

<p>Section I Notices of Development of Proposed Rules and Negotiated Rulemaking</p> <p>DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES</p> <p>Division of Agricultural Environmental Services</p> <p>RULE NO.: RULE TITLE:</p> <p>5E-2.040 Pesticide Active Ingredients Subject to Supplemental Registration Fee</p> <p>PURPOSE AND EFFECT: The Department’s purpose in revising this rule is to achieve compliance with Section 487.041(1)(d), F.S.</p> <p>SUBJECT AREA TO BE ADDRESSED: Pesticide active ingredients that have a food residue tolerance as established in 40 Code of Federal Regulations, Part 180 and that are subject to a supplemental registration fee.</p> <p>RULEMAKING AUTHORITY: 487.041(1)(d) FS.</p> <p>LAW IMPLEMENTED: 487.041(1)(d) FS.</p> <p>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.</p> <p>THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dr. Dennis Howard, Bureau Chief, Bureau of Pesticides, 3125 Conner Boulevard, Building 6, Tallahassee, Florida 32399; (850)487-0532</p> <p>THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.</p> <p>DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES</p> <p>Division of Consumer Services</p> <p>RULE NOS.: RULE TITLES:</p> <p>5J-17.016 Time for Compliance With Final Order; Probation</p> <p>5J-17.029 Application Deadlines</p> <p>5J-17.030 Certification of Eligibility for Examination and Notification to Applicants</p> <p>5J-17.0321 Examination Administration</p> <p>5J-17.0322 Licensure Examination Format and Procedures for Candidates with Disabilities</p> <p>5J-17.034 Grading</p> <p>5J-17.035 Use of Pilot Test Items in Examinations</p> <p>5J-17.036 Grades Review Procedure</p>	<p>5J-17.038</p> <p>5J-17.0381</p> <p>5J-17.039</p> <p>5J-17.041</p> <p>5J-17.044</p> <p>5J-17.047</p> <p>5J-17.080</p> <p>5J-17.082</p> <p>5J-17.085</p> <p>5J-17.102</p> <p>5J-17.200</p> <p>5J-17.203</p> <p>5J-17.204</p> <p>5J-17.206</p> <p>5J-17.208</p> <p>5J-17.210</p> <p>5J-17.400</p>	<p>Guidelines for Sharing Department-Developed Examinations With Other States’ Licensing Authorities</p> <p>Translations</p> <p>Licensure, Inactive Status, Delinquent Status, Reactivation</p> <p>Continuing Education Credit for Biennial Renewal</p> <p>Obligations of Continuing Education Providers</p> <p>Approval of Classes</p> <p>Citations</p> <p>Mediation</p> <p>Survey Review</p> <p>Financial Integrity of the Board</p> <p>Definitions</p> <p>Examinations for Licensure of Foreign-Trained Exiled Professionals</p> <p>Graduation Documentation, Verification by Professional Association in Exile</p> <p>Three Years Lawful Practice for Foreign Trained Exiled Professionals</p> <p>Pre-examination Continuing Education Program for Foreign Trained Exiled Professionals</p> <p>Fees for Foreign Trained Exiled Professionals</p> <p>Special Assessment Fee</p> <p>PURPOSE AND EFFECT: The proposed rules establish administrative rules for the Board of Professional Surveyors and Mappers relating to the regulation of licensed professionals. The purpose of the proposed rules includes, in part, new rules similar to the previous Departmental Rules covering the Board, when the Board was located within the Department of Business and Professional Regulation. Due to a Type Two transfer to the Department of Agriculture and Consumer Services, the Board must adopt certain rules to maintain continuity in Board operations. If adopted, the proposed language in Rule 5J-17.016, F.A.C., will clarify the language of the existing rule regarding disciplinary fines and probation. If adopted, the proposed language in Rule 5J-17.029 and Rule 5J-17.030, F.A.C., will set procedural rules and deadlines for the submission of applications. If adopted, the proposed rules in Rules 5J-17.0321 through 5J-17.0381, F.A.C., as referenced above, will address the administration of exams. If adopted, the proposed language in Rule 5J-17.039, F.A.C., will further define licensure status and the biennial renewal of a license. If adopted, the proposed language in Rules 5J-17.041 through 5J-17.047, F.A.C., as referenced above, will change existing rules regarding continuing</p>
---	---	---

education, including instructor credit, course length, course submission, and the requirement that instructors be approved by the Board. If adopted, the proposed language in Rules 5J-17.80 through 5J-17.085, F.A.C., as referenced above, would change existing rules regarding citations, mediation, and probation, establish procedures for the issuing of citations, establish citation fine amounts for unlicensed persons, establish procedures for the mediation of discipline cases, repeal certain offenses from eligibility for mediation, and clarify when probationers must submit surveys for review by the Board. If adopted, the proposed language in Rules 5J-17.102, F.A.C., will define certain terms regarding the financial integrity of the Board, creates procedures for the Department to follow when reporting to the Board that the Board no longer has a reasonable cash balance on hand, establishes procedures for the Board to follow if requesting a loan from the Department, and prohibiting loans that extend beyond two years by the Department to the Board. If adopted, the proposed language in Rules 5J-17.200 through 5J-17.210, F.A.C., as referenced above, will establish licensure and examination procedures for certain foreign exiled professionals. If adopted, the proposed language in Rule 5J-17.400, F.A.C., will require certain licensees to pay a one-time fee to help maintain the financial integrity of the Board.

SUBJECT AREA TO BE ADDRESSED: As stated above, the subject area of the proposed rules include: Licensure, Discipline, Probation, Examinations, Continuing Education, Licensure of Foreign Trained Exiles, and a Special Assessment Fee Against Licensees.

RULEMAKING AUTHORITY: 472.006, 472.006(5), 472.008, 472.0101, 472.011, 472.011(12), 472.013, 472.0131, 472.0131(3), 472.018, 472.034 FS.

LAW IMPLEMENTED: 120.60, 472.0101, 472.011, 472.011(12), 472.013, 472.0131, 472.0131(3), 472.015, 472.018, 472.0202, 472.033(2), 472.034, 472.0351, 472.0351(2), 472.036 FS.

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

DATE AND TIME: September 7, 2010, 2:30 p.m.

PLACE: 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500

Pursuant to the provisions of 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: Bennett M. Miller, Esquire at (850)410-3834. If you are 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: Bennett M. Miller, Esq., 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3834

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: 9B-62.003
RULE TITLE: Building Permit Surcharge Collection and Remittance

PURPOSE AND EFFECT: To review the provisions of the rule regarding means of calculating the surcharge transmitted to the Operating Trust Fund and account for the electronic remittance of the surcharge.

SUBJECT AREA TO BE ADDRESSED: Subsections 9B-62.003(1), (2), F.A.C., Building Permit Surcharge Collection and Remittance.

RULEMAKING AUTHORITY: 553.721 FS.

LAW IMPLEMENTED: 553.721 FS.

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

DATE AND TIME: September 15, 2010, 10:00 a.m.

PLACE: Department of Community Affairs, 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

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

DEPARTMENT OF LAW ENFORCEMENT

Division of Local Law Enforcement Assistance

RULE NO.: 11D-2.001
RULE TITLE: Methamphetamine Precursor Electronic Monitoring System

PURPOSE AND EFFECT: Rule 11D-2.001, F.A.C. is created to implement Florida Statute Section 893.1495 to provide pharmacies and retailers an electronic recordkeeping system to record the real-time purchase of products containing ephedrine or related compounds for the purpose of monitoring this information to prevent or investigate illegal purchases of these products. Access to the approved electronic recordkeeping system shall be provided to a pharmacy or retailer without any additional cost or expense. Tracking of the purchase of the products must be implemented by January 1, 2011 or sooner.

SUBJECT AREA TO BE ADDRESSED: Methamphetamine Precursor Electronic Monitoring System.

RULEMAKING AUTHORITY: 893.1495(15), 943.03(4) FS.

LAW IMPLEMENTED: 893.1495 FS.

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

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

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, FL 32308

DATE AND TIME: Tuesday, August 31, 2010, 9:30 a.m.

PLACE: Florida Department of Law Enforcement, 500 W. Robinson Street, Orlando, FL 32801-1771

DATE AND TIME: Thursday, September 2, 2010, 9:30 a.m.

PLACE: Florida Department of Law Enforcement, 1030 N.W. 111th Avenue, Miami, FL 33172

Pursuant to the provisions of 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: Jeff Beasley at (850)410-7084, or jeffbeasley@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Office of Statewide Intelligence, 2331 Phillips Road, Tallahassee, Florida 32308. If you are 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: Jeff Beasley at (850)410-7084, or jeffbeasley@fdle.state.fl.us, or write to: Florida Department of Law Enforcement, Office of Statewide Intelligence, 2331 Phillips Road, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

11D-2.001 Methamphetamine Precursor Electronic Monitoring System.

(1) A pharmacy or retailer conducting business within the state of Florida who engages in the sale or dispensing of any nonprescription compound, mixture, or preparation containing

ephedrine or related compounds shall be required to participate in the electronic Methamphetamine Precursor Monitoring System.

(2) Definitions:

(a) "Department" means the Florida Department of Law Enforcement (FDLE).

(b) "Exemption" refers to the two part criteria outlined in Section 893.1495(5)(b), F.S., which states: "a pharmacy or retailer may request an exemption from electronic reporting from the Department of Law Enforcement if the pharmacy or retailer lacks the technology to access the electronic recordkeeping system and such pharmacy or retailer maintains a sales volume of less than 72 grams of ephedrine or related compounds in a 30 day period."

(c) "National Precursor Log Exchange" (NPLEx) refers to the FDLE approved electronic Methamphetamine Precursor Monitoring System.

(d) "Retailer" refers to any person, entity, or business, within the state of Florida, who engages in the sale or dispensing of nonprescription compounds, mixtures, or preparations containing ephedrine or related compounds, ephedrine or related products that does not meet the criteria in Section 893.1495(5)(b) or 893.1495(10), F.S.

(3) Each retailer who engages in the sale or dispensing of any nonprescription compound, mixture, or preparation containing ephedrine or related compounds shall contact the Department to enroll in NPLEx. Requests for information, enrollment, and training can be accomplished online at <http://www.fdle.state.fl.us> (look for NPLEx), by telephone at (850)410-8300, by email to NPLEx@fdle.state.fl.us, or in writing to FDLE NPLEx Administrator, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302-1489.

(4) Exemptions. The Department shall grant an exemption from electronic reporting to a retailer, upon request, if the retailer lacks the technology to access NPLEx, and the retailer maintains a sales volume of less than 72 grams of ephedrine or related compounds in a 30 day period.

(a) The "technology necessary to access NPLEx" requires a working computer and any Internet connection.

(b) The "30 day period" for the purpose of determining an exemption shall be calculated from the 1st day of each calendar month.

(c) The retailer's request for an exemption shall be made by completing FDLE Exemption form, FDLE I&FS-012, created 08/16/2010, and hereby incorporated by reference. The form is available online or can be obtained by contacting the Department. See subsection (3) above for contact information.

(d) The Exemption form must be completed in its entirety, signed by the retailer or retail manager claiming the exemption, and notarized by a notary public.

(e) The Department will review the request for exemption, and will grant or deny the request within 14 business days.

1. If the retailer disagrees with the Department’s decision, the retailer may request, in writing, reconsideration of the denial for exemption based upon mistake of fact or law.

2. The request must state the basis for reconsideration and provide any documentation that is available to support the request.

3. The Department will provide a written response to the request for reconsideration.

(f) A retailer must maintain the exemption letter within its place of business, and make it available upon request by any law enforcement officer.

(g) A retailer granted an exemption in this section must notify the Department, in writing, and within 5 days of the completion of the reporting period, of any change in its exemption status regarding the sales volume of ephedrine or related compounds within the 30 day reporting period, or of obtaining the technology to access NPLEEx.

(5) The Department will provide an FDLE NPLEEx Administrator:

(a) Who will be responsible for reviewing, approving or denying and responding to requests for exemption from participation in NPLEEx, and

(b) Who will be responsible for communication between the Department and the 3rd party administrator selected to administer NPLEEx on all matters to include but not limited to: compliance with system requirements, system enhancements, and ensuring the availability of system training for retailers and law enforcement who need access to the system.

Contact information is provided in subsection (3) above.

(6) Retailers Duty to Maintain Logbook.

(a) Should a transaction occur during a period in which NPLEEx is inoperable due to states of declared emergency, natural disaster, or other acts of God, the retailer must:

(b) Maintain a written log capturing all required information and enter the transaction data into NPLEEx within seventy-two (72) hours of the system becoming operational.

(c) Should a retailer be granted an exemption from participation in NPLEEx, it is still the duty of any retailer within the state of Florida to maintain a logbook in compliance with the federal Combat Methamphetamine Epidemic Act of 2005, as specified in Title VII of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109-177), and Section 893.1495, F.S. (2009).

(7) Law Enforcement Access to NPLEEx.

(a) Information contained within NPLEEx is available to law enforcement officers, designated by their agency, for law enforcement purposes, pursuant to Section 893.1495, Florida Statutes (2009).

(b) A law enforcement agency may request access to NPLEEx. Requests for information, participation, and training can be accomplished online at <http://www.fdle.state.fl.us> (look for NPLEEx), by telephone at (850)410-8300, by email to

NPLEEx@fdle.state.fl.us, or in writing to FDLE NPLEEx Administrator, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302-1489.

(c) Each law enforcement agency requesting access to the system will identify a single point of contact to be referred to as an “Agency Account Manager,” who will responsible for communicating new account requests and closing of account requests for its law enforcement officers.

Rulemaking Authority 893.1495(15), 943.03(4) FS. Law Implemented 893.1495 FS. History–New _____.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-1.005	Admissions
12A-1.009	Receipts from Services Rendered by Insect or Pest Exterminators
12A-1.0091	Cleaning Services
12A-1.0092	Detective, Burglar Protection, and Other Protection Services
12A-1.011	Sales of Food Products for Human Consumption by Grocery Stores, Convenience Stores, and Supermarkets; Sales of Bakery Products by Bakeries, Pastry Shops, or Like Establishments; Drinking Water; Ice
12A-1.0161	Sales and Use Tax on Services; Sale for Resale
12A-1.044	Vending Machines
12A-1.096	Industrial Machinery and Equipment for Use in a New or Expanding Business

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.005, F.A.C. (Admissions), is to include the expansion of the exemption for admissions to certain professional sporting events and the exemption for admission charges to an event held in a convention hall, exhibition hall, auditorium, stadium, theater, arena, civic center, performing arts center, or publicly owned recreational facility when sponsored by a governmental entity, sports authority, or sports commission as provided in Section 212.04(2)(a)2. and 4., F.S., as amended by Section 6, Chapter 2010-147, L.O.F.

Section 3, 2009-51, L.O.F., and Section 5, Chapter 2010-138, L.O.F., amended Section 212.05(1)(j), F.S., to replace the Standard Industry Codes for detective, burglar protection, and other protection services and for nonresidential cleaning and nonresidential building pest control services with North American Industry Classification System National Industry Codes (NAICS Codes). The purpose of the proposed amendments to Rule 12A-1.009, F.A.C. (amended title “Receipts from Services for Exterminating and Pest Control”), Rule 12A-1.0091, F.A.C. (Cleaning Services), and Rule

12A-1.0092, F.A.C. (Detective, Burglar Protection, and Other Protection Services), is to include the NAICS Codes and to update the illustrative examples of services included under the specified NAICS National Codes designated in Section 212.05(1)(i), F.S.

The purpose of the proposed amendments to Rule 12A-1.011, F.A.C. (Sales of Food Products for Human Consumption by Grocery Stores, Convenience Stores, and Supermarkets; Sales of Bakery Products by Bakeries, Pastry Shops, or Like Establishments; Drinking Water; Ice), is to include provisions for the taxability of packages of both exempt food products and taxable tangible personal property, as provided in Section 7, Chapter 2010-138, L.O.F., which were previously provided in this rule prior to the substantial rewording effective November 3, 2009.

The purpose of the proposed amendments to Rule 12A-1.0161, F.A.C. (Sales and Use Tax on Services; Sales for Resale), is to remove obsolete provisions which applied to the taxability of services before September 1, 1992.

The purpose of the proposed amendments to Rule 12A-1.044, F.A.C. (Vending Machines), is to update the notice to customers that must be affixed to a vending machine by the operator of the machine, as provided in Section 212.0515(3), F.S., as amend by Section 6, Chapter 2010-138, L.O.F.

