incorporated by reference. These forms shall be used to aid the Division in the performance of its administrative duties by securing pertinent facts and information on claims filed against the Fund, as the circumstances of particular cases may require.

(a) through (e) No change.

(f) DFS-D0-1407, "Medical Authorization", rev. 2/10 ~~H/05~~;

(g) through (i) No change.

(2) No change.

Rulemaking Authority 284.17, 284.39 FS. Law Implemented 284.30, 284.40, 284.41 FS. History—New 1-7-92, Amended 6-28-01, Formerly 4H-2.008, Amended 7-4-04, 5-4-05, 10-5-09, _____.

Section II Proposed Rules

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: 9B-70.002
 RULE TITLE: Commission Approval and Accreditation of Advanced Building Code Training Courses

PURPOSE AND EFFECT: Correct a cross-reference and implement a system of self-affirmation for revisions to accredited courses.

SUMMARY: The Florida Building Commission updates the building code every three years. Courses accredited by the Commission often require minor modification for consistency with the updated code. The rule is amended to permit an expeditious process for accreditation of the revisions to accredited courses resulting from code changes that relies upon affirmation by the course provider. A cross-reference is also corrected.

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: 553.841(2) FS.

LAW IMPLEMENTED: 553.841 FS.

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

DATE AND TIME: August 17, 2010, 10:00 a.m. or as soon thereafter as the matter comes before the Commission in accordance with its agenda

PLACE: Department of Community Affairs, Sadowski Building, Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ila Jones, Community Program Administrator, 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

THE FULL TEXT OF THE PROPOSED RULE IS:

9B-70.002 Commission Approval and Accreditation of Advanced Building Code Training Courses.

(1) through (3)(e) No change.

(f) On or before the effective date of changes to the Florida Building Code, providers shall either designate on the Building Code Information System at www.floridabuilding.org that the course is not affected by the code changes or update the existing accredited courses affected by the code changes and submit for accreditation. If the course is not affected by the code changes, the course's status shall remain active. The code version that initiated the update and reaccredit at ion process must be noted on the application. Accreditation of revisions to approved accredited courses ~~and courses in alternative formats to approved accredited courses~~ shall be accomplished in the same manner as described in paragraphs (a) through (f) hereof, except that only the revision submitted shall be subject to review and these courses shall be approved by the administrator of the education program subject to ratification by the Florida Building Commission.

(g) If an approved accredited course requires revision to correct or update a reference, table, diagram, or quoted provision of code, law, or administrative rule, the training provider may submit the revised course and complete Form 9B-70.002(4)(a), effective _____, adopted herein by reference and available from the Building Code Information System at www.floridabuilding.org. The training provider must list the exact change, the specific location of the change, and reason for the change in the course and affirm this is the only change. The changes to the course shall be approved by the administrator of the education program subject to ratification by the Florida Building Commission.

(h) A change to the delivery format of an approved accredited course must be submitted for accreditation.

(4) Course Content and Accreditor Review. Accreditors shall review courses submitted by registered providers to determine if the course accurately presents the technical and administrative responsibilities reflected in the current edition of the Florida Building Code, or future editions of the Code if the accreditor is reviewing a course revised to comply with an updated edition of the Florida Building Code in accordance with paragraph (3)(4)(f) of this rule or Florida Statutes or rules related to the Florida Building Code. Accreditors shall not mutually accredit each others' courses. The accreditor shall determine if the course meets the following minimum criteria:

(a) through (m) No change.

(5) through (7) No change.

Rulemaking Authority 553.841(2) FS. Law Implemented 553.841 FS. History—New 6-8-05, Amended 4-30-07, 6-12-08, 3-4-09, 11-2-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Building Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 7, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 19, 2010

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-501.301 RULE TITLE: Law Libraries
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to remove the requirement that inmate law clerks be presented with a certificate of completion of training by the department's Central Office.
 SUMMARY: The proposed rule removes the requirement that Central Office provide inmate law clerks with a certificate upon completion of law clerk training.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency.
 Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
 RULEMAKING AUTHORITY: 944.09, 944.11 FS.
 LAW IMPLEMENTED: 20.315, 944.09, 944.11 FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-501.301 Law Libraries.
 (1) through (6) No change.

(7) Use of Inmates as Clerks in Law Libraries.

(a) through (d) No change.

(e) Law clerk training program. Central office library services shall develop a training program to provide inmates who work in law libraries with knowledge of legal research and writing, use of specific legal research materials to include digital or non-print resources in the law library collection, the law and rules of criminal law and post-conviction remedies, prisoners' civil rights, and other subject matter identified as necessary for an inmate law clerk to provide meaningful assistance to inmates. ~~Inmates who successfully complete the law clerk training program shall be given a certificate by central office library services documenting successful completion of the program, and a notation shall be recorded in the department's offender database.~~ Central office library services will document an inmate's successful completion of the law clerk training program in the department's offender database.—Central office library services shall revoke or suspend certification for commission of acts prohibited by this section or for failure to satisfactorily perform the duties assigned to an inmate law clerk.

(f) through (q) No change.

(8) through (11) No change.

Rulemaking Authority 944.09, 944.11 FS. Law Implemented 20.315, 944.09, 944.11 FS. History—New 4-6-93, Amended 7-3-94, 11-2-94, 4-28-96, 9-30-96, 12-7-97, Formerly 33-3.0055, Amended 2-15-01, 11-4-01, 12-23-03, 1-7-07, 1-6-09, 6-16-09, 4-19-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp, Deputy Secretary of Institutions
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Walter McNeil, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 18, 2010

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-1.659 RULE TITLE: Forms and Instructions
 PURPOSE AND EFFECT: The purpose of this rulemaking is to list a revised State of Florida Permit Application to Construct, Repair, Modify or Abandon a Well, to be numbered as District Form No. LEG-R.040.01 (6/10) and a revised State of Florida Well Completion Report, to be numbered as Form No. LEG-R.005.02 (6/10). The effect will be to make the District-adopted forms identical to revised forms proposed for statewide use by the Department of Environmental Protection.
 SUMMARY: The District is undertaking rulemaking to amend Rules 40D-3.101 and 40D-3.411, F.A.C., to adopt standardized forms for well construction permit applications and well

completion reports which are submitted to document the well construction work. These newly-adopted forms will also be listed in Rule 40D-1.659, F.A.C.

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

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

RULEMAKING AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.083, 373.0831(3), 373.116, 373.196(1), 373.1961(3), 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Southwest Florida Water Management District, Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103; or email to 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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dianne Lee, Office of General Counsel, 2379 Broad St., Brooksville, FL 34604-6899, (352)796-7211, ext 4657

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this chapter or into a specific District rule as indicated. Copies of these forms may be obtained from the District offices or the District's website at www.watmatters.org.

(1) Ground Water

(a) through (c) No change.

(d) State of Florida Permit Application to Construct, Repair, Modify or Abandon a Well, Form No. LEG-R.040.01 ~~(6/10) LEG-R.040.00 (4/09)~~, incorporated by reference in subsection 40D-3.101(1), F.A.C.

(e) Well Completion Report, Form No. LEG-R.005.02 ~~(6/10) LEG-R.005.01 (4/09)~~, incorporated by reference in paragraph 40D-3.411(1)(a), F.A.C.

(f) through (kk) No change.

(2) through (3) No change.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented 373.083, 373.0831(3), 373.083(5), 373.116, 373.196(1), 373.1961(3), 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 FS. History--New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00, 10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05(1) and (2), 10-19-05(5), 10-19-05(20), 2-6-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08, 4-7-08, 5-12-08, 5-20-08, 8-19-08, 12-30-08, 3-26-09, 7-1-09, 8-30-09, 9-1-09, 10-26-09, 1-27-10, 4-12-10, 4-27-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tony Gilboy, Well Construction Regulation Manager

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 29, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 9, 2010

DEPARTMENT OF MANAGEMENT SERVICES

Division of Administrative Hearings

RULE NOS.:	RULE TITLES:
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60Q-6.103	Pleadings and Proposed Orders
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- 60Q-6.125 Sanctions
- 60Q-6.128 Destruction of Obsolete Records

PURPOSE AND EFFECT: Procedural rules for adjudication of workers’ compensation claims were implemented on February 23, 2003, and amended in 2006, pursuant to the mandate in Section 440.45, Florida Statutes, that the Office of the Judges of Compensation Claims adopt procedural rules. Since Sections 440.015 and 440.44(2), Florida Statutes, require that the workers’ compensation system be efficient and self-executing and that the Division of Administrative Hearings assume an active and forceful role in achieving that goal, it is necessary to amend the existing rules to conform with subsequent statutory changes and to incorporate changes that will improve the adjudicatory process based upon experience in utilizing the existing rules.

SUMMARY: The procedural rule revisions improve definitions, encourage electronic filing, streamline the consolidation of cases, promote the timely resolution of attorney’s fees and costs, discourage duplicate and unnecessary filings, encourage timely orders, streamline mediation, require meaningful pretrial stipulations, promote timely discovery, provide for telephonic administration of oaths, streamline motion practice, and provide for appointment of expert medical advisors, with a resulting more efficient and self-executing adjudicatory process.

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

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

RULEMAKING AUTHORITY: 61.14(8)(a), 440.25(4)(g), (h), 440.44(7), 440.45(1), (4) FS.

LAW IMPLEMENTED: 61.14(8)(a), 440.015, 440.192, 440.20, 440.25, 440.29(2), 440.33, 440.34, 440.44, 440.45(1) FS.

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

DATE AND TIME: Wednesday, August 18, 2010, 8:00 a.m. – 9:30 a.m.

PLACE: TAMPA Room, Marriott World Center, 8701 World Center Drive, Orlando, Florida 32821

Pursuant to the provisions of 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: Judge Linda M. Rigot. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Administrative Law Judge Linda M. Rigot, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, FL 32399-3060, (850)488-9675

THE FULL TEXT OF THE PROPOSED RULES IS:

60Q-6.102 Definitions.

(1) through (3) No change.

(4) “Office of the Judges of Compensation Claims” (OJCC) means ~~is~~ the office within the Department of Management Services, Division of Administrative Hearings, where the deputy chief judge and judges of compensation claims preside.

(5) “Electronic transmission” or “electronic filing” means uploaded to the appropriate case docket using the electronic judges of compensation claims’ e-filing system (e-JCC) accessed ~~transmitted~~ through a link on the OJCC website at www.jcc.state.fl.us identified for that purpose.

(6) “Electronic signature” means that a graphic version of the e-JCC user’s signature or “s/” followed by the e-JCC user’s typewritten name is deemed to be the legal equivalent of the e-JCC user’s handwritten signature.

~~(7)(6)~~ “Filed” means received by the clerk of the OJCC Office of the Judges of Compensation Claims in Tallahassee ~~or by the judge as provided in subsection 60Q 6.108(1), F.A.C.~~

(7) through (10) renumbered (8) through (11) No change.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.192(1), 440.45(1)(a), (4) FS. History–New 2-23-03, Amended 11-1-06, _____.

60Q-6.103 Pleadings and Proposed Orders.

(1) Pleadings. All documents filed with the OJCC ~~or with the judge~~ shall

(a) Be typewritten or printed on 8 1/2" by 11" ~~unfolded~~ white paper, unless filed by electronic transmission;

(b) No change.

(c) Contain the signature, or the electronic ~~equivalent of the signature~~ if filed electronically, of the party in interest or, if represented, the party’s attorney of record;

(d) Contain the style of the proceeding; the case number, if any; the date of accident; ~~the name of the party on whose behalf the document is filed;~~ the subject matter of the document; and the name, mailing address, e-mail address, and

telephone number of the party or, if represented, the party's attorney of record (including the attorney's Florida Bar number) filing the document; ~~and~~

(e) Contain a certificate of service representing that copies have been served on all parties or, if represented, their attorneys of record. The certificate shall include a statement of the method of service used for each party or attorney; and

(f) Not be accompanied by separate correspondence.

(2) Exempt information. Except for the employee's social security number or equivalent on petitions for benefits and responses thereto, no pleading shall contain information exempt from public records disclosure. Exempt information shall be supplied in connection with a pleading only to the extent it is necessary ~~for~~ ~~to~~ the judge's determination of disputed matters or required by Florida Statutes and shall be appended to a pleading in a separate document conspicuously marked "Exempt Information".

(3) No change.

(4) Proposed Orders. Except as provided in subsection 60Q-6.115(3), F.A.C., proposed orders shall not be submitted unless requested by the judge, ~~and shall be accompanied by pre-addressed, postage paid envelopes.~~ They shall be clearly identified as proposed orders and shall be sent to all other parties or, if represented, their attorneys of record prior to being submitted to the judge. Proposed orders shall be a separate document and not be included as a part of ~~a~~ the motion.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.192(1), (2)(a), 440.45(1)(a), (4) FS. History--New 2-23-03, Amended 11-1-06,_____.

60Q-6.104 Representation and Appearance of Counsel.

(1) Appearance of Counsel. An attorney who files a petition or claim on behalf of a party has entered an appearance and shall be deemed the party's attorney of record. All other attorneys appearing for a party in an existing case shall file promptly with the judge a notice of appearance and serve copies on all other parties or, if represented, ~~the parties' their~~ attorneys of record. The notice of appearance shall include the style of the proceeding; the case number; the name of the party on whose behalf the attorney is appearing; and the name, mailing address, e-mail address, telephone number, and Florida Bar number of the attorney. Attorneys shall keep their e-JCC profile current by logging into e-JCC and updating their mailing addresses, e-mail addresses, and telephone numbers when such information changes.

(2) No change.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.45(1)(a), (4) FS. History--New 2-23-03, Amended 11-1-06,_____.

60Q-6.105 Commencing a Case; Subsequent Petitions.

(1) through (2) No change.

(3) For any claim within the jurisdiction of the OJCC but not subject to a petition for benefits, the claimant shall file with the clerk of the OJCC ~~the pleading setting forth the claim together with~~ a request for assignment of case number.

(4) through (5) No change.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.192, 440.45(1)(a), (4) FS. History--New 2-23-03, Amended 11-1-06,_____.

60Q-6.106 Consolidation and Venue.

(1) No change.

(2) Any motion to consolidate cases shall be filed in only the lowest-numbered case sought to be consolidated and shall be resolved by the judge to whom that case is assigned. Any consolidation of two or more cases shall thereafter be designated as consolidated under the lowest case number of those consolidated, and shall be assigned to the judge then assigned to that lowest case number.

(3) A motion to change venue shall be filed with the judge and shall contain the signatures of the moving party ~~all parties~~, or, if represented, the party's ~~their~~ attorneys of record.

(4) through (5) No change.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(4)(d), 440.45(1)(a), (4) FS. History--New 2-23-03, Amended 11-1-06,_____.

60Q-6.107 Amendment and Dismissal of Petition for Benefits.

(1) No change.

(2) A petition may only be amended by written stipulation of the parties or by order of the judge, except that changes of addresses, e-mail addresses, or phone numbers of parties or, if represented, their attorneys of record can be accomplished by filing a notice of change ~~with the assigned judge.~~

(3) Prior to dismissing any petition for failure to prosecute, the judge shall issue an order to show cause and allow 10 days for a response to the order.

(4) Any party seeking an order determining the entitlement to or amount of attorney's fees or costs shall file the motion therefor within 365 days after the provision of benefits, dismissal of claim, judicial order, or appellate mandate from which the movant claims attorney's fees or costs are due. Untimely motions or petitions for attorney's fees or costs will be dismissed.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.192, ~~440.25(4)(d), (i), 440.44(2),~~ 440.45(1)(a), (4) FS. History--New 2-23-03, Amended 11-1-06,_____.

60Q-6.108 Filing and Service.

(1) Filing.

(a) All documents ~~petitions, amended petitions, responses to petitions, and requests for assignment of case number and initial pleadings relating thereto~~ shall be filed with the OJCC,

except documents filed by parties who are not represented by an attorney, shall be filed by electronic means through the OJCC website. Any document filed in paper form by U.S. mail, facsimile, or delivery shall be filed only with the OJCC clerk in Tallahassee. Except as otherwise provided in these rules, all motions, notices, pleadings, voluntary dismissals, any stipulations changing the issues pending in the case, or other documents shall be filed only with the judge. Documents shall be filed by only one method, e-filing, facsimile, or U.S. mail, and shall not be filed multiple times. Duplicate filings will not be docketed and will be destroyed.

(b) Any pleading or other paper filed in a proceeding shall be served on all other parties or, if represented, their attorneys of record at the time the document is filed. Service shall be by electronic mail, facsimile, or U.S. mail.

(c) The following documents shall not be filed with the OJCC ~~or with the judge~~ unless relevant to an issue to be heard and not more than ten days but at least two days before the scheduled hearing; requests or notices to produce and objections or responses thereto, deposition transcripts, correspondence between counsel or parties, correspondence to the judge or the judge's staff, subpoenas and returns of service.

(d) Except for filing using e-JCC, Facsimile or other electronic transmission of documents to the judge shall be used only when the judge authorizes such use for that document; otherwise, the document will not be considered.

(e) Any document, whether filed by electronic or other means, received by the OJCC ~~or the judge~~ after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

(f) Any attorney, party, or other person who ~~elect to~~ files any document by electronic transmission shall be responsible for any delay, disruption, interruption of the electronic signals, and readability of the document, and accepts the full risk that the document may not be properly filed as a result.

(g) Any document filed electronically shall be uploaded individually, except that exhibits, supporting documents, and proposed orders for any motion may be filed along with the motion. In naming uploaded motions, counsel shall specifically identify the type of motion by naming the relief sought. In naming depositions filed electronically, counsel shall include the deponent's name and the date of the deposition. If an uploaded document is specifically intended as a hearing exhibit at the time of filing, the name shall also include "proposed hearing exhibit" and the date of the scheduled hearing. All uploaded documents shall include sufficient specificity in naming to allow identification of the document from the docket remark.

(h) If a document is filed in error using e-JCC, the filing party shall file the document in the correct case docket and separately file a notice of the error in the case that contains the erroneously-filed document.

(i) The clerk of the OJCC shall, upon order of the assigned judge, place a document under seal and render it thereby viewable only upon further order of the assigned judge.

(2) Service. Service is effectuated by:

(a) Handing the document # to the party or, if represented, the party's attorney of record;

(b) Leaving the document # at the attorney's office with a clerk or other person in charge or leaving it in a conspicuous place in the office;

(c) If the office is closed or the person to be served has no office, leaving the document # at the person's residence with a member of the person's family above 15 years of age and informing that person of the contents;

(d) Placing the document # in the United States mail; or

(e) Transmitting the document # by facsimile or by electronic transmission, including electronic mail.

(3) through (6) No change.

(7) All orders shall be electronically filed with the OJCC in Tallahassee on the same day that the order is transmitted to the parties by electronic transmission or U.S. mail.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.192, 440.45(1)(a), (4) FS. History--New 2-23-03, Amended 11-1-06,_____.

60Q-6.110 Mediation, Generally.

(1) No change.

(2) Parties who have agreed to private mediation or to re-schedule private mediation shall file with the judge at least 30 days prior to any scheduled mediation a notice substituting private mediation for state mediation or re-scheduling private mediation. If such notice is filed less than 30 days prior, it shall be treated as a motion, and attendance and participation at the scheduled state mediation shall not be excused, absent an order finding good cause to excuse this time requirement. The notice shall include the name of the private mediator, along with the date and time of the private mediation and shall state that the private mediation meets the statutory deadline, unless the deadline is waived by all parties.

(a) The deputy chief judge shall assign a mediation date for each petition filed. Within 40 days after the filing of the earliest petition for benefits awaiting mediation, the parties may agree to coordinate with the assigned judge an alternate state mediation date which meets the 130-day statutory deadline. Any such change in date shall be considered a re-scheduling and not a continuance of the mediation.

(b) After the state mediation has been noticed on the 40th day following the filing of the earliest petition for benefits awaiting mediation, the state mediation shall not be continued unless first granted by the judge upon agreement of the parties or upon proper motion filed no later than 30 days before the date of the scheduled state mediation, unless the mediation notice is sent to the parties less than 30 days prior to the noticed mediation.

(c) The state mediation conference may not be re-scheduled or continued to occur after the 130-day statutory deadline unless first granted by the judge upon proper motion demonstrating that the basis for the continuance arises from circumstances beyond the movant's control or for other good cause shown. The motion shall be filed no later than 30 days before the date of the scheduled state mediation absent an emergency.

(3) No change.

(4) If the parties settle all issues, or all issues except for attorney's fees, prior to the scheduled mediation conference, the attorney or unrepresented claimant who has filed a petition for benefits must file a pleading in order to cancel the corresponding mediation they shall immediately notify the mediator and the judge in writing. The pleading must be filed prior to the scheduled mediation and shall indicate the manner in which each issue was resolved.

(5) The following persons shall attend the mediation conference: the claimant; the claims representative of the carrier/servicing agent, which representative must have full authority to settle the issues; the employer, if uninsured; the insured or self-insured employer, if the employer/servicing agent does not have full authority to settle the issues; and the attorneys for the parties. The appearance of an attorney for a party does not dispense with the required attendance of the party. No party shall one may appear at the mediation conference by telephone unless such appearance is approved in advance by the mediator. Any party appearing by telephone has stipulated to be bound by that party's attorney of record's signature on the mediation report.

(a) The mediator shall have discretion to allow any party and/or that party's attorney of record to appear at the mediation conference by telephone upon the party's written request furnished to the mediator and the opposing party or, if represented, the party's attorney of record no fewer than 5 days prior to the mediation conference. The expense of telephonic attendance shall be borne by the person or party attending by telephone.

(b) Any person attending mediation telephonically shall provide an e-mail address for use in exchanging documents during the mediation unless good cause is shown to the mediator at least five days prior to the mediation. Any mediation attended telephonically is not concluded until the signed report is returned to the mediator. The signed report shall be returned by the end of the business day unless excused by the mediator.

(6) Failure to attend the mediation conference without having shown good cause or failure to appear at the mediation conference with full authority to resolve the issues shall may subject the party or the attorney to sanctions.

(7) Immediately following the conclusion of a the mediation conference in an open OJCC case, the mediator, whether state, adjunct, or private, shall prepare a report stating

which issues or claims in dispute are resolved and which remain unresolved, and whether the parties completed a pretrial stipulation. The report shall identify by filing date each petition mediated. The claimant shall file with the judge within five business days of the mediation conference the mediator's report and mediation settlement agreement, if any, together with any pretrial stipulation executed by the parties.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(1)-(4), 440.45(1)(a), (4) FS. History--New 2-23-03, Amended 11-1-06,_____.

60Q-6.111 Authority and Duties of Mediator.

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

~~(e) The mediator shall have discretion to allow any party to appear at the mediation conference by telephone upon the party's written request furnished to the mediator and the opposing party or, if represented, the party's attorney of record no fewer than 5 days prior to the mediation conference.~~

(2) through (4) No change.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(1)-(4), 440.45(1)(a), (4) FS. History--New 2-23-03, Amended 11-1-06,_____.

60Q-6.113 Pretrial Procedure.

(1) No change.

(2) The parties or, if represented, their attorneys of record shall confer and complete a written pretrial stipulation and file it no later than 2 business days before the pretrial hearing. The judge may cancel the pretrial hearing if the stipulation is timely filed. In pretrial stipulations and at any pretrial hearing, the parties shall:

(a) State the claims and defenses. Any claims that are ripe, due, and owing, and all available defenses not raised in the pretrial stipulation are waived unless thereafter amended by the judge for good cause shown. State and simplify the issues including bifurcation of compensability;

(b) State each party's position on the date of accident; jurisdiction over the subject matter and over the parties; venue; and timely notice of the pretrial hearing and of the final hearing;

~~(c)(b)~~ No change.

~~(d)(e) Identify Examine and mark all exhibits including (except for impeachment and rebuttal exhibits) for identification;~~

~~(e)(d) Identify Furnish the opposing party with the names, and addresses, and telephone numbers of all witnesses, including (except for impeachment and rebuttal witnesses), and state whether the witnesses identifying those who will testify in person, by telephone, or by deposition;~~

~~(f)(e)~~ No change.

~~(g)(f)~~ No change.

(3) Unless good cause is shown, a party's failure to cooperate in the preparation and filing of a joint pretrial stipulation shall result in the imposition of appropriate sanctions, including, but not limited to, the striking of claims and/or defenses.

(3) through (5) renumbered (4) through (6) No change.

(7) No discovery shall be permitted within 10 days of the final hearing absent prior approval by the judge for good cause shown or by agreement of the parties.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(2)-(4), 440.29(2), 440.33(1), 440.45(1)(a), (4) FS. History--New 2-23-03, Amended 11-1-06,_____.

60Q-6.114 Discovery.

(1) Any party may commence with discovery methods specifically authorized by statute, including depositions, issuance of subpoenas and requests for production prior to or after invoking the jurisdiction of the judge.

(2) No change.

(a) No change.

(b) Approval of the judge is not necessary to take a deposition by telephone. If a deposition is taken by telephone, the oath shall be administered in the physical presence of the witness by a notary public or other person authorized by law to administer oaths, unless the parties stipulate to administration of the oath telephonically.

(3) through (5) No change.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.30, 440.33(1), 440.45(1)(a), (4) FS. History--New 2-23-03, Amended 11-1-06,_____.

60Q-6.115 Motion Practice.

(1) Any request for an order or for other relief shall be by motion and shall have a title describing the relief requested. The judge may treat a non-standard request for relief from an unrepresented party as a motion. All motions shall be in writing unless made on the record during a hearing and shall fully state the relief requested and the grounds relied upon. Any document referenced in any motion shall either have been filed prior to the motion or be attached to the motion.

(2) Except for motions to dismiss for lack of prosecution, prior to filing any motion, the movant shall personally confer with the opposing party or parties or, if represented, their attorneys of record to attempt to amicably resolve the subject matter of the motion. All motions shall include a statement that the movant has personally conferred or has used good-faith efforts to confer with all other parties or, if represented, their attorneys of record and shall state whether any party has an objection to the motion. Any motion filed without this certification shall be summarily denied.

(3) A motion which is unopposed shall state why an order is necessary to execute the parties' agreement and, unless filed electronically, shall be accompanied by a proposed order which

has a title describing the action ~~to be~~ being taken. The motion and proposed order shall specify the relief being requested or ordered in reasonable detail and not merely by reference to any other document.

(4) If the motion has not been amicably resolved, the movant shall file the motion, ~~which shall include a statement as to whether a hearing on the motion is necessary and, if so, the basis for requesting a hearing.~~ When time allows, (The other parties may, within fifteen ~~ten~~ days of service of the written motion, file a response in opposition, which shall include a statement as to whether a hearing on the motion is necessary and, if so, the basis for requesting a hearing. The judge may dispose of written motions without a hearing within ten days following the expiration of the time for service of a response by the other party or parties. If no order is entered within that ten-day period, the movant shall schedule a hearing time with the opposing party or parties or, if represented, their attorneys of record. If no hearing is scheduled within fourteen days following that ten-day period, the request for a hearing is deemed withdrawn. Motion hearings may be conducted either in person or telephonically as the judge deems necessary. Written motions will normally be disposed of after the response is filed or after the response period has expired, based on the motion, together with any supporting or opposing memoranda. The judge shall not hold hearings on motions except in exceptional circumstances and for good cause shown in the motion or response.

(5) Motions for extension of time shall be filed prior to the expiration of the deadline sought to be extended and shall specifically describe the state good cause for the request.

(6) Motions to expedite discovery or the final hearing shall set forth good cause and shall be served by electronic or facsimile transmission, hand delivery, or overnight delivery. Any opposition to the motion must be filed within four days from the date ~~of~~ the motion is served.

Rulemaking Specific Authority 440.25(4)(h), 440.45(1)(a), (4) FS. Law Implemented 440.25(4)(h), 440.45(1)(a), (4) FS. History--New 2-23-03, Amended 11-1-06,_____.

60Q-6.116 Prosecution of Claims and Petitions for Benefits.

(1) A request for a continuance shall be made by motion, ~~and~~ shall specify the reason that the continuance is necessary, and shall demonstrate due diligence by describing the specific actions the moving party has taken to correct the circumstances alleged to be beyond the party's control.

(2) No change.

(3) The judge may conduct any proceedings by telephone conference. Testimony may be taken by telephone with the written agreement of all parties or approval by the judge.

~~(4) In such the event that testimony is taken by telephone,~~ the oath shall be administered in the physical presence of the witness by a notary public or officer authorized to administer oaths, unless the parties stipulate to administration of the oath telephonically by the judge.

(4) The judge may conduct any proceedings using video teleconference equipment approved by the OJCC. In the event that testimony is taken by video teleconference, administration of the oath by the judge is as binding as if the judge and witness were physically present in the same room.

(5) through (6) No change.

(7) No more than 10 days but aAt least two full business days prior to the final hearing, each party is required to file a brief memorandum consisting of a statement of relevant facts and written argument. All depositions and documentary evidence including known impeachment and rebuttal evidence a party intends to offer into evidence shall be filed with the memorandum. In the event of a re-scheduling or continuance, documents timely filed pursuant to this Rule need not be re-filed prior to the re-scheduled or continued hearing. Documentary evidence not timely filed may be excluded from evidence, absent a written stipulation of the parties or an order extending the deadline for filing for good cause shown.

(8) Any party calling a witness in need of translation services shall be responsible to provide therefor. The OJCC will not provide translation services except in exceptional circumstances and upon written request filed with the deputy chief judge at least ten days prior to the mediation or hearing for which such services are sought and for good cause shown.

(9) Appointment of an expert medical advisor, except during the final hearing, shall be sought by written motion. The motion shall specifically state the conflict in medical opinions, identify the providers who rendered those opinions, and state the documentation that memorializes those opinions.

(10) The order appointing an expert medical advisor shall identify the appointed advisor and the conflict to be resolved.

(11) Within ten days of the order appointing an expert medical advisor, the parties shall jointly submit to the appointed advisor a composite of all documents and records which the parties agree the advisor will review. Any party may move for an order to permit submission of additional or non-stipulated records.

(12) The report of an expert medical advisor is admissible in evidence at the final hearing unless excluded by the judge for good cause shown.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(4), 440.29(2), 440.33(1), 440.45(1)(a), (4) FS. History–New 2-23-03, Amended 11-1-06,_____.

60Q-6.117 Emergency Conferences.

(1) A written request for an emergency conference shall be filed ~~with the judge~~ and served by electronic transmission or facsimile on all other parties or, if represented, their attorneys

of record. It shall set forth in detail the facts giving rise to the request, its legal basis, the factual or medical basis for the claim that there is a bona fide emergency involving the health, safety, or welfare of an employee, and the specific relief sought. Any documents relied upon should be specifically referenced or ~~and~~ attached.

(2) After reviewing the merits of the request, the judge may summarily enter an order denying the request for an emergency conference or, after proper notice, conduct an evidentiary hearing to consider the emergency request.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(4)(g), 440.45(1)(a), (4) FS. History–New 2-23-03, Amended 11-1-06,_____.

60Q-6.118 Expedited Hearings.

(1) through (3) No change.

(4) Stipulated Pretrial Outline. At least 15 days before the final hearing, a joint stipulated pretrial outline shall be filed and shall include the following:

(a) through (b) No change.

(c) A list of all exhibits including ~~(except for~~ impeachment and rebuttal exhibits) to be offered at the hearing, noting any objections thereto, and the grounds for each objection, ~~(No~~ additional documentary evidence will be admitted at the hearing);

(d) A list of the names and addresses of all witnesses, including ~~(except for~~ impeachment and rebuttal witnesses), to be called at the hearing by each party, with expert witnesses being so designated, together with a summary of the expected testimony;

(e) through (f) No change.

(g) A composite of all documentary evidence relied upon.

Rulemaking Specific Authority 440.25(4)(i), 440.45(1)(a), (4) FS. Law Implemented 440.25(4)(i), 440.45(1)(a), (4) FS. History–New 2-23-03, Amended 11-1-06,_____.

60Q-6.120 Summary Final Order.

(1) through (2) No change.

(3) The opposing party shall file a response to a motion for summary final order together with supporting depositions, affidavits, and/or other documents within 30 days after ~~of~~ service of the motion for summary final order. The judge shall grant an extension for good cause shown.

(4) through (5) No change.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.25(4)(h), 440.45(1)(a), (4) FS. History–New 2-23-03, Amended 11-1-06,_____.

60Q-6.122 Motion for Re-hearing and Amending or Vacating Order.

(1) through (5) No change.

(6) Notwithstanding subsection 60Q-6.115(4), F.A.C., if the motion for re-hearing is directed to an appealable order, the moving party may schedule a hearing on the motion.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.45(1)(a), (4) FS. History–New 2-23-03, Amended 11-1-06,_____.

60Q-6.123 Settlements Under Section 440.20(11), Florida Statutes.

(1) Settlements under Section 440.20(11)(a) or (b), Florida Statutes F.S., involving unrepresented claimants.

(a) When a joint petition signed by the parties is filed pursuant to Section 440.20(11)(a) or (b), Florida Statutes F.S., it shall be accompanied by:

1. The settlement stipulation executed by any ~~the~~ attorneys of record and the employee or claimant;

2. through 4. No change.

5. A status statement from the Department of Revenue and a status statement from the Clerk of the Circuit and County Courts, Central Depository, from the county in which the claimant resides at the time the settlement documents are filed and the county in which the claimant resided on the date of accident as to whether the claimant has or owes any child support arrearage and, if so, the amount thereof;

6. through 8. No change.

9. For settlements under Section 440.20(11)(a), Florida Statutes F.S., the notice(s) of denial; and

10. For settlements under Section 440.20(11)(b), Florida Statutes F.S., the required notice to the employer, a maximum medical improvement report establishing overall physical maximum medical improvement and psychiatric maximum medical improvement if the latter applies, available information concerning the need for future medical care or an explanation as to why the information cannot be reasonably obtained, and other essential medical information.

(b) through (c) No change.

(d) For settlements under Section 440.20(11)(a), Florida Statutes F.S., and when a hearing is deemed necessary by the judge for settlements under Section 440.20(11)(b), Florida Statutes F.S., the attorney for the employer/carrier shall contact the judge to schedule a hearing date and shall promptly notify the claimant of the hearing date, time, and location.

(2) Settlements under Section 440.20(11)(c), (d), and (e), Florida Statutes F.S.

(a) When a motion for approval of attorney's fees and child support allocation is filed pursuant to Section 440.20(11)(c), (d), or (e), Florida Statutes F.S., it shall be signed by the claimant and the claimant's attorney, furnished to all other parties, and contain:

1. through 5. No change.

6. A status statement from the Department of Revenue and a status statement from the Clerk of the Circuit and County Courts, Central Depository, from the county in which the

claimant resides at the time the settlement documents are filed and the county in which the claimant resided on the date of accident as to whether the claimant has an arrearage or owes past due child support and, if so, the amount thereof; a sworn statement by the employee that all existing child support obligations have been disclosed in the joint petition; and a letter from counsel stating that the carrier will issue a check in the amount of the arrearage and/or past due child support or such other amount to be approved by the judge or that claimant's counsel will deposit the settlement proceeds in a trust account and will issue a check in the amount of the arrearage and/or past due child support or such other amount to be approved by the judge and that the check will be sent to the Department of Revenue or the Clerk of the Circuit and County Courts, Central Depository.