The purpose of the proposed amendments to Rule 12A-1.096, F.A.C. (Industrial Machinery and Equipment for Use in a New or Expanding Business), is to include the amendments to Section 212.08(5)(b)6.b., F.S., which amends the definition of "productive output." This law change: (1) provides that productive output may be measured by the output for 12 continuous months selected by an expanding business following the completion of the installation of qualified machinery and equipment, as provided in Section 9, Chapter 2010-147, L.O.F.; (2) continues to provide that the measurement period must begin within 24 months of the installation of the equipment; and (3) strikes the requirement to obtain approval of the alternative measurement period from the Department.

SUBJECT AREA TO BE ADDRESSED: The subject of the rule workshop is the: (1) exemption for admissions to events sponsored by a governmental entity, sports authority, or sports commission at publicly owned facilities and the expansion of the exemption to certain professional sporting events provided in Section 212.04(2)(a)2. and 4., F.S., as amended by Section 6, Chapter 2010-147, L.O.F.; (2) replacement of the Standard Industry Codes for detective, burglar protection, and other protection services and for nonresidential cleaning and nonresidential building pest control services in Section 212.05(1)(i), F.S., with North American Industry Classification System National Industry Codes (NAICS Codes); (3) taxability of packages of both exempt food products and taxable tangible personal property, as provided in Section 7, Chapter 2010-138,

L.O.F.; (4) contents of the notice required to be placed on vending machines by operators provided in Section 212.0515(3), F.S., as amend by Section 6, Chapter 2010-138, L.O.F.; and (4) changes to the definition of "productive output," as revised by Section 9, Chapter 2010-147, L.O.F.

RULEMAKING AUTHORITY: 212.0515, 212.08(5)(b)4., 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 212.04(2), 212.05(1)(i), 212.0515, 212.08(1), (5)(b) FS., ss. 5, 6, 7, Ch. 2010-138, ss. 6, 9, Ch. 2010-147, L.O.F.

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 31, 2010, 2:00 p.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Sarah Wachman at (850)410-2651. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet Young, Tax Law Specialist, and Jeffery Soff, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407 and (850)922-4719

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-1.097
RULE TITLE: Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.097, F.A.C. (Public Use Forms), is to adopt, by reference, changes to forms used by the Department in the administration of sales and use tax.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to forms used by the Department in the administration of sales and use tax.

RULEMAKING AUTHORITY: 201.11, 202.17(3)(a), 202.22(6), 202.26(3), 212.0515(7), 212.07(1)(b), 212.08(5)(b)4., (7), 212.11(5)(b), 212.12(1)(b)2., 212.17(6), 212.18(2), (3), 213.06(1), 376.70(6)(b), 376.75(9)(b), 403.718(3)(b), 403.7185(3)(b), 443.171(2), (7) FS.

LAW IMPLEMENTED: 92.525(1)(b), (3), 95.091, 119.071(5), 125.0104, 125.0108, 201.01, 201.08(1)(a), 201.133, 201.17(1)-(5), 202.11(2), (3), (6), (16), (24), 202.17, 202.22(3)-(6), 202.28(1), 203.01, 212.02, 212.03, 212.0305, 212.031, 212.04, 212.05, 212.0501, 212.0515, 212.054, 212.055, 212.06, 212.0606, 212.07(1), (8), (9), 212.08, 212.084(3), 212.085, 212.09, 212.096, 212.11(1), (4), (5), 212.12(1), (2), (9), (13), 212.13, 212.14(4), (5), 212.17, 212.18(2), (3), 213.235, 213.29, 213.37, 219.07, 288.1258, 376.70, 376.75, 403.717, 403.718, 403.7185, 443.036, 443.121(1), (3), 443.131, 443.1315, 443.1316, 443.171(2), (7) 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 31, 2010, 2:00 p.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Sarah Wachman at (850)410-2651. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet 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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-16.008
RULE TITLE: Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-16.008, F.A.C. (Public Use Forms), is to adopt, by reference, changes to forms used by the Department in the administration of solid waste fees and the rental car surcharge.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to forms used by the Department in the administration of solid waste fees and the rental car surcharge.

RULEMAKING AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 212.0606, 212.12(2), 213.235, 376.70, 403.717, 403.718, 403.7185 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 31, 2010, 2:00 p.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Sarah Wachman at (850)410-2651. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet 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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-19.041	Residential Exemption from the Communications Services Tax
12A-19.100	Public Use Forms

PURPOSE AND EFFECT: Chapter 2010-149, L.O.F., provides that for communications services billed on or after August 1, 2010, the state portion of the Florida communications services tax rate for certain services is reduced 0.15 percent from 6.8 percent to 6.65 percent, and the gross receipts tax rate on those services has increased 0.15 percent from 2.37 percent to 2.52 percent. Communications services billed to a residential household on or after August 1, 2010, will be subject to the 2.37 percent gross receipts tax and will remain exempt from the 6.65 percent state portion of the tax. Such services will also be exempt from the additional gross receipts tax rate of 0.15 percent, ensuring that no person will pay any additional tax.

Chapter 2008-55, L.O.F., amended Section 509.013, F.S., redefining “public lodging establishments” as “transient public lodging establishments” and “nontransient public lodging establishments.” Section 4, Chapter 2010-138, L.O.F., clarifies that the residential exemption from the communications services tax does not include any “transient public lodging establishment.”

Effective July 1, 2010, Chapter 2010-83, L.O.F., allows communications services tax dealers to use a proportionate method to allocate bad debts based on current gross taxes due to determine the amount of bad debt that is attributable to the state and to the local jurisdiction or another reasonable allocation method approved by the Department. Dealers report the bad debit credit on Form DR-700016, Florida Communications Services Tax Return, by deducting the bad debit credit from the state tax or from the local jurisdiction tax due to the Department. The amount of the credit deducted and reported on the return is limited to the amount of state tax due or the amount of local jurisdiction tax due.

The purpose of the proposed amendments to Rule 12A-19.041, F.A.C., is to: (1) amend the title to “Sales of Communications Services to a Residential Household” and the scope of the rule to clarify the intent of the application of the rule, as amended; (2) update provisions regarding the state portion and gross receipts tax portion of the Florida communications services tax for purposes of the residential exemption, as provided in Chapter 2010-149, L.O.F.; (3) include the definition of “transient public lodging establishment,” as defined in Section 509.013, F.S., as amended by Chapter 2008-55, L.O.F.; (4) clarify that the residential exemption from communications services tax does not apply to “transient public lodging establishments,” as provided in Section 4, Chapter 2010-138, L.O.F.; and (4) update the term “service provider” to “dealer” of communications services.

The purpose of the proposed amendments to Rule 12A-19.100, F.A.C. (Public Use Forms), is to: (1) incorporate the instructions to report tax due on communications services billed on or after August 1, 2010, and provide for the components of the communications services tax collected to be shown on Form DR-700016, Florida Communications Services Tax Return, and Form DR-700019, Communications Services Use Tax Return, as provided in Chapter 2010-149, L.O.F.; (2) provide in the instructions of Form DR-700016 that the residential exemption from the communications services tax does not include any transient public lodging establishment, as clarified in Section 4, Chapter 2010-138, L.O.F.; (3) provide for the reporting of bad debt credits consistent with the provisions of Chapter 2010-83, L.O.F.; (4) provide which version of Form DR-700016, Florida Communications Services Tax Return, is to be used to report communications services tax on services billed during the calendar year; (5) update the local communications services tax rates; and (6) adopt, by reference, changes to Forms DR-700016 and DR-700019.

SUBJECT AREA TO BE ADDRESSED: The subject of the workshop is: (1) the tax rate changes for communications services sold to residential households, as provided in Chapter 2010-149, L.O.F.; (2) clarification that the residential exemption does not include any transient public lodging establishment, as provided in Section 4, Chapter 2010-138, L.O.F.; (3) reporting of bad debt credits consistent with the provisions of Chapter 2010-83, L.O.F.; (4) applicable reporting periods and service billing dates for each version of Form DR-700016, Florida Communications Services Tax Return; and (5) adoption, by reference, of updates to Form DR-700016, Communications Services Tax Return, and Form DR-700019, Communications Services Use Tax Return.

RULEMAKING AUTHORITY: 175.1015(5), 185.085(5), 202.151, 202.16(2), 202.26(3)(a), (c), (d), (e), (j), 202.27(7) FS.

LAW IMPLEMENTED: 119.071(5), 175.1015, 185.085, 202.11(3), (10), (11), 202.12(1), (3), 202.125(1), 202.13(2), 202.151, 202.16(2), (4), 202.17(6), 202.19(1), (7), (10), 202.22(6), 202.27, 202.28(1), (2), 202.29, 202.30(3), 202.33, 202.34(3), (4)(c), 202.35(1), (2), (4) 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 31, 2010, 2:00 p.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Sarah Wachman at (850)410-2651. If you are 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: Heather Miller, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4835

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT’S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.:	RULE TITLE:
12B-5.150	Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12B-5.150, F.A.C. (Public Use Forms), is to adopt, by reference, changes to forms used by the Department in the administration of taxes imposed on fuels and pollutants.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to forms used by the Department in the administration of the taxes imposed on fuels and pollutants.

RULEMAKING AUTHORITY: 206.14(1), 206.485(1), 206.59(1), 213.06(1), 213.755(8), 526.206 FS.

LAW IMPLEMENTED: 119.071(5), 206.02, 206.021, 206.022, 206.025, 206.026, 206.027, 206.028, 206.05, 206.055, 206.095, 206.11, 206.404, 206.41, 206.43, 206.44, 206.485, 206.86, 206.874, 206.8745, 206.877, 206.90, 206.91, 206.92, 206.9835, 206.9865, 206.9931, 206.9943, 212.0501, 213.255, 213.755, 526.203 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 31, 2010, 2:00 p.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Sarah Wachman at (850)410-2651. If you are 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: Ron Gay, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4732

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NOS.:	RULE TITLES:
12B-7.006	Exemptions and Credits
12B-7.008	Public Use Forms
12B-7.026	Public Use Forms

PURPOSE AND EFFECT: Section 3, Chapter 2010-166, L.O.F., increases the base rate of tax on the severance of phosphate rock to \$1.71 per ton beginning July 1, 2010, and decreases the base rate of tax on the severance of phosphate

rock to \$1.61 per ton beginning July 1, 2011. The total tax rate, including the surcharge imposed under Section 211.3101(11), F.S., remains at \$1.38 per ton.

The Florida Tax Credit Scholarship Program, as amended by section 1, Chapter 2010-24, L.O.F., allows taxpayers to receive a credit allocation for contributions made to nonprofit scholarship funding organizations. Beginning January 1, 2011, a tax credit of 100 percent of the contribution is allowed against any tax due on oil production in Florida or against any tax due on gas production in Florida imposed under Sections 211.02 and 211.025, F.S. The tax credit may not exceed 50 percent of the tax due on the return on which the tax credit is taken. Proposed Rule Chapter 12-30, F.A.C., Florida Tax Credit Scholarship Program, establishes the procedures governing the approval of tax credit allocations and rescindments, the approval for carryforward tax credits to a subsequent tax year, and the procedures to be followed by taxpayers when claiming tax credits on tax returns.

The purpose of the proposed amendments to Rule 12B-7.006, F.A.C., is to: (1) update the exemptions listed in the rule to include the exemption provided in Section 211.027(3), F.S., for gas vented or flared directly into the atmosphere when the gas is not otherwise sold; (2) provide that provisions for the tax credit available against the tax paid on the production or oil or gas in Florida are provided in Rule Chapter 12-30, F.A.C., as proposed; and (3) update the information on how to obtain copies of forms from the Department.

The purpose of the proposed amendments to Rule 12B-7.008, F.A.C. (Public Use Forms), is to adopt, by reference, updates to Forms DR-144 and DR-144ES for reporting the tax on gas and sulfur production in Florida and Forms DR-145 and DR-145X to: (1) provide instructions on reporting the tax credit available against the tax paid on oil or gas production in Florida for contributions to an eligible nonprofit scholarship funding organization; (2) simplify the instructions for reporting the taxes on oil, gas, and sulfur production; and (3) update the information on how to obtain copies of forms from the Department.

The purpose of the proposed amendments to Rule 12B-7.026, F.A.C. (Public Use Forms), is to adopt, by reference, updates to Forms DR-142 and DR-142ES to: (1) provide for the reporting of the tax on production of phosphate rock for the period January 2010 – June 2010, and for the period July 2010 – December 2010, at the rates provided in Section 3, Chapter 2010-166, L.O.F.; and (2) simplify the instructions for reporting the solid mineral severance taxes.

SUBJECT AREA TO BE ADDRESSED: The subject of the workshop is: (1) the inclusion of the exemption provided in Section 211.027(3), F.S., for gas vented or flared directly into the atmosphere when the gas is not otherwise sold; (2) the changes to the form and instructions to report a tax credit against any tax due on oil or gas production in Florida under the Florida Tax Credit Scholarship Program, as provided in

Chapter 2010-24, L.O.F.; and (3) the adoption, by reference, of updates to forms used by the Department in the administration of the severances tax imposed on oil, gas, sulfur, and solid minerals produced in Florida.

RULEMAKING AUTHORITY: 211.075(2), 211.125(1), 211.33(6), 213.06(1), 1002.395(13) FS.

LAW IMPLEMENTED: 92.525(1)(b), (2), (3), (4), 211.02, 211.025, 211.0251, 211.026, 211.027, 211.075, 211.076, 211.125, 211.30, 211.31, 211.3103, 211.3106, 211.33, 213.755(1), 1002.395 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 31, 2010, 2:00 p.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Sarah Wachman at (850)410-2651. If you are 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: Robert DuCasse, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4700

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.: 12B-8.003 **RULE TITLE:** Tax Statement; Overpayments

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12B-8.003, F.A.C. (Tax Statement; Overpayments), is to adopt, by reference, changes to forms used by the Department in the administration of the insurance premium tax.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed adoption of changes to forms used by the Department in the administration of the insurance premium tax.

RULEMAKING AUTHORITY: 213.06(1) FS.

LAW IMPLEMENTED: 175.041, 175.101, 175.1015, 175.111, 175.121, 175.141, 175.151, 185.02, 185.03, 185.08, 185.085, 185.09, 185.10, 185.12, 185.13, 213.05, 213.053, 213.235, 213.37, 220.183, 220.19, 220.191, 252.372, 288.99, 440.51, 443.1216, 624.11, 624.402, 624.4072, 624.4094, 624.402, 624.4621, 624.4625, 624.475, 624.501, 624.509, 624.5091, 624.5092, 624.50921, 624.510, 624.5105, 624.5107, 624.511, 624.515, 624.516, 624.518, 624.519, 624.520, 624.521, 624.601, 624.610, 626.7451(11), 627.311, 627.351, 627.3512, 627.357(9), 627.7711, 627.943, 628.6015, 629.401, 629.5011, 631.72, 632.626, 634.131, 634.313(2), 634.415(2), 636.066, 642.0301, 642.032 FS., Ch. 93-128, s. 29, 2005-280, L.O.F.

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 31, 2010, 2:00 p.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Sarah Wachman at (850)410-2651. If you are 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: Terry Branch, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4700

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NO.: 12C-1.051 **RULE TITLE:** Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12C-1.051, F.A.C. (Forms), is to adopt, by reference, changes to forms used by the Department in the administration of the corporate income tax.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to forms used by the Department in the administration of the corporate income tax.

RULEMAKING AUTHORITY: 213.06(1), 220.187, 220.192(5), 220.193(4), 220.51 FS.

LAW IMPLEMENTED: 119.071(5), 213.755(1), 220.11, 220.12, 220.13(1), (2), 220.14, 220.15, 220.16, 220.181, 220.182, 220.183, 220.184, 220.1845, 220.185, 220.186, 220.187, 220.1895, 220.19, 220.191, 220.192, 220.193, 220.21, 220.211, 220.22, 220.221, 220.222, 220.23, 220.24, 220.241, 220.31, 220.32, 220.33, 220.34, 220.41, 220.42, 220.43, 220.44, 220.51, 220.721, 220.723, 220.725, 220.737, 220.801, 220.803, 220.805, 220.807, 220.809, 221.04, 624.51055 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 31, 2010, 2:00 p.m.
 PLACE: Room 118, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Sarah Wachman at (850)410-2651. If you are 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: Charles Dunning, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4700

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT’S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NO.: 12C-2.0115
 RULE TITLE: Public Use Forms
 PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12C-2.0115, F.A.C. (Public Use Forms), is to adopt, by reference, changes to the forms used by the Department in the administration of the tax on governmental leasehold estates, and to provide the 2011 Valuation Factor Table used to calculate the amount of tax due.
 SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to forms used by the Department in the administration of the tax on governmental leasehold estates.

RULEMAKING AUTHORITY: 199.202(2), 213.06(1) FS.
 LAW IMPLEMENTED: 119.071(5), 196.199(2), 199.135, 199.232, 199.292 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 31, 2010, 2:00 p.m.
 PLACE: Room 118, Carlton Building, 501 S. Calhoun 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 48 hours before the workshop/meeting by contacting: Sarah Wachman at (850)410-2651. If you are 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: Tim Phillips, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4700

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT’S INTERNET SITE AT: myflorida.com/dor/rules.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Driver Licenses

RULE NOS.:	RULE TITLES:
15A-10.001	Purpose
15A-10.002	Definitions
15A-10.003	Reciprocity
15A-10.004	Application for Licensure to Conduct a Driving Under the Influence Program
15A-10.005	Licensure: Requirements and Limitations
15A-10.006	Relinquishment of Licensure
15A-10.007	Review Board and Monitoring
15A-10.008	Organizational Structure
15A-10.009	Program Jurisdiction
15A-10.010	Operating Policies and Procedures Manual(s)
15A-10.011	Board of Directors or Advisory Committee
15A-10.012	Financial Audit

- 15A-10.013 Financial Procedures and Reporting Requirements
- 15A-10.014 Cost Standards and Allocations
- 15A-10.0141 Fees
- 15A-10.0142 Revenue Limitation
- 15A-10.015 Fee Waiver
- 15A-10.016 Ancillary Fees
- 15A-10.017 Personnel Policies and Procedures
- 15A-10.018 Client Files
- 15A-10.019 Client Transfers
- 15A-10.021 Student Conduct
- 15A-10.022 Personnel Certification
- 15A-10.023 Education
- 15A-10.024 Level I Course
- 15A-10.025 Level II Course
- 15A-10.026 Certificates of Completion and Student Status Report, HSMV Form 77057
- 15A-10.027 Client Evaluation
- 15A-10.028 Treatment Referral
- 15A-10.029 Special Supervision Services (SSS) and Statutory Eligibility
- 15A-10.030 SSS Application and Evaluation Process
- 15A-10.031 SSS Appeal Process
- 15A-10.032 SSS Case Management Plan
- 15A-10.033 SSS Military Leave
- 15A-10.034 SSS Frequency of Appointments
- 15A-10.035 SSS Missed Appointments
- 15A-10.036 SSS Violation of Restricted Licenses
- 15A-10.037 SSS Transfer Procedure
- 15A-10.038 SSS Fees
- 15A-10.039 SSS Referrals to Treatment
- 15A-10.040 Case Monitoring Services
- 15A-10.041 Denial, Suspension or Revocation of a DUI Program License or Personnel Certification
- 15A-10.042 Complaints
- 15A-10.043 Forms

PURPOSE AND EFFECT: This rule chapter sets forth the standards for licensing Driving Under the Influence (DUI) programs, certifying personnel, monitoring the ignition interlock device (IID) clients and regulating the conduct of these programs and courses by the Department of Highway Safety and Motor Vehicles pursuant to Sections 322.292, 322.293, 316.193 and 322.2715, Florida Statutes, Chapter 15A-9, Florida Administrative Code.

SUBJECT AREA TO BE ADDRESSED: Compliance with these rules is required to obtain and to maintain licensure and certification by the Department.

RULEMAKING AUTHORITY: 322.292, 322.293 322.2715, 316.193, 316.1937 FS.

LAW IMPLEMENTED: 322.02, 322.292, 322.293 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 31, 2010, 2:00 p.m.

PLACE: Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room Number D426, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Barbara Lauer, Bureau of Driver Education and DUI Programs, 2900 Apalachee Parkway, Room B211, Tallahassee, FL 32399, telephone: (850)617-2505. If you are 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: Barbara Lauer, Bureau of Driver Education and DUI Programs, 2900 Apalachee Parkway, Room B211, Tallahassee, FL 32399-0500, (850)617-2505

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Driver Licenses

RULE NO.: 15A-10.009 RULE TITLE: Program Jurisdiction

PURPOSE AND EFFECT: The purpose of the proposed rule action is to add a paragraph to the current rule to prohibit DUI programs which are also authorized as a private probation services provider from distributing a list of DUI programs in their service area or to self-refer persons who are probationers to any DUI program owned in whole or in part by that private probation services provider or its affiliates; also requires DUI program to document that the probationer was advised of their right to choose a licensed DUI program.

SUBJECT AREA TO BE ADDRESSED: The proposed rule action revises the current Rule 15A-10.009, F.A.C., by prohibiting DUI programs from self-referring.

RULEMAKING AUTHORITY: 322.02, 322.292 FS.

LAW IMPLEMENTED: 322.292(5) 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 31, 2010, 9:30 a.m.

PLACE: Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room Number D426, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Barbara Lauer, Bureau of Driver Education and DUI Programs, 2900 Apalachee Parkway, Room B211, Tallahassee, FL 32399, telephone: (850)617-2505. If you are 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: Barbara Lauer, Chief, Bureau of Driver Education & DUI Programs, Division of Driver Licenses, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room B211, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)617-2505

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

15A-10.009 Program Jurisdiction.

(1) through (3) No change.

(4) DUI programs who are also authorized as a private probation services provider under Section 948.15, F.S., shall not distribute a list of DUI programs in their service area or self-refer persons who are probationers to any DUI program owned in whole or in part by that private probation services provider or its affiliates. The DUI program shall document that the probationer was advised of their right to choose a licensed DUI program.

Rulemaking Specific Authority 322.02, 322.292 FS. Law Implemented 316.192, 316.193, 322.2615, 322.292(5) FS. History--New 1-4-95, Amended _____.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

RULE NO.:	RULE TITLE:
15C-19.001	Forms for Motor Vehicle Manufacturers, Importers and Distributors

PURPOSE AND EFFECT: The purpose of the proposed rule is to specify and incorporate by reference the forms for the application for licensure and renewal of licenses for: motor vehicle manufacturers, importers and distributors.

SUBJECT AREA TO BE ADDRESSED: Forms for the application for licensure and renewal of licenses for: motor vehicle manufacturers, importers and distributors.

RULEMAKING AUTHORITY: 320.011, 320.69 FS.

LAW IMPLEMENTED: 320.60, 320.63, 320.61-320.70 FS.

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

DATE AND TIME: August 30, 2010, 2:00 p.m.

PLACE: 2900 Apalachee Parkway, Room A427, Kirkman Building, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Julie Gentry, Interim Chief, Bureau of Field Operations, Division of Motor Vehicles, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room B370, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)617-3171. If you are 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: Julie Gentry, Interim Chief, Bureau of Field Operations, Division of Motor Vehicles, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room B370, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)617-3171

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-6.001	Definitions and Forms
27M-6.002	Application Process
27M-6.003	Certification

PURPOSE AND EFFECT: To implement the Manufacturing and Spaceport Investment Incentive Program contained in Section 288.1083, F.S.

SUBJECT AREA TO BE ADDRESSED: Manufacturing and Spaceport Investment Incentive Program.

RULEMAKING AUTHORITY: 288.1083 FS.

LAW IMPLEMENTED: 288.1083 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michelle Ramsey Dennard, Office of Tourism, Trade, and Economic Development, Suite 1902, The Capitol, Tallahassee, Florida 32399, (850)487-2568, michelle.dennard@eog.myflorida.com
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

EXECUTIVE OFFICE OF THE GOVERNOR

Florida Energy and Climate Commission

RULE NO.: 27N-3.001
 RULE TITLE: State ENERGY STAR Appliance Rebate Program

PURPOSE AND EFFECT: Section 377.808, F.S., authorized the Florida Energy and Climate Commission to administer a consumer rebate program for the replacement of older appliances with qualified specific residential ENERGY STAR appliances and products, consistent with 42 U.S.C. s. 15821 and any federal agency guidance or regulations issued in furtherance of federal law.

SUBJECT AREA TO BE ADDRESSED: Section 377.808, F.S., authorizes the Florida Energy and Climate Commission to establish a consumer rebate program for residential energy efficient appliances, consistent with 42 U.S.C. s. 15821 and any other federal agency guidance or regulations issued in furtherance of federal law.

RULEMAKING AUTHORITY: 377.807 FS.

LAW IMPLEMENTED: 377.807 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 30, 2010, 9:00 a.m. – 12:00 Noon
 PLACE: Toni Jennings Room, 110 Senate Office Building, Tallahassee, FL

Pursuant to the provisions of 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: Brittany Cummins at (850)487-3800. If you are 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: Brittany Cummins at (850)487-3800

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

27N-3.001 Florida ENERGY STAR Appliance Rebate Program.

(1) GENERAL. The Florida Energy and Climate Commission is authorized to administer a consumer rebate program for the replacement of older appliances with qualified specific residential ENERGY STAR appliances and products, consistent with 42 U.S.C. s. 15821 and any federal agency guidance or regulations issued in furtherance of federal law.

(a) Only new appliances purchased for use at the consumer’s residence, to replace older appliances, are eligible for this rebate. To qualify, the new appliance must be purchased in the state of Florida. This program is not intended to be used by a multi-family building owner.

~~(b) The issuance of a rebate through other rebate programs does not preclude a consumer from receiving a rebate through this rebate program. For the purposes of receiving a rebate, consumers may purchase no more than one of each type of ENERGY STAR appliance per address. However, the total amount of rebate monies received shall not exceed \$1,500 per consumer, per address.~~

~~(c) Rebates shall be available only for the following new ENERGY STAR certified appliances and products: refrigerators, freezers, clothes washers, dishwashers, room air conditioners and gas tank less water heaters. These are “qualified appliances” for the purpose of the rebate program.~~

~~(d) In order to be eligible to receive a rebate, a consumer must first purchase a qualified appliance or product during the designated period and submit proof of purchase of the qualified appliance to the program administrator postmarked no later than May 10, 2010.~~

~~(e) Consumers may obtain rebate redemption information and applications from several locations including retail locations, the Florida Energy and Climate Commission website, the program administrator’s website, or program partners’ websites.~~

~~(f) Rebates will be a flat 20 percent off the retail, pretax price of the appliance.~~

~~(g) The issuance of a rebate through other rebate programs does not preclude a consumer from receiving a rebate through this rebate program.~~

~~(h) Recycling is encouraged. Therefore, an additional \$75 will be added to the rebate if the consumer provides the recycled appliance’s serial number and evidence of having recycled the appliance being replaced. No appliance may be refurbished and put back into use.~~

~~1. Evidence of having recycled the appliance being replaced may consist of:~~

~~a. Statement on the retailer receipt indicating pick up of the appliance being replaced; or~~

~~b. Receipt from the public or private landfill of delivery of the appliance being replaced. This receipt must include the name and address of the landfill, the date, the receiving person's signature and a brief description of the product.~~

~~2. The recycled appliance must be of the same type as the newly purchased qualified appliance for which the rebate is being applied.~~

~~3. The additional \$75 is only offered for the purchase of a new appliance.~~

~~4. All appliances accepted by landfills or retail establishments to recycle as part of this program must be sent to a metal recycler.~~

(2) PROGRAM DURATION. The rebates shall only be available for the purchase of qualified appliances during the designated period of the program associated with each appliance.

(3) PROGRAM ADMINISTRATOR. The Florida Energy and Climate Commission may select a third party vendor to administer the rebates. If the Florida Energy and Climate Commission decides to select a third party to act as the program administrator, the Commission will issue a request for proposal and select the vendor who can process the rebates in the most efficient, accurate and cost-effective manner. Under no circumstance is the program administrator permitted to sell, give away or utilize for purposes other than this rebate program the names, addresses or phone numbers of the consumers applying for the rebate.

(4) ADVERTISING AND PROMOTION. The Florida Energy and Climate Commission shall coordinate with the program administrator, the participating retailers, environmental groups and the participating utilities to partner together to promote the rebate program broadly to the entire state. Advertising and promotions for the rebate program conducted by participating partners will include information that is consistent with these rules.

(5) APPLICATION AND ISSUANCE. Applications for rebates shall be submitted to the program administrator and postmarked on or before the dates designated by each appliance under subsection (6) below to be considered timely.

(a) Applications shall be submitted to the program administrator in hard copy format, using the rebate application form identified by appliance type in subsection (6) below.

(b) In order to be considered complete, applications must include all information required on the application form, the original purchase receipt for the appliance and, if applicable seeking the additional \$75 for recycling, evidence demonstrating that the appliance being replaced has been recycled. All information provided to the program administrator must be legible.

(c) The Florida Energy and Climate Commission does not guarantee that every consumer submitting a complete rebate application will receive a rebate. Rebates can only be issued if funding is available. The rebates will be dispensed upon (1) successful completion of the rebate form with required attached receipts and forms, (2) the order in which they arrive, and (3) the availability of funds.

(d) Provided funds are available, the program administrator shall review each timely application to determine if the application includes all required information. The program administrator shall issue each rebate only after it determines that all required information has been provided and the application is complete.

1. An application that is determined to be complete shall be placed in the first-come, first-served order for allocation of rebates based upon the date and time the application is filed.

2. Timely submitted applications which are not complete shall not be considered as eligible for rebates and shall not receive a position in the first-come, first-served order for allocation of rebates. If the program administrator determines that the application is not complete and does not contain all of the required information, the program administrator shall notify the applicant of the incompleteness of the application.

3. Applicants who are notified of the incompleteness of a timely submitted application may submit subsequent information by mail in order to make the application complete. If an application is then determined to be complete, it shall be placed in the first-come, first-serve order for allocation of rebates based upon the date and time the application is determined complete.

(6) APPLIANCE SPECIFIC. The following program requirements will apply to the specific appliances being offered rebates.

(a) Consumer Appliances including: ENERGY STAR refrigerators, freezers, dishwashers, clothes washers, room air conditioners, and gas tank-less water heaters.

1. To qualify, the new appliance must be purchased in the state of Florida, from an establishment that collects and remits Florida sales tax.

2. For the purposes of receiving a rebate, consumers may purchase no more than one of each type of ENERGY STAR appliance per address. However, the total amount of rebate monies received shall not exceed \$1,500 per consumer, per address.

3. Rebates shall be available only for the following new ENERGY STAR certified appliances and products: refrigerators, freezers, clothes washers, dishwashers, room air conditioners and gas tank-less water heaters. These are "qualified appliances" for the purpose of the rebate program.

4. In order to be eligible to receive a rebate, a consumer must first purchase a qualified appliance or product during the designated period and submit proof of purchase of the qualified appliance to the program administrator postmarked no later than May 10, 2010.

5. Consumers may obtain rebate redemption information and applications from several locations including retail locations, the Florida Energy and Climate Commission website, the program administrator's website, or program partners' websites.

6. Rebates will be a flat 20 percent off the retail, pretax price of the appliance.

7. Recycling is encouraged. Therefore, an additional \$75 will be added to the rebate if the consumer provides the recycled appliance's serial number and evidence of having recycled the appliance being replaced. No appliance may be refurbished and put back into use.

a. Evidence of having recycled the appliance being replaced may consist of a statement on the retailer receipt indicating pick-up of the appliance being replaced; or a receipt from the public or private landfill of delivery of the appliance being replaced. This receipt must include the name and address of the landfill, the date, the receiving person's signature and a brief description of the product.

b. The recycled appliance must be of the same type as the newly purchased qualified appliance for which the rebate is being applied.

c. The additional \$75 is only offered for the purchase of a new appliance.

d. All appliances accepted by landfills or retail establishments to recycle as part of this program must be sent to a metal recycler.

8. The rebates shall only be available for the purchase of qualified appliances during the period from 12:01 a.m., April 16, 2010, through 11:59 p.m., April 25, 2010. This time period coincides with Florida's Earth Day.

9. Applications for rebates shall be submitted to the program administrator and postmarked on or before May 10, 2010 to be considered timely.

10. Applications shall be submitted to the program administrator in hard copy format, using the rebate application form hereby incorporated by reference: Form FECC 1, effective date April 2010.

(b) ENERGY STAR Central Air Conditioners, Air Source Heat Pumps, and Geothermal Heat Pumps.

1. To qualify for the Residential HVAC Rebate the homeowner must make two investments:

a. The first investment is to purchase a new HVAC or geothermal system that meets the Federal Energy Tax Credits standards to replace an existing system.

b. For the second investment, the homeowner must hire a state approved performance tester which means a Class 1 Florida Energy Gauge Certified Energy Rater, a State of

Florida Mechanical Contractor, or a recognized test and balance agent and have their home's duct system tested with the test results indicating the home's duct system has no more than 15% leakage to the outside of the home (0.10 Qn.out) as indicated on the Air Distribution System Test Report.

2. To qualify the HVAC or geothermal appliance must be purchased and installed in the State of Florida by a Florida licensed installer and the installer must comply with Florida's laws regarding filing for mechanical permits to replace existing HVAC units and using a Manual J for sizing the new replacement unit.