(b) No change.

(3) No change.

(4) The judge shall consider the disclosed costs to the extent necessary to conclude that they do not include the attorney's overhead or other fees.

Rulemaking Specific Authority 61.14(8)(a), 440.45(1)(a), (4) FS. Law Implemented 61.14(8)(a), 440.105(3)(c), 440.20(11), 440.34, 440.345, 440.45(1)(a), (4), (5) FS. History–New 2-23-03, Amended 11-1-06,_____.

60Q-6.124 Payment of Attorney's Fees and Costs Other Than Pursuant to Section 440.20(11), Florida Statutes.

(1) through (3) No change.

(a) No change.

(b) Within 30 days after the motion is served, the opposing party or parties shall file a response to the motion, which includes a detailed recitation of all matters which are disputed in the form outlined in subparagraphs (3)(a)1.-6. Failure to file a timely and specific response to a motion for attorney's fees and costs detailing matters that are disputed shall, absent good cause, result in acceptance of the allegations in the motion as true.

(c) No change.

(d) Unless the judge orders otherwise, the parties shall exchange exhibits and written witness lists no later than 10 days before the date of the attorney's fee hearing.

(e) No change.

(4) No later than ~~September~~ October 1 of each year, all self-insurers, third-party administrators, and carriers shall report by e-JCC electronic transmission to the OJCC the amount of all attorney's fees paid to their defense attorneys in connection with workers' compensation claims during the prior July 1 through June 30 fiscal year.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.32, 440.34, 440.345, 440.45(1)(a), (4), (5) FS. History–New 2-23-03, Amended 11-1-06,_____.

60Q-6.125 Sanctions.

- (1) through (3) No change.
- (4) How Initiated.

(a) A motion for sanctions under this rule shall be made separately from other motions or requests and shall describe the specific conduct alleged to violate subsection (2). It shall be served but shall not be filed ~~with or presented to the judge~~ unless the challenged paper, claim, defense, allegation, or denial is not withdrawn or appropriately corrected within 21 days after service of the motion. If warranted, the judge may award to the party prevailing on the motion the cost of the proceeding and attorney's fees incurred in presenting or opposing the motion.

- (b) No change.
- (5) No change.

(a) A sanction imposed for violation of ~~these~~ these rules shall be limited to what is sufficient to deter repetition of such conduct or comparable conduct by others similarly situated. Penalties, fees, and costs awarded under this provision may not be recouped from the party unless the party has committed the violation.

- (b) No change.
- (6) No change.

Rulemaking Specific Authority 440.45(1)(a), (4) FS. Law Implemented 440.32, 440.33(1), (2), 440.45(1)(a), (4) FS. History--New 2-23-03, Amended 11-1-06, _____.

60Q-6.128 Destruction of Obsolete Records.

- (1) No change.

(2) Recordings of hearings held before a judge shall be destroyed ~~become obsolete~~ two years subsequent to the date of the close of the hearing.

(3) Any forms, documents, reports, duplicate-filed pleadings, or other records filed where this rule chapter specifically provides that filing is not required or requested shall be destroyed ~~by the judge's office~~ upon filing.

Rulemaking Specific Authority 440.44(7), 440.45(1)(a), (4) FS. Law Implemented 440.44(7) FS. History--New 11-1-06, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Judge Linda M. Rigot

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Director and Chief Judge Robert S. Cohen and Deputy Chief Judge of Compensation Claims David W. Langham

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 8, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 28, 2010

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: 61G14-19.001
 RULE TITLE: Percentage of Gross Pilotage Assessed

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the rate the Department assesses the gross amount of pilotage earned.

SUMMARY: The rule amendment will modify the rate the Department assesses the gross amount of pilotage earned.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has been prepared and is available by contacting: Robyn Barineau, Executive Director, at the address listed below. The following is a summary of the SERC:

- There are currently 11 pilot associations in Florida. All pilot associations will be required to comply with this rule amendment.
- State Pilots, Deputy Pilots, and pilot associations will be affected by this rule amendment.
- The only costs to be incurred by the agency are rulemaking costs. No effect on state or local revenue is expected.
- Transactional costs are minimal. The state pilot associations will be required to change their current methodology for computing the gross pilot assessment.
- Pilot associations will be impacted because they will be required to increase their gross Pilotage assessments from 1/10 of one percent to 7/10 of one percent effective October 1, 2010. 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: 310.131, 310.185 FS.

LAW IMPLEMENTED: 310.131 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-19.001 Percentage of Gross Pilotage Assessed.

(1) The Department of Business and Professional Regulation shall assess the pilots in the respective ports of the state ~~one seventh~~ ~~one tenth~~ of one percent ~~(.7%)~~ ~~(.1%)~~ of the gross amount of pilotage earned by said pilots during each year. For the purposes of said assessment, the gross amount of pilotage earned shall be the amount of money collected by each pilot or by each entity of which the pilot is a member for

piloting which shall include and not be limited to payment for piloting vessels to and from ports of this state, docking or undocking vessels, shifting vessels, running lines, delivering orders at sea, cancelled orders, boat service, detention, pilots being carried to sea, anchoring vessels, and any other related services rendered. Funds collected due under this are to be made payable to the Board and paid by the fifteenth of the following month. When received, the funds are paid into the Professional Regulation Trust Fund as created within the Department.

(2) No change.

THIS RULE SHALL TAKE EFFECT OCTOBER 1, 2010.

Rulemaking Authority 310.131, 310.185 FS. Law Implemented 310.131 FS. History--New 2-5-76, Amended 1-19-77, 1-1-78, 12-7-78, 11-1-81, 6-8-82, 8-9-82, 7-31-83, Formerly 21SS-3.01, Amended 5-30-89, 2-19-90, 12-30-91, 12-2-92, Formerly 21SS-3.001, 21SS-19.001, Amended 3-20-94, 1-5-95, 1-30-96, 3-17-96, 11-21-96, 8-25-97, 1-26-99, 1-31-01, 8-1-02, 7-8-03, 2-17-05, 10-2-05, 2-1-06, 5-1-06, 7-1-06, 1-1-07, 8-1-07, 12-16-07, 7-1-08, 7-30-09, 12-31-09, 10-1-10.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pilot Commissioners

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 9, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 21, 2010

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NOS.:	RULE TITLES:
61J2-3.011	Continuing Education for School Instructors
61J2-3.015	Notices of Satisfactory Course Completion

PURPOSE AND EFFECT: Rules 61J2-3.011 and 61J2-3.015, F.A.C., the purpose for amending these rules are to delete redundant language and clarify existing language.

SUMMARY: Rule 61J2-3.011, F.A.C., the propose amendment is to clarify that an attorney qualified under Section 475.451, F.S., is exempt from continuing education requirements for school instructors. Rule 61J2-3.015, F.A.C., the proposed amendment to this rule will eliminate the requirement of submitting a complete Social Security number upon the completion of a pre-licensing course for Sales Associate or Broker.

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: 455.2123, 475.05 FS.

LAW IMPLEMENTED: 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451, (2), (c) 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULES IS:

61J2-3.011 Continuing Education for School Instructors.

(1) ~~Any~~ ~~all~~ persons holding a "school instructor" permits shall recertify ~~their~~ competency during each permit period by satisfactorily completing 7 classroom hours of instruction and/or instructional techniques as prescribed and conducted by the Commission. A school instructor is not required to complete the 7 hours of recertification education as a condition for initial permit renewal if the time between the effective date on the initial permit as an instructor and the beginning of the initial renewal permit is less than 12 months. Of the required 7 classroom hours, up to 3 hours may be applied toward the continuing education core law requirement for licensure pursuant to Rule 61J2-3.009, F.A.C.

(2) ~~Satisfactory completion of the 7 classroom hour seminar is demonstrated by attending all 7 classroom hours of instruction.~~ Satisfactory completion of these courses will not entitle any person to renew a permit as a school instructor until such person has met all other requirements of law.

(3) The continuing education requirements for school instructors do not apply with respect to any attorney who is otherwise qualified under the provisions of Section 475.451, F.S.

Rulemaking Specific Authority 455.2123, 475.05 FS. Law Implemented 455.2123, 475.451, (2), (c) FS. History--New 7-28-80, Amended 8-24-80, 1-3-84, Formerly 21V-3.11, Amended 7-25-90, 7-20-93, Formerly 21V-3.011, Amended 12-30-97, 1-18-00, 9-17-00, 2-4-04,_____.

61J2-3.015 Notices of Satisfactory Course Completion

(1) through (5) No change.

(6) The course completion reports shall contain the following information for the type of course being completed.

(a) Pre-licensing Course for Sales Associate.

Name of School

Address of School

Course Title: Course I

Start Date

Finish Date
 Exam Date
Last 5 digits of Social Security Number
 Student Name
 Student Address
 Authorized Signature for the School
 (b) Pre-licensing Course for Broker.
 Name of School
 Address of School
 Course Title: Course II
 Start Date
 Finish Date
 Exam Date
 Sales Associate License Number
Last 5 digits of Social Security Number
 Student Name
 Student Address
 Authorized Signature for the School
 (c) through (f) No change.

Rulemaking Specific Authority 455.2123, 475.05 FS. Law Implemented 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 FS. History–New 1-1-80, Amended 8-24-80, 9-16-84, Formerly 21V-3.15, Amended 10-13-88, 12-29-91, 6-7-92, 6-28-93, Formerly 21V-3.015, Amended 9-11-94, 12-30-97, 1-18-00, 10-15-00, 11-16-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Florida Real Estate Commission
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 20, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Rule 61J2-3.011 – July 9, 2009 and Rule 61J2-3.015 – April 9, 2010

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
Division of Medical Quality Assurance
 RULE NO.: 64B-3.001 RULE TITLE: Definitions
 PURPOSE AND EFFECT: The Department determined that it is important to define the terms “current mailing address” and “place of practice” for its applicants and licensees.

SUMMARY: Current mailing address means an address acceptable to the postal service where notices may be served and place of practice means the primary place of practice for those licensees who are practicing.

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

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

RULEMAKING AUTHORITY: 456.035, 458.331(1)(m), 459.015 FS.

LAW IMPLEMENTED: 456.035, 458.331(1)(m), 459.015 FS. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lola Pouncey, Bureau Chief, Bureau of Operations, 4052 Bald Cypress Way, Bin #C10, Tallahassee, Florida 32399-3260

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B-3.001 Definitions.
- (1) No change.
- (2) “Current Mailing Address” means an address acceptable to the United States postal service where the licensee shall be served with notices pertaining to licensure.
- (3) “Place of Practice” means the street address of the primary place of practice for those licensees who are practicing.

Rulemaking Specific Authority 456.035, 458.331(1)(m), 459.015 FS. Law Implemented 456.035, 458.331(1)(m), 459.015 FS. History–New 9-29-98, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Lola Pouncey
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ana M. Viamonte Ros, M.D. M.P.H.
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 9, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 11, 2010

DEPARTMENT OF HEALTH
Board of Dentistry
 RULE NO.: 64B5-2.0142 RULE TITLE: Application for Health Access Dental License

PURPOSE AND EFFECT: The Board proposes to promulgate and adopt the new rule to clarify procedures for applying for a Health Access Dental License and to provide the web address where the form can be located.

SUMMARY: The new rule will clarify procedures for applying for a Health Access Dental License and to provide the web address where the form can be located.

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

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

RULEMAKING AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 466.0067 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: Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0142 Application for Health Access Dental License.

Any person wishing to be issued a Health Access Dental License shall apply to the Board of Dentistry. The application shall be made on the Application for Health Access Dental License form #DH-MQA 1154 (Rev. 10/09) hereby adopted and incorporated by reference, and can be obtained from the Board of Dentistry's website at <http://www.doh.state.fl.us/mqa/dentistry/>.

Rulemaking Authority 466.004 FS. Law Implemented 466.0067 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 18, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 25, 2010

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-12.009 **RULE TITLE:** Osteopathic Faculty Certificate

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised application for an Osteopathic Medical Faculty Certificate in the Board's rule.

SUMMARY: The proposed rule amendment incorporates the revised form for an Osteopathic Medical Faculty Certificate in the Board's rule.

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

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

RULEMAKING AUTHORITY: 459.005, 459.0077 FS.

LAW IMPLEMENTED: 459.0077 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: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-12.009 Osteopathic Faculty Certificate.

(1) An Osteopathic Faculty Certificate may be issued by the Department to a faculty member of a school accredited by the American Osteopathic Association upon the request of the dean of the school if the faculty member has demonstrated to the Board that:

(a) through (b) No change.

(c) Files an application on board approved application form, DH-MQA 1193 (Revised 5/10 ~~4/09~~), Application for Osteopathic Medical Faculty Certificate, which is hereby incorporated by reference, and may be obtained from the Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256 or by web at: www.doh.state.fl.us/mqa/osteopath/index.html, and otherwise meets the requirements contained in Section 459.0055, F.S.; and

(d) No change.

(2) through (3) No change.

Rulemaking Authority 459.005, 459.0077 FS. Law Implemented 459.0077 FS. History--New 2-26-02, Amended 6-28-09, 3-11-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Osteopathic Medicine
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Osteopathic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: May 14, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 25, 2010

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 6, February 12, 2010 issue of the Florida Administrative Weekly.

6A-6.0788 Notice Requirements for Charter School Performance Data.

(1) The following provisions have been established to administer the notice requirements of Section 1002.33(21)(b), Florida Statutes, and apply only to charter schools that serve at least ten (10) students who are tested on the statewide assessment test pursuant to Section 1008.22, Florida Statutes, and do not receive a school grade pursuant to Section 1008.34(3)(c), Florida Statutes, or a school improvement rating pursuant to Section 1008.341(3), Florida Statutes.

(1) Distribution of student assessment data.

(a) Department of Education duties. The Department of Education shall annually report student assessment data pursuant to Section 1002.34(3)(e), Florida Statutes, for charter schools that do not receive a school grade or school improvement rating and serve at least ten (10) students who are tested on the statewide assessment test through the individual School Accountability Reports accessible on the Department's web site at <http://schoolgrades.fldoe.org>. The data for a school grading component shall be suppressed in cases where the number of students tested is less than ten (10). The Department shall notify applicable charter schools that the student assessment data is available within ten (10) days of its posting.

(2) The Department shall notify charter schools when student assessment data pursuant to Sections 1008.34(3)(c) and 1008.341(3), Florida Statutes, is made available.

(3) The Department shall notify charter schools when comparison data pursuant to Section 1002.33(21)(b)3.a., Florida Statutes, is available.

(4)(b) Charter schools duties. The charter school shall report the student assessment data referenced in subsection (2) of this rule to the required recipients no later than thirty (30) days after receipt of notification that the data is available in the charter school's School Accountability Report. The data shall be provided in writing on school letterhead to each parent of a student at the charter school, the parent of a child on a waiting list for the charter school, the district in which the charter school is located, and the charter school's governing board, and shall include, as applicable: the percentage of students meeting high standards in reading, math, writing, and science; the percentage of students making learning gains in reading and math; the percentage of the lowest performing twenty-five (25) percent of students making learning gains in reading and math; and the percentage of students tested. The charter school is required to report the student assessment data to the required recipients no later than thirty (30) days after receipt of notification by the Department that the student assessment data is available.

Section III

Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-1.09401 Student Performance Standards

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. 36, No. 26, July 2, 2010 issue of the Florida Administrative Weekly.

Paragraphs (1)(a) and (b) are amended to change the title of the standards as incorporated by reference.

(1)(a) Next Generation ~~Common Core~~ Sunshine State Standards (Common Core) – Reading and Language Arts, 2010 July 2007,

(b) Next Generation ~~Common Core~~ Sunshine State Standards (Common Core) – Mathematics, 2010 2008,

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-6.0212 Performance-Based Exit Option
Model and State of Florida High
School Performance-Based
Diploma

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 20, May 21, 2010 issue of the Florida Administrative Weekly. As originally advertised the rule was noticed with the number 6A-6.0211. The rule has been renumbered as Rule 6A-6.0212, F.A.C., as shown above.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-6.0788 Notice Requirements for Charter
School Performance Data

~~(2) Comparison of charter school student assessment data.~~

~~(a) Department of Education duties. Annually, following the release of school grades, the Department of Education shall provide district-level performance data for traditional public school students and state-level performance data for charter school students. The Department shall also provide state-level performance data for students in alternative public (non-charter) schools in the state. This data shall be provided in the grade groupings 3-5, 6-8, and 9-11, and posted on the Department's school grades web site at <http://schoolgrades.fldoe.org>, in a downloadable, Excel file format. The data for any component where the number of students is less than ten (10) shall be suppressed. The Department shall notify applicable charter schools that the performance data is available within ten (10) days of its posting.~~

~~(b) Charter school duties.~~

~~1. A traditional charter school shall provide data comparing the charter school's performance to state-level and district-level performance. Such data shall be posted in a prominent place at the charter school's physical location, and shall include data from the charter school's School Accountability Report, compared to state-level performance data for all charter school students and the district-level student performance data for traditional public schools in the district where the charter school is located. If the charter school maintains a web site, the comparison data shall also be posted in a prominent place on the web site. The information must remain posted throughout the school year following the availability of the data.~~

~~2. An alternative charter school shall provide data comparing the charter school's performance to state-level student performance. Such data shall be posted in a prominent place at the charter school's physical location, and shall include data from the charter school's School Accountability Report, compared to state-level student performance data for all alternative charter schools in the state. If the alternative charter school maintains a web site, the comparison data shall also be posted in a prominent place on the web site. The information must remain posted throughout the school year following the availability of the data.~~

(5) Charter schools shall provide the data comparing their charter school student assessment data with the aggregated student assessment data of the traditional public schools within their district and the aggregated student assessment data of the charter schools statewide to the public at large by posting comparison data in a prominent place on its school site. Alternative charter schools shall provide the data comparing their charter school student assessment data with the aggregated student assessment data of all alternative schools in the state to the public at large by posting the comparison data in a prominent place on its school site. If the charter school maintains an Internet web site, the comparison data shall also

be posted in a prominent place on the web site. In accordance with Section 1002.33(21)(b)3., Florida Statutes, all comparison data posted in accordance with this rule shall be provided by the following grade groupings: 3 through 5, 6 through 8, and 9 through 11. The charter school shall post the comparison data no later than thirty (30) days after the receipt of the notification by the Department that the comparison data is available. The comparison data must remain posted throughout the school year following the availability of the data.

Rulemaking Authority 1002.33(21), (26) FS. Law Implemented 1002.33(21) FS. History--New_____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:
59G-9.070

RULE TITLE:
Administrative Sanctions on
Providers, Entities, and Persons
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. 36, No. 18, May 7, 2010 issue of the Florida Administrative Weekly.

59G-9.070 Administrative Sanctions on Providers, Entities, and Persons.

(1) No change.

(2) APPLYING AND REPORTING SANCTIONS: Notice of the application of sanctions will be by way of written correspondence and the final notice shall be the point of entry for administrative proceedings pursuant to Chapter 120, F.S. Satisfaction of an overpayment following a preliminary audit report will not avoid the application of sanctions at a final audit report unless the Agency offers amnesty pursuant to Section 409.9132(25)(e), F.S. The Agency shall report all sanctions imposed upon any provider, entity, or person, or any principal, officer, director, agent, managing employee, or affiliated person of a provider who is regulated by another state entity, regardless of whether enrolled in the Medicaid program, to that other state entity. Sanctions are imposed upon the Final Order being filed with the Agency Clerk.

(3) DEFINITIONS:

(a) through (g) No change.

(h) "Offense" means the occurrence of one or more violations as set forth in a final audit report. For purposes of the progressive nature of sanctions under this rule, offenses are

characterized as “first”, “second”, “third”, or “subsequent” offenses; subsequent offenses are any occurrences after a third offense.

(i) through (q)1. No change.

2. For purposes of ~~determining deterring~~ first, second, third or subsequent offenses under this rule, prior Agency actions during the preceding five years will be counted where the provider, entity, or person was deemed to have committed the same violation.

3. No change.

4. For purposes of determining a violation regarding including an unallowed cost in a cost report (paragraph (7)(k) and Section 409.913(15)(k), F.S.), ~~a violation has not occurred~~ if the unallowed cost or costs are the subject of an administrative hearing pursuant to Chapter 120, F.S.; inclusion of the unallowed cost or costs in a cost report is not a violation until the conclusion of the administrative proceedings.

5. through 6. No change.

(4) LIMITS ON SANCTIONS:

(a) through (c) No change.

(d) Where the audit report does not include an overpayment determination, it only applies a sanction, and where a fine is assessed for violations that are a “first offense” as set forth in this rule, the cumulative amount of the fine shall not exceed \$20,000; where the violations are a “second offense” as set forth in this rule, the cumulative amount of the fine shall not exceed \$50,000; where the violations are a “third or subsequent offense” as set forth in this rule, there are no limits on the cumulative amount of the fine to be applied.

(e) through (5) No change.

(6) ADDITIONAL REQUIREMENTS REGARDING SUSPENSION AND TERMINATION:

(a) For purposes of this rule a “suspension” precludes participation for one year, or such shorter period of time as is set forth in this rule. The suspension period begins from the date of the Final Order that imposes the Agency action ~~unless the suspension is an “immediate suspension”. An immediate suspension period begins from the date of notice of the suspension.~~

1. through (b)1. No change.

(7) SANCTIONS: In addition to the recoupment of the overpayment, if any, the Agency will impose sanctions as outlined in this subsection. Except when the Secretary of the Agency determines not to impose a sanction, pursuant to Section 409.913(16)(j), F.S., sanctions shall be imposed as follows:

(a) A required license is not renewed, or is revoked, suspended, or terminated: For a first offense of suspension, ~~an immediate~~ suspension for the duration of the licensure suspension; for all other violations, including suspension after a first offense, termination. [Section 409.913(15)(a), F.S.];

(b) through (j) No change.

(k) For; including costs in a cost report that are not authorized under the Medicaid state plan or that were disallowed during the audit process, after having been advised that the costs were not allowable: For a first offense, \$5,000 fine; however, if after 30 days the violation continues, suspension and \$1,000 fine per day that the violation continues. For a second offense \$5,000 fine; however, if after 30 days the violation continues, suspension and \$5,000 fine per day that the violation continues. For a third and subsequent offense, termination. [Section 409.913(15)(k), F.S.];

(l) For being charged by information or indictment with fraudulent billing practices ~~specified actions~~: Immediate suspension for the duration of the indictment and, if convicted, termination. [Section 409.913(15)(l), F.S.];

(m) through (8)(a) No change.

(9) Section and chart deleted.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: 61A-1.01028
 RULE TITLE: Recordkeeping

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. 36, No. 14, April 9, 2010 issue of the Florida Administrative Weekly.

61A-1.01028 Recordkeeping.

(1) Industry members must keep of all product displays, equipment and supplies, participation in retailer association activities, the acquisition or production cost and selling cost of specialties or any items given, sold, or loaned to vendors, or any other form of assistance limited as to quantity, frequency, or value by Rules 61A-1.010 through 61A-1.0108, F.A.C., or Section 561.42, F.S. These records must be maintained for three years on the industry member’s licensed premises or other location so long as the division is notified in writing prior to the use of that location. The division must also be notified in writing of any change in location. The records may be in any format so long as they are available and legible to division personnel when the records are requested for review. A copy of any record produced in compliance with this rule shall be given to the vendor. The copy shall be in a format accessible and readable by the vendor, i.e. not provided in an electronic format that would require proprietary software unavailable to the vendor. These records must show:

- (a) The name and address of the vendor, vendor’s employee or agent receiving the assistance;
- (b) The vendor’s license number;
- (c) The date furnished, given, rented, loaned, or sold;
- (d) The description and quantity of assistance furnished, given, rented, loaned, or sold;

(e) The cost of the industry member’s assistance determined by the original purchaser’s invoice price. This information is not required if no value restrictions exist;

(f) The charges to the vendor for the assistance, if any; and

(g) The name, license number, and address of the industry member providing the credit, cash, or other form of assistance as described in subsection 61A-1.010(1), F.A.C.

(2) Pursuant to Section 561.42(8), F.S., vendors shall keep ~~and maintain~~ any record provided to the vendor under subsection (1) of this rule ~~for a three year period~~ on their licensed premises, ~~or other division approved location~~, of any credits, or any other form of assistance, as described in Rule 61A-1.010(1), F.A.C, limited as to quantity, frequency, or value by Rules 61A-1.010 through 61A-1.0108, F.A.C., or Section 561.42, F.S. These records must be maintained for three years on the vendor’s licensed premises or other location so long as the division is notified in writing prior to the use of that location. The division must also be notified in writing of any change in location.

These records must show:

(a) The name and address of the industry member providing the credit, cash, or other form of assistance as described in subsection 61A-1.010(1), F.A.C.

(b) A description of the form of assistance received and quantity received, if applicable.

Rulemaking Authority 561.11, 561.42 FS. Law Implemented 561.08, 561.42 FS. History—New_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NOS.:	RULE TITLES:
61G15-31.001	General Responsibility
61G15-31.003	Design of Structures Utilizing Pre-Engineered Wood Trusses
61G15-31.007	Design of Pre-Engineered Structures

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. 45, November 13, 2009 issue of the Florida Administrative Weekly.

The changes are in response to concerns by the Joint Administrative Procedures Committee in a letter dated December 16, 2009. The change is as follows:

Rule 61G15-31.001, line twelve, sixth sentence, shall read as: ...documents of the delegated engineer for conformance with his written instructions in accordance with Rule 61G15-30.005, F.A.C. When information collected by the engineer or the engineer’s authorized representative from a site visit is part of the engineer’s deliberative process, the engineer is responsible for the accuracy of such information.

Rule 61G15-31.003 shall read as:

61G15-31.003 Design of Structures Utilizing ~~Pre-Engineered Prefabricated~~ Wood Trusses.

61G15-31.003(2)(a) shall read as:

(2) The Engineer of Record and the Truss Design Engineer shall have additional responsibilities as follows:

(a) The Engineer of Record shall provide written design requirements to the Delegated Engineer and shall review the engineering documents of the Delegated Engineer for conformance with these design requirements in accordance with Rule 61G15-30.005, F.A.C.

Rule 61G15-31.003(3) shall read as:

(3) The Engineer of Record may delegate the truss system as authorized by Rules 61G15-30.005 and 61G15-30.006, F.A.C. In the absence of an applicable national consensus standard describing the division of responsibilities for truss system design this rule does not specify all the responsibilities that the design parties may have. The practice and engineering documents of the Engineer of Record and the delegated engineer shall conform to the requirements set forth above for truss design and shall adhere to sound engineering practice.

Rule 61G15-31.007(2) shall read as:

(2)(4) Structural engineering documents prepared by the engineer of record for pre-engineered structures shall reflect the design criteria for the metal building system as required in subsection 61G15-31.002(5), F.A.C. indicate the necessary measures for adapting the structures to the specific site. They shall indicate all openings, concentrated loads and other special requirements. Foundation conditions assumed in the design shall be indicated as well as the location and magnitude of building reactions on that foundation under all design conditions.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Board of Cosmetology, P. O. Box 5377, Tallahassee, Florida 32399-5377

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.:	RULE TITLE:
61G15-31.011	Design of Aluminum Structures

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. 45, November 13, 2009 issue of the Florida Administrative Weekly.

The changes are in response to concerns by the Joint Administrative Procedures Committee in letters dated December 16, 2009 and May 21, 2010. The change is as follows:

Rule 61G15-31.011(1) shall read as:

(1) These rules apply when an engineer is required to prepare signed, sealed and dated engineering documents for the design of an aluminum structure, but shall not be construed to require that site-specific plans or specifications be prepared, signed or sealed by a professional engineer for structures described or designed in accordance with Section 489.113(9), Florida Statutes.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Board of Cosmetology, P. O. Box 5377, Tallahassee, Florida 32399-5377

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-346.010	Policy and Purpose
62-346.030	Definitions
62-346.050	Permits Required
62-346.051	Exemptions from Permitting
62-346.070	Procedures to Prepare Applications and Notices for Permits and to Request Verification for an Exemption
62-346.071	Fees
62-346.080	Submittal of Applications and Notices for Permits and Petitions for Formal Determinations to Department and NFWFMD Offices
62-346.090	Processing of Notices and Applications
62-346.091	Documents Incorporated by Reference
62-346.095	Operation, Maintenance, and Inspections
62-346.100	Modification of Permits
62-346.110	Duration of Permits
62-346.130	Transfer of Ownership
62-346.140	Suspension and Revocation
62-346.301	Conditions for Issuance of Individual Permits
62-346.302	Additional Conditions for Issuance of Individual and Conceptual Approval Permits
62-346.381	General and Special Limiting Conditions

62-346.451	Emergency Authorizations and Actions
62-346.900	Environmental Resource Permit Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 20, May 22, 2009 issue of the Florida Administrative Weekly.

The forms that are adopted and incorporated by reference for use in Chapter 62-346, F.A.C., have been amended to reflect the corresponding rule changes shown below. Appendix C of the Applicant's Handbook Volume I was amended to list and contain forms 62-346.900(12) through (17), which are incorporated by reference in paragraphs 62-346.900(4)(a) through (f), F.A.C., and which were previously contained in Appendix E of the Handbook; Appendix E and references to it have been stricken. The Joint Application has been revised to reflect the fee structure as it has been amended in Rule 62-346.071, F.A.C., as well as to correct other minor errors. Form 62-346.900(7) was significantly revised to reflect revisions to Rule 62-346.100, F.A.C., specifically reflecting that the form is applicable for permit transfers for activities that are in the construction phase, and adding information to reflect that the transferee recognizes that they will remain liable for compliance with the terms and conditions of the permit, and may be liable for any corrective actions required as a result of any violations of the permit prior to the approval of the modification by the Department. The form also has been amended to reflect that transferee must certify that they have sufficient real property interest or control in the land in accordance with subsection 62-346.070(3), F.A.C.; and agrees to: accept all rights and obligations as permittee, including agreeing to be liable for compliance with all of the permit terms and conditions; be liable for any corrective actions required as a result of any violations of the permit after approval of the transfer by the Department; and demonstrate that they have the ability to provide for the operation and maintenance of the system for its expected life in accordance with subsection 62-346.095(4), F.A.C.

In addition, the Department has responded to questions from the Joint Administrative Procedures Committee regarding the Statement of Estimated Costs for this rulemaking. The Department provided more specific estimates regarding each component required by Section 120.541, F.S., and updated its estimates to reflect the current economic conditions in Northwest Florida. A copy may be obtained by contacting Mary VanTassel, Office of Submerged Lands and Environmental Resources, 2600 Blair Stone Road – MS 2500, Tallahassee, FL 32399-2400; telephone (850)245-8486; facsimile (850)245-8499; or e-mail Mary.VanTassel@dep.state.fl.us.

62-346.010 Policy and Purpose.

This rule provides the requirements for processing environmental resource permits, under Section 373.4145, F.S., and for obtaining formal determinations of the landward extent of wetlands and surface waters under Chapter 62-340, F.A.C., within the geographical jurisdiction of the Northwest Florida Water Management District (NFWFMD or District). This rule does not preclude the application of any other permit requirements or procedures in other chapters of Title 62, F.A.C. The requirements of this chapter are in addition to and not in lieu of the requirements specified in the “Department of Environmental Protection and Northwest Florida Water Management District Environmental Resource Permit Applicant’s Handbook Volumes I and II (General and Environmental),” including Appendices A, C, and E through G, but excluding Appendices B and D, effective [Effective Date], which is hereby incorporated by reference, the “Department of Environmental Protection and Northwest Florida Water Management District Environmental Resource Permit Applicant’s Handbook – Volume II (Design Requirements for Stormwater Treatment and Management Systems – Water Quality and Water Quantity),” including Appendices A and B, effective [Effective Date], which is hereby incorporated by reference in Rule 62-346.091, or Chapter 62-341, F.A.C. Unless otherwise specified in this Chapter, “Department” means the Department of Environmental Protection. However, when implemented by the NFWFMD, the term “Department” means “Northwest Florida Water Management District.”

Rulemaking Specific Authority 373.026(7), 373.043, 373.118, 373.418, 373.4145, 403.805(1) FS. Law Implemented 373.409, 373.413, 373.414(9), 373.4141, 373.4142, 373.4145, 373.416, 373.423, 373.426, 373.428, 373.429 FS. History—New 10-1-07, Amended _____.

62-346.030 Definitions.

Except as otherwise defined in this chapter or in the Applicant’s Handbook, the definitions in Rules 62-4.020, 62-340.200, and 62-341.021, F.A.C., and the following definitions apply to this chapter and to Applicant’s Handbook Volumes I and II.:

(1) through (15) No change.

(16) “Endangered species” means those animal species that are listed in Rule 68A-27.003 (as amended December 16, 2003), F.A.C., and those plant species that are listed as endangered in 50 Code of Federal Regulations 17.12 (as amended April 8, 2004), when such plants are found to be located in a wetland or other surface water).

(17) through (23) No change.

(24) “Isolated wetland” means any area that is determined to be a wetland in accordance with Chapter 62-340, F.A.C., but that does not have any connection via wetlands or other surface waters, including excavated waterbodies or a series of excavated waterbodies, to the landward extent of any of the following waters:

(a) through (e) No change.

(f) The waters as defined in Sections 403.031(13), excluding paragraphs (a) and (b), F.S.;

(g) No change.

(25) through (32) No change.

(33) “Operating Agreement” refers to the “Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., Between Northwest Florida Water Management District and Department of Environmental Protection,” which is hereby incorporated by reference in Rule 62-346.091, F.A.C. A copy of the Operating Agreement is contained in Appendix A of Applicant’s Handbook Volume I <http://www.dep.state.fl.us/water/wetlands/erp/rules/guide.htm>.

(34) through (61) No change.

62-346.050 Permits Required.

(1) An individual permit under this chapter must be obtained from the Department prior to the construction, alteration, operation, maintenance or repair (excluding routine custodial maintenance), abandonment, or removal of any surface water management system, unless the activity:

(a) Qualifies for an exemption under Section 373.406, 373.4145(3), or 403.813(1), F.S., or Rule 62-346.051, F.A.C., or a noticed general permit under Chapter 62-341, F.A.C. This includes all applications for conceptual approval permits. However, the establishment of a mitigation bank under Chapter 62-342, F.A.C., shall not require a permit under this chapter; or

(b) Meets the following thresholds and criteria and is not part of a larger common plan of development or ownership:

1. through 5. No change.

6. The system does not cause any of the following:

a. through d. No change.

e. Adverse secondary or cumulative impacts to the water resources;-

7. No change.

(c) Is an agricultural or forestry surface water management system regulated under Rules 40A-44.041, .051, or .052, F.A.C., which will continue to be regulated under Chapter 40A-44, F.A.C.; or

(d) Meets the provisions of Section 373.4145(6), F.S.

(2) through (4) No change.

62-346.051 Exemptions from Permitting.

(1) through (3) No change.

(4) Bridges, Driveways, and Roadways.

(a) No change.

(b) The construction or maintenance of culverted driveway or roadway crossings and bridges of wholly artificial, non-navigable drainage conveyances, provided that:

1. through 9. No change.