3. Only one \$1,500 rebate per existing residence, no new construction.

4. The HVAC Rebate opportunity will begin on August 30, 2010 and end on December 31, 2010 or when the rebate funds are depleted.

5. To qualify for the rebate the new HVAC or geothermal system must be purchased and installed after the program launch date of August 30, 2010 and before December 31, 2010.

6. Since HVAC installers are required by law to properly dispose of replaced HVAC systems no recycling rebate is offered.

7. Applications shall be submitted to the program administrator in hard copy format, using the application form FECC 3, effective August 30, 2010. The application form can be obtained beginning August 30, 2010 from the FECC's website.

8. In order to be considered complete, the Residential HVAC Rebate application must include all information required on the application form and five documents must be mailed in:

First – the signed and completed application.

Second – a copy of the mechanical building permit that must be applied for by the HVAC installer (this must contain the applicant's home address).

Third – a copy of the HVAC or geothermal sales receipt (this must contain the make and model of the HVAC unit, the sales date, and the applicant's home address).

Fourth – a completed and signed copy of the Air Distribution System Test Report as provided by the HVAC duct tester indicating leakage does not exceed 15% to the outside as measured by a score of 0.10 (Qn.out) or less.

Fifth – the front or summary page of the Manual J as provided by the HVAC installer that confirms the HVAC installer used the Manual J to appropriately size the new unit.

(c) Other ENERGY STAR Appliances.

1. The remaining ENERGY STAR appliances not already covered by the prior referenced (6)(a) or (6)(b) may be offered for a rebate if additional funds become available.

2. Those new ENERGY STAR appliance rebate offerings will have a specific start and stop date.

3. Only one rebate per appliance will be paid per residence.

4. If Florida makes the offering available, applications shall be submitted to the program administrator in hard copy format, using the application form FECC 4, effective upon the adoption of the offering. The application form would be available from the FECC's website.

Rulemaking Authority 377.807 FS. Law Implemented 377.807 FS. History—New 3-11-10, Amended.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-8.100
 RULE TITLE: Medicaid Contracts for Prepaid Health Plans

PURPOSE AND EFFECT: The purpose of the proposed rule is to incorporate changes to the Payment Methodology for Participating Medicaid Managed Health Care Plans, as incorporated by reference in Rule 59G-8.100, F.A.C., to provide the following changes based Section 409.9124, F.S., Managed care reimbursement, effective July 1, 2010.

The Agency for Health Care Administration will modify the payment methodology for participating Medicaid managed health care plans to reflect the use of fee for service encounter data and financial data as data sources in the rate setting process.

SUBJECT AREA TO BE ADDRESSED: Payment methodology for participating non-pilot capitated Medicaid managed health care plans.

RULEMAKING AUTHORITY: 409.9124, 409.919 FS.

LAW IMPLEMENTED: 409.9124 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 30, 2010, 1:00 p.m. – 2:00 p.m.

PLACE: 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Edwin Stephens, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308, (850)412-4077 or edwin.stephens@ahca.myflorida.com

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

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

PURPOSE AND EFFECT: The Board proposes to review the rule to delete unnecessary language and to add new language if necessary to update and clarify the procedures for qualification for certification of an applicant.

SUBJECT AREA TO BE ADDRESSED: Qualification for certification.

RULEMAKING AUTHORITY: 489.108, 489.111 FS.

LAW IMPLEMENTED: 489.111 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32399-5257

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-701.100	Intent
62-701.200	Definitions
62-701.210	Documents Incorporated by Reference
62-701.220	General Applicability
62-701.300	Prohibitions
62-701.310	Approval of Alternate Procedures and Requirements
62-701.315	Permit Fees for Solid Waste Management Facilities
62-701.320	Solid Waste Management Facility Permit Requirements, General
62-701.330	Landfill Permit Requirements
62-701.340	General Criteria for Landfills
62-701.400	Landfill Construction Requirements
62-701.410	Hydrogeological and Geotechnical Investigation Requirements
62-701.430	Vertical Expansion of Landfills
62-701.500	Landfill Operation Requirements
62-701.510	Water Quality and Leachate Monitoring Requirements
62-701.520	Special Waste Handling
62-701.530	Gas Management Systems

62-701.600	Landfill Final Closure
62-701.610	Other Closure Procedures
62-701.620	Long-Term Care
62-701.630	Financial Assurance
62-701.710	Waste Processing Facilities
62-701.730	Construction and Demolition Debris Disposal and Recycling
62-701.803	General Permit for Off-site Disposal of Land Clearing Debris
62-701.900	Forms

PURPOSE AND EFFECT: Chapter 2010-205, Laws of Florida, includes a new requirement that all construction and demolition debris landfills be constructed with liners and leachate control systems. Chapter 2010-143, Laws of Florida, includes a new requirement that all construction and demolition debris be processed prior to disposal when economically feasible. The rule chapter must be amended to address these new requirements. There are also several minor changes that need to be made to update and clarify the chapter. SUBJECT AREA TO BE ADDRESSED: Solid waste management.

RULEMAKING AUTHORITY: 403.061, 403.087, 403.0877, 403.704, 403.707, 403.814 FS.

LAW IMPLEMENTED: 403.021, 403.061, 403.087, 403.0877, 403.121, 403.702-.7193, 403.75-.769, 403.814 FS.

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

DATE AND TIME: September 29, 2010, 1:00 p.m.
 PLACE: Orlando City Hall, One City Commons, 400 South Orange Avenue, Orlando, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Richard Tedder. If you are 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: Richard Tedder, Department of Environmental Protection, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8735, or email at Richard.Tedder@dep.state.fl.us

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-709.201	Definitions
62-709.300	General Provisions
62-709.305	Exemptions
62-709.320	General Provisions for Registrations

62-709.330	Specific Criteria for Registration of Yard Trash Processing Facilities
62-709.350	Specific Criteria for Registration of Facilities Composting Vegetative Wastes, Animal Byproducts or Manure, or Blending Manure
62-709.460	Special Permitting Criteria for Solid Waste Organics Recycling Pilot Projects
62-709.500	Design Criteria for Permitted Facilities
62-709.510	Operation Criteria for Permitted Facilities
62-709.530	Testing, Recording and Reporting Requirements
62-709.550	Classification of Compost
62-709.600	Criteria for the Use of Compost
62-709.901	Forms

PURPOSE AND EFFECT: Significant amendments were made to this Chapter in January of 2010. These changes primarily involved registration requirements for smaller facilities that process yard trash and organic material. This next round of amendments are intended to update the requirements for permitting facilities that compost municipal solid waste, as well as the requirements and criteria for testing and use of processed materials. The Chapter will also be amended to address facilities that anaerobically digest solid waste.

SUBJECT AREA TO BE ADDRESSED: Organics Processing and Recycling Facilities.

RULEMAKING AUTHORITY: 120.53, 403.061, 403.704, 403.7043, 403.707 FS.

LAW IMPLEMENTED: 120.53, 403.7043, 403.707 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: Francine Joyal, Department of Environmental Protection, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8747, or email at Francine.Joyal@dep.state.fl.us

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-716.100	Intent
62-716.200	Definitions
62-716.300	General Grant Application Requirements

- 62-716.310 Disbursement of Funds
- 62-716.320 Grant Recordkeeping
- 62-716.400 Specific Recycling and Education Grant Application and Matching Requirements
- 62-716.410 Recycling and Education Grant Eligibility Requirements
- 62-716.420 Recycling and Education Grant Special Requirements
- 62-716.430 Use of Recycling and Education Grant Funds
- 62-716.440 Allocation of Recycling and Education Grant Funds
- 62-716.450 Solid Waste Annual Reports
- 62-716.500 Specific Small County Grant Application Requirements
- 62-716.510 Use of Small County Grant Funds
- 62-716.600 Specific Waste Tire Grant Application Requirements
- 62-716.610 Allocation of Waste Tire Grant Funds
- 62-716.620 Use of Waste Tire Grant Funds
- 62-716.700 Litter Control and Prevention Grants
- 62-716.900 Forms

PURPOSE AND EFFECT: Chapter 2010-143, Laws of Florida, creates a number of new requirements that must be implemented by rule. It requires that the Department develop a reporting format for recycling rates; create a voluntary certification program for materials recovery facilities; and establish a method and criteria to be used by counties in calculating recycling rates. It is the Department's intention to amend the title of this Chapter to broaden its scope to include these new provisions. In addition, the Law amended the solid waste management grant program making it necessary to amend this Chapter to be consistent.

SUBJECT AREA TO BE ADDRESSED: Solid waste grants and recycling programs.

RULEMAKING AUTHORITY: 403.704, 403.7095, 120.53, 403.061 FS.

LAW IMPLEMENTED: 403.706, 403.7095, 403.4131, 120.53, 120.55, 403.0875 FS.

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

DATE AND TIME: September 30, 2010, 9:00 a.m.

PLACE: Orlando City Hall, One City Commons, 400 South Orange Avenue, Orlando, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Raoul Clarke. If you are 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: Raoul Clarke, Department of Environmental Protection, MS 4555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8750, or email at Raoul.Clarke@dep.state.fl.us

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-722.200	Definitions
62-722.300	Exemptions
62-722.400	Procedures for Certification and Reporting
62-722.600	Procedures for Registration and Reporting

PURPOSE AND EFFECT: Chapter 2010-143, Laws of Florida, creates a new requirement that recovered materials dealers must report information to the Department and certain counties by February 1. This will require the Chapter to be amended. In addition, there are several minor updates and clarifications to be made to the Chapter.

SUBJECT AREA TO BE ADDRESSED: Regulation of Recovered Materials.

RULEMAKING AUTHORITY: 403.061, 403.704, 403.7046 FS.

LAW IMPLEMENTED: 403.703, 403.704, 403.705, 403.7046 FS.

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

DATE AND TIME: September 30, 2010, 9:00 a.m.

PLACE: Orlando City Hall, One City Commons, 400 South Orange Avenue, Orlando, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Raoul Clarke. If you are 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: Raoul Clarke, Department of Environmental Protection, MS 4555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8750, or email at Raoul.Clarke@dep.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-1.004
 RULE TITLE: Address of Record and Place of Practice

PURPOSE AND EFFECT: The Board proposes to amend rule language to require licensee’s current personal information for license.

SUBJECT AREA TO BE ADDRESSED: Address of Record and Place of Practice.

RULEMAKING AUTHORITY: 456.035 FS.

LAW IMPLEMENTED: 456.035 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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-1.004 Address of Record and Place of Practice.

(1) Each person holding a license or registration issued pursuant to Chapter 468, Part XIV, F.S., must maintain on file with the Board of Orthotists and Prosthetists the current address at which any notice required by law may be served by the Board or its agent. Within 30 days of changing this address, whether or not within this state, the licensee shall change his or her address at the Board’s website [www.doh.state.fl.us/mqa/OrthPros/index.html] or notify the Board by e-mail or in writing of the new address at which the licensee may be served with notices or other documents.

(2) Each person holding a license or registration issued pursuant to Chapter 468, Part XIV, F.S., must maintain on file with the Board of Orthotists and Prosthetists the current primary place of practice, to include the practice name, address, and phone number. Within 30 days of changing this address, whether or not within this state, the licensee or registrant shall notify the Board by e-mail or in writing of the new practice information.

Rulemaking Specific Authority 456.035 FS. Law Implemented 456.035 FS. History–New 9-18-07, Amended _____.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.003
 RULE TITLE: Documentation of Eligibility for Licensure

PURPOSE AND EFFECT: The Board proposes to amend rule language to recognize post-baccalaureate education in establishing eligibility for licensure, correct statutory references and include ABC certification for pedorthists.

SUBJECT AREA TO BE ADDRESSED: Documentation of Eligibility for Licensure.

RULEMAKING AUTHORITY: 468.802 FS.

LAW IMPLEMENTED: 456.013(1), (7), 468.803 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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-4.003 Documentation of Eligibility for Licensure.

(1) In order to establish eligibility for licensure as an orthotist or prosthetist under Section 468.803(~~5~~)(~~3~~)(a) or (b), F.S., the applicant must submit an Application for Licensure, form DH-MQA 1132, 8/08, herein incorporated by reference, which is available from the Board office or

(a) An official transcript from the regionally accredited institution at which the applicant’s Baccalaureate or post-graduate degree Bachelor of Science degree was awarded, indicating the degree awarded.

(b) If the applicant’s ~~bachelor’s~~ degree was not awarded in orthotics and prosthetics, documentation from the CAAHEP approved program certifying certification of completion of an orthotics or prosthetics program, as applicable, ~~recognized by the CAAHEP.~~

(c) through (e) No change.

(2) In order to establish eligibility for licensure as an orthotic fitter under Section 468.803(~~5~~)(~~3~~)(c), F.S., the applicant must provide at a minimum:

(a) through (e) No change.

(3) In order to establish eligibility for licensure as an orthotic fitter assistant under Section 468.803(~~5~~)(~~3~~)(d), F.S., the applicant must provide at a minimum:

(a) through (d) No change.

(4) In order to establish eligibility for licensure as a pedorthist under Section 468.803(~~5~~)(~~3~~)(e), F.S., the applicant must provide at a minimum:

(a) No change.

(b) An original letter from the head of a training program(s) approved by the Board for Certification in Podiatry (BCP), or the American Board for Certification (ABC), attesting to the inclusion of training as provided in paragraph 64B14-4.110(3)(a), F.A.C.

(c) through (d) No change.

Rulemaking Specific Authority 468.802 FS. Law Implemented 456.013(1), (7), 468.803 FS. History--New 12-10-98, Amended 11-11-02, 11-1-05, 9-21-06, 4-19-09, 4-12-10,_____.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.004
 RULE TITLE: Documentation of Eligibility for Registration

PURPOSE AND EFFECT: The Board proposes this new rule to establish necessary documentation of eligibility for registration and incorporates by reference the registration form.
 SUBJECT AREA TO BE ADDRESSED: Documentation of Eligibility for Registration.

RULEMAKING AUTHORITY: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-4.004 Documentation of Eligibility for Registration.

In order to establish eligibility for registration as an orthotic, or prosthetic, resident or intern under Section 468.803(3)(a) or (b), F.S., the applicant must submit a completed Registration Form for Orthotic or Prosthetic Internship/Residency Program, form number DH-MQA 1126, 11/08, hereby adopted and incorporated by reference, which is available from the Board office or at the Board's website: <http://www.doh.state.fl.us/mqa/OrthPros/index.html>, and provide:

(1) An official transcript from the regionally accredited institution at which the applicant's Baccalaureate or post-graduate degree was awarded, indicating the degree awarded.

(2) If the applicant's degree was not awarded in orthotics and prosthetics, documentation from the CAAHEP approved program certifying completion of an orthotics or prosthetics program, as applicable.

(3) For registration as a resident the applicant must provide documentation of enrollment in an NCOPE approved residency program.

(4) For registration as an intern the applicant must provide documentation of a proposed internship meeting the requirement of Rule 64B14-4.100, F.A.C.

(5) Documentation of completion of the mandatory courses.

Rulemaking Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History--New_____.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.100
 RULE TITLE: Requirements for Prosthetic or Orthotic Residency or Internship

PURPOSE AND EFFECT: The Board proposes the change to delete the internship or residency program and the application form required.

SUBJECT AREA TO BE ADDRESSED: Requirements for Prosthetic or Orthotic Residency or Internship.

RULEMAKING AUTHORITY: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

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

(1) through (7) No change.

~~(8) To register for an orthotic or prosthetic internship or residency program, the applicant must submit a completed, Application Form for Internship/Residency form number DH-MQA1126, 07/09, which is available from the Board office or at the Board's website: <http://www.doh.state.fl.us/mqa/OrthPros/index.html>.~~

~~(8)(9) If a change in supervisor is required, the applicant must submit a completed Update Supervisor Form Registration in an Orthotic or Prosthetic Internship/Residency Program,~~

form number DH-MQA 1133, 07/09, which is available from the Board office or the Board’s web site: <http://www.doh.state.fl.us/mqa/OrthPros/index.html>.

Rulemaking Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History—New 11-1-99, Amended 7-2-07, 5-28-09, 4-11-10,_____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:
65A-1.205 Eligibility Determination Process
PURPOSE AND EFFECT: The proposed rule amendment addresses the ACCESS Florida Web Application, CF-ES 2353.
SUBJECT AREA TO BE ADDRESSED: ACCESS Florida Web Application, CF-ES 2353.
RULEMAKING AUTHORITY: 409.919, 414.095, 414.45 FS.
LAW IMPLEMENTED: 409.903, 409.904, 409.919, 414.045, 414.095, 414.31, 414.41 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: August 31, 2010, 10:30 a.m.
PLACE: 1317 Winewood Boulevard, Building 2, Room 204, Tallahassee, Florida 32399-0700

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

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:
69K-12.002 Procedure for Licensing a Monument Establishment

PURPOSE AND EFFECT: The purpose of the proposed amendment is to adopt the revised Application for monument Establishment License form.