10. The person performing the exempt activity must implement measures for erosion and pollution control using best management practices, including turbidity curtains or

similar devices and other site specific practices, in strict adherence to “The Florida Stormwater, Erosion, and Sediment Control Inspector’s Manual” (Florida Department of Environmental Protection and Florida Department of Transportation, Sixth Impression, April 2006), which is hereby adopted and incorporated by reference, the “State of Florida Erosion and Sediment Control Designer and Reviewer Manual” (HydroDynamics Incorporated in cooperation with Stormwater Management Academy, June 2007), which is hereby adopted and incorporated by reference, and the Florida Department of Transportation’s “Standard Specifications for Road and Bridge Construction,(2007),” which is hereby adopted and incorporated by reference, to prevent violations of state water quality standards. Temporary erosion control measures must be implemented prior to and during construction, and permanent erosion control measures for all exposed soils must be completed within seven calendar days of the most recent construction activity. Information on how a copy of how these materials may be obtained is contained in subsection 62-346.091(2), F.A.C.;

11. through 14. No change.

(c) through (d) No change.

(5) through (13) No change.

(14) Seawall, and Riprap, and Other Shore Stabilization – Construction, Restoration, Enhancement, and Repair.

(a) through (d) No change.

(e) The restoration of an eroding shoreline of 150 feet or less by planting with native wetland vegetation no more than 10 feet waterward of the approximate mean high water line (MHWL), in accordance with the following:

1. Plantings shall consist of native vegetative species such as salt meadow hay (*Spartina patens*), black needle rush (*Juncus roemarianus*), and smooth cordgrass (*Spartina alterniflora*), obtained from commercially-grown stock that is endemic to the geographic area of the Northwest Florida Water Management District.

2. Any invasive/exotic vegetative species that may occur along the shoreline, such as common reed (*Phragmites australis*), shall be removed in conjunction with the planting.

3. If wave attenuation is needed to protect and ensure survivability of the plantings, turbidity curtains shall be installed immediately waterward of and parallel to the planting area, but must be removed within three months after completion of vegetation planting.

4. No filling by anything other than vegetative planting is authorized, except that if permanent wave attenuation is required to maintain shoreline vegetation, an oyster reef “breakwater” is authorized to be established concurrent with the planting, provided that:

a. The outer edge of the “breakwater” shall extend no more than 10 feet waterward of the approximate MHWL.

b. The “breakwater” shall be composed predominantly of natural oyster shell cultch such as clean oyster shell and fossilized oyster shell, although unconsolidated boulders, rocks, and clean concrete rubble can be associated with the oyster material. Oyster shell may be packaged in biodegradable bags (i.e. coir fiber) prior to placement in the water.

c. The “breakwater” shall not be placed over, or within 3 feet (in any direction) of any submerged grassbed or existing emergent marsh vegetation.

d. The “breakwater” shall be placed in units so that there is a minimum of three feet of tidal channel within every 20 feet of structure, so as to not substantially impede the flow of water, and shall not create a navigational hazard.

e. All equipment used during construction shall be operated from, and be stored in uplands.

(15) through (18) No change.

Rulemaking Specific Authority 373.026(7), 373.043, 373.4145, 403.805(1) FS. Law Implemented 373.406, 373.4145, 403.813(1)(2) FS. History–New 10-1-07, Amended _____.

62-346.070 Procedures to Prepare Applications and Notices for Permits, Water Quality Certification, Coastal Zone Consistency Concurrence, and to Request Verification of Qualification for an Exemption.

(1) No change.

(2) Applications and notices shall be prepared as follows:

(a) Applications for individual permits shall be made on Form 62-346.900(1), “Joint Application for Environmental Resource Permit/Authorization to Use State-Owned Submerged Lands/Federal Dredge and Fill in Northwest Florida,” [effective date] incorporated by reference herein. Information on how a copy of this form may be obtained is contained in Rule 62-346.900, F.A.C.

1. through 2. No change.

(b) No change.

(c) Requests for verification of an exemption under this chapter must be made either by submitting Form 62-346.900(11) – “Request for Verification of an Exemption,” [effective date], which is hereby adopted and incorporated by reference, or by submitting an alternative written request such as by letter or e-mail. Information on how a copy of this form may be obtained is contained in Rule 62-346.900, F.A.C. Exemption verification requests to the NFWFMD can be submitted through their Internet site. All requests for verification of an exemption must contain location map(s) of sufficient detail to allow someone who is unfamiliar with the site to travel to and locate the specific site of the activity; the fee required by Rule 62-346.071(1)(1), F.A.C., two sets of plans and drawings, calculations, environmental information, and other supporting documents that clearly and legibly depict and describe the proposed activities in detail sufficient to demonstrate compliance with the terms, conditions, and

limitations of the exemption; and identification (by number or description) to the rule or statutory exemption sought. If the request is by letter or e-mail, it must also include or be followed up within 10 days of submittal of the request with an original authorization signed by the property owner that authorizes Department staff to inspect the property for qualification for the exemption. In the case of e-mail requests, the fee required above must also be received by the Department within 10 days of submittal of the request. Self-certification of a private, single-family dock to the Department is available through the Department’s Internet site at: <http://portal.dep.state.fl.us> ~~<http://approd.dep.state.fl.us/crppa/>~~.

(3)(a) No change.

(b) When the real property interest is a lease, applicants must provide reasonable assurance that the system ~~to will~~ be constructed or altered, ~~and~~ will be operated and maintained in accordance with the permit for the expected life of the system through such means as:

1. through 4. No change.

(c) through (d) No change.

(4) through (9) No change.

62-346.071 Fees.

(1) The fee required for the type of permit as provided in this chapter is as follows. The highest fee shall apply whenever an activity meets the criteria for more than one fee category. For purposes of determining the applicable fee, the size of the area of any proposed mitigation shall not be considered as part of the project area.

(a) Individual (including conceptual approval) permit, other than for a mitigation bank, that involves the following amount of dredging, filling, construction, or alteration in, on or over wetlands and other surface waters — the highest fee shall apply whenever an activity meets the criteria for more than one fee category in subparagraph (1)(a)1. through (1)(l), below:

- 1. Greater than or equal to ~~10~~ ~~100~~ acres ~~\$11,220~~ ~~\$14,020~~
- ~~2. Less than 100 acres and greater than or equal to 50 acres~~ ~~\$11,220~~
- ~~3. Less than 50 acres and greater than or equal to 10 acres~~ ~~\$9,120~~
- ~~2.4~~-Less than 10 acres and greater than or equal to 5 acres ~~\$7,510~~ ~~\$7,710~~
- ~~3.5~~- Less than 5 acres and greater than or equal to 2 acres ~~\$4,340~~ ~~\$5,610~~
- ~~4.6~~- Less than 2 acres and greater than or equal to 1 acre ~~\$1,140~~ ~~\$4,210~~
- ~~5.7~~-Less than 1 acre ~~\$710~~
- ~~6.8~~-New boat slips:
 - a. through e. No change.
 - ~~7.9~~-Deadhead logging ~~\$500~~
 - (b) through (g) No change.

(h) Minor modifications where the modification will not require substantial technical evaluation by the Department, will not lead to substantially different environmental impacts or will lessen the impacts of the original permit, and as further defined in Rule 62-346.100, F.A.C.:

1. To correct minor errors or typographical mistakes or to incorporate changes requested by the Department or required through permits issued by other regulatory agencies, and to change due dates for reporting or performance deadlines when such changes in the due date do not involve any new work, any new work locations, or any new activities, and will not alter, replace, or otherwise eliminate the requirements for otherwise performing the work required by the permit.	\$0
2. No change.	\$80
3. That consist of a transfer of an individual permit <u>to a new permittee for a permit in the construction phase, in accordance with subsection 62-346.130(1), F.A.C., or a time extension to any permit</u>	\$0
4. That consist of a transfer of an individual permit in the operation and maintenance phase due to a change of ownership or control of the land subject to a permit, in accordance with subsection 62-346.130(2), F.A.C.	\$0
5.4 That consist of minor technical changes, minor adjustments to work locations, materials, dimensions or configurations, or elimination of work authorized by the permit when the original permit fee of the issued permit is less than <u>or equal to \$310</u> \$300	\$250
6.5 That consist of minor technical changes, minor adjustments to work locations, materials, dimensions or configurations, or elimination of work authorized by the permit when the original permit fee of the issued permit is more than <u>or equal to \$310</u> \$300	\$420

6. renumbered 7. No change.

(i) through (l) No change.

(2) through (6) No change.

62-346.080 Submittal of Applications and Notices for Permits and Petitions for Formal Determinations to Department and NFWFMD Offices.

(1) No change.

(2) No change.

(a) Mines, which shall be submitted to the Bureau of Mining and Minerals Regulation at the address in section 1.3 of Applicant's Handbook Volume I;

(b) through (d) No change.

(3) through (5) No change.

62-346.090 Processing of Notices and Applications.

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

(g) Within three business days of receipt of an application for a noticed general permit, the Department shall send a copy of Section A and the materials submitted from Section B of Form 62-346.900(1), ~~F.A.C.~~, to the appropriate office of the U.S. Army Corps of Engineers (unless specifically authorized by the Corps to do otherwise), and, for noticed general permits under Rule 62-341.475, F.A.C., to the Florida Fish and Wildlife Conservation Commission.

(2) through (5) No change.

62-346.091 Documents Incorporated by Reference.

(1) The following documents are hereby incorporated by reference for use in this Chapter:

(a) "Department of Environmental Protection and Northwest Florida Water Management District Environmental Resource Permit Applicant's Handbook – Volume I (General & Environmental)," including Appendices A, C, and E through G, but excluding Appendices B and D, effective [Effective Date], incorporated by reference in Rule 62-346.010, F.A.C.

(b) "Department of Environmental Protection and Northwest Florida Water Management District Environmental Resource Permit Applicant's Handbook – Volume II (Design Requirements for Stormwater Treatment and Management Systems – Water Quality and Water Quantity)," including Appendices A and B, effective [Effective Date], incorporated by reference in Rule 62-346.010, F.A.C.

(c) Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., Between Northwest Florida Water Management District and Department of Environmental Protection," executed on [Date] ~~August 2, 2007~~, and effective [Effective Date], incorporated by reference in subsection 62-346.030(33), F.A.C.

(d) Chapter 5, and section 3.10 of Chapter 6 ~~except Section 3.04 (swales), 3.05 (Parking lot storage), 3.08 (Rooftops), and 3.09 (Storage Tank Treatment)~~, of *The Florida Development Manual: A Guide to Sound Land and Water Management* (Florida Department of Environmental Regulation, June 1988), - referenced in section 4.5 and Appendix B-2 of "Department of Environmental Protection and Northwest Florida Water Management District

Environmental Resource Permit Applicant's Handbook – Volume II (Design Requirements for Stormwater Treatment and Management Systems – Water Quality and Water Quantity)."

(e) *The Florida Stormwater, Erosion, and Sediment Control Inspector's Manual*, Florida Department of Environmental Protection and Florida Department of Transportation, Sixth Impression, April 2006, incorporated by reference in subparagraph 62-346.051(4)(b)10., F.A.C.

(f) *State of Florida Erosion and Sediment Control Designer and Reviewer Manual*, Prepared for Florida Department of Transportation & Florida Department of Environmental Protection by HydroDynamics Incorporated in cooperation with Stormwater Management Academy, June 2007, incorporated by reference in subparagraph 62-346.051(4)(b)10., F.A.C.

(g) Florida Department of Transportation's "*Standard Specifications for Road and Bridge Construction, 2007*," incorporated by reference in subparagraph 62-346.051(4)(b)10., F.A.C.

(2) The above documents incorporated by reference in this section may be obtained from or inspected at a district or branch office of the Department or NFWFMD, or the Internet site of the Department at <http://www.dep.state.fl.us/water/wetlands/erp/rules/guide.htm>, or NFWFMD.

Rulemaking Specific Authority 373.026, 373.043, 373.044, 373.046, 373.113, 373.4145, 373.416, 373.418, 373.421, 403.805(1) FS. Law Implemented 373.026, 373.042, 373.409, 373.0421, 373.043, 373.046, 373.413, 373.4132, 373.414(9), 373.4142, 373.4145, 373.416, 373.418, 373.423, 373.426, 373.428, 373.433, 373.436, 373.439, 380.06(9), 403.813(1)(~~2~~) FS. History–New 10-1-07, Amended _____.

62-346.095 Operation, Maintenance, and Inspections.

(1) Upon completion of a system constructed in conformance with an individual permit issued under this chapter, the permit must be converted from the construction phase to an operation and maintenance phase. The responsibility for operation and maintenance of systems permitted under this chapter or Chapter 62-341, F.A.C., shall be an obligation for the life of the system by a single entity that wholly owns or controls the lands on which any component of the permitted system is located, or in the case where a local government will operate a portion of a system, a maximum of two entities. Such entity or entities must have the fiscal, legal, and logistical capability to perform operation and maintenance in accordance with Department rules and permit conditions. The conversion shall follow the procedures specified below, except that:

(a) No change.

(b) The operation phase of mining activities subject to the land reclamation requirements of Chapter 378, F.S., shall be allowed to terminate, without the need to apply for abandonment of the permit, after the mine, or its subunits as applicable, if they:

1. through 3. No change.

In addition, if the mine already is operating under an operation and maintenance phase of an individual permit, such operation and maintenance phase shall be allowed to terminate upon successful completion of all phases of reclamation and receipt of final success determinations by the Department over lands reclaimed in accordance with the rules adopted pursuant to Chapter 378, F.S.

(2)(a) For systems that do not serve an individual, private single-family dwelling unit, duplex, triplex, or quadruplex, within 30 days after completion of construction of a whole system, or independent portion of a system, constructed in conformance with an individual permit issued under this chapter, the permittee shall submit Form 62-346.900(4), "As-Built Certification by a Registered Professional," effective date, incorporated by reference herein. Information on how a copy of this form may be obtained is contained in Rule 62-346.900, F.A.C. The certification shall include as-built drawings in the form of the permitted drawings that clearly show any substantial deviations made during construction. The plans must be clearly labeled as "as-built" or "record" drawings. The submittal of the above forms does not require a processing fee, and their review shall not require processing as a permit modification under Rule 62-346.100, F.A.C. If the registered professional has certified that the system has been built substantially in compliance with the plans and specifications in the permit, and that such system is ready for inspection, the permittee shall also submit Form 62-346.900(6), "Request for Conversion of Environmental Resource Individual Permit Construction Phase to Operation and Maintenance Phase," effective date, incorporated by reference herein. Information on how a copy of this form may be obtained is contained in Rule 62-346.900, F.A.C. Upon receipt and review of both forms, the Department will determine compliance with the terms and conditions of the permit and notify the permittee whether the conversion to the operation and maintenance phase will become effective. The operation and maintenance phase of an individual permit will not become effective if the Department determines that the activity subject to the permit is not in substantial compliance with all the plans, specifications, terms, and conditions of the permit. In such case, the permittee will be responsible for any necessary permit modifications, alterations, maintenance or repairs to bring the system into such compliance. Any required modification to the permit will be processed in accordance with Rule 62-346.100, F.A.C.

(b) For activities associated with an individual, private single-family dwelling unit, duplex, triplex, or quadruplex that is not part of a larger plan of development proposed by the

applicant, within 30 days after completion of construction of the system, the permittee shall submit a fully executed Form 62-346.900(5), "Construction Completion and Inspection Certification for a System Serving an Individual, Private Single-Family Dwelling Unit," effective date, incorporated by reference herein, certifying that the system was constructed in conformance with all the terms, specifications, and conditions of the permit. Information on how a copy of this form may be obtained is contained in Rule 62-346.900, F.A.C. Upon receipt of this form, the construction phase of this permit shall automatically convert to an operation and maintenance phase. However, if at any time the Department determines that such a system was not built in conformance with the terms and conditions of the permit, the permittee shall be subject to enforcement by the Department and for all measures required to bring the system into compliance with the permit. The permittee shall remain liable for compliance with the terms of the permit for the life of the system, unless such permit is transferred in accordance with Rule 62-346.130, F.A.C.

(3) Each phase or independent portion of the permitted system must be approved by the Department for conversion to the operation phase prior to the initiation of the permitted use of: that phase or independent portion of the system; or the site infrastructure located within the area served by that portion or phase of the system. The request for conversion to the operating phase for any phase or independent portion of the permitted system shall occur after construction of the roads, stormwater conveyance systems, treatment and attenuation systems, and for that particular phase or independent portion of the system that has ~~have~~ been completed.

(4) through (8) No change.

62-346.100 Modification of Permits.

(1) Modifications to an existing, currently valid individual permit under this Chapter may be requested by the permittee as follows:

(a) Applications for major modifications shall be made in accordance with the procedures for applying for a new permit applicable to the type of permit originally obtained. Applications for minor modifications, other than to modify the permit to reflect a change in ownership or control of the land subject to the permit, shall be made in accordance with the same provisions, or by letter that describes the proposed modification, along with drawings reflecting changes in the design of the system. The modification request shall include payment of the fee required by Rule 62-346.071, F.A.C. A request to modify the construction phase of a permit to reflect a change in ownership or control of the land subject to the permit shall be made in accordance with subsection 62-346.100(3), F.A.C. A change in ownership or control of the land subject to the operation and maintenance phase of a permit shall be made in accordance with subsection 62-346.130(2), F.A.C.

(b) No change.

(c) All modification requests shall be reviewed, and will be issued or denied in accordance with the procedures in subsection Rule 62-346.090(2), F.A.C., applicable to the type of permit being modified.

(d) Minor modifications include requests for a time extension pursuant to Rule 62-346.120, F.A.C., to correct errors or typographical mistakes, to incorporate changes requested by the Department or required through permits issued by other regulatory agencies, to change due dates for reporting or performance deadlines, to transfer a permit, or to make minor technical changes. For the purpose of this chapter, minor modifications do not:

1. No change.

2. Lead to substantially different environmental impacts, unless they or will lessen the impacts of the original permit; or

3. No change.

(e) No change.

(2) No change.

(3) Where a modification during the construction phase of a permit is requested to reflect a new permittee due to a change in ownership or control of the lands subject to a permit, or due to the transfer of ownership or control of the surface water management system, or the addition of a co-permittee, the permittee and the new entity(ies) shall submit an executed Form 62-346.900(7), "Request to Modify Permit Due to Transfer of Ownership or Control of the Land For a Permit in the Construction Phase," incorporated herein by reference, to the Department, with the permit modification fee required in Rule 62-346.071, F.A.C. This form must contain original signatures of both the permittee and the proposed new permittee(s). Information on how a copy of this form may be obtained is contained in Rule 62-346.900, F.A.C. Any such new proposed ~~A person or entity other than a permittee or the Department may request a modification of a currently valid individual permit only when the person or entity has must demonstrate that they have sufficient real property interest in or control over the land upon which the activities subject to the permit will be conducted, in accordance with subsection 62-346.070(3), F.A.C., and will be subject to demonstrating that they can operate and maintain the system for its expected life in accordance with subsection 62-346.095(4), F.A.C. The transferee also must agree, upon transfer of the permit, to be bound to comply with all the terms and conditions of the permit, purchased, or is authorized to and intends to take ownership through condemnation or a contract to purchase, the part of a permitted system subject to the requested modification. In such case, the entity requesting the modification must submit either a formal application or letter modification in accordance with subsection (1) above, and must demonstrate that both the modified portions of the system and the unmodified portions of the system, including portions of the system remaining in the ownership of the existing permittee, will continue to comply with the criteria in Rule~~

~~62-346.301, F.A.C., the criteria in Rule 62-346.302, F.A.C., as applicable, Applicant's Handbook Volumes I and II, and all permit conditions:~~

62-346.110 Duration of Permits.

Unless revoked, extended or otherwise modified, the duration of a permit under this chapter and Chapter 62-341, F.A.C., is:

(1) through (2) No change.

(3) Life of the system for the operation and maintenance phase of a noticed general or individual permit, ~~and for systems constructed in accordance with the terms and conditions of an exemption under Rule 62-346.051, F.A.C.~~

(4) No change.

62-346.130 Transfer of Ownership ~~or Permit.~~

(1) Construction Phase – Transfers of land during the construction phase of the permit shall require a modification of the permit in accordance with Rule 62-346.100, F.A.C., to reflect the new permittee.

(2) Operation and Maintenance Phase – Within At least 30 days of prior to any transfer of ownership or control of a permitted surface water management system or of the real property where any permitted activity is located, if the permittee wishes the permit to automatically transfer to the new owner, the permittee shall provide notice to the Department of the transfer, including the name and contact information of the new owner. This notification shall not require a fee. Upon transfer of the real property or permitted surface water management system and submittal of the notice, the permit shall automatically transfer to the new entity who owns or controls the real property or permitted system. In the event the permittee fails to provide notice of the transfer to the Department within 30 days of the transfer of ownership or control as provided above, the permit shall not automatically transfer, and such transfer must be requested as a modification of the permit in accordance with Rule 62-346.100, F.A.C. submit an executed Form 62-346.900(7), "Notification of Transfer of Permit," incorporated herein by reference, to the agency that issued the permit. This form must contain original signatures of both the permittee and the proposed transferee. The submittal must include the processing fee specified in Rule 62-346.071, F.A.C., except that the initial conversion of the permit from the construction phase entity to the operation phase entity approved when the permit was issued shall not require a processing fee, and will not require processing as a permit modification under Rule 62-346.100, F.A.C.

(2) ~~Except as provided in subsection (1), request for transfer will be processed as a modification of the permit in accordance with Rule 62-346.100, F.A.C. The Department shall approve a request for transfer of a permit if the proposed transferee provides reasonable assurance that it can construct, operate and maintain the permitted system in conformance with the terms and conditions of the permit. Such provisions of reasonable assurance shall be limited to the ability of the~~

~~transferee to comply with the conditions of the existing permit, including the ability to operate and conduct routine custodial maintenance on the system in accordance with the terms and conditions of the permit, and demonstration of ownership or control of the lands subject to the modification. Nothing herein shall limit the ability of the Department to modify the permit after transfer, as provided in Rule 62-346.100, F.A.C. If the Department proposes to deny the transfer, it shall, within 30 days of receipt of the application for transfer, provide both the existing permittee and the proposed new permittee a written notice of denial of such transfer, which will include the reasons for the denial.~~

~~(3) Until a transfer is approved by the Department, the permittee shall be liable for compliance with the terms and conditions of the permit, and may be liable for any corrective actions required as a result of any violations of the permit prior to the approval of the transfer by the Department.~~

~~Rulemaking Specific Authority 373.026(7), 373.043, 373.118, 373.4145, 373.418, 403.805(1), FS. Law Implemented 373.118, 373.109, 373.409, 373.413, 373.4142, 373.4145, 373.416(2), 373.426 FS. History—New 10-1-07, Amended _____.~~

62-346.140 Suspension and Revocation.

~~(1) The Department shall revoke or suspend a permit:~~

~~(a) When necessary to protect the public health, safety or welfare;~~

~~(b) For material failure to comply with the provisions of the permit or of Part IV of Chapter 373, F.S., or rules adopted thereunder applicable to the permitted activity;~~

~~(c) If the permit holder or their agent:~~

~~1. Submitted false or materially inaccurate information in the application or in any reports submitted in support of the application or as required in the permit;~~

~~2. Has materially failed to submit operational reports or other information required by the permit or Department rules; or~~

~~3. Has refused lawful inspection under Section 373.423, F.S.~~

~~(2) Nothing in this section shall preclude the Department from exercising other enforcement remedies under Sections 120.569(2)(n), 120.60(5), 120.60(6), 120.69, 120.73, 373.119, 373.129(7), 373.136, and 373.430, F.S., either in addition to or instead of suspension or revocation described above.~~

~~Rulemaking Specific Authority 373.026, 373.043, 373.044, 373.118, 373.4145, 373.418, 373.439, 403.805(1) FS. Law Implemented 373.026, 373.118, 373.413, 373.414, 373.4145, 373.416, 373.426, 373.429, 373.439 FS. History—New 10-1-07, Repealed _____.~~

62-346.301 Conditions for Issuance of Individual Permits.

~~(1) through (3) No change.~~

~~(4) The standards and criteria, including the provisions for elimination or reduction of impacts, and the mitigation provisions contained in sections 10.2.1 through 10.2.1.3 and~~

sections 10.3 through 10.3.8, respectively, of Applicant’s Handbook Volume I adopted by reference in Rule 62-346.091, F.A.C., shall determine whether the reasonable assurances required by subsection 62-346.301(1) and Rule 62-346.302, F.A.C., have been provided, as applicable. Forms for demonstrating that an applicant has met the financial responsibility requirements of sections 10.3.7 through 10.3.7.9 of Applicant’s Handbook Volume I are hereby adopted and incorporated by reference as:

(a) Form 62-346.900(12), “State of Florida Performance Bond To Demonstrate Financial Assurance for Mitigation” [Effective Date]

(b) Form 62-346.900(13), “State of Florida Irrevocable Letter of Credit To Demonstrate Financial Assurance for Mitigation” [Effective Date]

(c) Form 62-346.900(14), “Certificate I To (Name of Issuing Bank) Irrevocable Letter of Credit No. _____” [Effective Date]

(d) Form 62-346.900(15), “Certificate II To (Name of Issuing Bank) Irrevocable Nontransferable Standby Letter of Credit No. _____” [Effective Date]

(e) Form 62-346.900(16), “State of Florida Standby Trust Fund Agreement to Demonstrate Financial Assurance for Mitigation Activities” [Effective Date]

(f) Form 62-346.900(17), “State of Florida Trust Fund Agreement to Demonstrate Financial Assurance for Mitigation Activities” [Effective Date]

These forms are contained in Appendix C of the “Department of Environmental Protection and Northwest Florida Water Management District Environmental Resource Permit Applicant’s Handbook—Volume I (General & Environmental),” and may be obtained from the locations provided in Rule 62-346.900, F.A.C.

62-346.302 Additional Conditions for Issuance of Individual and Conceptual Approval Permits.

~~(1) No change.~~

~~(2) When determining whether a permit applicant has provided reasonable assurances that the Department’s permitting standards will be met, the Department shall take into consideration the applicant’s violation of any Department rules adopted pursuant to Sections 403.91 through 403.929, F.S., (1984 Supp.), as amended, or any Department rules adopted pursuant to Part IV, Chapter 373, F.S., relating to any other project or activity and efforts taken by the applicant to resolve these violations.~~

62-346.381 General and Special Limiting Conditions.

~~(1) The following general conditions shall be applicable to and binding on all individual permits issued pursuant to this chapter, unless the conditions are not applicable to the activity authorized by the permit, or where the conditions must be modified to accommodate unique, project-specific conditions.~~

(a) through (e) No change.

(f) At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the Department a fully executed Form 62-346.900(3), "Construction Commencement Notice," incorporated by reference herein, indicating the expected start and completion dates. Information on how a copy of this form may be obtained is contained in Rule 62-346.900, F.A.C.

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

62-346.900 Environmental Resource Permit Forms.

The forms and instructions used in the Environmental Resource Permit program under this chapter are incorporated by reference below. The forms are listed by rule number, which is also the form number, and with the subject title and effective date. Copies of forms may be obtained from the Internet sites of the Department at <http://www.dep.state.fl.us/water/wetlands/erp/forms.htm>, or NFWFMD at <http://www.nfwfmd.state.fl.us/permits/permits-ERP.html>, or from any local district or branch office of the Department (see <http://www.dep.state.fl.us/secretary/dist/>) or NFWFMD, or by writing to the Florida Department of Environmental Protection, Submerged Lands and Environmental Resources Office, M.S. 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or to Northwest Florida Water Management District, District Headquarters Office, 75 Water Management Drive, Havana, Florida 32333.

(1) through (6) No change.

(7) "Request to Modify Permit Due to Transfer of Ownership or Control of the Land For a Permit in the Construction Phase Notification of Transfer of Permit," incorporated by reference in subsection 62-346.100(3)(a)-130(4), F.A.C., [Effective Date].

(8) through (11) No change.

(12) "State of Florida Performance Bond To Demonstrate Financial Assurance for Mitigation," incorporated by reference in paragraph 62-346.301(4)(a), F.A.C. [Effective Date]

(13) "State of Florida Irrevocable Letter of Credit To Demonstrate Financial Assurance for Mitigation," incorporated by reference in paragraph 62-346.301(4)(b), F.A.C. [Effective Date]

(14) "Certificate I To _____ (Name of Issuing Bank) Irrevocable Letter of Credit No. _____," incorporated by reference in paragraph 62-346.301(4)(c), F.A.C. [Effective Date]

(15) "Certificate II To _____ (Name of Issuing Bank) Irrevocable Nontransferable Standby Letter of Credit No. _____," incorporated by reference in paragraph 62-346.301(4)(d), F.A.C. [Effective Date]

(16) "State of Florida Standby Trust Fund Agreement to Demonstrate Financial Assurance for Mitigation Activities," incorporated by reference in paragraph 62-346.301(4)(e), F.A.C. [Effective Date]

(17) "State of Florida Trust Fund Agreement to Demonstrate Financial Assurance for Mitigation Activities," incorporated by reference in paragraph 62-346.301(4)(f), F.A.C. [Effective Date]

APPLICANT'S HANDBOOK VOLUME I (GENERAL AND ENVIRONMENTAL):

1.3.4 Linkage with State-owned Submerged Lands Authorizations

First unnumbered paragraph – No change

The joint application form adopted as Form 62-346.900(1), includes an application for a permit under Part IV of Chapter 373, F.S., as well as a request for authorization to use state-owned submerged lands, when such lands are involved; applicants are not required to submit a separate application for such authorization. Upon receipt of the joint application, staff will initially examine the application to determine the potential that such state-owned submerged lands are involved. Where necessary, staff will request a title determination from the Department's Division of State Lands. If it is determined that the activity will involve state-owned submerged lands, authorization from the Board of Trustees will be required prior to any use or construction on such lands. The Department serves as staff to the Board of Trustees, and will be the agency who will review and process the application to use state-owned submerged lands on behalf of the Board of Trustees. The Department has delegated authority from the Board to approve or deny most projects, but for some types of projects, the final decision to approve or deny the state-owned submerged lands authorization rests with the Governor and Cabinet, who serve as the Board of Trustees (see Rule 18-21.0051, F.A.C., ~~September 1, 2009~~ ~~October 27, 2005~~).

In accordance with Section 373.427, F.S., the approval or denial of an individually processed ERP application is linked with the approval or denial of any required state-owned submerged lands application. This process is described in detail in Rules 62-346.075 and 18-21.00401, F.A.C. (~~October 12, 1995~~ ~~February 25, 1985~~). Under this process, activities that require an individually-processed ERP cannot become complete until all related, required state-owned submerged lands information has been submitted as part of the permit application. In addition, the ERP permit cannot be issued unless a determination has been made that the related state-owned submerged lands application also can be issued. In other words, in cases where an activity meets all the requirements for issuance of an ERP, but does not meet all the requirements for issuance of the state-owned submerged lands authorization, the ERP must be denied. Conversely, if the activity meets all the state-owned submerged lands

requirements, but does not meet the conditions for issuance of the ERP, the state-owned submerged lands application will be denied.

Fourth unnumbered paragraph – No change.

3.2 Permits Required

Subsection 62-346.050(1), F.A.C., provides that a noticed general permit under Chapter 62-341, F.A.C., or an individual permit under Chapter 62-346, F.A.C., is required prior to the commencement of construction, alteration, operation, maintenance, removal, or abandonment of any surface water management system, including any dam, impoundment, reservoir, appurtenant work or works that is part of the surface water management system, except when such systems ~~do not~~:

~~1. Meets~~ the grandfathering provisions of Section 373.4145(6), F.S.; ~~or~~

2. Does not exceed the permitting thresholds and criteria in Rule 62-346.050, F.A.C.;

~~3. Is are not~~ exempt under Sections 373.406, 373.4145(3), or 403.813(1), F.S., or Rule 62-346.051, F.A.C.; ~~or~~

4. Is an agricultural or forestry surface water management system regulated under Rules 40A-44.041, .051, or .052, F.A.C., in which case the system will be regulated under Chapter 40A-44, F.A.C.

The types of permits are described in sections 3.2.1 through 3.3.6, below. Activities that are grandfathered or exempt from permit requirements are discussed in sections 3.4 through 3.4.3.7, below.

Second unnumbered paragraph – No change.

3.4 Activities that Do Not Require Permits under Chapter 62-346, F.A.C.

A permit under Chapters 62-341 or 62-346, F.A.C., is not required for: “grandfathered” activities under Section 373.4145(6), F.S.; activities that fall below the permitting thresholds in Rule 62-346.050, F.A.C.; agricultural or forestry surface water management system regulated under Rules 40A-44.041, .051, and .052, F.A.C.; or activities that are exempt under Sections 373.406, 373.4145(3), or 403.813, F.S., or Rule 62-346.051, F.A.C., as discussed below.

Except where required by the terms of the exemption, no application or notice to the Department or the NFWFMD is needed for activities that meet all the terms and conditions of an exemption under Chapter 373 or 403, F.S. However, such exemptions do not provide the authorization that may be required from other local, state, regional, or federal agencies. For example, exempt activities that occur on state-owned submerged land may require a separate letter of consent, easement, or lease under Chapters 253 and 258, F.S., and Chapters 18-20 (May 27, 1999) and 18-21 (April 14, 2008), F.A.C. If an applicant desires verification that an activity qualifies for an exemption, and information on potential of state-owned submerged lands authorizations, such request

should be submitted as discussed in section 4.4.2.1.3, below. Verification of exempt status may be done electronically in some cases — see the discussion in section 4.2.3.2, below.

3.4.4 Agriculture and Forestry Surface Water Management Systems

Agriculture and forestry surface water management systems, other than aquaculture, as those systems are regulated under Rules 40A-44.041, .051, and .052, F.A.C., will continue to be regulated under Chapter 40A-44, F.A.C., and are not regulated by Chapter 62-346, F.A.C. Regulation of these systems continues to be the responsibility of the Northwest Florida Water Management District. However, the Department will continue to be responsible for the regulation of activities on agricultural or forestry lands that are non-agricultural in nature and otherwise the responsibility of the Department in accordance with the Operating Agreement between DEP and the NFWFMD, such as an individual single-family residence, duplex, triplex, or quadruplex that is incidental to the agriculture or forestry activity. Construction or alteration of systems such as roads for future development will not be considered agriculture or silviculture activities, and will be regulated under Chapter 62-346, F.A.C., and not under Chapter 40A-44, F.A.C.

~~3.6 Relinquishment and Abandonment~~

~~Permits issued by the Department for a surface water management system that no longer requires a permit or that are no longer going to be constructed and operated pursuant to section 3.2, above, may be abandoned, or the permit relinquished by the permittee, subject to the following:~~

~~(a) Local government may have concurrent jurisdiction with the Department over a surface water management system. The permittee of the system is not relieved of the responsibility to comply with all applicable rules or ordinances which may govern such system.~~

~~(b) The permittee must apply to, and receive written authorization from, the Department prior to abandoning the system or relinquishing the permit for the system. The Department will authorize abandonment or relinquishment upon determination that the permittee has provided:~~

~~1. Reasonable assurance that there will not be a violation of state water quality standards as set forth in Chapters 62-302 and 62-550, F.A.C., as a result of abandonment or relinquishment of the permit;~~

~~2. Reasonable assurance that adjacent or nearby properties not owned or controlled by the applicant will not be adversely affected by drainage or flooding; and~~

~~3. Reasonable assurance that there will be no harm to the water resources as a result of abandonment or relinquishment of the permit.~~

4.2.3 Verification of an Exemption

With some exceptions, notice is not required to conduct an activity that qualifies for an exemption from permitting under Sections 373.406, 373.4145, or 403.813, F.S., or Rule

62-346.051, F.A.C. However, many local governments request verification of compliance with the rules and statutes of the state prior to issuing a building permit. Further, other entities, such as the USACE, other state agencies, regional authorities, and local agencies may require a separate permit or other authorization even if the activity does not require an ERP permit. Exceptions where prior notice to and approval from the Department is required prior to conducting an exempt activity are:

Remaining text – No change.