SUBJECT AREA TO BE ADDRESSED: Revised Application for Monument Establishment License form.

RULEMAKING AUTHORITY: 497.103(2), (5)(b), 497.141(2) FS.
LAW IMPLEMENTED: 497.103(2)(c), 497.141, 497.550, 497.551 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 30, 2010, 2:00 p.m.
PLACE: Alexander Building, 2020 Capital Circle, S.E., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: LaTonya Bryant-Parker at (850)413-3083 or 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Doug Shropshire, Director, Division of Funeral, Cemetery, and Consumer Services, Alexander Building, 2020 Capital Circle S.E., Tallahassee, Florida 32399-0361, (850)413-3039 or doug.shropshire@myfloridacfo.com. The text of the proposed rule and the application form are also available on the Department’s website at: <http://www.myfloridacfo.com/LegalServices/ruleHearing/>

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

**Section II
Proposed Rules**

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:
1S-2.0001 Designation of Division of Elections as Filing Office for Department of State; Requirements for Candidate Qualifying Papers; Withdrawal of Candidacy

PURPOSE AND EFFECT: The rule will require all qualifying papers filed by candidates with a qualifying office to be an original document, except the full and public disclosure or statement or financial interests as permitted by statute. Currently, only those documents filed under oath with the Division of Elections must be an original. The rule is expanded to include supervisors of elections as a qualifying office within the purview of the rule. The rule incorporates by reference candidate qualifying forms. The rule makes clarifying changes to the title, text, and organization of the rule.

SUMMARY: The rule designates the Division of Elections as the qualifying office for candidates qualifying with the Department of State. Except as noted in the rule, all qualifying papers filed by candidates must be an original; the rule establishes when qualifying papers are filed; forms are

incorporated by reference into the rule to satisfy required statutory qualifying papers; and the rule further provides how a candidate may withdraw his or her candidacy.

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

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

RULEMAKING AUTHORITY: 20.05(1)(e), 20.10(3), 97.012(1), 99.061(10), 103.022 FS.

LAW IMPLEMENTED: 20.05(1)(b), 99.061, 99.095, 103.022, 105.031(1), 105.035 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 7, 2010, 11:30 a.m.

PLACE: Heritage Hall (Auditorium), Department of State, R.A. Gray Building, 500 South Bronough 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: Eddie Phillips, Executive Assistant, Department of State, at (850)245-6536; email: elphillips@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gary J. Holland, Assistant General Counsel, Department of State, at (850)245-6536; email: gjholland@dos.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.0001 Designation of Division of Elections as Filing Office for Department of State; Requirements for Candidate Qualifying Papers; Withdrawal of Candidacy.

(1) The Division of Elections, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 is hereby designated on behalf of the Department of State as the filing or qualifying office, that is, the official address and the location for candidates seeking to qualify for nomination or election to any federal, state, legislative, multicounty or judicial office with the exception of county court judge. Candidates for the office of county court judge shall qualify with the supervisor of elections for that county.

(2) All qualifying papers ~~material~~ required to be filed with the Department of State as the office where the candidate is required to qualify shall be filed with the Division of Elections.

(3)(a) Except as noted herein, any qualifying paper material filed with a qualifying office, whether the Division of Elections or a supervisor of elections, under oath must be an original.

(b) A facsimile, email, photocopy, scanned copy or any type of electronically transmitted document shall not be accepted as a qualifying paper, except a candidate who has filed a current full and public disclosure or statement of financial interests with the Commission on Ethics or the supervisor of elections prior to qualifying for office may file a copy of that disclosure at the time of qualifying. A current full and public disclosure or statement of financial interests is one that covers the immediately preceding calendar or tax year. For example, for a qualifying period that occurs in 2014, the current full and public disclosure or statement of financial interests form would be one that covers the 2013 calendar or tax year.

(4) Qualifying papers ~~Material~~ shall be deemed filed by the qualifying office ~~Division of Elections~~ upon the date of actual receipt by the qualifying office, except for those qualifying papers accepted and held during the 14-day period before the beginning of the qualifying period to be processed and filed during the qualifying period pursuant to Section 99.061(8), F.S. Division of Elections. The qualifying papers that are received and intended to be held during the 14-day period before the beginning of the qualifying period shall not be deemed filed until the beginning of the qualifying period.

(5)(a) The following qualifying forms for candidates required by Sections 99.061, 103.022, and 105.031, F.S., are hereby incorporated by reference:

1. DS-DE 9 (Rev. /10), entitled, "Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates."

2. DS-DE 24 (Rev. /10), entitled, "Loyalty Oath Candidate with Party Affiliation."

3. DS-DE 24A (Rev. /10), entitled, "Loyalty Oath Write-In Candidate."

4. DS-DE 24B (Rev. /10), entitled, "Loyalty Oath Candidate with No Party Affiliation."

5. DS-DE 25 (Rev. /10), entitled, "Loyalty Oath Nonpartisan Office."

6. DS-DE 26 (Rev. /10), entitled, "Judicial Office Loyalty Oath."

7. DS-DE 26A (Rev. /10), entitled, "Judicial Office Loyalty Oath Write-In Candidate."

8. DS-DE 27 (Rev. /10), entitled "Federal Candidate Oath Candidate with Party Affiliation."

9. DS-DE 27A (Rev. /10), entitled "Federal Candidate Oath Write-In Candidate."

10. DS-DE 27B (Rev. /10), entitled "Federal Candidate Oath Candidate with No Party Affiliation."

11. DS-DE 85 (Rev. /10), entitled, "Oath of Candidate Write-In for President and Vice President."

(b) The forms in subparagraph (a) are available from the Division of Elections, R. A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250, by contact at (850)245-6200, or by download from the Division's webpage at: <http://election.dos.state.fl.us/forms/index.shtml>.

(6) A candidate may withdraw his or her candidacy by submitting a document specifying the candidate's withdrawal from the particular public office he or she seeks to the qualifying office before which he or she qualifies (or has qualified) by mail, facsimile, email, photocopy, scanned copy or other type of electronic transmission that contains the signature of the candidate. The withdrawal is not effective until it is received by the qualifying office.

(7) Qualifying papers filed by a candidate with the qualifying office before the effective date of this rule that satisfy the requirements of applicable qualifying statutes, but which are not on the prescribed forms incorporated by reference in this rule, remain valid as qualifying papers after the effective date of the rule.

Rulemaking Specific Authority 20.05(1)(e), 20.10(3), 97.012(1), 99.061(10), 103.022 FS. Law Implemented 20.05(1)(b), ~~(5)~~, 99.061, 99.095, 103.022, 105.031(1), 105.035 FS. History—New 12-6-84, Formerly 1C-7.001, 1C-7.0001, Amended 2-13-90, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Gary J. Holland
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dawn K. Roberts
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 22, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 25, 2010

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.043
RULE TITLE: Electronic File Reporting Relating to Absentee Ballot Request Information, Voting Activity, and Election Results

PURPOSE AND EFFECT: The proposed changes are necessary to conform to new state law in Section 101.62, Florida Statutes, as amended by s. 7 of Chapter 2010-167, Laws of Florida. The new law specifies a timeframe for compiling and simultaneously uploading to the Division of Elections electronically absentee ballot request information for an upcoming primary or general election. Previously, the law was silent as to when that process had to begin so the Division set the time parameter at 45 days before an election to correspond with the timing of absentee ballot mail-outs. Once adopted this revision will supersede the emergency rule (1SER10-1) that had to be adopted (effective July 1, 2010) since regular rulemaking could not be completed prior to the

effective date of the new law. The proposed revisions to Rule 1S-2.043, Florida Administrative Code, contain most of the same provisions that appear in the emergency rule and reflect the current procedures in place. The proposed revisions also clarify that all request information including standing requests are to be included for the primary and general election file upload. There are also some technical corrections to a statutory cross-references.

SUMMARY: Changes to reporting requirements relating primarily to the compilation and electronic upload of absentee ballot request information.

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

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

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

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

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 7, 2010 (Tuesday), 1:00 p.m.
PLACE: Florida Heritage Hall, R.A. Gray Building, Florida Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eddie Phillips, Executive Assistant, General Counsel's Office, at 1(850)245-6536 or elphillips@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Maria Matthews, Assistant General Counsel, Florida Department of State at: mimatthews@dos.state.fl.us or (850)245-6536 or Donald Palmer, Director, Division of Election, dlpalmer@dos.state.fl.us or (850)245-6200

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.043 Electronic File Reporting Relating to Absentee Ballot Request Information, Voting Activity, and Election Results.

(1) General applicable provisions. This rule establishes file format specifications, timelines and other content requirements for the electronic compilation, transmission and

reporting of absentee ballot request information, early voting activity, precinct-level election results, official results export data, and voting history activity. The Supervisors of Elections shall ensure that the files required under this rule transmit successfully and timely to the Division of Elections.

(2) Definitions. For purposes of this rule:

(a) "FVRS" refers to the Florida Voter Registration System.

(b) "Supervisor" refers to the county Supervisor of Elections.

(c) "Division" refers to the Division of Elections.

(d) "Election", except as otherwise expressly stated, means primary and general elections (held in even-numbered years), presidential preference primary elections, and special elections held pursuant to Section 100.101, F.S. This rule does not apply to municipal, local referendum, or special district elections.

(e) "General election" has the meaning ascribed in Section 97.021(15), F.S.

(f) "Primary election" has the meaning ascribed in Section 97.021(28), F.S.

(g) "Standing request" means an initial request for an absentee ballot that serves as a request to receive an absentee ballot for all elections through the next scheduled general election, without regard to whether the requester will actually be eligible to vote in any particular election held during that period.

(3) Absentee ballot request information files.

(a) Compilation. For primary and general elections each election as defined in subsection (2), the Supervisor shall compile daily an electronic file that contains information related to receiving and processing absentee ballot requests. The file shall contain all requests for the upcoming primary election or general election, including standing requests. Each day's file shall be a complete replacement of the previous day's file. The Supervisor shall create a separate file for each election.

(b) File Transmission. The Supervisor shall transmit to the Division the electronic file compiled under paragraph (a) no later than noon Eastern Standard Time of the day after the day being reported. The file shall be sent daily on a continuous basis beginning 60 days before the primary election and ending 15 days after the general election beginning 45 days before the election or the first day absentee ballots are mailed in that county for the upcoming election, which is earlier. The file shall be in the format specified in paragraph (c). The last file shall be sent 10 days after the election.

1. Effective until January 1, 2011, the daily file shall be sent even if there is no new information to report or update during the required transmission period. The file shall be in the format specified in paragraph (c).

2. Effective on or after January 1, 2011, the daily file shall be sent even if there is no new information to report or update during the required transmission period except as follows: The last transmission of the absentee ballot request information file for the primary election shall be 15 days after the primary election and the last transmission of the absentee ballot request information file for the general election shall be 15 days after the general election.

(c) File specifications.

1. Each file shall be created or converted into a tab-delimited text file.

2. Quotes shall not be used to enclose alphanumeric data.

3. For each registered voter's record, the address included shall be the address to which the voter has requested the ballot to be sent. However, information shall not be included for any voter who has requested in writing an exemption from public disclosure pursuant to Section 119.071(2)(j), (4)(d) or (5)(i), F.S., addresses must be redacted in the file for those registered voters who requested address protection pursuant to Section 119.071(4)(d), F.S.

4. Each record in the file must contain the following information in the specified format:

Table 1 Absentee Ballot Request Information File Layout			
Data Element Name		TranRead	Data Format Rules
RecordType	AbStat	Y	"AbStat"
CountyId	County providing summary		Char(3) Use FVRS county codes
FVRSVoterIdNumber	FVRS Voter Id Number	Y	Numeric (10)
FVRElectionNumber	FVRS Election identifier	Y	Numeric (10)
ElectionDate	Date of the election	Y	MM/DD/YYYY
ElectionName	Name of Election	Y	Char(35)

LastAbsRecordChangeDate	Date the absentee summary record was last updated	Y	MM/DD/YYYY
AbsenteeRequestStatus		Y	Char(1) C: Cancelled E: Voter Error M: Mailed R: Requested U: Returned Undeliverable V: Voted
AbsReqDate		Y	MM/DD/YYYY
AbsDelivery Date			MM/DD/YYYY
AbsReturnDate			MM/DD/YYYY
AbsReqCanceledDate			MM/DD/YYYY
AbsMilitary			Char(1) Y, N
AbsOverseasFlag			Char(1) Y, N
AbsMilitary Dependent			Char(1) Y, N
Precinct			Char (6)
Abs Party			Char (3)
Voter Name			Char (99)
AbsReqMailingAddressLine 1			Char (40)
AbsReqMailingAddressLine 2			Char (40)
AbsReqMailingAddressLine 3			Char (40)
AbsReqMailingAddress City			Char (40)
AbsReqMailingAddress State			Char (2)
AbsReqMailingAddressZip			Char (15)
AbsReqMailingAddressCountry			Char (40)
AbsReqE-mail Address			Char (100)
AbsReqFaxnumber			Char (20)

(d) Public access.

1. Persons or entities authorized under Section 101.62, F.S., may access absentee ballot request information from the Supervisor pursuant to his or her established procedures or from the Division as specified in subparagraph 2.

2. The Division shall post on its website (<http://election.dos.state.fl.us>) links to the daily county files of absentee ballot request information as directly received from the Supervisor. In order to access this information, a person or entity authorized under Section 101.62, F.S., must first submit form DS DE #70, entitled "Access Application for Absentee

Ballot Request Information" (eff. 2/10). The Division shall then assign a username and password. Authorization for access is only valid for one general election cycle. All passwords for access expire at the end of the calendar year in which issued. An access application must be resubmitted annually. Form DS DE #70 is incorporated by reference and is available by contacting the Florida Department of State, Division of Elections, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6200, or by access to the Division website at: <http://election.dos.state.fl.us>.

3. An individual voter requesting access to his or her personal absentee ballot request information must obtain such information directly from the Supervisor of his or her county of residence.

(4) Early voting history files.

(a) Compilation. For each election as defined in subsection (2), the Supervisor shall compile electronic files that contain early voting activity as follows:

1. Early voting summary file. This file shall contain, in accordance with the specifications in paragraph (c), summary information that consists of the total number of voters casting a ballot at each early voting location processed up to the close of business for each day. The file shall also include a complete status summary from the point of the file creation to the close of the business for the day being reported.

2. Early voting voters list file. This file shall contain in accordance with the specifications in paragraph (c), a list of the individual voters who cast a ballot at each early voting location for the election up through the last day being reported.

(b) File transmission. The Supervisor shall transmit to the Division the electronic files in paragraph (a) no later than 12:00 Noon (Eastern Standard Time) of the day after the day being reported. The files shall be sent daily even if there is no new information or activity to report. The first file shall be sent the day after the early voting period begins and the last file shall be sent the day after the early voting period ends for that respective election in that county.

(c) File specifications.

1. Early voting summary file:

a. Each file shall be created or converted into a tab-delimited text file.

b. Alphanumeric data shall not be enclosed in quotes.

c. The file shall contain a record for location and date for which votes were cast early for a given election.

d. Each record in the file must contain the following information in the specified format:

Table 2 Early Voting Summary File Layout			
Data Element Name		TranRead	Data Format Rules
RecordType	Etots	Y	“Etots”
CountyId	County providing summary		Char(3) Use FVRS county codes
FVRSElectionNumber	FVRS Election identifier	Y	Numeric
ElectionDate	Date of the election	Y	MM/DD/YYYY
ElectionName	Name of Election	Y	Char(35)
Location	Location of early voting	Y	Char(35)
DateOfSummary		Y	MM/DD/YYYY
TotalEarlyVotes		Y	Numeric

2. Early voting voters list file:

a. The file shall be created or converted into in a tab-delimited text file format.

b. Alphanumeric data shall not be enclosed in quotes.

c. Each record in the file must contain the following information in the specified format for each voter who is recorded as having voted early by the time the file is prepared:

Table 3 Early Voting Summary File Layout			
Data Element Name		TranRead	Data Format Rules
RecordType	EVtrs	Y	“EVtrs”
CountyId	County providing summary		Char(3) Use FVRS county codes
FvrsElectionNumber	Fvrs Election identifier	Y	Numeric

ElectionDate	Date of the Election	Y	MM/DD/YYYY
ElectionName	Name of Election	Y	Char(35)
FvrsVoterIdNumber		Y	Numeric
VoterName		Y	Char(60)
EVPrecinct			Char(6)
EV Party			Char(3)
Location	Location of Early Voting	Y	Char(35)
DateofEarlyVote	Date voter cast ballot	Y	MM/DD/YYYY

(d) Public access. In addition to these files being made available to the public by the Supervisor pursuant to Section 101.657 ~~101.62~~, F.S., the Division shall post to its (<http://election.dos.state.fl.us>) a public access link on its website to these files as directly received from the Supervisors.

(5) Official results database export files. For each election as defined in subsection (2), the Supervisor shall:

(a) Use the file export function to create a file that includes the official results from the database of the county’s voting system used in the election.

(b) File with the Florida Department of State’s Division of Elections’ a copy of the official results export file for the applicable election by transmitting the file at the same time that the official results of the election are certified.

(6) Precinct-level election results reports.

(a) Compilation. After each presidential preference primary election, special election and general election only, the Supervisor shall aggregate and record for each precinct the total number of ballots cast by all voters voting in the election. The Supervisor shall compile separately within those reports

the precinct-level election results for the primary or special primary election preceding the general or special election, as applicable.

(b) Transmission. The Supervisor shall submit electronically precinct-level election results, including summary results to the Division no later than noon Eastern Standard Time of the 45th day after the applicable election cycle.

(c) File specifications. The files containing the precinct-level election results shall be created in accordance with the applicable file specifications for either of the following two methodologies:

1. Manual method.

a. The precinct level results file shall be created or converted into a tab-delimited text file.

b. Alphanumeric data shall not be enclosed in quotes.

c. The row immediately before the first data record shall contain the column names of the data elements that make up the data records. There should be one header record followed by multiple data records.

Data Element Name		Data Format Rules
County Name	County providing summary	Char(3)
Election Number	Election identifier	Numeric
Election Date	Date of the election	MM/DD/YYYY
Election Name	Name of Election	Char(35)
Record header	Column names	Tab-delimited

d. Each data record in the file must contain the following information in the specified format:

Table 5 Precinct-Level Election Results Data Record Footer Layout		
Data Element Name		Data Format Rules
Precinct Code	County precinct identifier	Char (6)
Precinct Location	Precinct location name	Alphanumeric
Contest Name	Contest title	Numeric
Candidate/Retention/Issue Name	Candidate name/retention or issue identifier for approval or rejection	Char (35)
Candidate Party	Major, Minor or No Party Affiliation	Char (3)
Undervote Total	Undervote total	Numeric
Overvote Total	Overvote total	Numeric
Write-in Total	Write-in total	Numeric
Vote Total	Vote total	Numeric

2. File export method. In accordance with the specifications for the applicable voting system, the precinct-level election results created by the file export function shall include precinct-level election results from the voting system database used in the election.

(7) Voting history activity reports.

(a) Compilation. After each general election only, each Supervisor shall compile an electronic file that includes voting history activity information on each of the individual voters who were qualified to vote for the primary or the general election, and who cast a ballot in the primary or general election.

(b) Transmission. The Supervisor shall transmit electronically to the Division complete voting history no later than 45 days after the general election. The files shall be transmitted to the specified voting history subdirectory under each county’s existing transfer directory using secure file transfer protocol (SFTP).

(c) File specifications.

1. The file shall contain records for only one county for each election.

2. The file shall contain records for all qualified voters who, regardless of the voter’s county of residence or active or inactive registration status at the time the file is created:

- a. Voted a regular ballot at a precinct location.
- b. Voted at a precinct location using a provisional ballot that was subsequently counted.
- c. Voted a regular ballot during the early voting period.

d. Voted during the early voting period using a provisional ballot that was subsequently counted.

e. Voted by absentee ballot.

f. Attempted to vote by absentee ballot but the ballot was not counted.

g. Attempted to vote by provisional ballot but the ballot was not counted in that election.

3. Each file shall be created or converted into a tab-delimited format.

4. File names shall adhere to the following convention:

a. Three character county identifier followed by underscore.

b. Followed by four character file type identifier of ‘VH03’ followed by an underscore.

c. Followed by FVRS election ID followed by an underscore.

d. Followed by Date Created followed by an underscore.

e. Date format is MMDDYYYY.

f. Followed by Time Created – HHMMSS.

g. Followed by ‘.txt’.

5. Numeric data and date information shall be provided as specified in subparagraph 9.

6. Alphanumeric data shall not be enclosed in quotes.

7. The file shall contain a header record as the first row in the file as follows:

Table 6 Voting History Header Record Layout						
Field Position	Field	Type	Length	Required	Format	Comment
1	OperatorID	vchar2		N		May be blank
2	CountyID	vchar2	3	Y		Source of FTP File. Valid County ID, or FVRS or HSMV
3	TargetedCountyID	vchar2	3	Y		Intended Recipient. Valid County ID, or FVRS or HSMV
4	File Creation_TimeStamp	datetime		Y	MM/DD/YYYY HH24:MM:SS	Originating System TimeStamp
5	Source_Address	vchar2		Y		
6	FVRS County Interface Version	vchar2		Y		For supporting roll out of new system versions
7	County_Message_Identifier	vchar2	10	Y		10 character field that may be used by the county system to identify a specific FTP File.
8	Test_File	vchar2	1	Y		Y Indicates that the FTP file is a test file and should not update primary database.

8. The file shall contain a footer record as the last row in the file as follows:

Table 7 Voting History Footer Record Layout						
Field Position	Field	Type	Length	Required	Format	Comment
1	TrailerId	vchar2	5		“TRALR”	Fixed string
2	Number of Response Rows	integer	8		Non zero integer	Number excludes header and trailer
3	MessageDigest	vchar2			128 or 160 bits	Length to be determined
4	End of Message Marker	vchar2	7		\\ETX\\	

9. Each record in the file must contain the following information, in the specified format, for each voter who qualified to vote in the presidential preference primary, the primary election or the general election:

Table 8 Voter's Voting History Record				
Field Position	Field Name	Max Length	Valid Codes/ Format	Description
1	Record Identifier	4	'VH03'	
2	FVRS Voter ID Number	10	Numeric	
3	FVRS Election ID Number	10	Numeric	
4	Vote Date		MM/DD/YYYY	Date vote was cast
5	Vote History Code	1	Y = Voted at the Polls A = Absentee Voted E = Voted Early B = Absentee Ballot Not Counted P = Provisional Ballot Not Counted F = Provisional Ballot counted as voted at an early voting site Z = Provisional Ballot counted as voted at the polls	
6	Precinct	6	text	
7	Congressional District	3	999	
8	House District	3	999	
9	Senate District	3	999	
10	County Commission District	40	text	
11	School Board District	40	text	

(d) Access. The Division shall post within 60 days a public access link to the legislative report on the Division's website at: <http://election.dos.state.fl.us>. that also includes the file layout and codes. Such report shall also be made available upon request.

Rulemaking Authority 20.10(3), 97.012(1), 98.0981(5), 101.62(3), 101.657(2), 102.141(10) FS. Law Implemented 98.0981, 101.62, 101.657, 102.141 FS. History--New 2-4-10, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Donald L. Palmer, Director, Division of Elections
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Donald L. Palmer, Director, Division of Elections, and Dawn K. Roberts, Interim Secretary of State
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 4, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 25, 2010

DEPARTMENT OF STATE**Division of Elections**

RULE NO.: 1S-2.045
 RULE TITLE: Candidate Petition Process

PURPOSE AND EFFECT: The amendments update and modify the candidate petition form, DS-DE 104, which is incorporated by reference in the rule. The rule clarifies the requirements for verification of candidate petition forms and makes them applicable to nonpartisan elections under Chapter 105, F.S.

SUMMARY: The rule provides the process for a candidate to qualify by petition in lieu of paying the qualifying fee or party assessment. The rule also provides, among other items, the format for the candidate petition, the requirements for the petition form, and the requirements for signature verification.

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

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

RULEMAKING AUTHORITY: 20.10(3), 97.012(1), 99.095, 105.035(2) FS.

LAW IMPLEMENTED: 99.095, 99.061, 99.097, 105.031, 105.035 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 7, 2010, 11:00 a.m.

PLACE: Heritage Hall (Auditorium), Department of State, R.A. Gray Building, 500 South Bronough 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: Eddie Phillips, Office of General Counsel, Florida Department of State at (850)245-6536; email: elphillips@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gary J. Holland, Assistant General Counsel, Office of the General Counsel, Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399-0250. Copies of the proposed rule and form are available online from the Division of Elections' rules webpage at: <http://election.dos.state.fl.us/rules/proposed-rules/index.shtml>.

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.045 Candidate Petition Process.

(1) Qualification by Petition. A person who seeks to qualify as a candidate for any office and who meets the petition requirements of this rule and Sections 99.095 and 105.035, F.S., is not required to pay the qualifying fee or party assessment required by Chapters 99 and 105, F.S.

(2) Required Number of Signatures. A candidate shall obtain the number of signatures of voters in the geographical area represented by the office sought equal to at least 1 percent of the total number of registered voters of that geographical area, as shown by the compilation by the Department of State for the immediately preceding general election. ~~Effective January 1, 2008, Special district candidates may qualify by obtaining at least 25 signatures of voters in the geographical area represented by the office sought. Except for special district candidates on or after January 1, 2008, and federal candidates, signatures may not be obtained until the candidate has filed the appointment of campaign treasurer and designation of campaign depository pursuant to Section 106.021, F.S.~~

(3) Format of Petition.

(a) The format of a candidate petition shall be in accordance with Form DS-DE 104 (effective ~~10/07~~), entitled "Candidate Petition ~~Form~~." Form DS-DE 104 is hereby incorporated by reference and is available from the Division of Elections, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6240, or by download from the Division of Elections' rules webpage or forms webpage at: <http://elections.myflorida.com/election.dos.state.fl.us>.

(b) Form DS-DE 104 must be reproduced for use by candidates in its exact wording and format without any changes in its text or format, except the DS-DE 104 may be reduced or enlarged proportionally in size as a whole document.

(c) Except for the signature of the voter and date the voter signs the form, the entries on Form DS-DE 104 may be completed prior to the voter signing and dating the form. No signature shall be counted toward the number of signatures required unless it is on the petition form prescribed by the Division.

~~(d)(b)~~ A separate petition form is required for each candidate.

(e) The petition forms may be included within a larger advertisement, provided the forms ~~are~~ is clearly defined by a solid or broken border.

(4) Submission of Petition. Each petition must be submitted before noon of the 28th day preceding the first day of the qualifying period for the office sought to the supervisor of elections of the county in which the signee is registered to vote. It is the responsibility of the candidate to ensure that the signed petition form is properly filed with, or if misfiled, forwarded to the supervisor of elections of the county in which

the signee is a registered voter. In the case of a misfiled petition, the filing date of the petition is the date such petition is filed with the proper county.

(5) Verification of Signatures.

(a) Upon receipt of candidate petition forms and payment of applicable signature verification fees, the supervisor of elections shall verify the signatures on each petition form to ensure that each person signing the petition form is a registered voter in the county, district, or other geographical area represented by the office sought.

(b) Except for special district candidates who have not collected contributions and whose only expense is the signature verification fee on or after January 1, 2008, and federal candidates, the supervisor of elections shall also verify that the date the voter signed the petition form is on or after the date the candidate filed the appointment of campaign treasurer and designation of campaign depository pursuant to Section 106.021, F.S., with the appropriate filing officer.

(c) If the candidate is running for an office that requires a group or district designation, the petition must indicate that designation and, if it does not, the signatures are not valid.

(d) No signature on a candidate petition form shall be counted toward the number of signatures required unless it is on the candidate petition form prescribed by the Division in this rule.

(e) ~~(b)~~ In addition to the above requirements, the supervisor of elections shall not verify as valid a signature on a candidate petition form unless all of the following information is contained on the petition form:

1. The voter's name;
2. The voter's ~~residential~~ street address (including city and county);
3. The voter's date of birth (to include the month, day, and year) that matches the date of birth on the voter's registration application or complete voter registration number;
4. The voter's original signature; and
5. The date the voter signed the petition (to include the month, day, and year) as recorded by the voter.

(c) A name on a petition, which name is not in substantially the same form as a name on the voter registration books, shall be counted as a valid signature if, after comparing the signature on the petition with the signature of the alleged signer as shown on the registration books, the supervisor determines that the person signing the petition and the person who registered to vote are one and the same.

(d) If a voter signs a petition and lists an address other than the legal residence where the voter is registered, the supervisor shall treat the signature as if the voter had listed the address where the voter is registered.

(6) Determination of Required Number of Signatures.

(a) No later than 5:00 p.m. on the 7th day before the first day of the qualifying period, the supervisor of elections shall submit to the Division of Elections a certificate indicating the number of valid signatures for each candidate for federal, state, multicounty district, or multicounty special district office. Certificates may be submitted to the Division via facsimile or email in order to meet the deadline, followed by an original copy by mail. The Division shall determine whether the required number of signatures has been obtained and shall notify the candidate.

(b) For candidates for county, district or special district office not covered by paragraph (a). The supervisor shall determine whether the required number of signatures has been obtained and shall notify the candidate.

(c) If the required number of signatures has been obtained, the candidate is eligible to qualify pursuant to Section 99.061 or 105.031, F.S., as applicable.

(7) Effect on Previously Approved Candidate Petition Form. Any candidate petition form which contains the substantive requirements of subsections (3) and (5) and which was approved by the Division of Elections prior to the effective date of this rule may continue to be used and circulated for signature gathering until July 1, 2012~~08~~.

Rulemaking Specific Authority 20.10(3), 97.012(1), 99.095, 105.035(2) FS. Law Implemented 99.061, 99.095, 99.097, 105.031, 105.035 FS. History--New 10-23-07, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Gary J. Holland
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Donald L. Palmer
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 15, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 25, 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 BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.0036
RULE TITLE: Application for Certification Review Procedure

PURPOSE AND EFFECT: The purpose of this rule is to consider whether additional classes of applications should be reviewed by the Application Review Committee and the Board.

SUMMARY: The rule will set forth the procedure by which applications for certification are reviewed for approval or denial.

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: 468.606 FS.

LAW IMPLEMENTED: 455.203, 468.606, 468.609 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, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-6.0036 Application for Certification Review Procedure.

(1) Applications which are determined to be complete will first be reviewed by the Department. If the application clearly demonstrates qualification for the certification sought, except as provided in subsection (2), the Department shall preliminarily approve the application. A list of all applications preliminarily approved by the Department will be distributed to the Board on a monthly basis. Within ten (10) calendar days after distribution of the list of preliminarily approved applications, any Board member may request that any application on the list be submitted to the Board for review in accordance with this rule. All applications on the preliminarily approved list not selected for review shall be approved by the Department.

(2) All applications seeking certification for licensure as a provisional or standard building code administrator, licensure as a provisional inspector or plans examiner, licensure in any voluntary certification category, or licensure in any category by endorsement shall be submitted to the Board for review in accordance with this rule. Applications will also be referred to the Board if the Department determines that the applicant has not clearly demonstrated qualification for the certification sought.

(3) Applications referred to the Board will first be reviewed by the Application Review Committee. The Application Review Committee shall consist of a minimum of three (3) Board members who are licensed building code administrators, inspectors, or plans examiners, appointed by the Chair. The Chair, if otherwise qualified, may be a member of the Application Review Committee.

~~(4)~~(3) The Application Review Committee shall review all applications for certification not otherwise approved and shall determine by majority vote whether to recommend approval or denial of each such application to the Board.

~~(5)~~(4) The Application Review Committee's recommendations shall be provided to the Board, who shall then act on the Application Review Committee's recommendations at the next Board meeting. Any Board member may request that any application for certification be pulled for discussion and/or individual determination by the Board.