4.6.5 First unnumbered paragraph – No change.

If the application is on state-owned submerged lands, the application also will be reviewed to determine the form of authorization required to conduct activities on state-owned submerged lands, and whether such authorization can be approved, in accordance with the requirements of Chapter 253, F.S., and 258, F.S. (if the activity is or may be located within an aquatic preserve), and Chapters 18-21, and 18-20, F.A.C., as applicable ~~applicant may be requested to submit additional information that is not covered in the joint application.~~ In accordance with Section 373.427, F.S., processing of an environmental resource permit application for an activity located on state-owned submerged lands is linked to processing of the state-owned submerged lands authorization, as described in section 1.5 of Applicant's Handbook Volume I.

6.3.1 Applications for modifications are processed as either minor or major as follows:

(a) through (b) No change.

(c) All modification requests must include payment of the fee required by Rule 62-346.071, F.A.C., ~~except an additional fee shall not be required for that~~ minor modifications to noticed general permits or for modifications that consist of a transfer of an individual permit due to a change of ownership or control of the land or activity subject to the permit when the permit is in the operation and maintenance phase shall not require an additional fee.

(d) through (e) No change.

6.4 Transfers

A request to modify the construction phase of a permit solely to reflect a change in ownership or control of the land subject to the permit shall be made in accordance with subsection 62-346.100(3), F.A.C. A change in ownership or control of the land subject to the operation and maintenance phase of a permit shall be made in accordance with subsection 62-346.130(2), F.A.C. All transfers of ownership and transfers of a permit are governed by the requirements of Rule 62-346.130, F.A.C.

Second unnumbered paragraph – No change.

6.4.1 Transfers of Permits and Ownership During the Construction Phase

A permit modification during the construction phase to reflect a new permittee due to a change in ownership or control of the lands or due to the transfer of ownership or control of the

surface water management system, or the addition of a co-permittee, shall be requested in accordance subsection 62-346.100(3), F.A.C. The permittee and the new entity(ies) must submit an executed Form 62-346.900(7), "Request to Modify Permit Due to Transfer of Ownership or Control of the Land For a Permit in the Construction Phase," with original signatures and the permit modification fee required in Rule 62-346.071, F.A.C. The permittee must also provide a written statement from the proposed transferee that it has reviewed the permit and project design, and will be bound by all terms and conditions of the permit for the duration of the permit or until the permit is modified.

Second and third unnumbered paragraph – No change.

6.4.2 Transfers of Ownership or Control During the Operation and Maintenance Phase

In accordance with Section 373.416, F.S., and Rule 62-346.130, F.A.C., within 30 days of any transfer of ownership or control of a permitted surface water management system or of the real property where any permitted activity is located, if the permittee wishes the permit to transfer to the new owner, the permittee shall provide notice to the Department of the transfer, including the name and contact information for the new owner. This notification shall not require a fee. Upon transfer of the real property or the permitted surface water management system and submittal of the notice, the permit shall automatically transfer to the new entity who owns or controls the real property or the permitted activity.

10.3.7.4 General Terms for Financial Responsibility Mechanisms.

In addition to the specific provisions regarding financial responsibility mechanisms set forth in section 10.3.7.6, below, the following, as they relate to the specific mechanism proposed, shall be complied with:

(a) The form and content of all financial responsibility mechanisms shall be approved by the Department. Forms that have been developed for this purpose are ~~attached in Appendix E of this Handbook.~~ incorporated by reference in subsection 62-346.301(4), F.A.C. as Forms 62-346.900(12) through (17).

(b) through (e) No change.

10.3.7.8 Financial Responsibility Conditions.

For applicants subject to the financial responsibility of sections 10.3.7 through 10.3.7.9, the Department will include the following conditions ~~in~~ on the permit:

(a) through (b) No change.

(c) When transferring a permit during the construction phase in accordance with Rule 62-346.100 and subsection 62-346.130(1), F.A.C., the new owner or person with legal control shall submit documentation to satisfy the financial responsibility requirements of sections 10.3.7 through 10.3.7.9. The prior owner or person with legal control of the project shall continue the financial responsibility mechanism until the Department has approved the permit transfer and substitute

financial responsibility mechanism. In accordance with subsection 62-346.130(2), F.A.C., Department approval of the permit transfer is not required for permit transfers during the operation and maintenance phase.

12.2 Procedures for Requesting Conversion from the Construction Phase to the Operation and Maintenance Phase

(a) through (d) No change.

(e) When a permit has been issued by the Department, the above forms shall be submitted to the Department office that issued the permit. When a permit has been issued by the NFWFMD, the above forms can be submitted electronically to the NFWFMD Internet site (<http://www.nfwfmd.state.fl.us/permits/permits-ERP.html>). ~~If the permittee does not utilize~~ electronically submit these forms, paper copies of the forms shall be submitted by mail or other delivery service to the appropriate office of the NFWFMD.

The submittal of the above referenced forms does not require a processing fee, and their review shall not require processing as a permit modification under Rule 62-346.100, F.A.C. The forms, including information on how to obtain them electronically, are contained in Appendix C of this Volume.

The Department will review both forms, schedule an inspection as needed, determine compliance with the provisions in sections 12.3 through 12.4, below, and respond to the applicant as to acceptance or rejection of the request to convert the permit from the construction to the operation and maintenance phase.

(f) through (g) No change.

12.7 Subsequent Transfers

Transfers of the permitted activity or the real property on which the permitted activity is located once a permit is in the operation and maintenance phase are governed by the procedures described in Rule 62-346.130, F.A.C., and section 6.4.2 of this Volume. ~~In accordance with subsection 62-346.130, F.A.C., subsequent to the initial transfer of the permit to the operation and maintenance entity approved when the permit was issued, if the permittee wishes to request transfer of the operation and maintenance phase of the permit to another entity, the permittee must submit Form 62-346.900(7), "Notification of Transfer of Permit" to the Department as a modification to the permit, using the procedures in Rules 62-346.100 and 62-346.130, F.A.C., and section 6.4 of this Volume. Until the permit is so transferred, the permittee shall be liable for compliance with all of the terms of the permit for the life of the system. Failure to follow these procedures may result in applicable enforcement action.~~

APPENDIX C – FORMS (AS ADOPTED IN RULE 62-346.900, F.A.C.)

Changes have been made to forms 62-346.900(1) through (17), as summarized above.

APPENDIX E — FINANCIAL RESPONSIBILITY DOCUMENTS

Strike entire Appendix

APPENDIX F renumbered APPENDIX G, "Guidance for Evaluating Borrow Pit Activities"

Background – No change.

General

First unnumbered paragraph – No change.

Prior to the start of mining, a "Notice of Intent to Mine or Mining Other Resources" must be provided to the BMMR if the mining will exceed 20 acres. Upon completion of the mining, there is a BMMR requirement that lands disturbed by mining operations be reclaimed. The reclamation requirement applies to mines of any size. This is in addition to, and separate from any ERP permitting requirements. The finished project is typically a borrow "lake" that may be planted with littoral zone vegetation. Some pits may be excavated in-the-dry, and may ultimately be stabilized with upland vegetation per BMMR rules. Additional information about the mine reclamation program is available at: Bureau of Mining and Minerals Regulation, Department of Environmental Protection, 2051 East Paul Dirac Drive, Tallahassee, Florida 32310-3760, (850)488-8217, Fax: (850)488-1254.

Third unnumbered paragraph – No change.

Remainder of text – No change.

APPENDIX G renumbered APPENDIX F, "Procedures for Evaluating Proposed Activities for Sites Previously Permitted under Chapter 62-25, F.A.C."

APPLICANT'S HANDBOOK VOLUME II (DESIGN REQUIREMENTS FOR STORMWATER MANAGEMENT SYSTEMS – WATER QUALITY AND WATER QUANTITY)

3.3 Stormwater Quantity: Rate and Volume Controls

Criterion: Except as provided in section 3.3(c), below, the post-development stormwater discharge rate and volume must be controlled as follows.

(a) No change.

(b) Volume Control

A closed basin or closed-lake watershed is defined as that which does not have a surface outfall for conditions up to and including the 100-year, 24-hour flood stage. Rainfall volumes associated with this event are provided as Figure 3.3-2. Flood elevation shall be determined using the most accurate information available, such as:

1. Actual data, including water level, stream flow and rainfall records;

2. Hydrologic/hydraulic modeling;

3. Federal Flood Insurance Rate Maps and supporting flood study data; or

4. Floodplain analysis studies approved by the Department.

Flood elevations shall be evaluated for accuracy considering the extent to which flood elevations are validated by site-specific data.

Remainder of text, including Figures 3.3-1, 3.3-2, and 3.3-3 – No change.

(c) No change.

4.5.2 Modified Rational Hydrograph Method for Streambank Protection Calculations

The rational method is a popular method for estimating peak runoff rates for small urban areas. Specifically, the rational method generates peak discharge rates rather than a runoff hydrograph. However, the rational method can be modified to generate a runoff hydrograph by utilizing the rainfall intensity for various increments of a design storm.

The rate of discharge at any point in time during a storm can be calculated by combining the rainfall intensity for that time increment with the traditional rational formula. The modified rational hydrograph equation is as follows:

$$Q = C (I/P_{Total}) (P_{Total}) A(4-1)$$

where: Q = Discharge for a given time increment (cfs)

C = Runoff coefficient

I/P_{Total} = Intensity for a given time increment (in/hr-in)

P_{Total} = Total rainfall depth (in)

A = Drainage area (acres)

Calculating the peak discharge in 15 minute increments over a 24 hour period generates a synthetic hydrograph. Intensities are typically derived from intensity-duration-frequency (IDF) curves such as those published by the FDOT.

Similar to the rational method for peak discharge, the modified rational method must be limited to small drainage basins with short times of concentration. The use of the modified rational method for generating a runoff hydrograph is limited to systems meeting the following conditions:

- (a) The drainage area is less than 40 acres,
- (b) The pre-development time of concentration for the system is less than 60 minutes, and
- (c) The post-development time of concentration for the system is less than 30 minutes.

The Department does not accept the modified rational hydrograph method for use in generating hydrographs for the 25-year, 24-hour storm event for use in complying with peak discharge requirements in section 3.3 of this Volume. If a project requires a peak discharge evaluation in accordance with section 3.3 of this Volume, in addition to evaluation of the 25-year, 24-hour storm, the applicant may utilize the modified rational hydrograph method only for 2-year, 24-hour storm evaluation.

Guidance on the use of the Modified Rational Hydrograph Method is contained in Chapter 5 of the Florida Land Development Manual, which is incorporated by reference in paragraph 62-346.091(1)(d), F.A.C.

6.1 Description

First unnumbered paragraph – No change.

Underdrain systems are intended to both control the water table elevation over the entire area of the treatment basin, and provide for the drawdown of the treatment volume. Underdrains are utilized where the soil permeability is adequate to recover the treatment volume since the on-site soils overlay the perforated drainage pipes. The design criteria for underdrain systems excludes “filter” systems as described in Structural Stormwater Controls SW BMP 3.10 of Chapter 6 of defined in the Florida Land Development Manual (June 1988), which is hereby adopted and incorporated by reference. A copy of this material may be obtained as described in subsection 62-346.091(2), F.A.C.

Third unnumbered paragraph No change.

There are several design and performance criteria which must be met in order for an underdrain system to meet the rule requirements. The underdrain rule criteria are described below.

14.1 Calculating Permanent Pool Volumes

The residence time of a pond is defined as the average time required to renew the water volume (permanent pool volume) in the pond and can be expressed as:

$$RT = \frac{PPV}{FR} \tag{14-1}$$

where: RT = Residence time (*days*)

PPV = Permanent Pool Volume (*ac-ft*)

FR = Average Flow Rate (*ac-ft/day*)

Solving Equation 14-1 for the permanent pool volume (PPV) gives:

$$PPV = (RT) (FR) \tag{14-2}$$

The average flow rate (FR) during the wet season (June – ~~September~~ ~~October~~) can be expressed by:

$$FR = \frac{DA C R}{WS} \tag{14-3}$$

where: DA = Drainage area to pond (*ac*)

C = Runoff coefficient (see Table 14-1 for a list of recommended values for C)

R = Wet season rainfall depth (*in*)

WS = Length of wet season (*days*) (June – September = 122 *days*)

The depth of the wet season rainfall (R) for areas of the NFWFMD is shown in Figure 14-1. The rainfall depth at a particular location may be established by interpolating between the nearest isopluvial lines.

Substituting Equation 14-3 into Equation 14-2 gives:

$$PPV = \frac{DA C R RT}{WS CF} \tag{14-4}$$

where: CF = Conversion factor = 12 *in/ft*

17.4 Considerations for Mining and Certain Other Excavation Activities

Reasonable assurance must be provided demonstrating that groundwater quality standards will not be violated by excavation activities, including mining, that have the potential to penetrate confining layers or, that by their nature, must be in direct communication with limestone. Applicants for such activities must demonstrate that runoff entering the excavated area is sufficiently treated prior to discharge to any surface or ground waters. For example, site grading or other water management practices must direct runoff from areas that are potential sources of pollutants into stormwater treatment areas that are designed, constructed, operated and maintained in compliance with Part IV of this Handbook prior to discharge to the excavated area or off-site. Entrance roads, parking areas, vehicle maintenance and wash areas, and storage areas for petroleum and hazardous substances are examples of areas that have the potential for generating and discharging such pollutants and, as such, require such treatment. However, areas associated with material processing, such as washing associated with grading and sorting of sand or limestone extracted from the site, are not considered potential sources of pollutants, provided that no chemicals, except water conditioners or pH adjusters which ~~have been approved by the Department as not adversely affecting the quality of the water contained in the mine, are~~ shall be added to the process water used for transporting, washing, or processing of the sand or limestone.

Second and third unnumbered paragraphs – No change.

APPENDIX B-2 DETENTION WITH FILTRATION
CRITERIA CHECK-LIST

Source: Section 3.10 of Chapter 6 of the Florida Land Development Manual, FDEP, incorporated by reference in Chapter 5 of the Florida Land Development Manual, which is incorporated by reference in paragraph 62-346.091(1)(d), F.A.C.

Remainder of Appendix – No change.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-346.055 No-notice General Permits.

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 20, May 22, 2009 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-346.150 Relinquishment and Abandonment.

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 20, May 22, 2009 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

RULE NOS.: RULE TITLES:
62S-4.001 Definitions
62S-4.008 Funding Coastal Partnership
 Initiative Grants

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. 36, No. 23, June 11, 2010 issue of the Florida Administrative Weekly.

Rule 62S-4.001, F.A.C., has been changed to add the following definition and to renumber subsections:

(4) through (6) No change.

(7) “Invasive Exotic Plants” for the purpose of this rule, means non-native plants that adversely affect the habitats and bioregions they invade.

(7) through (10) renumbered (8) through (11) No change.

Proposed amendment to subsection 62S-4.008(2) has been changed to delete part of subsection (2):

(2) Funding of any application submitted in response to the FCMP’s notice of availability of funds and in accordance with this rule chapter is subject to the amount of federal coastal zone management funds awarded to the FCMP and the amount allocated to the CPI by the FCMP. ~~The FCMP may reduce awards based upon feasibility of project components.~~

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:
64B5-13.005 Disciplinary Guidelines

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 19, May 14, 2010 issue of the Florida Administrative Weekly.

The change is in response to concerns stated by the Board of Dentistry at its meeting on June 18, 2010. The change is as follows:

64B5-13.005(ddd) shall read as:

<u>(ddd) Being convicted of, or entering a plea of nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b, relating to the Medicaid program. (Section 456.072(1)(ii), F.S.)</u>			

FIRST OFFENSE	Misdemeanor	Misdemeanor
	Reprimand	\$10,000 fine.
	Felony – Revocation	suspension Felony – revocation

64B5-13.005(gg) shall read as:

~~(gg) Being convicted of, or entering a plea of guilty or nolo contendere, to any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction which relates to health care fraud. (Section 456.072(1)(II) F.S.)~~

FIRST OFFENSE	Misdemeanor –	Misdemeanor –
	Reprimand	\$10,000 fine.
	Felony –	suspension
SECOND OFFENSE	Revocation	Felony – revocation
	\$10,000 fine, revocation	\$10,000 fine, revocation

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

Section IV Emergency Rules

DEPARTMENT OF REVENUE

RULE NO.: 12ER10-03
 RULE TITLE: Florida’s 2010 Tax Amnesty Program
 SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 1, Chapter 2010-166, L.O.F., authorizes the Department of Revenue to promulgate an emergency rule to implement the provisions of the law, establish forms, procedures, terms, conditions, and methods of payment appropriate for fair and effective administration of Florida’s 2010 Tax Amnesty Program, and to ensure taxpayers’ ongoing compliance with Florida’s revenue laws. This emergency rule establishes the administration of Florida’s 2010 Tax Amnesty Program during the period July 1, 2010, through September 30, 2010. To comply with the effective dates of this Program, the Department must adopt an emergency rule as provided by the law so that eligible taxpayers can apply under the Program to report and pay outstanding state and/or local tax liabilities during the tax amnesty period.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of an emergency rule to administer the provisions of Section 1, Chapter 2010-166, L.O.F., which establishes Florida’s 2010 Tax Amnesty

Program beginning July 1, 2010, through September 30, 2010. This emergency rule establishes the terms and conditions of eligibility to participate in the program, the procedures to obtain amnesty under the program for any outstanding state and/or local tax liability incurred prior to July 1, 2010, and the forms necessary to apply for tax amnesty and to report and pay outstanding liabilities during the tax amnesty period.

SUMMARY: Emergency Rule 12ER10-03, (Florida’s 2010 Tax Amnesty Program), establishes the procedures the Department of Revenue will use to administer the tax amnesty program authorized under Section 1, Chapter 2010-166, L.O.F. This emergency rule: (1) provides when a taxpayer is eligible to participate in Florida’s 2010 Tax Amnesty Program during the period from 12:01 a.m., July 1, 2010, through midnight, September 30, 2010; (2) requires eligible taxpayers to file a 2010 Tax Amnesty Agreement (Form DR-100000) with the Department, declaring eligibility to participate in the program; (3) provides when the Department will rescind a taxpayer’s eligibility to participate in the program; (4) establishes when a reduction of 50 percent interest or when a reduction of 25 percent interest will be authorized under the program; (5) establishes procedures for eligible taxpayers who have submitted a 2010 Tax Amnesty Agreement to report and pay outstanding state and/or local tax liabilities; (6) establishes procedures to convert a sales and use tax audit to the certified audit program; (7) establishes procedures for entering into a 2010 Amnesty Stipulation Agreement (Form DR-682010) to pay outstanding liabilities under the tax amnesty program; and (8) provides the effective period of this emergency rule authorized by Section 1, Chapter 2010-166, L.O.F.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

THE FULL TEXT OF THE EMERGENCY RULE IS:

12ER10-03 Florida’s 2010 Tax Amnesty Program.

(1) Scope. This rule establishes the procedures the Department of Revenue will use to administer the tax amnesty program authorized by Section 1, Chapter 2010-166, L.O.F.

(a) The Department is authorized to offer to any eligible taxpayer the opportunity to pay their state and/or local tax liability due prior to July 1, 2010, and to avoid criminal prosecution and the imposition of penalties and a portion of the interest due.

(b) Taxpayers are encouraged to participate in this tax amnesty program as a means of resolving any unpaid liabilities for state and/or local tax, penalty, and interest. Participation in this program does not increase the possibility that a taxpayer will be subject to an audit.

(2) Definitions. For the purposes of this rule, the following terms and phrases mean:

(a) "Department" means the Florida Department of Revenue.

(b) "Eligible taxpayer" means any taxpayer who meets the criteria for participation in the tax amnesty program as provided by Section 1, Chapter 2010-166, L.O.F., and these rules. The term "eligible taxpayer" does not include any taxpayer who is under:

1. Criminal investigation, indictment, information, or prosecution by any state or local entity for a violation of a Florida revenue law; or

2. A pretrial intervention or diversion program, probation, community control, or in a work camp, jail, state prison, or another correctional system regarding a Florida revenue law.

(c) "State and/or local tax" means any of the following when regulated, controlled, and administered by the Department:

1. Communications services tax.

2. Corporate income and emergency excise tax.

3. Documentary stamp tax.

4. Estate tax.

5. Fuel taxes on motor fuel, diesel fuel, aviation fuel, and alternative fuel, including local option taxes.

6. Government leasehold intangible personal property tax.

7. Gross receipts tax on dry-cleaning.

8. Gross receipts tax on natural or manufactured gas or electricity.

9. Insurance premium taxes, fees, regulatory assessments, excise taxes, and surcharges required to be remitted to the Department;

10. Local option convention development tax, tourist development tax, and tourist impact tax administered by the Department and by counties that self-administer these taxes and elected to participate in the amnesty program.

11. Motor vehicle warranty fee.

12. Nonrecurring intangible personal property tax.

13. Pollutant taxes imposed under Part IV, Chapter 206, F.S., and Section 376.75, F.S.

14. Rental car surcharge.

15. Sales and use tax and local option discretionary sales surtaxes.

16. Severance taxes, fees, and surcharges on gas and sulfur production, oil production, and solid minerals.

17. Solid waste fees, including the new tire fee and the new or remanufactured lead-acid battery fee.

(d) "Revenue law" means the Florida statutes applicable to any state and/or local tax, fee, surcharge, surtax, assessment, or other revenue-producing imposition collected and administered by the Department.

(e) "Settlement of liability" means a written agreement between the Department and the taxpayer in which the taxpayer has agreed to the amount of any state and/or local tax, penalty, interest, administrative collection processing fee, and

filing fees for any taxable period ending prior or subsequent to the date of the agreement as provided in closing agreements, stipulated time payment agreements, and settlement agreements.

(f) "Tax amnesty period" begins at 12:01 a.m., July 1, 2010, and ends at midnight on September 30, 2010.

(3) Amnesty Program Schedule Requirements.

(a) Eligible taxpayers must submit to the Department, within the tax amnesty period, the 2010 Tax Amnesty Agreement, all tax returns, and all payments for the state and/or local taxes, interest, administrative collection processing fee, and filing fees included under the tax amnesty program. Eligible taxpayers who are unable to pay the liability due under the tax amnesty program may enter into a payment agreement to make installment payments as provided in subsection (6).

(b) The Department will not grant extensions of time beyond the end of the tax amnesty period for:

1. Filing a properly completed 2010 Tax Amnesty Agreement;

2. Paying in full the correct state and/or local tax, fees, surcharges, interest, administrative collection processing fee, and filing fees due, unless the taxpayer has entered into a stipulated payment agreement as provided in subsection (6) to pay such liabilities; or,

3. Entering into a stipulated payment agreement as provided in subsection (6).

(c) To determine the date of submission of a tax amnesty program return and/or the date of any tax amnesty program payment, the Department will apply one or more of the following criteria:

1. For returns and/or payments submitted by United States mail, the postmark date.

2. For hand-delivered returns and/or payments, the date the item is received by the Department.

3. For returns and/or payments delivered by an express service or delivery service, the date on which the taxpayer delivers the document to the express service or delivery service.

4. For returns and/or payments submitted by electronic means, the date such return is submitted or the date such payment is initiated.

(4) Eligibility Criteria.

(a) Every eligible taxpayer requesting permission to participate in the tax amnesty program must complete a 2010 Tax Amnesty Agreement (Form DR-100000, R. 06/10, hereby incorporated by reference, effective 07/10) and declare and agree to the terms and conditions contained in the 2010 Tax Amnesty Agreement. Failure to sign the Agreement to declare and agree to the terms and conditions of the Agreement will result in the Department denying the taxpayer's request to participate in the tax amnesty program.

(b) Any person qualified to represent a taxpayer, as provided in Rule 12-6.005, must submit a completed and signed Power of Attorney (Form DR-835, incorporated by reference in Rule 12-6.0015, F.A.C.) with the 2010 Tax Amnesty Agreement on behalf of the taxpayer represented.

(c) Only one 2010 Tax Amnesty Agreement is required to participate in the tax amnesty program for any state and/or local tax. Eligible taxpayers are not required to submit an additional Agreement to subsequently disclose additional state and/or local tax liabilities during the tax amnesty period.

(d) The Department will rescind a grant of tax amnesty if the taxpayer has:

1. Misrepresented the taxpayer's eligibility to participate in the tax amnesty program;

2. Misrepresented the interest reduction for which the taxpayer qualifies;

3. Filed false returns or other forms associated with the tax amnesty program request;

4. Failed to file completed forms or returns during the tax amnesty period; or,

5. Failed to pay the amounts due under the tax amnesty program or to enter into an Amnesty Stipulation Agreement during the tax amnesty period.

(5) Penalty; Interest; Fees; Statute of Limitations.

(a) Eligible taxpayers participating in the tax amnesty program will have all penalties imposed on unpaid state and/or local tax liabilities waived, including any specific and/or mandatory penalties imposed for failing to comply with a revenue law.

(b) The Department is authorized to reduce the interest due from taxpayers participating in the tax amnesty program as follows:

1. If the Department has not sent the taxpayer a jeopardy assessment letter, a Notice of Tax Action, a billing, a delinquency letter, a notice of intent to conduct an audit, or any notification reflecting a specifically identified liability, or the Department has not filed a tax warrant, lien, or notice of lien against the taxpayer, the statutorily imposed interest will be reduced by 50 percent.

2. If the Department has sent the taxpayer or filed any document listed in subparagraph 1., the statutorily imposed interest will be reduced by 25 percent.

(c)1. The administrative collection processing fee imposed by Section 213.24, F.S., is calculated on the tax, penalty, and interest due before the reductions allowed by the amnesty program.

2. No reductions are allowed under the tax amnesty program for any charge incurred by the Department in connection with recording any warrant, lien, or notice of lien issued by the Department, or any modification, amendment, satisfaction, or cancellation of any warrant, lien, or notice of lien.

(d)1. If the Department has not sent the taxpayer any document listed in subparagraph (b)1., the period for any state and/or local tax liability disclosed is limited as prescribed by Section 213.21(7)(a) and (d), F.S.

2. When the Department has sent any of the documents listed in subparagraph (b)1., the statute of limitations on actions to collect taxes provided in Section 95.091, F.S., applies.

(6) Department Procedures for Administering the Tax Amnesty Program.

(a) Eligible taxpayers who have completed and submitted a 2010 Tax Amnesty Agreement must file a new or amended return for each taxable period covered under the taxpayer's tax amnesty program request. Eligible taxpayers must use the appropriate current or prior return to report any state and/or local tax liability under the tax amnesty program. A link to current tax year and prior tax year returns is on the Department's Florida's Tax Amnesty Program webpage (<http://dor.mflorida.com/dor/amnesty>). If the appropriate return for a prior year or other reporting period is not available on-line, taxpayers may obtain returns for prior years by calling the Department at (800)352-3671, Monday through Friday, 8:00 a.m. to 7:00 p.m., Eastern Time.

(b) Eligible taxpayers are encouraged to use the Department's Florida's Tax Amnesty Program webpage to file new and amended returns and to make payment of outstanding liabilities. Eligible taxpayers currently enrolled with the Department's e-Services Program may use their user identification number and password to remit taxes and fees and submit returns by electronic means using the Florida's Tax Amnesty Program webpage. Eligible taxpayers who have not enrolled in the Department's e-Services Program must enroll to file and pay by electronic means. Taxpayers may enroll for e-Services at <http://dor.myflorida.com/dor/eservices>.

(c) Taxpayers who have been issued a Notice of Intent to Audit and wish to convert a sales and use tax audit to the Department's certified audit program may contact the program at (850)922-6949. Taxpayers must receive Department approval to convert an audit to the certified audit program and must pay the state and/or local tax and interest determined to be due under the tax amnesty program during the tax amnesty period. Any payment after September 30, 2010, will not qualify for the compromise of penalty and interest available under the tax amnesty program. Eligible taxpayers who comply with the following conditions will be approved to convert an audit to the certified audit program during the tax amnesty period:

1. Only a sales and use tax audit can be converted to the certified audit program.

2. The beginning date of the audit period for certified audit purposes must be the same as the beginning date of the audit period stated on the Notice of Intent to Audit Books and Records that was originally issued by the Department prior to July 1, 2010.

3. All sales and use tax audits converted to the certified audit program must comply with the requirements and procedures established in Part II, Rule Chapter 12-25, F.A.C.

(d) An eligible taxpayer who has multiple issues or multiple state and/or local taxes may request to participate in the tax amnesty program for some or all outstanding liabilities, based on the following provisions:

1. If the taxpayer has more than one tax liability for which the Department has not issued any of the documents listed in subparagraph (5)(b)1. to the taxpayer, the taxpayer will be eligible to receive the benefits provided under the tax amnesty program for those liabilities disclosed during the tax amnesty period.

2. If the taxpayer has received any of the documents listed in subparagraph (5)(b)1. regarding tax liabilities on multiple issues, the taxpayer may choose to pay the liability due under the tax amnesty program on one or more of those issues, and continue to timely protest the remaining liabilities contained in any document issued by the Department. The taxpayer must state in writing the issues that the taxpayer agrees to include under the tax amnesty program and the issues that the taxpayer does not want included in the tax amnesty program.

(e) An eligible taxpayer may request to make installment payments of the liability due under the tax amnesty program by entering into a stipulated payment agreement with the Department. Eligible taxpayers must contact their local service center to enter into a stipulated payment agreement with the Department. A list of local service centers is available on the Department's website at <http://dor.myflorida.com/dor/taxes/servicecenters.html>. A Department representative at the local service center will prepare a 2010 Amnesty Stipulation Agreement, including a payment schedule of up to seven monthly installment payments. The eligible taxpayer must sign the 2010 Amnesty Stipulation Agreement (Form DR-682010, N. 07/10, hereby incorporated by reference, effective 07/10) and pay at least 12.5 percent of the outstanding amount due under the tax amnesty program during the tax amnesty period. Interest will continue to accrue during the term of the payment agreement and will be included in the monthly installment payments included in the amortization schedule. If a taxpayer fails to make a monthly amnesty installment payment or is delinquent with an amnesty installment payment, the taxpayer's 2010 Tax Amnesty Agreement and 2010 Amnesty Stipulation Agreement will be voided. The original liability, including any interest, penalty, or fees due prior to the waiver of penalty and the reduction of interest under the amnesty program, less any payments received under the stipulation agreement, will be due.

(7) Taxpayers who need assistance in determining the amount due under the tax amnesty program or who need help in complying with the tax amnesty program provisions should contact the Department by calling the Taxpayer Services office at (800)352-3671 (Monday through Friday, 8 a.m. to 7 p.m.) or by visiting the local service center nearest them (open Monday through Friday, 8 a.m. to 5 p.m.). A list of local service centers is available at <http://dor.myflorida.com/dor/taxes/servicecenters.html>.

(8) Copies of forms used by the Department in the administration of Florida's 2010 Tax Amnesty Program and prior year and current tax returns are available, without cost, by one or more of the following methods: 1) downloading the form from the Department's Internet site at www.myflorida.com/dor/forms; or, 2) calling the Department at (800)352-3671, Monday through Friday, 8:00 a.m. to 7:00 p.m., Eastern Time; or, 3) visiting any local Department of Revenue Service Center. Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331 or (850)922-1115.

(9) Pursuant to Section 1, Ch. 2010-166, L.O.F., this emergency rule will remain in effect until the later of six months after its effective date or until the date of final resolution of all tax amnesty applications filed during the tax amnesty period.

Rulemaking Authority s. 1, Ch. 2010-166, L.O.F. Law Implemented 213.21, s. 1, Ch. 2010-166, L.O.F. History—New 7-7-10.

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

EFFECTIVE DATE: July 7, 2010

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

DEPARTMENT OF EDUCATION

NOTICE IS HEREBY GIVEN that on July 7, 2010, the Department of Education has issued an order.

The Redlands Christian Migrant Association filed on April 12, 2010, an Emergency Petition for Waiver from Rule 6A-1.099821, F.A.C., Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate, DOE Agency Case No.: DOE-2010-2050. Receipt of the waiver was published in the April 23, 2010, Florida Administrative Weekly. The Department issued an order denying the emergency review of the petition on May 11, 2010, which was noticed in the May 28, 2010, Florida Administrative Weekly. On July 7, 2010, the Department issued an Order Denying Petition for Waiver from Rule 6A-1.099821, F.A.C., With Leave to File for Good Cause Exemption. The order states that prior to May 31, 2010, the Department did not have the authority to deviate from the established formula for calculation of readiness rates and that no agency has the authority to grant a variance from statutory requirements. However, effective May 31, 2010, the State Board of Education is authorized to grant requests for good cause exemptions to VPK providers who serve at least twice the statewide average of ELLs (English Language Learners), according to the standards and process described in statute. (Chapter 2010-210, Laws of Florida.) As the petition for rule variance is not the correct vehicle to request a good cause exemption under the revised statute, the Petitioners are authorized to request a good cause exemption according to the new statutory standards and procedure.

A copy of the Order may be obtained by contacting: Lynn Abbott, Agency Clerk at (850)245-9661 or lynn.abbott@fldoe.org A copy may also be obtained from the Department's website at https://app1.fldoe.org/DOE_Calendar/default.aspx?WhichCalendar=4.

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on July 6, 2010, the Criminal Justice Standards and Training Commission, received a petition for permanent waiver of subsection 11B-27.00213(4), F.A.C., by Eduardo Fernandez. The rule requires recruits employed by agencies on a temporary employment authorization (TEA) to have a four-year break before they may enter into another TEA if they end a TEA prior to becoming certified. Petitioner's employer has handed over operations of the facility employing Petitioner to another private contractor who will not honor the Petitioner's TEA, thereby making it impossible for Petitioner to remain employed. Petitioner seeks a waiver of this rule so that he may

seek another TEA immediately at another facility and, thereby, remain employed while he fulfills the requirements of Section 943.13, F.S., to become certified.

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT on July 13, 2010, the Agency for Workforce Innovation, received a petition for variance from subsection 60BB-4.210(1), F.A.C., which provides requirements for maintaining school readiness eligibility and allows an individual to be unemployed for a maximum of 30 days before losing eligibility to receive services. The Petition was filed by: Early Learning Coalition of Escambia County, 3636-D North "L" Street, Suite A, Pensacola, Florida 32505.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on June 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Seaside Property Management, filed November 6, 2009, and advertised in Vol. 35, No. 48 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.3.2, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner failed to meet its burden by not providing the information requested by the Division (VW 2009-715).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on June 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Boca Teecca Condo, filed November 9, 2009, and advertised in Vol. 35, No. 48 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner failed to meet its burden by not providing the information requested by the Division (VW 2009-722).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on June 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from DMS, Division of Real Estate Development and Management, filed December 2, 2009, and advertised in Vol. 35, No. 51 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from non-specific elevator codes because the Petitioner failed to meet its burden by not providing the information requested by the Division (VW 2009-780).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on June 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Watermark Apartments, filed December 18, 2009, and advertised in Vol. 36, No. 3 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.7.3.1, ASME A17.1, 2004 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner failed to meet its burden by not providing the information requested by the Division (VW 2009-812).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on June 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Everglades Condos, filed December 31, 2009, and advertised in Vol. 36, No. 4 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from non-specific elevator codes because the Petitioner failed to meet its burden by not providing the information requested by the Division (VW 2009-830).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on June 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Phipps Plaza, filed January 11, 2010, and advertised in Vol. 36, No. 5 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance because the Petitioner failed to meet its burden by not providing the information requested by the Division (VW 2010-018).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on June 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from 290 Cypress Gardens Blvd, filed January 15, 2010, and advertised in Vol. 36, No. 5 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from non-specific elevator codes because the Petitioner failed to meet its burden by not providing the information requested by the Division (VW 2010-027).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on June 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from 2314 Medical Office Bldg., filed February 9, 2010, and advertised in Vol. 36, No. 10 of the Florida

Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.15.9.2 and 2.4.1.5, ASME A17.1, 2004 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner failed to meet its burden by not providing the information requested by the Division (VW 2010-076).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on June 30, 2010 the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Ocean Shores Condo Assoc., Inc., filed February 22, 2010, and advertised in Vol. 36, No. 11 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from non-specific elevator codes because the Petitioner failed to meet its burden by not providing the information requested by the Division (VW 2010-098).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on June 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Harbor Walk One Condo Assoc., filed February 22, 2010, and advertised in Vol. 36, No. 11 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.10.4(t), ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner failed to meet its burden by not providing the information requested by the Division (VW 2010-099).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on June 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Coco Plum Beach Villas Condo Assoc., filed March 1, 2010, and advertised in Vol. 36, No. 12 of the Florida

Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3, 2.7.4, 3.11.1(a)(2) and 3.10.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner failed to meet its burden by not providing the information requested by the Division (VW 2010-121).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on June 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from The Parker Highland East, filed March 12, 2010, and advertised in Vol. 36, No. 15 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner failed to meet its burden by not providing the information requested by the Division (VW 2010-164).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Coral Harbor Condo Assoc., Inc., filed April 2, 2010, and advertised in Vol. 36, No. 20, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until July 1, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-217).

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 July 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from DOBS Residential Training Facility, filed April 6, 2010, and advertised in Vol. 36, No. 20, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4 and 2.24.2.1, ASME A17.1a, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-231).

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 July 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Edwinola Retirement Community, filed April 7, 2010, and advertised in Vol. 36, No. 20, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 2.7.4, 3.11.1 and 3.3.2, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until July 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-236).

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 July 2, 2010 the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Boca Club Condo Assoc., filed April 7, 2010, and advertised in Vol. 36, No. 19, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 2.7.4 and 3.4.5, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until December 31, 2010, because the Petitioner has demonstrated

that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-237).

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 July 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from The Narberth Condo, filed April 8, 2010, and advertised in Vol. 36, No. 20 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from non-specific elevator codes because the Petitioner failed to meet its burden by not providing the information requested by the Division (VW 2010-239).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on July 2, 2010 the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Bayfront Medical Center/Plant Ops, filed April 9, 2010, and advertised in Vol. 36, No. 19, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 and 2.3.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-241).

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 July 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from UCF Career Services & Experimental Learning Center, filed April 9, 2010, and advertised in Vol. 36, No. 19, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4 and 2.24.2.1, ASME A17.1, 1996 edition, as

adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-242).

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 July 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Boca Raton Community Hospital, filed April 7, 2010, and advertised in Vol. 36, No. 17, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.13.5 and 2.12.6, ASME A17.1, 2007 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, and from Rule 61C-5.0051, Florida Administrative Code, until April 7, 2010, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-249).

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 July 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Ocean Optics, Inc., filed April 8, 2010, and advertised in Vol. 36, No. 20, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until July 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-250).

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 July 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has

issued an order. The Final Order was in response to a Petition for Variance from Diamond Isle Condo, Inc., filed April 12, 2010, and advertised in Vol. 36, No. 20, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, and 2.7.4, ASME A17.3, 1996 edition and from Rule 211.1, ASME A17.1a, 1997 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until July 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-253).

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 July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from 6505 Democracy Associates, filed April 23, 2010, and advertised in Vol. 36, No. 25, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until May 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-309).

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 July 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Spinakker Point Condos, filed May 19, 2010, and advertised in Vol. 36, No. 24, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.4, 3.3.2 and 3.10.6, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 1, 2012, because the Petitioner has demonstrated that

the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-342).

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 July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Pelican Pointe of Sebastian I Condo Assoc., filed May 24, 2010, and advertised in Vol. 36, No. 25, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 and 3.3.2, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until January 1, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-364).

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 July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Beach Condo, filed June 1, 2010, and advertised in Vol. 36, No. 25, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until January 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-368).

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 July 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Poe Parking Garage, filed June 7, 2010, and advertised in Vol. 36, No. 26 of the Florida Administrative

Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3 and 3.10.4(t), ASME A17.3, 1996 edition and from Rule 303.4, ASME A17.1a, 1997 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the features required under the new rules will not be installed within a reasonable time period and has not demonstrated that the purpose of the statute underlying the rule will be met (VW 2010-373).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Poe Garage, filed June 7, 2010, and advertised in Vol. 36, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.3.2, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-374).

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 July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from The Pointe, filed June 7, 2010, and advertised in Vol. 36, No. 26 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.2.2.5, ASME A17.1, 2004 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the permit was applied for four months after, and issued seven months after, the announcement was made that permits issued on or after July 1, 2009 would be required to meet the sump pump requirement when firefighter service is installed (VW 2010-375).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Sailwind Waterfront, Beso Del Sol, filed June 7, 2010, and advertised in Vol. 36, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until October 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-377).

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 July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Royal Yacht Club Condo Assoc., filed June 7, 2010, and advertised in Vol. 36, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until October 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-379).

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 July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Robb & Stucky Building, filed June 7, 2010, and advertised in Vol. 36, No. 26 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996

edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because there were no means of meeting the intent of the code put forth to justify a permanent variance from Firefighters Service Phase II (VW 2010-381).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on July 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order.

That Final Order was in response to a Petition for Variance from Isles Club I Condo Assoc., filed June 8, 2010, and advertised in Vol. 36, No. 26 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from NFPA 70, Article 620.22(a), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has not demonstrated that the purpose of the statute underlying the rule will be met (VW 2010-382).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Isles Club I Condo Assoc., filed June 8, 2010, and advertised in Vol. 36, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until July 15, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-383).

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 July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Isles Club I Condo Assoc., filed June 8,

2010, and advertised in Vol. 36, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.3.2, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until July 15, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-384).

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 July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Capital BMW, filed June 4, 2010, and advertised in Vol. 36, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.2.2.5, ASME A17.1a, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-388).

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 July 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Tidewater Building, filed June 4, 2010, and advertised in Vol. 36, No. 26 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has not demonstrated that the purpose of the statute underlying the rule will be met (VW 2010-389).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Two South Orange Building, filed June 4, 2010, and advertised in Vol. 36, No. 26 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because this feature required under the new rules will not be installed within a reasonable time period and has not demonstrated that the purpose of the statute underlying the rule will be met (VW 2010-390).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Royal Palms Commons, filed June 9, 2010, and advertised in Vol. 36, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until June 30, 2011 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-395).

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 July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from 1150 Building, filed June 10, 2010, and advertised in Vol. 36, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 1, 2015, because the Petitioner has demonstrated that the purpose of the statute

underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-401).

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 July 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Williams Building, filed June 10, 2010, and advertised in Vol. 36, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 2.7.4 and 3.11.1(a)(2), ASME A17.3, 1996 edition and from Rule 101.3(a), ASME A17.1a, 1997 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until August 1, 2011, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-402).

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 July 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from BSE Investments, filed June 11, 2010, and advertised in Vol. 36, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 5.7.1, ASME A18.1, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-406).

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 July 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order.

The Final Order was in response to a Petition for Variance from Gulfside Place Condo Assoc., filed June 14, 2010, and advertised in Vol 36, No 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.27.3.3.7 and 8.7.2.28, ASME A17.1, 2004 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-407).

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 July 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Tropicana Field, filed June 14, 2010, and advertised in Vol. 36, No. 26, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 6.1.3.3.7, ASME A17.1a, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until March 1, 2011, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-408).

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 June 17, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Trafalgar Condo. Petitioner seeks a variance of the requirements of 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), Florida Administrative Code, which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-421).

A copy of the Petition 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 June 17, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Everglades Plaza Condo Association, Inc. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-422).

A copy of the Petition 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 June 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from AAA Auto Club South. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-423).

A copy of the Petition 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 June 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Royal Celebration Inn. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-424).

A copy of the Petition 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 June 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Fire Station #1. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.7.4 and 3.10.4(t), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires door restrictors and a keyed stop switch which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-425).

A copy of the Petition 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 June 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Cheffy Passidomo Building. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.4, 2.18.5 and 8.11.2.1.3(c)(1) and (3), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a certain diameter of the steel wire ropes which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-426).

A copy of the Petition 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 June 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from The Lincoln Tower. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-427).

A copy of the Petition 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 June 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from The Law Offices of Andrew Shein. Petitioner seeks a variance of the requirements of ASME A18.1, Section 2.1.6.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires marking the certification of the electrical controller unit on the platform lift which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-428).

A copy of the Petition 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 June 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from First Financial Plaza. Petitioner seeks a variance of the requirements of 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), Florida Administrative Code, which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-429).

A copy of the Petition 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 June 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Morris Manor. Petitioner seeks a variance of the requirements of ASME A17.3, Section 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), Florida Administrative Code, that requires restricted door openings and platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-430).

A copy of the Petition 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 June 22, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from USF-Visual and Performing Arts. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.2.2.5, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a sump pump in elevators provided with Firefighters' Emergency Operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-431).

A copy of the Petition 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 June 22, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from The Riverfront Professional Center. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations and restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-432).

A copy of the Petition 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 June 23, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Sutton Place. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations and restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-433).

A copy of the Petition 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 June 23, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from S.H. Condominium. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-434).

A copy of the Petition 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 June 23, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Silver Beach Club. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3 and 2.27.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations and a phone which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-435).

A copy of the Petition 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 June 24, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Alhambra Club Condo. Petitioner seeks a variance of the requirements of 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), Florida Administrative Code which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-436).

A copy of the Petition 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 June 24, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Union 700, Inc. Petitioner seeks a variance of the requirements of 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), Florida Administrative Code, which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-437).

A copy of the Petition 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 June 24, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Jacquelin Bridals II. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a minimum number and diameter of suspension ropes which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-438).

A copy of the Petition 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 June 24, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Inverness Condo II. Petitioner seeks a variance of the requirements of ASME A17.1, Section 303.3d, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the shut-off valve to be located within the elevator machine room which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-439).

A copy of the Petition 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 June 24, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Edgewater High School. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.2.2.5, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a sump pump in elevators provided with Firefighters' Emergency Operation which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-440).

A copy of the Petition 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 June 24, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Osceola Elementary School. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.2.2.5, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a sump pump in elevators provided with Firefighters' Emergency Operation which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-441).

A copy of the Petition 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 June 25, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Seven Lakes. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3 and 3.4.3(d), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations and a sight guard which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this

notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-442).

A copy of the Petition 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 June 25, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Palm Bay Villas Condo. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-443).

A copy of the Petition 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 June 28, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Tampa Theatre Building. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-445).

A copy of the Petition 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 June 29, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Tallahassee Professional Building. Petitioner seeks a variance of the requirements of 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), Florida Administrative Code, which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-446).

A copy of the Petition 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 June 29, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Tallahassee Professional Building. Petitioner seeks a variance of the requirements of 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), Florida Administrative Code, which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-447).

A copy of the Petition 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 June 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Lakeview Center and Eastpointe Bldg. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-448).

A copy of the Petition 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 June 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Pelicans Condominium. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-449).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Hilton Tampa Airport Westshore. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-450).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Manatee County Judicial Center. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-451).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from 933 Office Bldg. A. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-452).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from 500 Clearlake Plaza. Petitioner seeks a variance of the requirements of 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), Florida Administrative Code. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-453).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Mayfair, Boca Raton, FL. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-454).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 2, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Washington Towers. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations and restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-455).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Atlantis Condo Assoc., Inc. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 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), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, restricted door openings and platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-456).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Rutland House. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-457).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from 850 Trafalgar Associates. Petitioner seeks a variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations and restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-458).

A copy of the Petition 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 June 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Whitehall South Condo Assoc., Inc., filed December 30, 2009, and advertised in Vol. 36, No. 3 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from non-specific elevator codes because the Petitioner failed to meet its burden by not providing the information requested by the Division (VW 2010-827).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT on July 1, 2010, the Bureau of Beaches and Coastal Systems has issued an order.

This Order (WL-932 AR ATF V) grants a variance under Section 120.542, F.S., to Daniel & Jeanne McNellis, regarding WL-932 AR ATF, an application for after-the-fact armoring. A petition for variance was received on 3/10/10. Notice of receipt of petition requesting variance was published in the F.A.W., Vol. 36, No. 12, 3/26/10. No public comment was received. This Order grants a limited variance from subsections 62B-33.002(18) and (64), F.A.C., which defines "eligible structures" and "vulnerable," respectively, and from paragraph 62B-33.0051(1)(a), F.A.C., which provides the condition where construction of armoring shall be authorized for the protection of an eligible structure. The petition was approved because the petitioner was able to demonstrate that strict adherence would create a substantial economic hardship and that the rule and underlying statute will be or has been achieved by other means. The property is located at 4525, West Hwy. 30A, Walton County, FL.

A copy of the Order may be obtained by contacting: Rosaline Beckham at (850)488-7815 or by e-mail: rosaline.beckham@dep.state.fl.us.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on July 6, 2010, the Board of Medicine, Council on Physician Assistants, received a petition for waiver or variance filed by Teresa Hoyo Doolittle, PA-C, from Rule 64B8-30.003, F.A.C., with regard to the requirement for letters of recommendation for physician assistant applicants. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on July 7, 2010, the Board of Medicine, received a petition for variance or waiver filed by Ata Ulhaq, M.D., from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on July 8, 2010, the Board of Pharmacy, received a petition for Aravand Ganta, seeking a waiver of the requirements of Rule 64B16-26.2031, Florida Administrative Code. The Petitioner seeks a waiver of the requirement to pass the TOEFL exam.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254. Comments on this petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on July 8, 2010, the Board of Physical Therapy Practice, received a petition for Rene Navarro, Jr., seeking a waiver of the requirements of subparagraph 64B17-4.001(3)(b)3., Florida Administrative Code, which requires the completion of a Board approved English proficiency exam if English was not the language of instruction as evidenced by a minimum total score of 89 on the TOEFL as well as accompanying minimum scores in the test's four components of: 24 in writing; 26 in speaking; 21 in reading comprehension; and 18 in listening comprehension.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05,

Tallahassee, Florida 32399-3255. Comments on this petition should be filed with the Board of Physical Therapy Practice within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on July 14, 2010, the Department of Health has issued an order.

The rule requires that a foreign educational credentialing agency use original documentation to conduct an evaluation of an applicant's education as it pertains to the independent practice of midwifery. The Department determined to deny Petitioner's request that the foreign educational credentialing agency not be required to use original documentation because Petitioner has not established a substantial hardship or that the underlying purposes of the statute would be achieved by granting the request.

A copy of the Order may be obtained by contacting: Anthony Jusevitch, Executive Director, Council of Licensed Midwifery, Department of Health, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3285.

NOTICE IS HEREBY GIVEN THAT on July 9, 2010, the Department of Health, received a petition for paragraphs 64E-11.006(3)(a) and 64E-11.007(3)(b), Florida Administrative Code (F.A.C.), from Mary Ellen F. Chasteen of Palm Cottages of Rockledge, FL 32955. Paragraph 64E-11.006(3)(a), F.A.C., states, "Waste piping from all refrigerators shall discharge indirectly into a floor sink, floor drain or receptor approved by the plumbing authority." Paragraph 64E-11.007(3)(b), F.A.C., indicates that there shall be no direct connection between the sewerage system and any drains originating from equipment in which food, portable equipment or utensils are placed. Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN #A02, Tallahassee, Florida 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ric Mathis, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida 32399-1710, (850)245-4277.

Section VI

Notices of Meetings, Workshops and Public Hearings

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

State Board of Administration
 Division of Bond Finance

Financial Services Commission:

Office of Insurance Regulation
 Office of Financial Regulation

Agency for Enterprise Information Technology
 Department of Veterans' Affairs
 Department of Highway Safety and Motor Vehicles
 Department of Law Enforcement
 Department of Revenue
 Administration Commission

Florida Land and Water Adjudicatory Commission
 Board of Trustees of the Internal Improvement Trust Fund
 Department of Environmental Protection

DATE AND TIME: August 10, 2010, 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; rulemaking under Title 18 of the Florida Administrative Code 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

DEPARTMENT OF STATE

The Florida **Department of State, State Library and Archives of Florida** announces a meeting of the Executive Committee of the Friends of the State Library and Archives of Florida, Inc. All persons are invited.

DATE AND TIME: Tuesday, August 3, 2010, 12:30 p.m. – 2:00 p.m. (EST)

PLACE: Archives Conference Room, State Library and Archives of Florida, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee will receive an orientation to the programs and services of the State Library and Archives of Florida, and will review and discuss the Friends' budget and resolutions to support the mission of the Friends.

For additional information contact: Judith Ring, State Librarian at (850)245-6600.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least five days prior to the meeting in order to request any special assistance by calling (850)245-6600 or TDD (850)922-4085.

DEPARTMENT OF LEGAL AFFAIRS

The Florida **Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, August 5, 2010, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131.

The **Florida Elections Commission** announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, August 10, 2010, 9:00 a.m. – until the Commission adjourns; Wednesday, August 11, 2010, 8:30 a.m. – 6:30 p.m.

PLACE: Senate Office Building, 404 South Monroe Street, Room 401, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and adjudication of cases relating to alleged violations of Chapters 104 and 106, Florida Statutes, and to the late filing of campaign treasurer's reports.

A copy of the agenda may be obtained by contacting: The Commission Clerk at (850)922-4539, ext. 103, by e-mail: patsy.rushing@myfloridalegal.com, by writing: 107 W. Gaines Street, Suite 224, Tallahassee, FL 32399-1050 or by viewing the website of the Commission at: www.fec.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: The Commission Clerk. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **State Fair Authority**, Nominating Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 4, 2010, 9:30 a.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher at (813)627-4221.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Kathleen Fisher at (813)627-4221. If you are 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: Kathleen Fisher at (813)627-4221.

The Florida **State Fair Authority**, Long Range Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 4, 2010, 10:00 a.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher at (813)627-4221.

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

agency at least 2 days before the workshop/meeting by contacting: Kathleen Fisher at (813)627-4221. If you are 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: Kathleen Fisher at (813)627-4221.

The Florida **State Fair Authority Board** announces a public meeting to which all persons are invited.

DATE AND TIME: August 4, 2010, 11:00 a.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher at (813)627-4221.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Kathleen Fisher at (813)627-4221. If you are 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: Kathleen Fisher at (813)627-4221.

The Florida **Lettuce Advisory Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: August 18, 2010, 12:00 Noon

PLACE: Everglades Research and Education Center

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- I. Lunch
- II. Welcome and Introductions (12:30 p.m.)
- III. Introduction – Lettuce / Turf Breeder: Dr. Hungjun Lu
Questions and Answers – General Discussion
- IV. Introduction – Weed Scientists: Dr. Dennis Otero and Dr. Atul Puri
Questions and Answers – General Discussion
- V. Presentation – Lettuce Disease Management Update: New Chemistry, Varietal Screening, Seed Treatments, and Bacterial Survival in the Soil
Presenter – Dr. Richard Raid
Questions and Answers – General Discussion
- VI. Old Business
- VII. New Business
 - a. Division of Plant Industry Representatives
 - b. EREC staff project updates
- VIII. Questions and Answers – General Discussion
- IX. Adjourn.

A copy of the agenda may be obtained by contacting: Mr. Stephen Basore (Chairman), 2305 Cypress Lane, P. O. Box 39, Belle Glade, FL 33430, (561)996-1980, ext. 20.

Pursuant to the provisions of 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. Stephen Basore (Chairman), 2305 Cypress Lane, P. O. Box 39, Belle Glade, FL 33430, (561)996-1980, ext. 20. If you are 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. Stephen Basore (Chairman), 2305 Cypress Lane, P. O. Box 39, Belle Glade, FL 33430, (561)996-1980, ext. 20.

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

DATE AND TIME: Wednesday August 4, 2010, 1:30 p.m.

PLACE: Conference Call: 1(888)808-6959 and when prompted enter 4873444 followed by the # key to join the call

GENERAL SUBJECT MATTER TO BE CONSIDERED: Mandated language to be added to contracts.

A copy of the agenda may be obtained by contacting: Paul Davis at (850)488-4366. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800) 955-8771 (TTY) or 1(800) 955-8770 (Voice).

Pursuant to the provisions of 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: Paul Davis at (850)488-4366. If you are 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 Agriculture and Consumer Services, Division of Forestry (DOF)** and the Indian Lake State Forest Management Plan Advisory Group announce two public meetings and a public hearing to which all persons are invited.

PUBLIC MEETING:

DATE AND TIME: Tuesday, August 10, 2010, 6:00 p.m.

PLACE: Ocala Airport Conference Room, Hanger #19, 750 S. W. 60th Ave., Ocala, FL 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Indian Lake State Forest Management Plan Advisory Group to prepare for a public hearing later in the evening which will provide recommendations to the DOF to help in preparation of a management plan for the Indian Lake State Forest.

PUBLIC HEARING:

DATE AND TIME: Tuesday, August 10, 2010, 6:30 p.m.
PLACE: Ocala Airport Conference Room, Hanger #19, 750 S. W. 60th Ave., Ocala, FL 34474
GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit comments on management of the Indian Lake State Forest. Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to the: DOF's Indian Lake State Forest, Ocala Forestry Station, 2735 Silver Springs Blvd., Ocala, FL 34470 to the Attention: Justin Kilcrease, and should be mailed so as to arrive at the office by the date of the public hearing.

PUBLIC MEETING:

DATE AND TIME: Wednesday, August 11, 2010, 9:30 a.m.
PLACE: Ocala Airport Conference Room, Hanger #19, 750 S. W. 60th Ave., Ocala, FL 34474
GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Indian Lake Forest Management Plan Advisory Group to review comments from the public hearing of August 10, 2010 and provide recommendations to the DOF to help in preparation of a management plan for the Indian Lake State Forest.

A copy of the agenda may be obtained by contacting: Indian Lake State Forest, Ocala Forestry Station, 2735 Silver Springs Blvd., Ocala, FL 34470 or contacting: Justin Kilcrease at (352)732-1201.

Pursuant to the provisions of 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: DOF's Indian Lake State Forest office at the above listed address. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: August 3, 2010, 10:00 a.m. – 12:00 Noon
PLACE: Florida Department of Agriculture and Consumer Services, Doyle Conner Building, Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Small Farm Subcommittee of the Florida Food Safety and Food Defense Advisory Council will hold a public meeting to receive comments and input relative to charges issued by the 2010 Legislature. The charge states as follows: In accordance with Section 500.033, Florida Statutes, the Florida Food Safety and Food Defense Advisory Council shall assess the food safety requirements for food permits that govern small farm facilities permitted as food establishments. The council will complete the assessment and report its findings to the Commissioner of Agriculture by December 1, 2010. The department shall submit recommendations to the President of

the Senate and Speaker of the House of Representatives by December 31, 2010, focusing on the most efficient and effective ways to ensure food safety while minimizing the cost to small farmers. The report is due to the President of the Senate and the Speaker of the House of Representatives by December 31, 2010.

A copy of the agenda may be obtained by contacting: Carol Windham at (850)245-5582.

Pursuant to the provisions of 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: Carol Windham at (850)245-5582. If you are 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: Carol Windham at (850)245-5582.

DEPARTMENT OF EDUCATION

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

DATE AND TIME: Tuesday, August 3, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: Hilton Clearwater Beach Resort, 400 Mandalay Avenue, Clearwater, Florida 33767

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Apprenticeship Advisory Council will hold a meeting to discuss general items relating to apprenticeship in Florida. The agenda includes follow-up actions from previous Council meetings on subjects of committee structure, assignments and responsibilities. The program will include an apprenticeship update relative to apprentices and programs registered in Florida.

A copy of the agenda may be obtained by contacting: Juanita Warren at (850)245-0454, e-mail: Juanita.Warren@fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Juanita Warren at (850)245-0454 or e-mail: Juanita.Warren@fldoe.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 **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIME: A Teacher Hearing Panel, August 5, 2010, 9:00 a.m. or as soon thereafter as can be heard

PLACE: Senate Office Building (Room 401), 404 South Monroe Street, Tallahassee, Florida 32399, (850)245-0455

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kathleen M. Richards at (850)245-0455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Janice Harris or Kathleen M. Richards at (850)245-0455.

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIME: A Teacher Hearing Panel, August 6, 2010, 9:00 a.m. or as soon thereafter as can be heard

PLACE: Senate Office Building (Room 401), 404 South Monroe Street, Tallahassee, Florida 32399, (850)245-0455

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kathleen M. Richards at (850)245-0455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Janice Harris or Kathleen M. Richards at (850)245-0455.

The **USF Center for Urban Transportation Research** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, July 28, 2010, 1:30 p.m. – 2:30 p.m.

PLACE: CUTR Building, University of South Florida, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the CUTR Advisory Board.

A copy of the agenda may be obtained by contacting: Kelly Douglass at (813)974-3120.

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

STRATEGIC CONVERSATION:

DATE AND TIME: August 3, 2010, 12:00 Noon – 2:00 p.m.

PLACE: Advanced Technology Center, Room T-140, 401 W. State St., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Major Priorities for 2010-11.

REGULAR MONTHLY BOARD MEETING:

DATE AND TIME: August 3, 2010, 2:00 p.m. – 3:00 p.m.

PLACE: Administrative Offices, Board Room 405, 501 W. State St., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

DISCUSSION OF COLLEGE OPERATIONAL MATTERS:

DATE AND TIME: August 3, 2010, 3:00 p.m. – 5:00 p.m.

PLACE: Administrative Offices, Room 403A, 501 W. State St., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: College operational matters.

Copies of the agenda for the regular monthly Board meeting will be available for inspection on and after Tuesday, July 27, 2010, 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: The College President, Florida State College at Jacksonville, on or before August 3, 2010. All legal issues should be brought to the College's attention and an attempt made to resolve them prior to the public meeting. Any person wishing to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made. Through the months of August and September 2010, the Board will hold

informal meetings each Thursday from 12:00 Noon to 4:00 p.m., The Administrative Offices, Room 403A, 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 **Century Commission for a Sustainable Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 16, 2010, 10:00 a.m. – until completion

PLACE: University of South Florida, College of Marine Sciences, 140 Seventh Avenue South, St. Petersburg, FL 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: During the upcoming meeting, the members will continue to discuss the Commission’s statutory role, including how to address the impacts of population growth during the next 25-50 years.

In addition, Commission member discussions will include:

- Oil Disaster Response
- Review actions related to Water Congress recommendations
- Strategic Committee Update – Vision Outline
- Florida Chamber Foundation – New Cornerstone/Florida Scorecard

All information regarding this meeting and the Century Commission may be obtained at the Internet address: www.centurycommission.org. A copy of the agenda may be obtained by calling (850)219-0082, ext. 5, or by visiting the web site.

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

DATE AND TIME: August 3, 2010, 9:00 a.m. – until completion

PLACE: Meeting to be conducted using Communications Media Technology, specifically Webinar and Conference Call: Registration for Accessibility Advisory Council Webinar: <https://www2.gotomeeting.com/register/166915842>,

Conference Call: 1(888)808-6959, Code: 1967168#. Public Point of Access: Department of Community Affairs, Room 100E, 2555 Shumard Oak Boulevard, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Waiver Applications for the following projects.

- Fidelity National Financial Aircraft Hanger, 14601 Whirlwind Avenue, Jacksonville, FL 32218
- AME Research Building, University, Tallahassee, FL 32310

- Picerne Building Storage Annex, 247 North Westmonte Drive, Altamonte Springs, FL 32714
- University of South Florida Soccer Park, 4202 E. Fowler Avenue, Tampa, FL 33620
- Miami Beach Cineattheque, 1130 Washington Avenue, Miami Beach, FL 33139

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

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

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

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

DATE AND TIME: August 4, 2010, 11:00 a.m. (EST)

PLACE: Meetings to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Conference Code: 1967168#. Public point of Access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss “accreditor” and “course” applications for recommendation to the Florida Building Commission; discuss potential budget and funded projects for Education Program; discuss Commission’s scope of authority regarding auditing of advance courses and complaint process; report on course audits conducted by Contractor; and, report on status of Rule

9B-70.002, F.A.C., regarding the adopted rule language that allows self affirmation by providers for advanced courses requiring minor technical changes.

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. Jennifer Drake, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

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

The Product Approval/Manufactured Buildings Program Oversight Committee

DATE AND TIME: August 5, 2010, 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 350L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review Product Approval and Entity Applications; provide comments on proposed Rules 9N-3.002, 9N-3.007 and 9N-3.008, F.A.C.; review complaints regarding approved products; review Product Approval Applications for revocations and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Suzanne Davis, 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, FL 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 or Fax: (850)414-8436, Website: www.floridabuilding.org.

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

The Code Administration Technical Advisory Committee concurrent with the Fire Technical Advisory Committee; and the Fire Technical Advisory Committee concurrent with the Code Administration Technical Advisory Committee

DATE AND TIME: August 5, 2010, 2:00 p.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 350L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

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

For further information please contact: 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, FL 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 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The **Division of Emergency Management** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 5, 2010, 9.00 a.m.

PLACE: Division of Emergency Management, Randall Kelley Training Center, Room 305, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a Hurricane Loss Mitigation Program Advisory Council meeting pursuant to Section 215.559, Florida Statutes.

A copy of the agenda may be obtained by contacting: Dexter Harrell, Community Assistance Consultant at (850)413-9820.

Pursuant to the provisions of 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: Shemeeka Hopkins, Planning Manager at (850)922-4079. If you are 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: Shemeeka Hopkins, Planning Manger at (850)922-4079.

DEPARTMENT OF REVENUE

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

DATE AND TIME: August 10, 2010 during a regular meeting of the Governor and Cabinet, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the proposed amendments to the rules listed below. These proposed rule amendments were noticed in the May 28, 2010 (Vol. 36, No. 21, pp. 2434-2441), Florida Administrative Weekly.

- Rule 12-13.004, F.A.C. (Delegation of Authority to Determine Settlements or Compromises) – Compromise and Settlement.
- Rule 12-16.004, F.A.C. (Delegation of Authority) – Consent Agreements.
- Rule 12-17.004, F.A.C. (Delegation of Authority) – Agreements for Scheduling Payments for Liabilities.

A copy of the agenda and the meeting materials may be obtained by going to the Department's Internet site at: <http://dor.myflorida.com/dor/rules> or by contacting: Sarah Wachman at (850)410-2651.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting Sarah Wachman at (850)410-2651. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: July 29, 2010, 10:00 a.m. (CST)

PLACE: Santa Rosa County Commission Chambers, 6495 Caroline Street, Milton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Three has scheduled a scoping meeting regarding the SR 87 Connector Project Development and Environment Study from SR 87 south at US 90 to SR 87 north in Santa Rosa County, Florida. This meeting is being held to allow state, federal agencies and the public an opportunity to review the proposed updated corridors and discuss possible environmental impacts.

A copy of the agenda may be obtained by contacting: Peggy Kelley at (850)415-9517 or email: peggy.kelley@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Peggy Kelley at (850)415-9517 or email her at peggy.kelley@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

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

DATE AND TIME: Tuesday, August 10, 2010, 9:00 a.m. – until conclusion

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Monroe Street and Apalachee Parkway, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Trustees of the State Board of Administration will consider proposed amended rules and will be asked for approval to file the following rules for adoption: Rule 19-7.010, F.A.C. (Pooled Investment Accounts); Rule 19-7.011, F.A.C. (Rate of Return Calculation); Rule 19-7.012, F.A.C. (Pool Participation); Rule 19-7.013, F.A.C. (Reporting Procedures); Rule 19-7.015, F.A.C. (Allocation of Earnings); Rule 19-7.016, F.A.C. (Close of Business); and Rule 19-7.017, F.A.C. (Pooled Investment Account Reserve Fund). Notice of Proposed Rule for these rules was published in F.A.W. on June 18, 2010. A rule hearing was offered for July 12, 2010, but it was not held because it was not requested.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1253.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Tina Joanos, Agency Clerk, Office of the General Counsel, 1801 Hermitage Blvd., Tallahassee, FL 32308, tina.joanos@sbafla.com, (850)413-1197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ruth A. Smith, Assistant General Counsel, Office of the General Counsel, 1801 Hermitage Blvd., Tallahassee, Florida 32308, ruth.smith@sbafla.com, (850)413-1182.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: Wednesday, August 4, 2010; August 11, 2010, 8:30 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission at (850)488-1293.

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

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

PUBLIC SERVICE COMMISSION

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

TITLE: Docket Number: 100009-EI – Nuclear Cost Recovery Clause

PREHEARING CONFERENCE

DATE AND TIME: Wednesday, August 11, 2010, 1:30 p.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

HEARING:

DATES AND TIME: Tuesday – Friday, August 24-27, 2010, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this Hearing is for the Commission to take action on Florida Power & Light Company's and Progress Energy Florida, Inc.'s petitions in Docket No.: 100009-EI – Nuclear Cost Recovery Clause. The Commission will receive testimony and exhibits relative to issues and subjects in the above-referenced docket, and consider any motions or other matters that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow each utility to present evidence and testimony in support of their petition; (2) permit intervenors to present testimony and exhibits concerning each utility's petition; and (3) allow for such other purposes as the Commission may deem appropriate.

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: <http://www.psc.state.fl.us/> under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation at these meetings 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 **Office of Drug Control** announces a telephone conference call to which all persons are invited.

DATES AND TIME: August 12, 26, 2010, 4:00 p.m. – 5:00 p.m.

PLACE: Room 2105, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Prescription Drug Monitoring Program Foundation.

A copy of the agenda may be obtained by contacting: Claude Shipley at (850)414-8820.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Claude Shipley at (850)414-8820. If you are

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

For more information, you may contact: Claude Shipley at (850)414-8820.

REGIONAL PLANNING COUNCILS

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

DATE AND TIMES: Thursday, August 5, 2010, Planning and Growth Management Committee, 8:30 a.m.; Personnel, Budget and Finance Committee, 10:30 a.m.; Full Board of Directors, 11:00 a.m.; Legislative Committee meets immediately after the Board meeting

PLACE: University Center, University of North Florida (UNF), 1 UNF Drive, Jacksonville, Florida 32224

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Board and Committee Meetings.