Rulemaking Authority 468.606 FS. Law Implemented 455.203, 468.606, 468.609 FS. History--New 2-21-10, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 11, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 5, 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 ENVIRONMENTAL PROTECTION

RULE NO.: 62-550.800 RULE TITLE: Control of Lead and Copper
 PURPOSE, EFFECT AND SUMMARY: The Department is adopting the Short Term Rule Revisions to Title 40, Code of Federal Regulations Part 141, Subpart I-Control of Lead and Copper because it is a U.S. Environmental Protection Agency (EPA) primacy requirement for the Department's public water system supervision program. These amendments will bolster the implementation of the Lead and Copper Rule for monitoring, treatment processes, public education, customer awareness, and lead service line replacement for public drinking water systems. Community water systems and non-transient, non-community water systems are required to optimize corrosion control treatment such that lead and copper concentrations at consumers' taps are minimized while ensuring that the corrosion control treatment does not cause the violation of any national primary drinking water regulation. On October 10, 2007, EPA revised and clarified the federal lead and copper rule. The Department intends to adopt the Short Term Rule Revisions by reference with the addition of clarifications (in the federal rule the term "State" shall mean "Department") and from 40 CFR 141.85 to disallow time extension to conduct public education requirements following

a lead action level exceedance for community water systems and non-transient non-community water systems. The major changes in the federal Short Term Revisions Rule include clarification of the minimum number of lead and copper tap samples required and an alternative sampling schedule for systems collecting the minimum number of samples, clarification of the timing of actions following an action level exceedance including the timing of public education requirements and water quality parameter monitoring, modification of the requirements for systems on a reduced monitoring schedule to include meeting both the optimal water quality parameters and the lead and copper action levels, modification of the requirements for systems on a reduced monitoring schedule to include advance notification to the state of any long-term change in water treatment or the addition of a new source of water, requirement to notify occupants of homes and buildings participating in a system's monitoring program of their tap sampling results, revision of public notification message content, modification of public notification delivery and timing, modification of Consumer Confidence Report requirements, and modification of the methodology used to deem lead service lines replaced through testing under lead service line replacement requirements.

RULEMAKING AUTHORITY: 403.8055, 403.861(9) FS.

LAW IMPLEMENTED: 403.853 FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Kenyon C. Carter, P.E., Department of Environmental Protection, Drinking Water Section, MS 3520, 2600 Blair Stone Road, Tallahassee, FL 32399-2400; telephone (850)245-8626, e-mail: Kenyon.C.Carter@dep.state.fl.us
 SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-550.800 Control of Lead and Copper.

The requirements contained in the July 1, ~~2008~~ 2000, edition of 40 CFR 141, subpart I (sections 80 through 91), are adopted and incorporated herein by reference and are enforceable under this rule. The following are clarifications to the requirements in 40 CFR 141, subpart I (sections 80 through 91).

(1) The term "State" shall mean "Department."

(2) The Department shall not allow the option in 40 CFR 141.85(b)(3)(iv) that allows an extension of the activities beyond the 60 day requirement stated in 40 CFR 141.85(b)(2).

(3) The Department shall not allow the option in 40 CFR 141.85(b)(5) that allows an extension of the activities beyond the 60 day requirement stated in 40 CFR 141.85(b)(4).

(4) To fulfill the noticing requirements in 40 CFR 141.90(f)(2)-(3), the Department hereby adopts and incorporates Form 62-555.900(16), PWS Certification of Notification of Lead and Copper Tap Sample Results, (effective date), and Form 62-555.900(17), Lead Public Education Program Report for PWSs, (effective date). These forms are available as described in Rule 62-555.900, F.A.C.

Rulemaking Specific Authority 403.8055, 403.861(9) FS. Law Implemented 403.853 FS. History--New 12-9-96, Amended 8-1-00, 11-27-01,_____.

FINANCIAL SERVICES COMMISSION

Financial Services

RULE NOS.:	RULE TITLES:
69M-236.001	Purpose
69M-236.002	Definitions
69M-236.003	Methodology
69M-236.004	Limitations and Exclusions
69M-236.005	Data Sources

PURPOSE AND EFFECT: To adopt the annual report card to be used by the Office of the Consumer Advocate, as required by Section 627.0613(4), Florida Statutes, and the procedures by which an insurer's grade will be determined.

SUMMARY: Section 627.0613(4), Florida Statutes, requires the Consumer Advocate's office to prepare an annual report card for each authorized personal residential property (homeowners) insurer, on a form and using a letter-grade scale developed by the Commission. The rule being proposed sets out the procedure by which the insurers would be graded and adopts the form by which the results are presented.

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: 627.0613 FS.

LAW IMPLEMENTED: 627.0613 FS.

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

DATE AND TIME: September 8, 2010, 1:30 p.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: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Debra Seymour, Office of Insurance Regulation, E-mail Debra.Seymour@flor.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69M-236.001 Purpose.

The purpose of the rules is to establish procedures to be used by the Office of the Insurance Consumer Advocate in preparing an annual report card to grade personal residential property insurers on their complaint history and the timeliness of paying claims. The grades will be restricted to each personal residential property insurer's complaints and paid claims involving homeowners, mobile home owners, dwelling, tenants, condominium unit owners, cooperative unit owners, or similar personal residential property insurance policies. This rule does not apply to eligible surplus lines insurers or to insurers that do not write any homeowners, mobile home owners, dwelling, tenants, condominium unit owners, cooperative unit owners, or similar personal residential property insurance.

Rulemaking Authority 624.308(1), 627.0613(4) FS. Law Implemented 627.0613(4) FS. History—New

69M-236.002 Definitions.

(1) "Complaint" means any written communication, or oral communication subsequently converted to a written form, received by the Division that expresses dissatisfaction with a specific personal residential property insurer and requires the Division of Consumer Services to contact the personal residential property insurer in order to address the dissatisfaction expressed in the communication. Communications received by the Division that are determined by the Division to be an inquiry that do not require contact with a particular insurer do not constitute a complaint.

(2) "Division" means the Division of Consumer Services of the Department of Financial Services.

(3) "Experience period" means the latest five calendar years for the purpose of evaluating complaints and the latest five calendar-accident years for the purpose of evaluating time to pay claims.

(4) "Qualifying Premium" means the total personal residential direct written premium for the Experience Period.

Rulemaking Authority 624.308(1), 627.0613(4) FS. Law Implemented 627.0613(4) FS. History—New

69M-236.003 Methodology.

(1) The complaint grade for each insurer will be based on its average complaint ratio determined as follows: the average of the calendar year ratios of the insurer's market share of personal residential policy-related complaints compared to its market share of personal residential average in-force policies.

(2) Each insurer will receive a complaint grade in accordance with the following:

(a) A grade of A if the average complaint ratio is less than 50%;

(b) A grade of B if the average complaint ratio is between 51% and 85%;

(c) A grade of C if the average complaint ratio is between 86% and 115%;

(d) A grade of D if the average complaint ratio is between 116% and 149%;

(e) A grade of E if the average complaint ratio is greater than 150%.

(3) Each insurer's grade for timeliness of claim payment will be determined based upon the proximity of each insurer's average number of months to pay homeowners claims to the median number of months to pay homeowners claims of all personal residential property insurers. The calculation will be done for each calendar-accident year and then averaged for all calendar-accident years.

(4) Each insurer will receive a timeliness of claim payment letter grade based on the following:

(a) A grade of A if the insurer's average number of months to pay claims is more than one month less than the industry median;

(b) A grade of B if the insurer's average number of months to pay claims is between one and one half of a month less than the industry median;

(c) A grade of C if the insurer's average number of months to pay claims is within one half of a month of the industry median;

(d) A grade of D if the insurer's average number of months to pay claims is between one half of a month and one month more than the industry median; and

(e) A grade of E if the insurer's average number of months to pay claims is more than one month greater than the industry median.

(5) Each insurer is assigned an overall grade for the five year experience period based upon a weighted average determined as follows:

(a) 50% weight to complaints grade; and

(b) 50% weight to claims payment timeliness grade.

(6) If an insurer's overall grade falls between two grades, it will receive the higher grade.

(7) To provide appropriate incentives for the second and subsequent years' annual Insurer Report Cards, each insurer will be graded on absolute scales developed from the 2004

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:
 14-24.001 Provisions for Prompt Settlement or
 Legal Defense of Claims and
 Disqualification for Failure to Settle
 Claims

NOTICE OF CHANGE

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 25, June 25, 2010 issue of the Florida Administrative Weekly.

FDOT Form 700-050-21, incorporated into Rule 14-24.001, F.A.C., is being corrected to add the rule number onto the form, and correct the statute number cited.

~~(2)(+) Within 90 days of the Department’s offer of final payment, the surety company shall provide to the Department Failure on the part of the surety to furnish an affidavit to the effect that these requirements have been met on a Contractor’s Affidavit and Surety Consent (Form 21-A), FDOT Florida Department of Transportation Form 700-050-21, Rev. 12/09 08/04, which is incorporated by reference herein under Rule 14-79.006, to the Department within 90 days of the Department’s offer of final payment Failure to comply shall constitute grounds for disqualification. Preliminary notice of disqualification will be furnished to the surety company at least 21 30 days prior to disqualification. Qualification will be reinstated upon the Department’s receipt by the Department of the properly executed Form Contractor’s Affidavit and Surety Consent (Form 21-A).~~

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 NO.: RULE TITLE:
 27M-4.001 Forms and Definitions

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. 1, January 8, 2010 issue of the Florida Administrative Weekly.

The Office of Tourism, Trade, and Economic Development intends to change form OTTED 8102-1, Application for Selection as Loan Administrator under the Economic Gardening Business Loan Pilot Program to clarify that the failure of an applicant to provide requested information sought by the Review Committee or the Office shall result in the rejection of the application. The above referenced form is

being changed to address comments from staff of The Florida Legislature Joint Administrative Procedures Committee (JAPC).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

RULE NO.: RULE TITLE:
 61E14-4.002 Continuing Education Provider
 Approval

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. 42, October 23, 2009 issue of the Florida Administrative Weekly.

The change is due to concerns by the Joint Administrative Procedure Committee in their letter dated December 8, 2009 and January 6, 2010. The change shall be as follows:

Subsection (2) of the rule shall read:

(2) Entities or individuals who wish to become approved providers of continuing professional education shall make application to the Council, on Forms DBPR 0020-1 – Master Organization Application (Eff. 05/10), DBPR 0060-1 – General Explanatory Description (Eff. 05/10), and DBPR CAM-4302 – Continuing Education Provider and Course Approval Application (Rev. 05/10), all of which are hereby incorporated by reference into this rule. These forms are available as a single application packet with instructions, a copy of which may be obtained from the Department’s website at <https://www.myfloridalicense.com/intentions2.asp?SID=&page=intentions2.asp> BPR form 33-011, entitled, “COMMUNITY ASSOCIATION MANAGER’S CONTINUING EDUCATION PROVIDER APPROVAL APPLICATION”, incorporated herein by reference and effective 11-1-00, which copies may be obtained from the Council.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Regulatory Council of Community Managers, 1940 North Monroe Street, Tallahassee, FL 32399-0762

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

RULE NO.: RULE TITLE:
 61E14-4.003 Continuing Education Course
 Approval

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. 42, October 23, 2009 issue of the Florida Administrative Weekly.

The change is due to concerns by the Joint Administrative Procedure Committee in their letter dated December 8, 2009 and January 6, 2010. The change shall be as follows:

1. Subsection (1)(a) of the rule shall read:

(a) ~~Written~~ Application for course approval shall be received by the Council prior to the date the course is offered, on Forms DBPR 0020-1 – Master Organization Application (Eff. 05/10), DBPR 0060-1 – General Explanatory Description (Eff. 05/10), and DBPR CAM-4302 – Continuing Education Provider and Course Approval Application (Rev. 05/10). These forms are available as a single application packet with instructions, a copy of which may be obtained from the Department’s website at <https://www.myfloridalicense.com/intentions2.asp?SID=&page=intentions2.asp> on ~~BPR form 33-013, entitled “COMMUNITY ASSOCIATION MANAGER’S CONTINUING EDUCATION COURSE APPROVAL APPLICATION,” incorporated herein by reference and effective 11-1-00, which copies may be obtained from the Council.~~

2. Section 468.4337 and 455.213(6) shall be added to the rulemaking authority. Section 468.433, F.S., shall be deleted from the rulemaking authority.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Regulatory Council of Community Managers, 1940 North Monroe Street, Tallahassee, FL 32399-0762

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

RULE NO.: 61E14-4.005
 RULE TITLE: Prelicensure Education Provider Approval

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. 42, October 23, 2009 issue of the Florida Administrative Weekly.

The change is due to concerns by the Joint Administrative Procedure Committee in their letter dated December 8, 2009 and January 6, 2010. The change shall be as follows:

Subsection (2) of the rule shall read:

(2) Entities or individuals who wish to become approved providers of prelicensure education shall make application on Forms DBPR 0020-1 – Master Organization Application (Eff. 05/10) and DBPR CAM-4306 – Prelicensure Provider Application (Rev. 05/10). Forms DBPR 0020-1 and DBPR CAM-4306 are hereby incorporated by reference into this rule. These forms are available as a single application packet with instructions, a copy of which may be obtained from the Department’s website at <https://www.myfloridalicense.com/intentions2.asp?SID=&page=intentions2.asp> on ~~BPR form~~

~~33-012, entitled, “COMMUNITY ASSOCIATION MANAGER’S PRELICENSURE EDUCATION PROVIDER APPROVAL APPLICATION,” incorporated herein by reference and effective 1-3-01, which copies may be obtained from the Council.~~

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Regulatory Council of Community Managers, 1940 North Monroe Street, Tallahassee, FL 32399-0762

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

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

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in published in Vol. 36, No. 29, of the July 23, 2010, issue of the Florida Administrative Weekly. The correction is as follows:

(1) The Department of Business and Professional Regulation shall assess the pilots in the respective ports of the state ~~seven tenths one tenth~~ seven tenths of one percent ~~(.1%)~~ (.7%) of the gross amount of pilotage earned by said pilots during each year.

The change does not affect the substance of the proposed rule and simply clarifies the numerical percentage as originally published.

The person to be contacted regarding the above change is Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.600
 RULE TITLE: Tampa Bay Basin TMDLs

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. 17, April 30, 2010 issue of the Florida Administrative Weekly.

Please note, a previous Notice of Change was published for this rule in the Vol. 36, No. 28, July 16, 2010 issue of the Florida Administrative Weekly.

62-304.600 Tampa Bay Basin TMDLs.

(1) Allen Creek (tidal). The fecal coliform TMDL for Allen Creek (tidal) is 400 ~~43~~ counts/100mL and is allocated as follows:

(a) The Wasteload Allocation (WLA) for wastewater sources is not applicable,

(b) The WLA for discharges subject to the Department’s National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from 2000 to 2007, will require a 67 ~~74~~ percent reduction of sources contributing to exceedances of the criteria,

(c) The Load Allocation (LA) for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from 2000 to 2007, will require a 67 ~~74~~ percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III ~~H~~ criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(2) through (8) No change.

(9) Cross Canal (North). The fecal coliform TMDL for Cross Canal (North) is 400 ~~43~~ counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable,

(b) The WLA for discharges subject to the Department’s NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2005 to 2007 period, will require a 59 ~~84~~ percent reduction of sources contributing to exceedances of the criteria,

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2005 to 2007 period, will require a 81 ~~64~~ percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform has been expressed as the percent reductions needed to attain the applicable Class III ~~H~~ criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will

result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(10) through (17) No change

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History–New_____..

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-550.800
 RULE TITLE: Control of Lead and Copper

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 19, May 14, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.205
 RULE TITLE: Application for Pharmacist Licensure by Endorsement (Foreign Pharmacy Graduates)

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. 39, October 2, 2009 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (1) shall now read as follows:

(1) All applications for licensure by endorsement must be made on form DH-MQA 1196, effective June 2010, Pharmacist Licensure by Endorsement Application and Instructions (Foreign Graduates), which is incorporated by reference, and shall be accompanied with a non-refundable endorsement application fee and initial licensure fee as set forth in Rules 64B16-26.1001 and 64B16.1002, F.A.C. Contact the Board of Pharmacy at 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 or (850)488-0595 to request a form or download the form from the Board’s website at <http://www.doh.state.fl.us/mqa/pharmacy>.

2. Subsection (2) shall now read as follows:

(2) The applicant must submit proof that one of the following requirements has been met:

(a) Two years of active practice, as defined in Section 465.0075(1)(c), F.S., within the immediately preceding five (5) years. To prove that the applicant has two years of active practice, the applicant must submit Form DH-MQA 1196, Item 4, Licensure Verification Form to the licensing authority of the state of licensure. It is the applicant’s responsibility to ensure that the licensing authority completes the form and returns it to the Board. If the applicant meets the requirements of this

paragraph, proof of completion of 30 hours of Florida Board of Pharmacy approved continuing education obtained in the two calendar years immediately preceding application, must also be submitted. Adequate proof consists of a letter from the provider or a certificate of completion, which contains the course title, course number and the number of hours completed.

(b) Passing of board-approved postgraduate training, by providing the Board with a transcript directly from the school of instruction.

(c) Passing of a board-approved clinical competency examination within the year immediately preceding application for licensure.

(d) Successful completion of an internship meeting the requirements of Rule 64B16-26.2033, F.A.C. within the immediately preceding two (2) years. To prove that the applicant has successfully completed the internship, the applicant must submit Form DH-MQA 1196, Item 3, Internship Work Experience Form (Form B). The applicant's supervising pharmacist must sign this form.