A copy of the agenda may be obtained by contacting: Please visit our web site: www.NEFRFC.org or Sheron Forde at (904)279-0880.

Pursuant to the provisions of 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: Sheron Forde at (904)279-0880. If you are 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 **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 11, 2010, 9:30 a.m.

PLACE: Florida Institute of Phosphate Research, EDU Large Conference Room, 1855 West Mail Street, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Central Florida Regional Planning Council and/or its Executive Committee.

A copy of the agenda may be obtained by contacting: Kathryn Hall, Program Coordinator at (863)534-7130, ext. 129 or khall@cfrpc.org.

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

For more information, you may contact: Patricia M. Steed, Executive Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, ext. 130 or psteed@cfrpc.org.

The **Institute for Community Collaboration** announces a public meeting to which all persons are invited.

DATE AND TIME: August 2, 2010, 10:30 a.m.
 PLACE: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual meeting of the Board of Directors for the Institute for Community Collaboration.

A copy of the agenda may be obtained by contacting: Bob Cambric at (954)985-4416, bcambric@sfrpc.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: (954)985-4416, sfadmin@sfrpc.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Bob Cambric at (954)985-4416, bcambric@sfrpc.com.

The **South Florida Regional Planning Council**, Executive Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 2, 2010, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting. Any proposed Local Government Comprehensive Plan received prior to the meeting. Any adopted Local Government Comprehensive Plan received prior to the meeting. Any Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Proposed Local Government Comprehensive Plan Amendment for Coral Gables; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting. Any Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Adopted Local Government Comprehensive Plan Amendments for Monroe County. Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting.

A copy of the agenda may be obtained by contacting: (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by

contacting: (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: (954)985-4416.

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

DATE AND TIME: Monday, August 23, 2010, 3:00 p.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Revolving Loan Fund Loan Administration Board to discuss and review loan applications.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: (954)985-4416, sfadmin@sfrpc.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: (954)985-4416, sfadmin@sfrpc.com.

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 5, 2010, 10:00 a.m.

PLACE: Indian River State College (Chastain Campus), Wolf High Technology Center, 2400 S. E. Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the quarterly meeting of Council's District X Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Kathryn Boer at (772)221-4060.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Kathryn Boer at (772)221-4060. If you are hearing

or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

METROPOLITAN PLANNING ORGANIZATIONS

The **Collier Metropolitan Planning Organization (MPO)** announces a workshop to which all persons are invited.

DATE AND TIME: July 28, 2010, 5:00 p.m. – 7:00 p.m.

PLACE: St. Elizabeth Seton Parish Center, 5260 28th Ave., S. W., Naples, FL 34116

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Long Range Transportation Plan Workshop will be held to receive public input on the transportation needs for Collier County through the year 2035.

A copy of the agenda may be obtained by contacting: MPO Director, Phil Tindall at (239)252-8192.

Pursuant to the provisions of 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: MPO Director, Phil Tindall at (239)252-8192. If you are 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: MPO Director, Phil Tindall at (239)252-8192.

WATER MANAGEMENT DISTRICTS

The **R. O. Ranch, Inc.**, a Florida non-profit corporation announces a public meeting to which all persons are invited.

DATE AND TIME: August 5, 2010, 6:00 p.m.

PLACE: Morgan Fieldstation Office, Cooks Hammock, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Board of Directors meeting to discuss the development of equestrian facilities on Suwannee River Water Management District properties.

A copy of the agenda may be obtained by contacting: Pennie Flickinger, Administrative Assistant at (386)362-1001 or pff@srwmd.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Pennie Flickinger, Administrative Assistant at (386)362-1001 or pff@srwmd.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Brian Kauffman, Facilities Director at (386)362-1001 or bck@srwmd.org.

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 27, 2010, 10:00 a.m. – 12:00 Noon

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Director, or his designee, will conduct a public meeting to receive public comment on pending applications for individual consumptive use permits and individual environmental resource permits. An agenda will be available at least 7 days before the meeting; the agenda will identify those permit applications for which the District will receive public testimony or information.

A copy of the agenda may be obtained by contacting: RIM (Division of Regulatory Information Management), St. Johns River Water Management District, Attention: Vicki Young, 4049 Reid Street, Palatka, FL 32177, (386)329-4523 or by visiting the District's web site: www.sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **St. Johns River Water Management District**, Projects and Land Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 9, 2010, 5:00 p.m., Projects and Land Committee Business Meeting

PLACE: District Headquarters, Room 162, Executive Building, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Projects and Land Committee will discuss agenda items, followed by committee recommendations to be approved by the full Governing Board.

NOTE: In the event a quorum of the Committee is not available for the business meeting at the date, time and place set forth above, the Committee shall meet on Tuesday, August 10, 2010, 8:00 a.m. at District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, (386)329-4347, or by visiting the District's website: www.sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIMES: Tuesday, August 10, 2010, 8:15 a.m., Chair's Meeting; 9:00 a.m., Finance, Administration and Audit Committee; 10:00 a.m., Regulatory Committee followed by Governing Board meeting and Public Hearing on Land Acquisition

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Missy McDermont, 4049 Reid Street, Palatka, FL 32177, (386)329-4101 or by visiting the District's website: www.sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing

or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: Wednesday, August 4, 2010, 9:00 a.m.

PLACE: St. Petersburg City Hall, 175 5th Street N., St. Petersburg, FL 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pinellas-Anclote River Basin Board Meeting: Consider Basin business including discussion of the fiscal year 2011 budget followed by adoption of a final millage rate and budget. Some Board members may participate in the meeting via communications media technology. This is a change of place from the published annual calendar.

A copy of the agenda may be obtained by contacting: 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: Phyllis.Young@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4615 (Ad Order EXE0059).

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

DATE AND TIMES: Thursday, August 5, 2010, 9:00 a.m.; 1:30 p.m.

PLACE: SWFWMD Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1) Alafia River Basin Board Meeting; and 2) Hillsborough River Basin Board Meeting: Consider Basin business including discussion of the fiscal year 2011 budget followed by adoption of a final millage rate and budget. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: 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: Dianna.Brass@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4604 (Ad Order EXE0058).

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

DATE AND TIME: Tuesday, August 7, 2010, 9:00 a.m.

PLACE: Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33537-6749

GENERAL SUBJECT MATTER TO BE CONSIDERED: Permit No. and Project Name:

- 49008807.031 Eckerd College
- 43003693.003 City of Lake Wales Runway 6-24 Extension
- 20000742.010 City of Tarpon Springs
- 20005886.004 Tampa Bay Water/Carrollwood Community Wellfield
- 20001836.008 Rood Family LP
- 20004091.012 Bentley-Brahman Ranch

A copy of the agenda may be obtained by contacting: Patty McLeod, Southwest Florida Water Management District, PMO, 2379 Broad Street, Brooksville, Florida 34609-6749.

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

Scientific Knowledge Gained Workshop-RECOVER

DATE AND TIME: August, 4 2010, 7:00 p.m. – 9:00 p.m.

PLACE: SWFWMD, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit input on new scientific information relevant to Everglades restoration.

The Scientific Knowledge Gained document; open for public review and comment from June 25 through August 24, 2010, will be the read-ahead for the workshops and can be found at: http://www.evergladesplan.org/shared-definition/sd_2010.aspx.

An agenda has not been prepared yet, the meeting announcement is located at: http://www.evergladesplan.org/pm/public_meetings/MeetingItem.aspx?meetingId=3.

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

SPACE FLORIDA

The Space Florida announces a public meeting to which all persons are invited.

DATE AND TIME: July 28, 2010, 10:00 a.m. (Eastern Daylight Time)

PLACE: By Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Board of Directors Meeting to discuss one or two topics related to Business Development Transactions and Contract Approval.

A copy of the agenda may be obtained by contacting: Juanell Kirkendoll at jkirkendoll@spaceflorida.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Juanell Kirkendoll at email: jkirkendoll@spaceflorida.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Juanell Kirkendoll at jkirkendoll@spaceflorida.gov.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a workshop to which all persons are invited.

DATE AND TIME: Monday, August 9, 2010, 1:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Notice of Rule Development was published in the F.A.W., on July 16, 2010, Vol 36, No. 28 amending Chapter 59B-9, F.A.C. The Agency is scheduling a workshop for the purpose of encouraging input from the public on amendments to Chapter 59B-9, F.A.C., that revise the Ambulatory and Emergency Department Data Collection requirements. Changes include removing the ambulatory exception provision to require that all ambulatory facilities report regardless of low patient volume; modify existing ambulatory data element codes to align with recent revision in the CMS Health Insurance Claim Form (UB04) and its electronic equivalent; delete all ICD-10-CM references due to delayed national implementation and the Agency's inability to receive an ICD-10-CM format and additional revisions for clarification.

A copy of the agenda may be obtained by contacting: Patrick Kennedy at (850)412-3757.

Pursuant to the provisions of 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: Patrick Kennedy at (850)412-3757. If you are 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: Patrick Kennedy at (850)412-3757.

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 13, 2010, 1:00 p.m. – 4:00 p.m.

PLACE: AHCA, Fort Knox Business Complex, 2727 Mahan Drive, BLDG 3, Conference Room A, Tallahassee, FL 32308, Conference Call: 1(866)882-6451, Conference Code: 86574361#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reform Technical Advisory Panel Teleconference. All interested parties are encouraged to attend.

A copy of the agenda may be obtained by contacting: Susan Whitmire at (850)412-4670 or by email: Susan.Whitmire@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Janice.Ruis@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janice Ruis at (850)412-4671.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Construction Industry Licensing Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, August 10, 2010, 10:00 a.m. or soon thereafter

PLACE: Via Telephone Conference Call: 1(888)808-6959, Conference Code: 4879516#

GENERAL SUBJECT MATTER TO BE CONSIDERED: CE/Exams/Public Awareness committee meeting of the board.

A copy of the agenda may be obtained by contacting: Amanda Wynn, Government Analyst II, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)922-2701.

Pursuant to the provisions of 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: Amanda Wynn, Government Analyst II, 1940 North Monroe Street, Tallahassee, Florida 32399-1039, (850)922-2701. If you are 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: Amanda Wynn, Government Analyst II, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)922-2701.

The **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, August 11, 2010, 12:00 Noon; Thursday, August 12, 2010, 8:30 a.m.; Friday, August 13, 2010, 8:30 a.m. or soon thereafter

PLACE: Gaylord Palms Resort & Convention Center, 6000 West Osceola Parkway, Kissimmee, FL 34746

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business, disciplinary and committee meetings of the board.

A copy of the agenda may be obtained by contacting: Amanda Wynn, Government Analyst II, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)922-2701.

Pursuant to the provisions of 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: Amanda Wynn, Government Analyst II, 1940 North Monroe Street, Tallahassee, Florida 32399-1039, (850)922-2701. If you are 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: Amanda Wynn, Government Analyst II, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)922-2701.

The **Board of Veterinary Medicine** announces a public meeting to which all persons are invited.

DATE AND TIME: September 2, 2010, 8:00 a.m.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084, (904)827-1888

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business meeting.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

The **Florida Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATES AND TIME: Monday, August 2, 2010; Tuesday, August 3, 2010, 8:30 a.m.

PLACE: Division of Real Estate Conference Room N901, North Tower, 400 West 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 writing: Beverly Ridenauer, Government Analyst II, 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)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 4, 2010, 9:00 a.m.

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)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The Florida **Department of Health**, Division of Medical Quality Assurance announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 13, 2010, 1:00 p.m. – 4:00 p.m.

PLACE: Betty Easley Conference Center, Public Service Commission Hearing Room 152, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to review the treatment programs for impaired practitioners as required by Section 456.076, F.S.

A copy of the agenda may be obtained by contacting: Lisa Nickerson, Medical Quality Assurance, 4052 Bald Cypress way, Bin #C00, Tallahassee, Florida 32399-3253.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lisa Nickerson, Medical Quality Assurance at (850)245-4224. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lisa Nickerson, Medical Quality Assurance at (850)245-4224.

The Probable Cause Panel of the **Board of Massage Therapy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, August 16, 2010, 3:15 p.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454590#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board business.

A copy of the agenda may be obtained by contacting: Paula Mask, Program Operations Administrator, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399-3256, (850)245-4161.

Pursuant to the provisions of 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: Paula Mask at (850)245-4161. If you are 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, August 13, 2010, 9:00 a.m.

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, Florida 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Bruce Deterding, 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 by contacting: Sherry Causey at (850)245-4444, ext. 3617. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: September 17, 2010, 7:30 a.m.

PLACE: Rosen Plaza Hotel, 9700 International Dr., Orlando, FL 32819, (407)996-9700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster at (850)245-4474.

NOTICE OF REVISION – The **Board of Nursing** announces a public meeting to which all persons are invited.

DATES AND TIMES: Revised: Wednesday, August 4-6, 2010, 8:30 a.m. and 3:00 p.m.

PLACE: Embassy Suites Tampa – USF, 3705 Spectrum Boulevard, Tampa, FL 33612, (813)977-7066

GENERAL SUBJECT MATTER TO BE CONSIDERED: 8:30 a.m. CNA Council meets to discuss general business.

3:00 p.m. BON meets to discuss general business.

To view the public agenda materials visit: http://www.doh.state.fl.us/mqa/nursing/nur_meeting.html.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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

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

NOTICE OF REVISION – The **Board of Nursing** announces a public meeting to which all persons are invited.

DATES AND TIMES: Revised: Wednesday, October 6-8, 2010, 8:30 a.m. and 3:00 p.m.

PLACE: Double Tree Resort, 10100 International Dr., Orlando, 32821, (407)352-1100

GENERAL SUBJECT MATTER TO BE CONSIDERED: 8:30 a.m. CNA Council meets to discuss general business.

3:00 p.m. BON meets to discuss general business.

To view the public agenda materials visit: http://www.doh.state.fl.us/mqa/nursing/nur_meeting.html.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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

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

NOTICE OF REVISION – The **Board of Nursing** announces a public meeting to which all persons are invited.

DATES AND TIMES: Revised: Wednesday, December 1-3, 2010, 8:30 a.m. and 3:00 p.m.

PLACE: Hyatt Regency, 400 South East Second Avenue, Miami, FL 33131, (305)358-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: 8:30 a.m. CNA Council meets to discuss general business.

3:00 p.m. BON meets to discuss general business.

To view the public agenda materials visit: http://www.doh.state.fl.us/mqa/nursing/nur_meeting.html.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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

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

The **Board of Pharmacy** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, August 10, 2010, 10:00 a.m. or as soon thereafter as can be heard

PLACE: The Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Board of Pharmacy to discuss the language for Rule 64B16-26.351, F.A.C.

A copy of the agenda may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

Pursuant to the provisions of 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 days before the workshop/meeting by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254. If you are 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 CHILDREN AND FAMILY SERVICES

The **Department of Children and Families, Division of Refugee Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 26, 2010, 6:00 p.m. – 7:30 p.m.

PLACE: Catholic Charities, 2210 Santa Barbara Boulevard, Naples, Florida 34116

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suncoast Region, Refugee Advisory Panel.

Pursuant to the provisions of 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 Blair at email: Janet_Blair@dcf.state.fl.us or Fax: (813)558-5598. If you are 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: Janet Blair at phone: (813)558-5841, email: Janet_Blair@dcf.state.fl.us or Fax: (813)558-5598; Taddese Fessehaye at email: Taddese_Fessehaye@dcf.state.fl.us.

The **Department of Children and Families, Division of Refugee Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 27, 2010, 1:30 p.m. – 3:30 p.m.

PLACE: PTEC Clearwater Campus, 6100 154th Avenue North, Building 1, Center for Excellence Room, Clearwater, Florida 33760

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suncoast Region, Refugee Task Force.

Pursuant to the provisions of 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 Blair at email: Janet_Blair@dcf.state.fl.us or Fax: (813)558-5598. If you are 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: Janet Blair at phone: (813)558-5841, email: Janet_Blair@dcf.state.fl.us or Fax: (813)558-5598; Taddese Fessehaye at email: Taddese_Fessehaye@dcf.state.fl.us.

The **Department of Children and Families, Division of Refugee Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 28, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Catholic Charities, 2210 Santa Barbara Boulevard, Naples, Florida 34116

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suncoast Region, Refugee Task Force.

Pursuant to the provisions of 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 Blair at email: Janet_Blair@dcf.state.fl.us or Fax: (813)558-5598. If you are 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: Janet Blair at phone: (813)558-5841, email: Janet_Blair@dcf.state.fl.us or Fax: (813)558-5598; Taddese Fessehaye at email: Taddese_Fessehaye@dcf.state.fl.us.

The **Orlando Refugee Advisory Panel** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 29, 2010, 7:00 p.m. – 9:00 p.m.

PLACE: Department of Children and Families, 400 W. Robinson Street, Conference Room A, Orlando, Florida 32801
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting of the Orlando Refugee Advisory Panel.

A copy of the agenda may be obtained by contacting: Taddese Fessehaye at (407)317-7335 or at Taddese_Fessehaye@dcf.state.fl.us or Pedro Padua at (407)317-7336 or at Pedro_Padua@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Taddese Fessehaye at (407)317-7335 or at Taddese_Fessehaye@dcf.state.fl.us or Pedro Padua at (407)317-7336 or at Pedro_Padua@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Taddese Fessehaye at (407)317-7335 or at Taddese_Fessehaye@dcf.state.fl.us or Pedro Padua at (407)317-7336 or at Pedro_Padua@dcf.state.fl.us.

The Department of Children and Family Services announces a public meeting to which all persons are invited.

DATE AND TIME: August 5, 2010, 3:45 p.m.

PLACE: Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: The opening of proposals, as provided for in Section 2.6 of RFP #06K10BS1, published on the Vendor Bid System (VBS) on July 6, 2010.

A copy of the agenda may be obtained by contacting: Anna Bethea, Procurement Manager, Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700 or Anna_Bethea@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Anna Bethea, Procurement Manager, Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700 or Anna_Bethea@dcf.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 Refugee Services-Jacksonville Refugee Advisory Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, September 11, 2010, 10:00 a.m. – 11:30 a.m.

PLACE: Center for Language and Culture, 7401 Old Kings Road South, Jacksonville, FL 32217

GENERAL SUBJECT MATTER TO BE CONSIDERED: Local Issues Related to Services to Refugees Resettling in the Jacksonville Area.

A copy of the agenda may be obtained by contacting: Debbie Ansbacher at (904)726-1540 or email: Debbie_Ansbacher@dcf.state.fl.us or contact: Taddese Fessehaye at (407)317-7335 or email: Taddese_Fessehaye@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Debbie Ansbacher at (904)726-1540 or email: Debbie_Ansbacher@dcf.state.fl.us or contact: Taddese Fessehaye at (407)317-7335 or email: Taddese_Fessehaye@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Debbie Ansbacher at (904)726-1540 or email: Debbie_Ansbacher@dcf.state.fl.us or contact: Taddese Fessehaye at (407)317-7335 or email: Taddese_Fessehaye@dcf.state.fl.us.

The Department of Children and Families, Division of Refugee Services announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 11, 2010, 1:30 p.m. – 3:30 p.m.

PLACE: To be determined. Please Contact: Pedro Padua at email: Pedro_Padua@dcf.state.fl.us or Fax: (407)245-0584

GENERAL SUBJECT MATTER TO BE CONSIDERED: Central Region, Refugee Task Force.

Pursuant to the provisions of 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: Pedro Padua at email: Pedro_Padua@dcf.state.fl.us or Fax: (407)245-0584. If you are 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: Pedro Padua at phone: (407)317-7336, email: Pedro_Padua@dcf.state.fl.us or Fax: (407)245-0584; Taddese Fessehay at email: Taddese_Fessehay@dcf.state.fl.us.

The **Council on Homelessness** announces a series of conference call meetings of its committees to which all interested parties are invited to participate. The committees are the Executive, Continuum of Care Capacity, Affordable Housing, Education and Training, Data Collection, Legal and Law Enforcement, and Children's.

Committee: Executive

DATE AND TIME: Monday, August 2, 2010, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

Committee: Continuum of Care Capacity

DATES AND TIME: Wednesday, August 11, 2010; Wednesday, September 8, 2010, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

Committee: Affordable Housing

DATE AND TIME: Wednesday, September 15, 2010, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

Committee: Data Collection

DATES AND TIME: Monday, August 9, 2010; Monday, September 13, 2010, 1:00 p.m. – 2:00 p.m.

PLACE: Conference Call 1(888)808-6959, Conference Code: 9229760#

Committee: Legal and Law Enforcement

DATE AND TIME: Friday, August 13, 2010, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

Committee: Children's

DATE AND TIME: Thursday, September 16, 2010, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees' continued development of policy recommendations and work tasks to address the Council's Strategic Plan to reduce homelessness in Florida.

A copy of the agenda for any of the conference calls may be obtained by contacting: Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, (850)922-4691.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who may be in need of special assistance should contact: The Office on Homelessness, (850)922-4691 at least 48 hours in advance of the meeting.

NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 29, 2010, 10:30 a.m.

PLACE: Venice City Hall, 401 W. Venice Ave., Venice, FL 34285

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Navigation District.

A copy of the agenda may be obtained by contacting: WCIND, 200 E. Miami Ave., Venice, FL 34285.

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 HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 10, 2010, 10:00 a.m. (Eastern Time)

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Review Committee meeting will be to discuss and answer any questions and to evaluate and give scores for the proposals submitted in the second round of Florida Housing Finance Corporation's Request for Qualifications 2010-07 for counseling services for the HFA Hardest Hit Fund Mortgage Intervention Strategy.

A copy of the agenda may be obtained by contacting: Sherry Green at (850)488-4197 or sherry.green@floridahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sherry Green at (850)488-4197 or email: sherry.green@floridahousing.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: August 11, 2010, 1:30 p.m. – 5:00 p.m.

PLACE: Fish and Wildlife Conservation Commission, Farris Bryant Building, Room 272, 620 South Meridian Street, Tallahassee, Florida 32399-1600. Communications Media Technology will be used via video conferencing at the Florida Fish and Wildlife Research Institute, 100 Eighth Avenue, S. E., St. Petersburg, Florida 33701-5095. Public should attend at the Tallahassee location.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Evaluations for the FY 10-11 Florida's Wildlife Legacy Initiative's Targeted Grant proposals.

A copy of the agenda may be obtained by contacting: Laura Morse, Grants Coordinator, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-3831.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: 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: Laura Morse, Grants Coordinator, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-3831.

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: August 4, 2010, 9:00 a.m. – 4:00 p.m.

PLACE: The Capitol, House Office Building, Room 404, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Personal Injury Protection Roundtable.

A copy of the agenda may be obtained by contacting: 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: Vicki Twogood at (850)413-2970 or e-mail Vicki.twogood@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, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 19, 2010, 10:00 a.m.

PLACE: State Fire Marshal Conference Room, Third Floor, Atrium Building, 325 John Knox Road, Tallahassee, Florida 32303. To participate by telephone conference call, dial (850)413-1591. (Cisco VoIP Internal callers may reach the conference call by dialing 11591.) Once you have dialed the initial number you will be prompted to enter the Conference ID which is 736077. The connection will be available 5 to 10 minutes before 10:00, a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Continuation of a hearing of the Historical Task Force regarding Sadigo Court Hotel, 334-20th Street, Miami Beach, FL 33139.

A copy of the agenda may be obtained by contacting: Belinda Chukes, Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3619.

Pursuant to the provisions of 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: Belinda Chukes at (850)413-3619. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Board of Funeral, Cemetery, and Consumer Services**, Probable Cause Panel B announces a public meeting to which all persons are invited.

DATE AND TIME: August 2, 2010, 10:00 a.m.

PLACE: 2020 Capital Circle, S. E., Alexander Building, Conference Room 2100, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider the following two disciplinary cases with prior findings of probable cause: CEP Investments, Inc. d/b/a Prevatt Funeral Home and Cremation Services, Case No.: 106814-09-FC and Clarence E. Prevatt, Case No.: 106816-09-FC.

A copy of the agenda may be obtained by contacting: LaTonya Bryant-Parker at (850)413-3039 or email: LaTonya.Bryant-Parker@myfloridacfo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: LaTonya Bryant-Parker at (850)413-3039 or email: LaTonya.Bryant-Parker@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).

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: August 5, 2010, 1:00 p.m.

PLACE: 301 Senate Office Building, Tallahassee, Florida (adjacent to The Capitol)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Royal Palm Insurance Company has requested a 21.7% overall rate increase for its dwelling fire program, effective October 1, 2010, for new and renewal business. The requested rate increases are not uniform and some areas are subject to higher rate increases.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from the insurers as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to the Office of Insurance Regulation at ratehearings@flor.com; the subject line of your e-mail should read "Royal Palm."

A copy of the agenda may be obtained by contacting: Rhoda K. Johnson, Esquire at (850)413-4252 or Cindy Walden at (850)413-2616.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Cindy Walden at (850)413-2616 or e-mail her at cindy.walden@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rhoda K. Johnson, Esquire at (850)413-4252 or Cindy Walden at (850)413-2616.

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: August 10, 2010, 9:00 a.m., during a regular meeting of the Financial Services Commission

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 69O-167.024, Florida Administrative Code, published on June 18, 2010 in Vol. 36, No. 24, of the Florida Administrative Weekly.

A copy of the agenda may be obtained by contacting: Richard Koon, Office of Insurance Regulation, email: Richard.Koon@flor.com.

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

For more information, you may contact: Richard Koon, Office of Insurance Regulation, email: Richard.Koon@flor.com.

AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

The **Agency for Enterprise Information Technology (AEIT)** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 2, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: Room 225A, 4030 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Enterprise Services Strategic Plan – meeting of the technical workgroup to discuss potential Enterprise services.

A copy of the agenda may be obtained by contacting: Damu Kuttikrishnan at Damu.Kuttikrishnan@aeit.myflorida.com or (850)410-2954.

Pursuant to the provisions of 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: Damu Kuttikrishnan at (850)410-2954. If you are 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 **Agency for Enterprise Information Technology (AEIT)** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 6, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: Collins Building, Room 138, 107 W. Gaines Street (Public Entrance on Bloxham Street), Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of all state agencies and assist in identifying critical statewide information technology issues.

A copy of the agenda may be obtained by contacting: Margie (Rainey) Drury, Florida Department of Legal Affairs, Office of Information Technology at (850)414-3525, margie.rainey@myfloridalegal.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Margie (Rainey) Drury at (850)414-3525. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: August 12, 2010, 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 CENTER FOR NURSING

The **Florida Center for Nursing** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, August 6, 2010, 3:00 p.m. – 5:00 p.m.

PLACE: 12424 Research Parkway, Ste. 220, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: FCN Board of Directors.

A copy of the agenda may be obtained by contacting: Cathy Lewis at (407)823-0980.

SOUTHWOOD SHARED RESOURCE CENTER

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 2, 2010, 1:00 p.m.

PLACE: Room 250L, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, FL 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Customers and Services Committee.

A copy of the agenda may be obtained by contacting: Steve Grantham at (850)922-1475 or email: Steve.Grantham@dca.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Steve Grantham at (850)922-1475 or email: Steve.Grantham@dca.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Steve Grantham at (850)922-1475 or email: Steve.Grantham@dca.state.fl.us.

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 2, 2010, 3:00 p.m.

PLACE: Room 114, Executive Conference Room, Caldwell Building, 107 E. Madison Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Operations and Finance Committee.

A copy of the agenda may be obtained by contacting: Judith Joseph at (850)245-7290, judith.joseph@flaawi.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Judith Joseph at (850)245-7290, judith.joseph@flaawi.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Judith Joseph at (850)245-7290, judith.joseph@flaawi.com.

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 4, 2010, 10:00 a.m.

PLACE: Conference Room 101, 4050 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Primary Data Center Management Group: Board Chairs and Executive Directors of the three State Primary Data Centers and the CIO Council Chairperson.

A copy of the agenda may be obtained by contacting: Ann Barfield at email: ann.barfield@dms.myflorida.com or (850)922-9698.

Pursuant to the provisions of 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: Ann Barfield at email: ann.barfield@dms.myflorida.com or (850)922-9698. If you are 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: Ann Barfield at email: ann.barfield@dms.myflorida.com or (850)922-9698.

HERNANDO COUNTY METROPOLITAN PLANNING ORGANIZATION

The **Hernando County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: July 28, 2010, 10:00 a.m.

PLACE: John Law Ayers County Commission Chambers, Room 160, Hernando County Government Complex, 20 North Main Street, Brooksville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting. Included in this meeting is a discussion on the annual update and approval of the 2010/2011 Transportation Disadvantaged Service Plan (TDSP), TD ride-along and surveys, amendment to the TDLCB Bylaws, and the Community Transportation Coordinator's regular quarterly report.

A copy of the agenda may be obtained by contacting: Steve Diez, Transportation Planner II, Hernando County Metropolitan Planning Organization, 20 N. Main Street, Room 262, Brooksville, FL 34601, (352)754-4057 or email: mpo@hernandocounty.us. The meeting agenda may be viewed online at www.hernandocounty.us/mpo.

Pursuant to the provisions of 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: Steve Diez, Transportation Planner II at (352)754-4057 or email: stevend@hernandocounty.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.

SOIL AND WATER CONSERVATION DISTRICT

The **Osceola Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATES AND TIME: August 17, 2010; September 21, 2010; October 19, 2010; November 16, 2010, 6:00 p.m.

PLACE: Osceola County Extension Office, Kissimmee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss business of the district board.

A copy of the agenda may be obtained by contacting: OSWCD at (407)847-4465, ext. 3.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **FWCJUA Producer Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 9, 2010, 11:00 a.m.

PLACE: To participate in the teleconference meeting, please contact: Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items shall include the agency authorization process including termination procedures and the application submission process.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or FWCJUA's website: www.fwcjua.com.

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 on July 2, 2010, the Public Employees Relations Commission has issued an order disposing of the petition for declaratory statement filed by Broward County Sheriff's Office, Case No.: DS-2010-001 on April 7, 2010. The following is a summary of the agency's disposition of the petition:

The Commission determined that the Sheriff of Broward County is not the legislative body for purposes of resolving collective bargaining impasses with a unit of Sheriff's Office fire and rescue employees under a subcontract from Broward County.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4050 Esplanade Way, Tallahassee, FL 32399-0950 or on-line at: perc.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Terry Back, In Re: Harbor Pointe Condominium Association, Inc., Docket No.: 2010014717, on March 15, 2010. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it cannot issue a declaratory statement concerning events that have already taken place.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Terry Back, In Re: Harbor Pointe Condominium Association, Inc., on March 26, 2010. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it cannot issue a statement concerning events that have already taken place.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Jacqueline Brown, In Re: Les Chateaux Condominium

Association, Inc., Docket No.: 2010019035 on April 14, 2010. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it cannot issue a statement concerning events that have already taken place; or where the petitioner has not provided a full and current set of governing documents.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has declined to rule on the petition for declaratory statement filed by Fred Crivello, In Re: Cypress Trace North Association, Inc., Docket No.: 2010020672, on March 16, 2010. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it cannot issue a statement concerning events that have already taken place.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Douglas C. Kaplan, Petitioner/Unit Owner, In Re: One Island Place Condominium Association, Inc., Docket No.: 2010032746. The petition seeks the agency's opinion as to the applicability of n/a as it applies to the petitioner.

Whether One Island Place Condominium, Inc. operates and maintains the One Island Place Condominium I and One Island Place Condominium II under the governing documents.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Pauline Schultz, Petitioner/Unit Owner, In Re: Tregate East Condominium Association, Inc., Docket No.: 2010033318. The petition seeks the agency's opinion as to the applicability of Section 718.123, Florida Statutes, as it applies to the petitioner.

Whether under Section 718.123, Florida Statutes, a unit owner in Tregate East Condominium may escort another unit owner, who is delinquent in assessments and prohibited from using the recreational facilities under Section 718.303(3), Florida Statutes, as a guest.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Michael A. Ungerbuehler, Esq., In re: Lemon Tree – 1 Condominium Association, Inc., Docket Number 2010021663 on April 27, 2010. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because the division does not have the authority to determine questions of fact; or because the division does not have jurisdiction to resolve conflicting provisions in the governing documents.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Michael Venezia, In Re: Hallmark of Hollywood Condominium Association, Inc., on March 31, 2010. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it cannot issue a statement that affects the rights of others who are not parties to the declaratory statement; or because it cannot issue a statement concerning events that have already taken place; or where the governing documents have not been provided.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on July 14, 2010, the Board of Pharmacy has received the petition for declaratory statement from Joe Hayes, R.Ph., MBA, on behalf of Edward White Hospital. The petition seeks the agency's opinion as to the applicability of Rule 64B16-28.113, Florida Administrative Code, as it applies to the petitioner.

The petition seeks the Board's interpretation of Rule 64B16-28.113, Florida Administrative Code, concerning whether under the current rules, would they need a separate license for a "skilled nursing unit."

A copy of the Petition for Declaratory Statement may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Miami-Dade County Fire Rescue Department, Chief Manny C. Mena, on or about July 6, 2010. The petition seeks the agency’s opinion as to the applicability of Sections 633.0215(13) and 633.0214(14), F.S. as it applies to the petitioner.

Section 633.0215(13), F.S., additional language as amended by CS SB 1196 effective July 1, 2010, to wit: “A condominium cooperative, or multifamily residential building that is less than four stories in height and has a corridor providing an exterior means of egress is exempt from the requirement to install a manual fire alarm system under s. 9.6 or the Life Safety Code adopted in the Florida Fire Prevention Code.” Section 633.0215(14), F.S., additional language as amended by HB 633, effective July 1, 2010, to wit: “A condominium that is one or two stories in height and has an exterior corridor providing a means of egress is exempt from installing a manual fire alarm system as required in s. 9.6 or the most recent edition of the Life Safety Code adopted in the Florida Fire Prevention Code.”

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-3604 or (850)413-4238, Fax (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mail: Lesley.Mendelson@myfloridacfo.com.

Section VIII

Notices of Petitions and Dispositions Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

Baptist Hospital, Inc., Bay Medical Center, Holmes Regional Medical Center, Inc., Lee Memorial Health System, Lifemark Hospitals of Florida, Inc., d/b/a Palmetto General Hospital, Munroe Regional Medical Center, North Broward Hospital District Et Al vs. Agency for Health Care Administration; Case No.: 10-2996RX; Rule No.: 59G-4.160

Baptist Hospital, Inc., Bay Medical Center, Holmes Regional Medical Center, Inc., Lee Memorial Health System, Lifemark Hospitals of Florida, Inc., D/B/A Palmetto General Hospital, Munroe Regional Medical Center, North Broward Hospital District Et Al vs. Agency for Health Care Administration; Case No. 10-4491RP; Rule No.: 59G-4.160

Baptist Hospital, Inc., Bay Medical Center, Holmes Regional Medical Center, Inc., Lee Memorial Health System, Lifemark Hospitals of Florida, Inc., d/b/a Palmetto General Hospital, Munroe Regional Medical Center, North Broward Hospital District Et Al vs. Agency for Health Care Administration; Case No.: 10-2997RU; Rule No.: 59G-4.160

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Ameriloss Public Adjusting Corp. vs. Department of Financial Services; Case No.: 10-2089RX; Rule No.: 69B-220.201(5)(d); Invalid

South Florida Pain Relief and Detox Center, LLC vs. Department of Health, Division of Medical Quality Assurance; Case No.: 10-1799RU; Withdrawal

My Friend Home Care, Inc. vs. Agency for Health Care Administration; Case No. 10-2657RU; Dismissed

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

Project UF-266

Chemical Engineering Addition (Gainesville campus)

NOTICE TO CONSTRUCTION MANAGERS:

The University of Florida Board of Trustees announces that CM-At-Risk services will be required for the project listed below:

Project: UF-266, Chemical Engineering Addition (Gainesville campus)

The project consists of an 8,000 GSF addition to the south-east side of the existing Chemical Engineering building which will give the building and department more presence on campus. In addition to a new entry, the atrium is intended to create a space for interaction, innovation and collaboration. The addition is also to provide much needed office space, conference room, and student collaboration space.

The total project budget is \$3,500,000, including site improvements, underground utilities, fees, surveys & tests, total building commissioning, furnishings and equipment, and contingencies. Construction shall be "fast-tracked" to end by August 2013. Gold LEED (Leadership in Energy and Environmental Design) certification by the U.S. Green Building Council is mandatory.

The contract for construction management services will consist of two phases, pre-construction and construction. Pre-construction services will begin at the Conceptual Schematic Design stage and will include production of cost studies and estimates; value engineering; analysis of the design documents for constructability, coordination, detailing, materials, and systems; development and maintenance of the construction schedule; production of detailed jobsite management plans; development of strategies for the procurement of trade contracts; and development of a Guaranteed Maximum Price (GMP) proposal based on 100% Construction Documents. If the GMP proposal is accepted and executed, the construction phase will be implemented. In this phase, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract, or failure to arrive at an acceptable GMP budget within the time provided in the agreement, may result in the termination of the construction manager's contract.

Applicants will be evaluated on the basis of their past performance, experience, personnel, references, bonding capacity, workload, and responses to questions posed both in

the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant must be licensed to practice as a general contractor in the State of Florida and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida.

Applicants desiring to provide construction management services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be prepared as specified in the CMQS Instructions and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. Company information and signed certification.
3. A completed, project-specific "CM Qualifications Supplement" (CMQS) proposal. Applications on any other form will not be considered.
4. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff.
5. Proof of the applicant's corporate status in Florida (if applicable) and a copy of the applicant's current contracting license from the appropriate governing board.
6. Proof of applicant's bonding capacity.

If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction manager must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

Additional information to assist the applicant in preparing a complete proposal – including the project-specific CMQS forms, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Design and Construction Standards, standard University of Florida Agreement for CM Services, and other project and process information – can be found on the Facilities Planning and Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning and Construction office by 3:00 p.m. (Local Time), Thursday, August 19, 2010. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction
 232 Stadium / P. O. Box 115050
 Gainesville, FL 32611-5050
 Telephone: (352)273-4000, Fax: (352)273-4034
 Internet: www.facilities.ufl.edu

Request For Proposal – BT-653
 Florida Atlantic Boulevard Northern Four Lane
 Boca Campus

NOTICE TO PROFESSIONAL CONSULTANTS

Florida Atlantic University, on behalf of its Board of Trustees, announces that Professional Services in the discipline of Civil Engineer, will be required for the project listed below:

Project No.: BT-653 Florida Atlantic Blvd. Northern Four Lane Project and Location: Located on Florida Atlantic University’s Boca Raton Campus, the project design will consist of a new four-lane road, on the west side of the Innovation Village Housing site, connecting Lee Street and Spanish River Boulevard. The project will include lighting and drainage design. Two additional components may be included but not necessarily be designed and or built concurrently:

- ◆ A connection from campus to N.W. Fifth Ave. on the east, providing direct vehicular access to the Henderson School, requiring an overpass of El Rio Canal and interface with the City of Boca Raton.
- ◆ Analysis of traffic patterns and vehicular circulation for a future connector road, which would link the proposed four lane road to Palm Beach Avenue or what is known as Lot 5 to the west.

Total construction budget is approximately \$7,500,000. The selected firm will provide schematic design, design development, construction documents with various add alternates components and construction administration for the referenced project. This project will be delivered via either Construction Management at risk or hard bid. Blanket professional liability insurance will be required for this project in the amount of \$500,000.00, and will be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed “Florida Atlantic University Professional Qualifications Supplement” (FAUPQS Revised January 2004). Applications on any other form may not be considered. For this project specialty consultants may be listed for environmental and survey services.
 Selection of finalists for interview will be made on the basis of professional qualifications, including experience and ability; past experience; design ability; volume of work; and distance from project.

2. A copy of the applicant’s current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit 4 bound sets of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned. The plans and specifications for the State of Florida University projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Sole Point of Contact: The FAU Professional Qualifications Supplement, the Project Fact Sheet, and the approved Facilities Program are available online at: <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php> or by contacting: University’s Sole Point of Contact for this Project: Jill Rosen, Coordinator, Facilities Planning, Bldg. 69, Room 107, (561)297-4110, (561)297-2260 or email: jrosen58@fau.edu.

From the date of issuance of this Notice until a final selection of a consultant is made or a notice of cancellation is posted, the consultant must not make available or discuss its proposal, or any part thereof, with any member of the Selection Committee, unless permitted by the Sole Point of Contact, in writing, for purposes of clarification only, as set forth herein. Any individual associated with a consultant who contacts members of the Selection Committee, regarding any aspect of this project, whether such contact be in person, telephone, or through electronic or written correspondence, may be determined to have violated the terms and conditions of this solicitation. If that determination is made, any proposal received from such an individual OR their company may be rejected as non-responsive and not subject to evaluation. If there are any changes or additions to the Sole Point of Contact information at any time in the process, participating consultants will be notified via an addendum to the Notice.

Questions regarding the Notice and/or process should be submitted via fax or email to the Sole Point of Contact. No oral communications shall be considered as a change to the Notice. FAU may respond to questions deemed by the University to be material in nature via a written addendum to the Notice. Interpretation of the wording of this document shall be the responsibility of the FAU and that interpretation shall be final.

All postings referred to in this Notice will be posted electronically on the FAU Facilities website: <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php>. At all times it shall remain the responsibility of the consultants participating in this solicitation to check the postings at the Campus Operations Building CO#69 directory and/or the Purchasing Department in the Administration Building. No further notice will be given.

Four (4) bound sets of the required proposal data shall be submitted to: Office of Facilities Planning, Florida Atlantic University, 777 Glades Road, Campus Operations Building #69-Room 107, Boca Raton, Florida 33431 by 5:00 p.m. (Local Time), Wednesday, August 25, 2010. In an effort to be sustainable; submittals shall be printed double sided (total 20 sheets/40 pages), on recycled paper and the submittal is to be either stapled or GBC bound (no three ring binders). Facsimile (FAX) submittals are not acceptable and will not be considered.

PROJECT FACT SHEET

Florida Atlantic Blvd. Northern Four Lane
Florida Atlantic University
Boca Raton Campus

PROJECT DESCRIPTION

The project consists of design and construction of a new four (4) lane road on the west side of Innovation Village Housing connecting Lee St. and Spanish River Blvd. and will include lighting and drainage design. The project costs include two additional components which may be included but not necessarily designed and or built concurrently:

1. A connection from campus to N. W. Fifth Ave. on the east, providing direct vehicular access to the Henderson School, requiring an overpass of El Rio Canal and interface with the City of Boca Raton.
2. Analysis of traffic patterns and vehicular circulation for a future connector road, which would link the proposed four lane road to Palm Beach Avenue or what is known as Lot 5 to the west.

This project will be constructed using either the construction manager at risk or hard bid delivery process.

The Construction budget is approximately \$7,500,000.00.

SELECTION CRITERIA

Firms will be evaluated in the following areas: Experience and ability, past experience; bonding capacity; record-keeping; administrative ability; critical path scheduling expertise; cost estimating; cost control ability; quality contract capability; qualification of the firm's personnel, staff and consultants; and the teams ability to address sensitive environmental issues and permitting requirements for Burrowing Owls and Gopher Tortoises. Experience and ability scores will be based on the following criteria:

1. Experience of firm and individual members of design team with projects of similar size and scope.

2. Experience of firm and individual members of the design team in planning, designing, estimating, and construction administration of projects similar in size and budget. Site examples of projects within the past five-year.
3. Experience campus planning and working with Universities.

SELECTION COMMITTEE:

Robert Richman, Director, Facilities Planning
Jim Baker, Director, Engineering and Utilities
Vincent Elliott, Physical Plant Operations Manager
Paulo Brida, Associate Director, Facilities Planning

SELECTION SCHEDULE:

The anticipated schedule for selection, award, and negotiation is as follows:

Submittal Due:	August 25, 2010
Shortlist Meeting:	TBD
Final Interviews:	TBD
Contract Negotiation:	TBD

GENERAL INFORMATION

1. The University is not liable for any costs incurred by the Applicants prior to the issuance of an executed contract.
2. In order to minimize the possibility of unethical pressures or influences on the recommendation of the Selection Committee, no verbal or written communication is permitted between the applicants and the members of the Selection Committee. Any questions or requests for project information must be in writing: Jill Rosen, Boca Raton Campus, Bldg. 69, Rm. 107, (561)297-4110, Fax: (561)297-2260, email jrosen58@fau.edu.
3. All applicants will be notified of the results of the shortlist in writing. Finalists will be informed of the interview date and time and will be provided with additional project information, if available.
4. The Selection Committee will make a recommendation to the President of the University. All finalists will be notified in writing of the President's action. Upon approval by the President, negotiations will be conducted in accordance with Section 287.055, Florida Statutes.
5. Additional project information is available on our website: <http://wise.fau.edu/facilities/uavp/AE-CM-advertise-home.php>
Professional Liability insurance is required for this project in the amount of \$500,000.

NOTICE TO CONSULTANTS

The University of Central Florida on behalf of its Board of Trustees announces that Professional Services in the discipline of General Auditing and Accounting.

Project: General Project Auditing and Accounting

Project and Location: University of Central Florida, Orlando, Florida.

The professional services to be rendered will consist of the auditing of various design and construction projects to examine accounting procedures and the amounts expended to architects and contractors.

FORM OF PROPOSALS

It is the University's intention to have professionals in the disciplines of General Auditing to submit proposals to the University. Proposal reviews, selection, and interviews will be conducted once the proposals have been received.

Five (5) bound copies of the required proposal data shall be submitted to: Mrs. Gina Seabrook, Facilities Planning, 4000 Central Florida Blvd., Post Office Box 163020, Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m. (Local Time), August 24, 2010. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

The selection committee members have elected not to meet with proposed firms. Please do not contact the selection committee.

INSTRUCTIONS FOR GENERAL AUDITING AND ACCOUNTING

General Auditing and Accounting firms desiring to apply for consideration must include a letter of application and should have attached:

1. A copy of the firm's current Professional Registration Certificates from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Applications that do not comply with all instructions may be disqualified. Application materials will not be returned.

Selection of finalist for interviews will be made on the basis of General Auditing and Accounting qualifications, including experience and ability; past experience; project auditing and accounting; qualification of the firm's personnel, staff and consultants; and the ability to include minority business enterprise participation. Finalists will be provided with a description of the final interview topics. The Selection Committee may reject all proposals and stop the selection process at any time.

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

For additional information contact: Ms. Gina Seabrook, University of Central Florida, Phone (407)823-2166, Fax: (407)823-5141, Email: gseabroo@mail.ucf.edu or the Facilities Planning Web site: www.fp.ucf.edu under the heading advertisements.

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."

REGIONAL PLANNING COUNCILS

The West Florida Regional Planning Council (WFRPC) covers the seven western-most counties in Florida.

THE PURPOSE of this Request for Proposal (RFP) is to enter into an Agreement with a Certified Public Accounting Firm to audit the financial statements of WFRPC. The contractor will perform audits for the fiscal year ending September 30, 2010, with the option of auditing WFRPC's financial statements with two (2) additional two (2) year renewals.

A REQUEST FOR DOCUMENTS should be directed to: Dawn Schwartz, WFRPC, P. O. 11399, Pensacola, FL 32524, (850)332-7976. A detailed RFP document will be available at the WFRPC website: www.wfrpc.org.

RECEIPT OF SEALED PROPOSALS: All proposals must be received as per the RFP instructions no later than 4:00 p.m. (Central Time), on August 13, 2010 at the WFRPC office in Pensacola. WFRPC reserves the right to postpone, accept or reject any and all proposals in whole or in part. All proposers must certify that they are not on the State of Florida Comptroller General's List of Ineligible Bidders. All proposals shall remain in effect for One Hundred Eighty (180) days from the RFP submission due date.

DBE PARTICIPATION: WFRPC solicits and encourages Disadvantaged Business Enterprise (DBE) participation. DBEs will be afforded full consideration of their responses and will not be subject to discrimination.

NOTIFICATION OF FEDERAL PARTICIPATION: A portion of this project is funded by a grant from the Federal Transit Administration. Any resultant Agreement shall be subject to all federal rules and regulations.

REQUEST FOR PUBLIC OUTREACH GRANT APPLICATIONS – CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM

Charlotte Harbor National Estuary Program (CHNEP) is part of the U.S. Environmental Protection Agency National Estuary Program. This cooperative program was established by Congress in 1987 under the Clean Water Act with the goal of recognizing estuaries of "national significance" by bringing

partners with diverse interests and concerns together to protect these estuaries. There are 28 National Estuary Programs within this program with the CHNEP established in 1995.

OBJECTIVE: The Charlotte Harbor National Estuary Program is considering public outreach grant applications for fiscal year 2011. Greater consideration will be given to applications that help advance the goals of the Program by fulfilling the Program Comprehensive Conservation and Management Plan and that inform and educate as many segments of the public as possible.

INVITATION TO APPLY: The CHNEP must receive public outreach grant applications by 5:00 p.m. (Local Time), Wednesday, September 1, 2010. The Charlotte Harbor National Estuary Program reserves the right to reject any or all applications.

The Program hereby solicits applications for public outreach projects. Any Florida resident, organization, business, government agency, school, college or university can submit an application. The project must occur within the Program study area which includes all of Lee, Charlotte, Hardee and DeSoto counties and portions of Polk, Manatee and Sarasota counties.

Public outreach grant funding will not exceed \$5,000.00 per application. Matching funds or in-kind match is recommended but not required. More than one application may be submitted for each entity but each application must be submitted separately and must follow the instructions and requirements.

HOW TO APPLY: The document "Requests for Public Outreach Grant Applications" is available on the website at: www.CHNEP.org. Direct all inquiries regarding this grant application to: Ms. Maran Hilgendorf, Communications Manager at mhilgendorf@swfrpc.org, (239)338-2556, ext. 240, Toll-free 1(866)835-5785, ext. 240 and Charlotte Harbor National Estuary Program, 1926 Victoria Ave., Fort Myers, FL 33901-3414.

DEPARTMENT OF MANAGEMENT SERVICES

PROFESSIONAL SERVICES – CONTINUING CONTRACTS FOR MECHANICAL / ELECTRICAL / PLUMBING ENGINEERING SERVICES NORTHWEST FLORIDA REGION

The State of Florida, Department of Management Services (DMS) requests qualifications from engineering firms to provide Professional Services primarily in the Northwest Florida Region. These services may be used for projects anywhere in the State of Florida, however, it is anticipated that the firms selected during this process will be activated for projects in the Northwest part of the State. The Northwest Region is defined as all counties west of and including Taylor and Madison County. Projects will vary in size up to \$2,000,000.00 for construction and up to \$200,000.00 for planning or study fees.

Response Due Date: August 24, 2010 by 4:00 p.m. (Local Time)

Please visit the Department's Website listed below and click on "Search Advertisements – Division of Real Estate Development and Management" http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

FLORIDA HOUSING FINANCE CORPORATION

RFQ 2010-06 Management Company Services

The Florida Housing Finance Corporation invites all qualified firms to provide management company services for multifamily housing developments. As it may become necessary for Florida Housing to replace the Management Company that operates an affordable multifamily housing development for which Florida Housing has made a loan, Florida Housing has a need for qualified firms to perform Management Company services to ensure full compliance with all applicable federal, state, and local laws including specific requirements, procedures, and guidelines for the HOME Investment Partnership Program, Multifamily Mortgage Revenue Bonds Program, State Apartment Incentive Loan Program, and Demonstration Development Programs in the event of foreclosure, and for the Housing Credit Program when a development also participates in a Florida Housing Loan Program Services, in accordance with the terms and conditions set forth in this Request for Qualifications (RFQ) 2010-06, to submit proposals for consideration. Proposals shall be accepted until 2:00 p.m. (Eastern Time), Tuesday, August 17, 2010, to the Attention: Sherry Green, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

For questions or additional information, please contact: Sherry Green at (850)488-4197 or sherry.green@floridahousing.org. To obtain a copy of the Request for Qualifications, which outlines selection criteria and applicant's responsibilities, please submit your request to the Attention: Sherry Green or you can download the Request for Qualifications from the Florida Housing Finance Corporation website: http://apps.floridahousing.org/StandAlone/FHFC_ECM/AppPage_LegalRFQs.aspx. Any modifications that occur to the Request for Qualifications will be posted at the web site and may result in an extension of the deadline.

RFQ 2010-08 Compliance Monitoring Services
for Hardest Hit Fund Program

The Florida Housing Finance Corporation invites all qualified Offerors to submit proposals for consideration in accordance with the terms and conditions set forth in this Request for Qualifications (RFQ) 2010-08 relating to compliance monitoring services for the Hardest Hit Fund Program.

Proposals shall be accepted until 2:00 p.m. (Eastern Time), Friday, August 13, 2010, to the Attention: Sherry Green, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact: Sherry Green at (850)488-4197 or sherry.green@floridahousing.org. To obtain a copy of the Request for Proposals, which outlines selection criteria and applicant's responsibilities, please submit your request to the Attention of Sherry Green, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at: http://apps.floridahousing.org/StandAlone/FHFC_ECM/AppPage_LegalRFQs.aspx.

Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

**H. LEE MOFFITT CANCER CENTER AND RESEARCH
AUTHORITY**

Request for Qualifications

Master Planning Services

Moffitt Cancer Center seeks submission of qualifications from qualified planning firms to provide master planning services related to campus and facilities space master planning.

Anticipated scope of work:

Comprehensive facilities space planning, both in short range focused, and long range conceptual to support a multi-campus large academic cancer center. Short range plan to include studies of internal and external adjacencies and internal space planning to the programmatic block diagram level. Long range plan will entail concepts for update of existing campus plan for the utilization of property dedicated to outpatient clinics, research, administrative support and biotech endeavors.

Please refer to: www.MOFFITT.org/masterplanningRFQ for the full technical submission requirements of the proposal. Submissions are due Monday August 9, 2010.

All proposals, communications, and correspondence required during the Request for Qualifications process must be directed to: Gordon Peck, Purchasing at Gordon.peck@moffitt.org.

**FLORIDA ALLIANCE FOR ASSISTIVE SERVICES
AND TECHNOLOGY, INC.**

REQUEST FOR PROPOSALS (RFP #11-CFRDC) FAAST
Central Florida Regional Demonstration Center Project

The Florida Alliance for Assistive Services and Technology, Inc. (FAAST) is pleased to announce that we are seeking applications/request for proposals within the Central Florida region to establish a FAAST Central Florida Regional Demonstration Center Project.

Disability organizations, not-for-profit and for-profit agencies, universities, community colleges, and other interested parties may submit proposals in response to this RFP.

Standard Contract Funding: \$87,710.07; possible additional amendments to standard contract may include additional years and funds for AT Device Loan Program up to \$20,000 and funds for a Device Repair/Refurbishing Program up to \$10,000. FAAST, Inc. will provide funds for a period not to exceed 12 months for fiscal support of this RFP for the first year of the project and subsequent years (should additional years of this project be funded, based on FAAST, Inc. approval and the availability of funds).

Purpose: The purpose of this RFP is to obtain competitive bids from qualified organizations capable of providing the Central Florida region with access to assistive services and technology for the purpose of assistive technology device demonstrations, training, technical assistance and education. The FAAST Central Florida RDC will provide direct demonstrations and interactive experiences with assistive technology, devices and services for individuals with disabilities of all ages, families, caregivers and professionals and collaborate with community partners.

Other services may include, but are not limited to, a regional assistive technology equipment loan program including equipment loan satisfaction surveys, assistive technology device demonstrations, training and technical assistance, information and referral, structured presentations including educational conferences and exhibits, and public awareness activities designed to promote education, employment, community living, and telecommunications/information technologies (IT).

The FAAST Central Florida RDC will offer regional services to individuals residing in the catchment area of Pinellas, Hillsborough, Pasco, Sarasota, Manatee, Hardee, Desoto, Highlands, Polk, Citrus, Sumter, Lake, and Hernando counties where children and adults with disabilities and their families can have access to assistive technology consultations, technical assistance and individualized assistive technology instruction.

Copies of this RFP in its entirety can be downloaded from the FAAST website (www.faast.org) or copies may be requested by email (faast@faast.org) or hard copy by contacting: FAAST at 1(888)788-9216, (850)487-3278, Fax: (850)487-2805, and address: 325 John Knox Rd., Bldg. 400, Suite 402, Tallahassee, FL 32303.

Letters of intent to apply are encouraged but not mandatory. Letters of Intent to apply will be accepted by Fax, Email, US mail, commercial carrier, or hand delivered to the FFAST headquarters.

All answers to written questions will be posted on the FFAST website on August 2, 2010. The deadline for submitting proposals for this RFP to FFAST, Inc. is August 20, 2010 by 5:00 p.m. (EST).

PLEASE FORWARD ALL REQUESTS FOR COPIES OF THIS RFP TO: STEVEN L. HOWELLS, FFAST, EXECUTIVE DIRECTOR.

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY. THIS IS A LEGAL PROCESS AND WE CANNOT ANSWER QUESTIONS VERBALLY.

Section XII Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

Notice of Funding Availability [Modified] RESIDENTIAL CONSTRUCTION MITIGATION PROGRAM COMPETITIVE GRANT PROGRAM

Please note the modifications of this document include clarification on the Applicant's Eligibility for the Mitigation Planning and Integration Application Category and the extension of the application deadline. All RCMP applications must be received at the Division by August 16, 2010, 4:00 p.m. The Florida Division of Emergency Management (DEM or the Division) announces the re-advertisement of the availability of approximately \$2,467,389.00 million in Residential Construction Mitigation Program (RCMP) funding. Eligible applicants may submit up to three (3) applications for a maximum grant of \$100,000 each from the 2010-2011 Florida Legislature appropriation to the Hurricane Loss Mitigation Program from the Florida Hurricane Catastrophe Fund.

Authorizing Legislation and Regulations

In 1999, the Florida Legislature passed the Bill Williams Residential Safety and Preparedness Act. This created the Hurricane Loss Mitigation Program, (Section 215.559, Florida Statutes) with an annual appropriation of \$10 million. These funds are derived from the Florida Hurricane Catastrophe Fund. Section 215.559, F.S. establishes minimum funding levels for specific interests. The Florida Legislature allocates funding from this appropriation to RCMP on an annual basis.

Award Information

Pursuant to Section 215.559, Florida Statutes, RCMP makes funds available annually to pursue the following objectives:

- To improve the wind resistance of residences and mobile homes through subsidies, grants, outreach, demonstration projects, direct assistance.
- To educate persons concerning the Florida Building Code

cooperative programs with local governments and the federal government

- To prevent losses or reduce the cost of disasters and reduce the cost of rebuilding after a disaster.

Funds available for these uses in SFY10/11 are \$2,467,389.00. Funds are distributed according to application category. Detail is provided in Sections 4.0 and 5.0 of the NOFA/Application packet located on the Division's website.

Please note: RCMP funds may be used as match for federally funded Hazard Mitigation Assistance (HMA) program projects. Such HMA grant programs include the Hazard Mitigation Grant Program (HMGP) and the Pre-Disaster Mitigation Grant Program (PDM).

In order to qualify to use RCMP funds as HMA program match, the following must be true:

- The project qualifies for both programs
- The project's scope of work is identical for both programs
- Activities must be performed within the RCMP contract period

Changes from SFY09/10 NOFA

Changes to this NOFA from SFY09/10 include the following:

- NOFA format has been streamlined for readability
- Performance Measurement Plan requirement: The inclusion of a performance measurement plan in the project application is a new requirement as of SFY 10/11. Please pay special attention to this requirement's detail, which can be found in Sections 4.0 and 5.0 of this NOFA.
- Application categories have been modified. SFY 2010/2011 application categories are as follows:
- Residential Mitigation Retrofit
- Public Outreach
- Mitigation Planning

Applicant Eligibility

Eligible applicants** for each application category are those identified in the following chart with X's:

<i>Project Category</i>	<i>State/Regional Agencies</i>	<i>Local Governments</i>	<i>Private Non-Profits</i>	<i>Educational Institutions</i>
Residential Mitigation Retrofit Program	X	X	X	X
Public Outreach	X	X	*	X
Mitigation Planning and Integration	X	X	*	X

**The Division does not contract with individuals. In order to participate, residents must contact their respective local government for sponsorship.

*Private non-profits must apply through the Request for Proposal (RFP) process per Section 287.057, F.S. If the Division identifies specific outreach or planning needs, it will release an RFP with specific scope requirements.

Application Due Dates

NOFA Release July 1, 2010
 Application Release July 1, 2010
 Application Deadline August 16, 2010
 Award Announcements No later than 30 days from application deadline

Applications must be received on or before 16 August 2010, 4:00 p.m. (Local Time). Applications may be delivered in person or by mail to the following address:

Shemeeka Hopkins, Planning Manager
 Florida Division of Emergency Management
 Attention: RCMP
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

Application Submission

This is a competitive program. Projects compete against one another in project categories. This NOFA solicits only proposals that are cost reimbursement subgrant agreements.

General Information Regarding Application Submission

- All eligible applicants shall be limited to one (1) application submission per application category with no more than three (3) application submissions in a state fiscal year. Each application must be for no more than \$100,000.00.
- No application may be amended, added to, or otherwise modified after 4:00 p.m. local time on the date of the published application deadline, other than to provide clarifying information as requested by the Division.
- An original and five (5) copies of the application must be received along with a CD containing the application electronically. Project match and budget sections must be tabbed. The original must be labeled "Original" and must contain an original signature in ink of the authorized official.

To Download Section 215.559, Florida Statutes, the NOFA/Application packet, and related information please visit our website at: <http://www.floridadisaster.org/Mitigation/RCMP/index.htm>. Please contact: Shemeeka Hopkins, Planning Manager at (850)922-4079 if you have any questions about this NOFA.

DCA Final Order No.: DCA10-OR-126

In Re: POLK COUNTY LAND DEVELOPMENT
 REGULATIONS ADOPTED BY
 POLK COUNTY ORDINANCE NO.: 10-012

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes (2009), approving Polk County Ordinance No.: 10-012.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern, and Polk County is a local government within the Green Swamp Area.
2. On May 27, 2010, the Department received for review Polk County Ordinance No.: 10-012 which was adopted by the Polk County Board of County Commissioners on March 17, 2010.
3. Proposed Ordinance No.: 10-012 amends Table 4.3 under Section 401.02 for the Ronald Reagan Selected-Area Plan land use district. Ordinance No.: 10-012 adds Heavy Machinery Equipment Sales and Services to the allowable uses under the Regional Activity Center-X land use district as a Conditional Use-Level 3.
4. The Ordinance is consistent with the County's Comprehensive Plan Goals, Objectives, and Policies including Policy 2.131-B.2.1.A5 – Regional Activity Center, encouraging short-term and long-term development of this vital area for business uses, highway commercial and employee housing; and Policy 2.110-F1 – Characteristics, as Regional Activity Centers are intended to accommodate regional needs, and generally contain a regional shopping center, or other regional attractor, and other commercial and office uses within close proximity to compliment and take advantage of the regional nature of the center.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes (2009).
6. Polk County is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes (2009) and Rule Chapter 28-26, Florida Administrative Code.

7. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2009). The regulations adopted by the Ordinances are land development regulations.
8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Section 380.05(6), Florida Statutes; see *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code ("Principles").
9. Ordinance No.: 10-012 is consistent with the Principles in Rule 28-26.003, Florida Administrative Code, and are not inconsistent with any one Principle.

WHEREFORE, IT IS ORDERED that Ordinance No.: 10-012 is found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

 CHARLES GAUTHIER, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED

REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE: AGENCY CLERK, DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 13th day of July, 2010.

Paula Ford, Agency Clerk

By U.S. Mail:

Michael F. Craig, Esq.
Polk County Attorney
Drawer AT01
P. O. Box 9005
Bartow, FL 33831

Thomas Deardorff, Director
Growth Management Department
P. O. Box 9005, Drawer GM03
Bartow, FL 33831

Sam Thomas, Chairman
Board of County Commissioners
P. O. 9005, Drawer BC01
Bartow, FL 33831

DCA Final Order No.: DCA10-OR-127

In re: POLK COUNTY LAND DEVELOPMENT REGULATIONS ADOPTED BY POLK COUNTY ORDINANCE NO. 10-013

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes (2009), approving Polk County Ordinance No. 10-013.

FINDINGS OF FACT

- 1. The Green Swamp Area is a statutorily designated area of critical state concern, and Polk County is a local government within the Green Swamp Area.
2. On May 27, 2010, the Department received for review Polk County Ordinance No.: 10-013 which was adopted by the Polk County Board of County Commissioners on April 7, 2010.
3. Proposed Ordinance No.: 10-013 amends Section 227, A5 Exemptions and only allows the removal of 8,000 cubic yards of soil in conjunction with an approved development

order or permit. The applicable development order or permit involves review at Level 2 and Level 4 and requires a recommendation from the Development Review Committee, a public hearing before the Planning Commission with a formal recommendation, and a public hearing before the Board of County Commissioners pursuant to Section 903 of the Polk County Land Development Code.

- 4. The Ordinance is consistent with the County's Comprehensive Plan Goals, Objectives, and Policies including Policy 2.102-A6: Topography Considerations, requiring Polk County to evaluate all development within unincorporated Polk County with regard for and for impacts on existing topography; and Policy 2.102-A7: Soils, requiring Polk County to evaluate all development within unincorporated Polk County with regard for and for impacts on soils.

CONCLUSIONS OF LAW

- 5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes (2009).
6. Polk County is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes (2009) and Rule Chapter 28-26, Florida Administrative Code.
7. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2009). The regulations adopted by the Ordinances are land development regulations.
8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Section 380.05(6), Florida Statutes; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code ("Principles").
9. Ordinance No. 10-013 is consistent with the Principles in Rule 28-26.003, Florida Administrative Code, and are not inconsistent with any one Principle.

WHEREFORE, IT IS ORDERED that Ordinance No.: 10-013 is found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

CHARLES GAUTHIER, AICP
Director, Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

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CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 13th day of July, 2010.

Paula Ford, Agency Clerk

By U.S. Mail:
Michael F. Craig, Esq.
Polk County Attorney
Drawer AT01
P. O. Box 9005
Bartow, FL 33831

Thomas Deardorff, Director
Growth Management Department
P. O. Box 9005, Drawer GM03
Bartow, FL 33831

Sam Thomas, Chairman
Board of County Commissioners
P. O. 9005, Drawer BC01
Bartow, FL 33831

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 E-Z-GO Division of Textron, Inc., intends to allow the establishment of Advantage Golf Cars, Inc., as a dealership for the sale of low-speed vehicles manufactured by E-Z-GO Division of Textron, Inc. (EZGO) at 7100 North Military Trail, Unit 4, Palm Beach Gardens (Palm Beach County), Florida 33410, on or after August 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Advantage Golf Cars, Inc., are dealer operator(s): Clint Griffin, 7100 North Military Trail, Unit 4, Palm Beach Gardens, Florida 33410, Bill Mercier, 7100 North Military Trail, Unit 4, Palm Beach Gardens, Florida 33410; principal investor(s): Clint Griffin, 7100 North Military Trail, Unit 4, Palm Beach Gardens, Florida 33410, Bill Mercier, 7100 North Military Trail Unit 4, Palm Beach Gardens, Florida 33410.

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: Rusty McGahee, E-Z-GO Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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 E-Z-GO Division of Textron, Inc., intends to allow the establishment of Advantage Golf Cars, Inc., as a dealership for the sale of low-speed vehicles manufactured by E-Z-GO Division of Textron, Inc. (EZGO) at 29020 A South Dixie Highway, Homestead (Miami-Dade County), Florida 33033, on or after August 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Advantage Golf Cars, Inc., are dealer operator(s): Clint Griffin, 29020 A South Dixie Highway, Homestead, Florida 33033, Bill Mercier, 29020 A South Dixie Highway, Homestead, Florida 33033; principal investor(s): Clint Griffin, 29020 A South Dixie Highway, Homestead, Florida 33033, Bill Mercier, 29020 A South Dixie Highway, Homestead, Florida 33033.

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: Rusty McGahee, E-Z-GO Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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 E-Z-GO Division of Textron, Inc., intends to allow the establishment of Affordable Carts, LLC, as a dealership for the sale of low-speed vehicles manufactured by E-Z-GO Division of Textron, Inc. (EZGO) at 6240 Collier Boulevard, Naples (Collier County), Florida 34112, on or after August 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Affordable Carts, LLC, are dealer operator(s): Donald Stewart, 6240 Collier Boulevard, Naples, Florida 34112; principal investor(s): Donald Stewart, 6240 Collier Boulevard, Naples, Florida 34112.

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: Rusty McGahee, E-Z-GO Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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 E-Z-GO Division of Textron, Inc., intends to allow the establishment of Affordable Carts, LLC, as a dealership for the sale of low-speed vehicles manufactured by E-Z-GO Division of Textron, Inc. (EZGO) at 17521 North Tamiami Trail, North Fort Myers (Lee County), Florida 33903, on or after August 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Affordable Carts, LLC, are dealer operator(s): Donald Stewart, 17521 North Tamiami Trail, North Fort Myers, Florida 33903; principal investor(s): Donald Stewart, 17521 North Tamiami Trail, North Fort Myers, Florida 33903.

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: Rusty McGahee, E-Z-GO Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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 E-Z-GO Division of Textron, Inc., intends to allow the establishment of Hull All Star Golf Car, Inc., d/b/a All Star Golf Car as a dealership for the sale of low-speed vehicles manufactured by E-Z-GO Division of Textron, Inc. (EZGO) at 104 Southeast 5th Court, Deerfield Beach (Broward County), Florida 33441, on or after August 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Hull All Star Golf Car, Inc., d/b/a All Star Golf Car are dealer operator(s): David L. Hull, 104 Southeast 5th Court, Deerfield Beach, Florida 33441; principal investor(s): David L. Hull, 104 Southeast 5th Court, Deerfield Beach, Florida 33441.

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: Rusty McGahee, E-Z-GO Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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 E-Z-GO Division of Textron, Inc., intends to allow the establishment of Bellenbrook, LLC. as a dealership for the sale of low-speed vehicles manufactured by E-Z-GO Division of Textron, Inc. (EZGO) at 1510 North US Highway 1, Ormond Beach (Volusia County), Florida 32174, on or after August 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Bellenbrook, LLC, are dealer operator(s): Dale Sheppard, 1510 North US Highway 1, Ormond Beach, Florida 32174; principal investor(s): Dale Sheppard, 1510 North US Highway 1, Ormond Beach, Florida 32174.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Rusty McGahee, E-Z-GO Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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 the Relocation of a
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Fairplay Electric Cars, LLC, intends to allow the relocation of C4J Group, LLC, d/b/a Cart Smarts of St. Augustine as a dealership for the sale of low-speed vehicles manufactured by Fairplay Electric Cars, LLC. (FPEC) from its

present location at 71 South Dixie Highway #1, St. Augustine (St. Johns County), Florida 32084, to a proposed location at 135-1 Cumberland Industrial Drive, St. Augustine (St. Johns County), Florida 32095, on or after August 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of C4J Group, LLC, d/b/a Cart Smarts of St. Augustine are dealer operator(s): James W. Worley, 428 Fort Drum Court, St. Augustine, Florida 32092, Catherine Worley, 428 Fort Drum Court, St. Augustine, Florida 32092, principal investor(s): James W. Worley, 428 Fort Drum Court, St. Augustine, Florida 32092, Catherine Worley, 428 Fort Drum Court, St. Augustine, Florida 32092.

The notice indicates intent to relocate the franchise 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, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Keith Andrews, Fairplay Electric Cars, LLC, 743 Horizon Court, Suite 333, Grand Junction, Colorado 81506.

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 E-Z-GO Division of Textron, Inc., intends to allow the establishment of Easy Ride, LLC, as a dealership for the sale of low-speed vehicles manufactured by E-Z-GO Division of Textron, Inc. (EZGO) at 4003 Highway 231, Panama City (Bay County), Florida 32405, on or after August 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Easy Ride, LLC are dealer operator(s): Martin H. Murdock, 4003 Highway 231, Panama City, Florida 32405, principal investor(s): Martin H. Murdock, 4003 Highway 231, Panama City, Florida 32405.

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: Rusty McGahee, E-Z-GO Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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 E-Z-GO Division of Textron, Inc., intends to allow the establishment of Gulf Atlantic Vehicles, Inc., as a dealership for the sale of low-speed vehicles manufactured by E-Z-GO Division of Textron, Inc. (EZGO) at 3298 Pioneer Trail, New Smyrna Beach (Volusia County), Florida 32168, on or after August 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Gulf Atlantic Vehicles, Inc., are dealer operator(s): Russell Welsh, 3298 Pioneer Trail, New Smyrna Beach, Florida 32168; principal investor(s): Russell Welsh, 3298 Pioneer Trail, New Smyrna Beach, Florida 32168.

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: Rusty McGahee, E-Z-GO Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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 Jonway Motorcycles USA Co., Ltd., intends to allow the establishment of H. Long Investments Corp. d/b/a Tropical Scooters of Vero, as a dealership for the sale of motorcycles manufactured by Shanghai Jmstar Motorcycle Co., Ltd. (JMST) at 1081 US Highway 1, Vero Beach (Indian River County), Florida 32960, on or after August 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of H. Long Investments Corp. d/b/a Tropical Scooters of Vero are dealer operator(s): Heidi S. Long, 1081 US Highway 1, Vero Beach, Florida 32960, principal investor(s): Heidi S. Long, 1081 US Highway 1, Vero Beach, Florida 32960.

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: Darrell Green, Jonway Motorcycles USA Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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 E-Z-GO Division of Textron, Inc., intends to allow the establishment of Maddox-Joiner, Inc., as a dealership for the sale of low-speed vehicles manufactured by E-Z-GO Division of Textron, Inc. (EZGO) at 9740 West Atlantic Avenue, Delray Beach (Palm Beach County), Florida, 33446, on or after August 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Maddox-Joiner, Inc., are dealer operator(s): Jim Maddox, 9740 West Atlantic Avenue, Delray Beach, Florida 33446; principal investor(s): Jim Maddox, 9740 West Atlantic Avenue, Delray Beach, Florida 33446.

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: Rusty McGahee, E-Z-GO Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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 E-Z-GO Division of Textron, Inc., intends to allow the establishment of Maddox-Joiner, Inc., as a dealership for the sale of low-speed vehicles manufactured by E-Z-GO Division of Textron, Inc. (EZGO) at 2926 Waaler Street, Stuart (Martin County), Florida 34997, on or after August 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Maddox-Joiner, Inc., are dealer operator(s): Jim Maddox, 2926 Waaler Street, Stuart, Florida 34997; principal investor(s): Jim Maddox, 2926 Waaler Street, Stuart, Florida 34997.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Rusty McGahee, E-Z-GO Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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 E-Z-GO Division of Textron, Inc., intends to allow the establishment of Mid Florida Golf Cars Distributors, Inc., as a dealership for the sale of low-speed vehicles manufactured by E-Z-GO Division of Textron, Inc. (EZGO) at 750 North Highway 17-92, Longwood (Seminole County), Florida 32750, on or after August 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Mid Florida Golf Cars Distributors, Inc., are dealer operator(s): Mitch Sanders, 750 North Highway 17-92, Longwood, Florida 32750; principal investor(s): Mitch Sanders, 750 North Highway 17-92, Longwood, Florida 32750.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Rusty McGahee, E-Z-GO Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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 E-Z-GO Division of Textron, Inc., intends to allow the establishment of Victory Lane, LLC, as a dealership for the sale of low-speed vehicles manufactured by E-Z-GO Division of Textron, Inc. (EZGO) at 10491 Corkscrew Commons Drive, Estero (Lee County), Florida 33928, on or after August 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Victory Lane, LLC, are dealer operator(s): Jim Parker, 10491 Corkscrew Commons Drive, Estero, Florida 33928; principal investor(s): Jim Parker, 10491 Corkscrew Commons Drive, Estero, Florida 33928.

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: Rusty McGahee, E-Z-GO Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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 E-Z-GO Division of Textron, Inc., intends to allow the establishment of Victory Lane, LLC, as a dealership for the sale of low-speed vehicles manufactured by E-Z-GO Division of Textron, Inc. (EZGO) at 2352 J&C Boulevard, Naples (Collier County), Florida 34109, on or after August 23, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Victory Lane, LLC are dealer operator(s): Jim Parker, 2352 J&C Boulevard, Naples, Florida 34109; principal investor(s): Jim Parker, 2352 J&C Boulevard, Naples, Florida 34109.

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: Rusty McGahee, E-Z-GO Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF FIXED NEED POOL FOR

COMPREHENSIVE MEDICAL REHABILITATION BEDS

The Agency for Health Care Administration has projected a fixed bed need pool for comprehensive medical rehabilitation hospital beds for January 2016 pursuant to the provisions of Rules 59C-1.008 and 59C-1.039, F.A.C. Net bed need projections for comprehensive medical rehabilitation hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, MS #28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 9, 2010.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person’s right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with: The Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Comprehensive Medical Rehabilitation Bed Need

	Net Adjusted Bed Need
District 1	0
District 2	0
District 3	0
District 4	0
District 5	0
District 6	0
District 7	0
District 8	0

District 9	0
District 10	0
District 11	0
Total Statewide	0

NOTICE OF FIXED NEED POLL FOR NEONATAL INTENSIVE CARE LEVEL II AND LEVEL III BEDS

The Agency for Health Care Administration has projected a fixed need pool for Level II and Level III neonatal intensive care unit services for January 2013, pursuant to the provisions of Rules 59C-1.008 and 59C-1.042, F.A.C. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with: The Certificate of Need Program Office, Building 1, MS #28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 9, 2010.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person’s right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with: The Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Fixed Need Pool Projections

Neonatal Intensive Care Level II & Level III Services

	Level II Net Need	Level III Net Need
District 1	0	0
District 2	0	0
District 3	0	4
District 4	0	7
District 5	19	0
District 6	7	0
District 7	0	0

District 8	12	0
District 9	0	0
District 10	0	0
District 11	0	0
Statewide Total	38	11

NOTICE OF HOSPITAL FIXED NEED POOLS FOR PSYCHIATRIC AND SUBSTANCE ABUSE BEDS

The Agency for Health Care Administration has projected fixed bed need pools for adult and children and adolescent psychiatric and adult substance abuse beds for January 2016 pursuant to the provisions of Rules 59C-1.008, 59C-1.040 and 59C-1.041, F.A.C. Net bed need projections for adult and children and adolescent psychiatric and adult substance abuse hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. A fixed need pool projection for children and adolescent substance abuse beds is not made because the administrative rule governing this service does not include a mathematical formula for the calculation of need. An applicant seeking approval for these types of beds must establish need in its application. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with: The Certificate of Need Program Office, Building 1, MS #28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., August 9, 2010.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person’s right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with: The Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431,

Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Psychiatric and Substance Abuse Net Bed Need

	Children &		
	Adult Psychiatric Beds Net Adjusted Bed Need	Adolescent Psychiatric Beds Net Adjusted Bed Need	Adult Substance Abuse Beds Net Adjusted Bed Need
District 1	0	0	0
District 2	0	0	0
District 3	7	0	0
District 4	0	0	0
District 5	0	0	0
District 6	0	0	0
District 7	0	0	0
District 8	0	0	4
District 9	0	1	0
District 10	0	0	0
District 11	0	0	0
Total Statewide	7	1	4

The Agency for Health Care Administration has received an application for an emergency service exemption from Pasco Regional Medical Center, 13100 Fort King Rd., Dade City, FL 33525 pursuant to Section 395.1041(3), Florida Statutes, and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Orthopedics & Otolaryngology. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Jessica Munn, 2727 Mahan Drive, MS #31, Tallahassee, FL 32308, (850)412-4359 or by e-mail: jessica.munn@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTIFICATION
City of Sebring**

The Florida Department of Environmental Protection has determined that the City of Sebring's project involving construction of water main extension primarily along SR 17 and Power Line Road, Altwater Road, and other connecting residential side streets will not adversely affect the environment. The total cost of the project is estimated to be \$2,128,125. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing to: Venkatta Panchakarla, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or calling (850)245-8366.

**NOTICE OF INTENT TO ISSUE PROPOSED
MODIFICATION OF POWER PLANT CERTIFICATION**

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Power Plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Chapter 403.501 et seq., Florida Statutes, concerning: Osprey Energy Center, Power Plant Siting Application No.: PA00-41B, OGC Case No.: 10-0747. Pursuant to Section 403.516(1)(c), Florida Statutes, the Department proposes to modify the Conditions of Certification for the Osprey Energy Center site to conform with revised rule language incorporating Department initiated updates. A copy of the proposed modification may be obtained by contacting: Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Blvd., MS #48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.516(1)(c)2., Florida Statutes, parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida, 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement cannot be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those

portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On July 7, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Javier Antonio Bonilla, L.M.T., License #LMT 33214. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 1, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Tameka Benay Allen, R.N. License #RN 9280899. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 12, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Britt Leanne Andrews, R.N. License #RN 9264586. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 12, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Amanda Marie Branda, R.N. License #RN 9237008. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 1, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Jacqueline Suzette Hyatt, R.N. License #RN 9213800. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 6, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Patricia E. Humphrey Kelly, R.N., License #RN 2215902. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 1, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Julie Arlene Martinez, L.P.N., License #LPN 1187861. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 7, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Annette Szydlik, R.N., License #RN 9277477. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an

immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 6, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Sabrena Wilcox, C.N.A., License #CNA 131065. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 12, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Kelley Marie Williams, R.N. License #RN 9242398. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 1, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the registration of Jatin Arvindbhal Patel, PSI, Registration #PSI 17422. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of the Availability of

The 2010 Trauma Center Letter of Intent Package

NAME OF AGENCY: Department of Health (DOH)

PACKAGE TITLE: Florida Trauma Center Letter of Intent Package

PURPOSE AND EFFECT: The Department of Health is mandated by Section 395.4025(2)(a), Florida Statutes, to notify Florida licensed acute care hospitals of their right to submit a Letter of Intent, DH Form 1840, to apply to become a trauma center.

ELIGIBILITY: Florida licensed acute care hospitals are eligible to apply.

AUTHORITY: Section 395.4025(2)(a), Florida Statutes, Rule 64J-2.012, Florida Administrative Code.

TO OBTAIN A PACKAGE: You may request a Letter of Intent package by telephone, fax, or mail, or in person.

Telephone: (850)245-4444, ext. 2756 or Suncom: 205-4440.

Fax: (850)488-2512.

Mail request to, or pick up in person at: Florida Department of Health, Division of Emergency Operations, Office of Trauma, 4052 Bald Cypress Way, and Bin #C-18, Tallahassee, FL 32399-1738.

DEADLINE: Letters of Intent must be postmarked between September 1, 2010, and midnight, October 1, 2010.

CONTACTS: Bernadette Behmke (850)245-4444, ext. 2756 or Susan McDevitt at (850)245-4444, ext. 2760, Suncom: 205-4440.

DEPARTMENT OF FINANCIAL SERVICES

Quarterly Listing of Qualified Public Depositories
DEPARTMENT OF FINANCIAL SERVICES
DIVISION OF TREASURY
BUREAU OF COLLATERAL MANAGEMENT
PUBLIC DEPOSITS SECTION

FOR PUBLIC DEPOSITORS TO RECEIVE THE PROTECTION FROM LOSS PROVIDED IN CHAPTER 280, FLORIDA STATUTES, THEY SHALL COMPLY WITH THE FOLLOWING ON EACH PUBLIC DEPOSIT ACCOUNT IN ADDITION TO ANY OTHER REQUIREMENTS SPECIFIED IN CHAPTER 280: (1) EXECUTE THE PUBLIC DEPOSIT IDENTIFICATION AND ACKNOWLEDGMENT FORM DFS-J1-1295 WITH THE QUALIFIED PUBLIC DEPOSITORY (QPD), MAINTAIN IT AS A VALUABLE RECORD, AND CONFIRM THE ACCOUNT ANNUALLY; (2) EXECUTE A REPLACEMENT FORM DFS-J1-1295 WHEN THERE IS A MERGER, ACQUISITION, NAME CHANGE, OR OTHER EVENT WHICH CHANGES THE ACCOUNT NAME, ACCOUNT NUMBER, OR NAME OF THE QPD.

THE FOLLOWING QPDS ARE AUTHORIZED TO HOLD PUBLIC DEPOSITS. THE CITIES AND STATES LISTED ARE THE HOME OFFICE LOCATIONS. QPDS MARKED WITH AN ASTERISK HAVE LIMITED THE AMOUNT OF PUBLIC DEPOSITS THEY WILL ADMINISTER. QPDS HAVING A DATE BESIDE THEIR NAME ARE IN THE PROCESS OF WITHDRAWING FROM THE PROGRAM AND SHALL NOT RECEIVE OR RETAIN PUBLIC DEPOSITS AFTER THE DATE SHOWN. THEY MAY, HOWEVER, HAVE CERTAIN OBLIGATIONS TO THE

PROGRAM AFTER THAT DATE WITH WHICH THEY MUST COMPLY BEFORE CONCLUDING THE WITHDRAWAL PROCESS.

ALABAMA

ANDALUSIA
CCB COMMUNITY BANK

ATMORE
UNITED BANK

BIRMINGHAM
COMPASS BANK
REGIONS BANK
SUPERIOR BANK

MOBILE
BANKTRUST

ARKANSAS

CONWAY
CENTENNIAL BANK

DELAWARE

WILMINGTON
TD BANK, N.A.

FLORIDA

ARCADIA
FIRST STATE BANK OF ARCADIA

BARTOW
COMMUNITY NATIONAL BANK AT BARTOW

12/31/2009

BELLE GLADE
BANK OF BELLE GLADE

BOCA RATON
1ST UNITED BANK
FIRST SOUTHERN BANK
LEGACY BANK OF FLORIDA
PARADISE BANK 06/23/2010

BRADENTON

FIRST AMERICA BANK

BRANDON

PLATINUM BANK

CARRABELLE

GULF STATE COMMUNITY BANK *

CHIEFLAND

DRUMMOND COMMUNITY BANK

CHIPLEY

ONE SOUTH BANK

CLEWISTON

FIRST BANK

OLDE CYPRESS COMMUNITY BANK *

CORAL GABLES

BAC FLORIDA BANK

GIBRALTAR PRIVATE BANK & TRUST COMPANY

THE BANK OF MIAMI, N.A. 10/03/2010

CRAWFORDVILLE

WAKULLA BANK 05/16/2013

CRESTVIEW

FIRST NATIONAL BANK OF CRESTVIEW

DADE CITY

FIRST NATIONAL BANK OF PASCO

FLORIDA TRADITIONS BANK

DANIA BEACH

COMMUNITY BANK OF BROWARD

DAVIE

FLORIDIAN COMMUNITY BANK, INC. *

REGENT BANK

DAYTONA BEACH

FLORIDIAN BANK

GATEWAY BANK OF FLORIDA

DESTIN

FIRST FLORIDA BANK *

GULFSOUTH PRIVATE BANK *

ENGLEWOOD

ENGLEWOOD BANK *

EUSTIS

FIRST GREEN BANK

FERNANDINA BEACH

CBC NATIONAL BANK

FORT LAUDERDALE

BANKATLANTIC 04/01/2014

LANDMARK BANK, N.A.

STONEGATE BANK

VALLEY BANK *

FORT MYERS

EDISON NATIONAL BANK

FINEMARK NATIONAL BANK & TRUST

FLORIDA GULF BANK

IRONSTONE BANK

RELIANCE BANK, F.S.B.

SOUTHWEST CAPITAL BANK, N.A.

FORT PIERCE

OCULINA BANK

FORT WALTON BEACH

BEACH COMMUNITY BANK 09/19/2011

FIRST CITY BANK OF FLORIDA *

FNBT.COM BANK

FROSTPROOF

CITIZENS BANK & TRUST 11/08/2012

GAINESVILLE

FLORIDA CITIZENS BANK

MERCHANTS & SOUTHERN BANK

GRACEVILLE

BANK OF JACKSON COUNTY *

PEOPLES BANK OF GRACEVILLE

HALLANDALE

DESJARDINS BANK, N.A.

HOMESTEAD

1ST NATIONAL BANK OF SOUTH FLORIDA *

COMMUNITY BANK OF FLORIDA

INDIANTOWN

FIRST BANK AND TRUST COMPANY OF INDIANTOWN

INVERNESS

BRANNEN BANK

JACKSONVILLE

AMERICAN ENTERPRISE BANK OF FLORIDA

EVERBANK

FIRSTATLANTIC BANK

JACKSONVILLE BEACH

OCEANSIDE BANK *

KEY WEST

FIRST STATE BANK OF THE FLORIDA KEYS

KISSIMMEE

CENTERSTATE BANK CENTRAL FLORIDA, N.A.

LAKE CITY

COLUMBIA BANK

FIRST FEDERAL BANK OF FLORIDA

PEOPLES STATE BANK

LAKELAND

BANK OF CENTRAL FLORIDA

COMMUNITY SOUTHERN BANK

LANTANA

STERLING BANK 09/30/2009

LARGO

USAMERIBANK

LONGWOOD

OLD FLORIDA NATIONAL BANK

MADISON

MADISON COUNTY COMMUNITY BANK

MARIANNA

FIRST CAPITAL BANK *

MAYO

LAFAYETTE STATE BANK

MERRITT ISLAND

COMMUNITY BANK OF THE SOUTH

MIAMI

CITY NATIONAL BANK OF FLORIDA

COCONUT GROVE BANK

CONTINENTAL NATIONAL BANK OF MIAMI

EASTERN NATIONAL BANK 04/05/2011

ESPIRITO SANTO BANK *

EXECUTIVE NATIONAL BANK *

GREAT FLORIDA BANK 10/07/2009

INTERAMERICAN BANK, F.S.B.

JGB BANK, N.A. *

METRO BANK OF DADE COUNTY 01/01/2010

NORTHERN TRUST, N.A.

OCEAN BANK 01/16/2013

PREMIER AMERICAN BANK, N.A.

SABADELL UNITED BANK, N.A.

SUNSTATE BANK

TOTALBANK *

TRANSATLANTIC BANK

U.S. CENTURY BANK 07/26/2010

MIAMI LAKES

BANKUNITED

MILTON

FIRST NATIONAL BANK OF FLORIDA *

MONTICELLO

FARMERS & MERCHANTS BANK

MOUNT DORA

FIRST NATIONAL BANK OF MOUNT DORA

NAPLES

FIRST NATIONAL BANK OF THE GULF COAST

SHAMROCK BANK OF FLORIDA

TIB BANK 01/03/2012

NEW SMYRNA BEACH

FRIENDS BANK

NICEVILLE

PEOPLES NATIONAL BANK

NORTH PALM BEACH

ENTERPRISE BANK OF FLORIDA

OAKLAND PARK

AMERICAN NATIONAL BANK

OCALA

ALARION BANK
COMMUNITY BANK & TRUST OF FLORIDA
GATEWAY BANK OF CENTRAL FLORIDA
INDEPENDENT NATIONAL BANK *

OLDSMAR

JEFFERSON BANK OF FLORIDA

ORANGE PARK

HERITAGE BANK OF NORTH FLORIDA *

ORLANDO

CNLBANK
FLORIDA BANK OF COMMERCE *
ORANGE BANK OF FLORIDA
SEASIDE NATIONAL BANK & TRUST
URBAN TRUST BANK

OVIEDO

CITIZENS BANK OF FLORIDA

PALATKA

PUTNAM STATE BANK 10/16/2009

PALM COAST

INTRACOASTAL BANK

PANAMA CITY

BAY BANK & TRUST COMPANY
FIRST NATIONAL BANK NORTHWEST FLORIDA
SUMMIT BANK, N.A.
VISION BANK

PANAMA CITY BEACH

COASTAL COMMUNITY BANK 03/03/2012

PENSACOLA

BANK OF THE SOUTH
GULF COAST COMMUNITY BANK *

PERRY

CITIZENS STATE BANK

PINELLAS PARK

FIRST COMMUNITY BANK OF AMERICA 12/24/2013

POMPANO BEACH

FLORIDA SHORES BANK – SOUTHEAST

PORT CHARLOTTE

CHARLOTTE STATE BANK *

PORT RICHEY

REPUBLIC BANK

PORT ST. JOE

BAYSIDE SAVINGS BANK *

PORT ST. LUCIE

FIRST PEOPLES BANK *

ST. AUGUSTINE

BANK OF ST. AUGUSTINE
PROSPERITY BANK 10/04/2011

SARASOTA

LANDMARK BANK OF FLORIDA 11/25/2009

SEBRING

HEARTLAND NATIONAL BANK
HIGHLANDS INDEPENDENT BANK *

SOUTH MIAMI

FIRST NATIONAL BANK OF SOUTH MIAMI

STARKE

COMMUNITY STATE BANK

STUART

GULFSTREAM BUSINESS BANK
SEACOAST NATIONAL BANK *

TALLAHASSEE

CAPITAL CITY BANK
PREMIER BANK *
PRIME MERIDIAN BANK

TAMPA

AMERICAN MOMENTUM BANK
CENTRAL BANK
FIRST CITRUS BANK 11/16/2010
FLORIDA BANK
NORTHSTAR BANK
THE PALM BANK *

THE VILLAGES

CITIZENS FIRST BANK

TRINITY
PATRIOT BANK *

UMATILLA
UNITED SOUTHERN BANK

VENICE
FLORIDA SHORES BANK SOUTHWEST

WAUCHULA
FIRST NATIONAL BANK OF WAUCHULA
WAUCHULA STATE BANK

WEST PALM BEACH
FIRST BANK OF THE PALM BEACHES
FLAGLER BANK
GRAND BANK & TRUST OF FLORIDA *

WILLISTON
PERKINS STATE BANK

WINTER HAVEN
CENTERSTATE BANK OF FLORIDA, N.A.

WINTER PARK
BANKFIRST
FIRST NATIONAL BANK OF CENTRAL FLORIDA *
UNITED LEGACY BANK *

ZEPHYRHILLS
CENTERSTATE BANK, N.A.

GEORGIA

ALBANY
HERITAGEBANK OF THE SOUTH

ATLANTA
SUNTRUST BANK

COLQUITT
PEOPLESSOUTH BANK

COLUMBUS
SYNOVUS BANK

DARIEN
SOUTHEASTERN BANK

MOULTRIE
AMERIS BANK

IOWA

FORT DODGE
FIRST AMERICAN BANK

LOUISIANA

LAFAYETTE
IBERIABANK

NEW ORLEANS
WHITNEY NATIONAL BANK

MASSACHUSETTS

BOSTON
ONEUNITED BANK

MISSISSIPPI

GULFPORT
HANCOCK BANK

JACKSON
TRUSTMARK NATIONAL BANK

STARKVILLE
CADENCE BANK, N.A. *

TUPELO
BANCORPSOUTH BANK

MISSOURI

CREVE COEUR
FIRST BANK

NEVADA

LAS VEGAS
CITIBANK, N.A.

NEW YORK

NEW YORK CITY
BANCO POPULAR NORTH AMERICA 07/17/2012
INTERVEST NATIONAL BANK

NORTH CAROLINA

CHARLOTTE

BANK OF AMERICA, N.A.

RALEIGH

FIRST-CITIZENS BANK & TRUST COMPANY
RBC BANK (USA)
WINSTON-SALEM
BRANCH BANKING & TRUST COMPANY

OHIO

CINCINNATI

FIFTH THIRD BANK

WILMINGTON

LIBERTY SAVINGS BANK, F.S.B. 07/14/2010

PENNSYLVANIA

PITTSBURGH

PNC BANK, N.A.

SOUTH CAROLINA

GREENVILLE

CAROLINA FIRST BANK

SOUTH DAKOTA

SIOUX FALLS

WELLS FARGO BANK, N.A.

TEXAS

HOUSTON

ENCORE BANK, N.A.

WISCONSIN

MILWAUKEE

M&I MARSHALL & ILSLEY BANK

THE FOLLOWING IS A LIST OF INSTITUTIONS THAT
HAD A CHANGE SINCE THE LAST PUBLICATION OF
THIS REPORT.

BANK OF BONIFAY

BONIFAY

BANK OF BONIFAY LOCATED IN BONIFAY FAILED ON MAY 7, 2010. FIRST FEDERAL BANK OF FLORIDA, A QPD LOCATED IN LAKE CITY, ENTERED INTO AN AGREEMENT WITH THE FDIC AND ACQUIRED ALL OF BANK OF BONIFAY'S DEPOSITS AND SOME OF THEIR ASSETS.

BANKUNITED

CORAL GABLES

BANKUNITED CHANGED ITS HOME OFFICE FROM CORAL GABLES TO MIAMI LAKES.

COASTAL BANK AND TRUST OF FLORIDA

PENSACOLA

COASTAL BANK AND TRUST OF FLORIDA LOCATED IN PENSACOLA MERGED WITH AND INTO COLUMBUS BANK AND TRUST COMPANY LOCATED IN COLUMBUS, GEORGIA EFFECTIVE JUNE 1, 2010 WITH THE NAME OF THE RESULTANT BANK CHANGED TO SYNOVUS BANK. SYNOVUS BANK, A NON QPD, AUTOMATICALLY BECAME A QPD WITH THIS MERGER AND HAS NOW COMPLETED THE NECESSARY PAPERWORK TO REMAIN IN THE FLORIDA PUBLIC DEPOSITS PROGRAM.

FIRST COAST COMMUNITY BANK

FERNANDINA BEACH

FIRST COAST COMMUNITY BANK LOCATED IN FERNANDINA BEACH MERGED WITH AND INTO COLUMBUS BANK AND TRUST COMPANY LOCATED IN COLUMBUS, GEORGIA EFFECTIVE JUNE 1, 2010 WITH THE NAME OF THE RESULTANT BANK CHANGED TO SYNOVUS BANK. SYNOVUS BANK, A NON QPD, AUTOMATICALLY BECAME A QPD WITH THIS MERGER AND HAS NOW COMPLETED THE NECESSARY PAPERWORK TO REMAIN IN THE FLORIDA PUBLIC DEPOSITS PROGRAM.

FIRST FEDERAL BANK OF NORTH FLORIDA

PALATKA

FIRST FEDERAL BANK OF NORTH FLORIDA LOCATED IN PALATKA FAILED ON APRIL 16, 2010. TD BANK, N.A., A QPD LOCATED IN WILMINGTON, DELAWARE, ENTERED INTO AN AGREEMENT WITH THE FDIC AND ACQUIRED ALL OF FIRST FEDERAL BANK OF NORTH FLORIDA'S DEPOSITS AND MOST OF THEIR ASSETS.

MERCHANTS AND FARMERS BANK

KOSCIUSKO, MISSISSIPPI

MERCHANTS AND FARMERS BANK LOCATED IN KOSCIUSKO, MISSISSIPPI HAS WITHDRAWN FROM THE FLORIDA PUBLIC DEPOSITS PROGRAM AS OF 05/20/2010.

PENINSULA BANK

ENGLEWOOD

PENINSULA BANK LOCATED IN ENGLEWOOD FAILED ON JUNE 25, 2010. PREMIER AMERICAN BANK, N.A. A QPD LOCATED IN MIAMI ENTERED INTO AN AGREEMENT WITH THE FDIC AND ACQUIRED ALL OF THE DEPOSITS AND MOST OF THE ASSETS OF PENINSULA BANK.

PRIME BANK

MELBOURNE

PRIME BANK LOCATED IN MELBOURNE WAS ACQUIRED BY FLORIDA BANK OF COMMERCE, A QPD, LOCATED IN ORLANDO EFFECTIVE 05/01/2010.

RIVERSIDE NATIONAL BANK OF FLORIDA

FORT PIERCE

RIVERSIDE NATIONAL BANK OF FLORIDA LOCATED IN FORT PIERCE FAILED ON APRIL 16, 2010. TD BANK, N.A., A QPD LOCATED IN WILMINGTON, DELAWARE ENTERED INTO AN AGREEMENT WITH THE FDIC AND ACQUIRED ALL OF RIVERSIDE NATIONAL BANK OF FLORIDA'S DEPOSITS AND MOST OF THEIR ASSETS.

STEARNS BANK, N.A.

ST. CLOUD, MINNESOTA

STEARNS BANK, N.A. LOCATED IN ST. CLOUD, MINNESOTA WITHDREW FROM THE FLORIDA PUBLIC DEPOSITS PROGRAM EFFECTIVE 06/28/2010.

SUNRISE BANK

COCOA BEACH

SUNRISE BANK LOCATED IN COCOA BEACH, FLORIDA WITHDREW FROM THE FLORIDA PUBLIC DEPOSITS PROGRAM EFFECTIVE 06/22/2010.

SYNOVUS BANK

ST. PETERSBURG

SYNOVUS BANK LOCATED IN ST. PETERSBURG MERGED WITH AND INTO COLUMBUS BANK AND TRUST COMPANY LOCATED IN COLUMBUS, GEORGIA EFFECTIVE JUNE 1, 2010 WITH THE NAME OF THE RESULTANT BANK CHANGED TO SYNOVUS BANK. THE 'NEW' SYNOVUS BANK, A NON QPD, AUTOMATICALLY BECAME A QPD WITH THIS MERGER AND HAS NOW COMPLETED THE NECESSARY PAPERWORK TO REMAIN IN THE FLORIDA PUBLIC DEPOSITS PROGRAM.

TALLAHASSEE STATE BANK

TALLAHASSEE

TALLAHASSEE STATE BANK LOCATED IN TALLAHASSEE MERGED WITH AND INTO COLUMBUS BANK AND TRUST COMPANY LOCATED IN COLUMBUS, GEORGIA EFFECTIVE JUNE 1, 2010 WITH THE NAME OF THE RESULTANT BANK CHANGED TO SYNOVUS BANK. SYNOVUS BANK, A NON QPD, AUTOMATICALLY BECAME A QPD WITH THIS MERGER AND HAS NOW COMPLETED THE NECESSARY PAPERWORK TO REMAIN IN THE FLORIDA PUBLIC DEPOSITS PROGRAM.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN July 6, 2010
 and July 9, 2010**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

9B-60.002	7/7/10	7/27/10	36/18	
9B-60.003	7/7/10	7/27/10	36/18	
9B-60.004	7/7/10	7/27/10	36/18	
9B-60.005	7/7/10	7/27/10	36/18	
9B-60.007	7/7/10	7/27/10	36/18	
9B-60.008	7/7/10	7/27/10	36/18	

DEPARTMENT OF REVENUE

Miscellaneous Tax

12B-5.150	7/8/10	7/28/10	36/14	36/23
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INTERLOCAL AGENCIES

Lake Apopka Natural Gas District

54C-1.001	7/7/10	7/27/10	36/22	
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AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

59B-16.001	7/8/10	7/28/10	36/13	36/22
59B-16.002	7/8/10	7/28/10	36/13	36/22

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverage and Tobacco

61A-1.0101	7/9/10	9/15/10	34/3	35/30
61A-1.01010	7/9/10	9/15/10	34/3	34/36
61A-1.01011	7/9/10	9/15/10	34/3	34/36
61A-1.01012	7/9/10	9/15/10	34/3	34/36
61A-1.01013	7/9/10	9/15/10	34/3	35/30
61A-1.01014	7/9/10	9/15/10	34/3	35/30
61A-1.01015	7/9/10	9/15/10	34/3	35/30
61A-1.01018	7/9/10	9/15/10	34/3	35/30
61A-1.0102	7/9/10	9/15/10	34/4	35/30
61A-1.01021	7/9/10	9/15/10	34/3	34/36
61A-1.01022	7/9/10	9/15/10	34/3	34/36
61A-1.01024	7/9/10	9/15/10	34/3	35/30
61A-1.0103	7/9/10	9/15/10	34/3	35/30
61A-1.0104	7/9/10	9/15/10	34/3	35/30

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
61A-1.0105	7/9/10	9/15/10	34/3	34/36
61A-1.0106	7/9/10	9/15/10	34/3	35/30
61A-1.0107	7/9/10	9/15/10	34/3	35/30
61A-1.0108	7/9/10	9/15/10	34/3	34/36

Board of Accountancy

61H1-36.004	7/8/10	7/28/10	36/22	
61H1-36.005	7/8/10	7/28/10	36/22	
61H1-36.0055	7/8/10	7/28/10	36/22	

Florida Real Estate Commission

61J2-3.012	7/8/10	7/28/10	36/15	
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DEPARTMENT OF HEALTH

Board of Medicine

64B8-8.001	7/7/10	7/27/10	36/21	
64B8-51.006	7/9/10	7/29/10	36/17	

Board of Osteopathic Medicine

64B15-19.002	7/7/10	7/27/10	36/21	
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

68A-4.002	7/7/10	7/27/10	36/20	
68A-9.010	7/7/10	7/27/10	36/20	
68A-9.012	7/7/10	7/27/10	36/20	
68A-24.005	7/7/10	7/27/10	36/20	
68A-27.002	7/7/10	7/27/10	36/20	

Marine Fisheries

68B-5.002	7/7/10	7/27/10	36/20	
68B-47.001	7/7/10	7/27/10	36/20	
68B-47.003	7/7/10	7/27/10	36/20	
68B-47.005	7/7/10	7/27/10	36/20	
68B-47.006	7/7/10	7/27/10	36/20	

NOTICE OF CORRECTION

The following rule adoption was listed incorrectly in Vol. 36, No. 26, July 2, 2010 issue of the FAW:

**AGENCY FOR HEALTH CARE ADMINISTRATION
 Medicaid**

59G-6.020	6/15/10	7/5/10	36/48	36/16 36/19
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