3. Rule 456.033, F.S., will be removed from the Rulemaking Authority.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.355
 RULE TITLE: Pharmacy Technician Continuing Education Subject Matter

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. 2, January 15, 2010 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (f) shall be renumbered as subsection (6) and shall now read as follows:

(6) Subjects which are taken at an accredited educational institution as verified by an official transcript, that meet any one of the criteria in Rule 64B16-26.351, F.A.C., and are advanced beyond that completed for original registration shall be approved for continuing education under this rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: 64E-26.005
 RULE TITLE: Sanitary System, Facilities and Fixtures

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. 3, January 22, 2010 issue of the Florida Administrative Weekly.

The changes are made in response to comments received from the Joint Administrative.

Paragraph 64E-26.005(5) has been changed so that when adopted it will read:

“Beds and bedding shall be cleaned and sanitized on a schedule established by the correctional facility that is consistent with this rule. Used mattress and pillow covers shall be laundered or washed and sanitized before issued. To ensure that proper laundering occurs, the minimum requirements for the use of laundry equipment shall be the instructions provided by the manufacturers of the equipment used, such as instructions provided in equipment operating manuals. This includes instructions on the size of laundry loads placed in equipment, water temperatures, dryer temperatures, operating cycles, and chemical additives used. Chemical sanitizers that are used must be registered with the United States Environmental Protection Agency. Sanitizers must be used in accordance with the label directions to achieve the intended effect. EPA registered disinfectants can be used instead of sanitizers as long as they are used in accordance with the directions on the product label. Sheets and personal clothing shall be washed at least weekly and blankets washed or dry cleaned at least quarterly. Sheets and blankets shall be stored in a clean, dry place between laundering and issue”.

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NO.: 69I-20.090
 RULE TITLE: Orders or Settlements Requiring Restitution

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. 25, June 25, 2010 issue of the Florida Administrative Weekly.

Changes to the proposed rule are as follows:

Paragraph (d) of subsection (1) has been amended to state:

(d) Unclaimed Property due and owing to the State of Florida shall be reported and remitted to the Florida Department of Financial Services, Bureau of Unclaimed Property in accordance with Rules 69I-20.034 and 69I-20.041, F.A.C.

Paragraphs (b) and (c) of subsection (2) have been amended to state:

(b) If the (Defendant/Respondent/Petitioner) is not able to locate any entity or individual who is required to be paid in accordance with this (Settlement/Order) or does not make payment to the entity or individual for any other reason, the (Defendant/Respondent/Petitioner) shall report and remit the amount due to the entity or individual to the Florida Department of Financial Services, Bureau of Unclaimed Property, in U.S. dollars using the appropriate reporting forms and electronic reporting format in accordance with Rules 69I-20.034 and 69I-20.041, F.A.C., within 60 days after the date that the (Defendant/Respondent/Petitioner) was required to issue payment in accordance with the terms of this (Settlement/Order). A copy of the (Settlement/Order) requiring restitution shall accompany the unclaimed property report and remittance.

(c) If the (Defendant/Respondent/Petitioner) issues a check to an entity or individual who is required to be paid in accordance with this (Settlement/Order) and the entity or individual does not negotiate or cash the check within 90 days after the issuance of the check, the (Defendant/ Respondent/ Petitioner) shall report and remit the value of the uncashed check in U.S. dollars to the Florida Department of Financial Services, Bureau of Unclaimed Property, using the appropriate reporting forms and electronic reporting format in accordance with Rules 69I-20.034 and 69I-20.041, F.A.C., within 150 days after the issuance of the check. A copy of the (Settlement/Order) requiring restitution shall accompany the unclaimed property report and remittance.

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NO.: RULE TITLE:
69I-44.022 Report of Unclaimed Property under Sections 43.19, 402.17, 550.1645, 705.103, 732.107, 733.816 or 744.534, Florida Statutes

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 25, June 25, 2010 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

Finance

RULE NOS.: RULE TITLES:
69V-40.001 Definitions
69V-40.00112 Effect of Law Enforcement Records on Applications for Loan Originator, Mortgage Broker, and Mortgage Lender Licensure.

69V-40.002 Adoption of Forms

69V-40.0113 Demonstrating Character, General Fitness, and Financial Responsibility
69V-40.0312 Application Procedure for Loan Originator License
69V-40.0313 Loan Originator License Renewal
69V-40.0321 Application Procedure for a Mortgage Broker License
69V-40.0611 Application Procedure for a Mortgage Lender License
69V-40.0612 Mortgage Lender License Renewal
69V-40.156 Third-party Fee Accounts
69V-40.170 Books and Records
69V-40.175 Mortgage Brokerage Files
69V-40.260 Mortgage Lender Files
69V-40.285 Noninstitutional Investor Funds Account

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. 24, June 18, 2010 issue of the Florida Administrative Weekly.

The rules have been changed to address comments from the staff of the Joint Administrative Procedures Committee. In addition, Rule 69V-40.0113, F.A.C., has been changed to address comments from members of the industry. The changes are as follows:

- 1 – Rule 69V-40.001, F.A.C., has been changed to remove the new definitions; the rule will be repealed in its entirety.
- 2 – Subsection 69V-40.00112(1), F.A.C., has been changed to replace the word “may” to “will” in the fifth sentence: “In the event of a question regarding the relevant person’s criminal history, the Office will request additional information from the relevant person to determine the status of a criminal event, the specific facts and circumstances surrounding a criminal event, or to address other issues determined to be relevant to the review of the law enforcement record.”
- 3 – Subsection 69V-40.00112(2), F.A.C., has been removed.
- 4 – Subparagraph 69V-49.002(1)(b)5., F.A.C., has been changed to correct the title of the form: “5. Declaration of Intent to Engage Solely in Loan Processing, Form OFR-494-13, effective _____.”
- 5 – Paragraphs 69V-40.0113(1)(a) and (b), F.A.C., have been changed to clarify provisions relating to collections accounts and charge-off accounts: “(1) Definitions. As used in this rule, the term: (a) “Adverse credit history information” means the following:
 - 1. Personal bankruptcy within the previous year.
 - 2. Bankruptcy within the previous year of any organization based on events that occurred while the relevant person was a control person.
 - 3. Outstanding tax lien or other governmental lien.

4. Outstanding judgment based upon grounds of fraud, embezzlement, misrepresentation, or deceit.

5. Open collection account or charged-off account that remains unpaid, except accounts related solely to unpaid medical expenses.

6. Foreclosure on personally owned property within the last 5 years.

(b) “Charged-off” means an account that has been identified by the creditor as an uncollectable debt.

6 – Subparagraph 69V-40.0113(2)(b)4., F.A.C., has been changed to remove the requirement that letters from creditors must be dated within 30 days after the received date of the application:

“4. Copies of account statements or letters from the creditors explaining the current status of accounts. For security purposes, the relevant person may redact all but the last four (4) digits of the account number prior to submitting the document to the Office.”

7 – Paragraph 69V-40.0312(1)(c), F.A.C., has been changed to cross-reference Section 494.00172, F.S.:

“(c) The statutory nonrefundable mortgage guaranty fund assessment fee of \$20, if required by Section 494.00172, F.S., filed through the Registry.”

8 – Subparagraph 69V-40.0313(1)(b)2., F.A.C., has been changed to cross-reference Section 494.00172, F.S.:

“2. \$20 nonrefundable mortgage broker guaranty fund fee, if required by Section 494.00172, F.S., and”

9 – Paragraph 69V-40.0321(1)(c), F.A.C., has been changed to cross-reference Section 494.00172, F.S.:

“(c) The statutory nonrefundable mortgage guaranty fund assessment fee of \$100, if required by Section 494.00172, F.S., filed through the Registry.”

10 – Rule 69V-40.0611(1)(c), F.A.C., has been changed to cross-reference Section 494.00172, F.S.:

“(c) The statutory nonrefundable mortgage guaranty fund assessment fee of \$100, if required by Section 494.00172, F.S., filed through the Registry.”

11 – Subparagraph 69V-40.0612(1)(b)2., F.A.C., has been changed to cross-reference Section 494.00172, F.S.:

“2. \$100 nonrefundable mortgage broker guaranty fund fee, if required by Section 494.00172, F.S.”

12 – Rule 69V-40.156, F.A.C., has been changed to narrow the scope of the rule to books and records requirements:

69V-40.156 Third-party Fee Accounts.

~~(4) All third-party fees and refundable application fees received by a mortgage broker shall be recorded brokerage business shall immediately be deposited in a segregated account in a federally insured financial institution located in Florida. The account shall be in the name of the mortgage brokerage business and shall provide for withdrawal of funds without notice. The account shall be used exclusively for third party fees and refundable application fees. The licensee~~

~~shall maintain an updated and accurate record of account activity on Form OFR-494-09, Mortgage Brokerage Deposit Account Form, or on a format which is substantially similar to Form OFR-494-09.~~

~~(2) For the purposes of this rule “immediately” means within seven (7) business days of receipt of the funds.~~

~~(3) The administrative penalty for the failure to comply with this rule shall be \$500. Incidental and isolated clerical errors or omissions shall not be considered a violation of this rule. For the purposes of this rule “isolated clerical errors or omissions” shall mean less than three (3), or a percentage less than 20% of the deposit entries examined or reviewed. The penalty for intentional or repeat violations of this rule shall be a \$500 fine and suspension or revocation.~~

~~(4) For the purposes of this rule, failure to maintain an escrow account is a violation of this rule. Failure to maintain a record of account activity in a current manner is a violation of this rule. Failure to make immediate deposits as required is a violation of this rule. Each of the above shall be considered separate violations with each subject to the penalties provided therein.~~

~~(5) For the purposes of Section 120.695, F.S., a violation of the above rule shall not be considered a minor violation.~~

~~(6) Form OFR-494-09 is incorporated by reference in subsection 69V-40.002(1), F.A.C.~~

Proposed Effective Date: October 1, 2010

Rulemaking Authority ~~494.0011(2), 494.0016(4)~~ FS. Law Implemented ~~120.695, 494.00255(1)(a), 494.0038, 494.0068 494.0038(5), 494.0041(2)(c), 494.0068(3), 494.0072(2)(c)~~ FS. History–New 12-3-91, Amended 7-25-96, 12-12-99, Formerly 3D-40.156, Amended 3-23-08, 10-1-10.

13 – Rule 69V-40.170, F.A.C., has been changed to remove the mandatory penalty of revocation for failure to permit examination of records after a “reasonable” request:

~~“(5)(6)(a) The penalty for maintaining books, accounts, and records at a location other than the principal place of business, without written notification to the Office of Financial Regulation, shall be the issuance of a “notice of noncompliance” for a first offense. Any subsequent finding of a violation of this rule during an examination or investigation shall be a \$500 fine.~~

~~(b) The penalty for refusal to permit an investigation or examination of books, accounts, and records, after a reasonable request by the Office of Financial Regulation, shall be revocation of the license. This paragraph shall not apply to a proceeding governed by the rules of civil procedure of any state or federal court.~~

14 – Paragraph 69V-40.175(2)(c), F.A.C., has been changed to correct a cross-reference;

“(c) A copy of the good faith estimate of costs pursuant to Section 494.0038(3)(c), F.S. subsection ~~494.0038(2)(c)~~, F.S.”

15 – Paragraph 69V-40.260(8)(d), F.A.C., has been changed to reference the penalties provided in Section 494.00255(2), F.S.:

“(d) Repeat violations of the requirements of this rule shall subject the licensee to the maximum penalties under Section 494.00255(2) ~~the provisions of Sections 494.001-.0074, F.S.~~”

16 – Rule 69V-40.285, F.A.C., has been changed to narrow the scope of the rule to books and records requirements:

69V-40.285 Noninstitutional Investor Funds Account.

~~(4) All money received by a mortgage lender or correspondent mortgage lender from a noninstitutional investor for disbursement at a mortgage loan closing shall be recorded and deposited in a trust account in a federally insured financial institution within seven business days of receipt of the funds unless otherwise directed, in writing, by the noninstitutional investor. Such trust account may be used for more than one noninstitutional investor’s funds. Noninstitutional funds may not be commingled with the licensee’s operating account or funds. The account shall be in the name of the mortgage lender or correspondent mortgage lender and shall provide for withdrawal of funds without notice. The licensee shall maintain an updated and accurate record of account activity on Form OFR-494-12 or on a format which is substantially similar to Form OFR-494-12 OFR-MX-555.~~

~~(2) In lieu of depositing noninstitutional investor money into a trust account the mortgage lender or correspondent mortgage lender may have noninstitutional investor money intended for mortgage loan closings deposited with and disbursed by an attorney licensed in this state or by a title company duly licensed in this state if such title company is not owned, controlled or affiliated with the licensee.~~

~~(3) The administrative penalty for failure to comply with this rule shall be \$500. Incidental and isolated clerical errors or omissions shall not be considered a violation of this rule. The penalty for intentional or repeat violations of this rule shall be a \$500 fine and suspension or revocation.~~

~~(4) For the purposes of Section 120.695, F.S., a violation of the above rule shall not be considered a minor violation.~~

~~(5) Form OFR-494-12 is incorporated by reference in subsection 69V-40.002(1), F.A.C.~~

Section IV Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER10-32
 RULE TITLE: Dolphins Fan Experience Second Chance Drawing

SUMMARY: The Department of the Lottery will conduct a Dolphins Fan Experience Second Chance Drawing from August 3, 2010 to December 1, 2010, in which special prizes will be awarded. This emergency rule has been Replaced by 53ER10-35, F.A.C.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-32 Dolphins Fan Experience Second Chance Drawing.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History–New 7-30-10, Replaced by 53ER10-35, F.A.C.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER10-33
 RULE TITLE: Jacksonville Jaguars Second Chance Drawing

SUMMARY: The Department of the Lottery will conduct a Jacksonville Jaguars Second Chance Drawing from August 3, 2010 to December 1, 2010, in which special prizes will be awarded.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-33 Jacksonville Jaguars Second Chance Drawing.

(1) Beginning Tuesday, August 3, 2010, players can enter their non-winning Florida Lottery JACKSONVILLE JAGUARS Scratch-Off tickets in a Jacksonville Jaguars Second Chance Drawing on the Florida Lottery Web site to win prizes as described below.

(2) Six (6) computerized Second Chance Drawings will be held from August 18 to December 1, 2010 from entries received by midnight the night before each drawing. Entries will be good for one drawing only. The draw dates are:

Drawing	Draw Date	From Entries Received
1	Wednesday, August 18, 2010	August 3 – August 17, 2010
2	Wednesday, September 8, 2010	August 18 – September 7, 2010
3	Wednesday, September 29, 2010	September 8 – September 28, 2010
4	Wednesday, October 20, 2010	September 29 – October 19, 2010
5	Wednesday, November 10, 2010	October 20 – November 9, 2010
6	Wednesday, December 1, 2010	November 10 – November 30, 2010

(3) The Jacksonville Jaguars Second Chance Drawing prizes are as follows:

(a) FIRST DRAWING

1. First Prize. Two (2) prizes consisting of a Coaches “Chalk Talk” for ten (10) people, including a team coach talking about the team and answering questions for guests in one of the team meeting rooms. The Jaguars coaching staff member and the duration of the Chalk Talk event will be determined by the Jaguars at their sole discretion. The value of each prize is \$500.

2. Second Prize. Thirty (30) prizes consisting of two (2) upper-deck tickets to one (1) Jaguars home game. The selected game will be mutually determined, subject to availability. The value of each pair of tickets is \$136.

3. Third Prize. Twenty (20) prizes of a Jaguars hat and t-shirt fan pack. The value of each fan pack is \$68.

(b) SECOND DRAWING

1. First Prize. One (1) prize consisting of the Ultimate Jaguars Experience, including Terrace Suite tickets for four (4) persons to one (1) home game, four (4) field passes, four (4) autographed footballs, an opportunity to be on-field for the pre-game coin toss, Jaguars merchandise for four (4), mentions on the scoreboard video, and a trip to an away game for two (2) persons. Away game trip is inclusive of airfare for two (2) adults, one (1) hotel room for two (2) nights, and transportation to the game on a chartered team bus. Winner and guest will be responsible for travel from the game back to the hotel on game day and to the airport on the following day. The value of the prize is \$3,500.

2. Second Prize. Two (2) prizes consisting of lunch for four (4) people with a Jaguars player in the Jaguars Stadium Team Dining area. The Jaguars will determine the date of each lunch event at their sole discretion. The value of each prize is \$500.

3. Third Prize. Twenty (20) prizes of a Jaguars hat and t-shirt fan pack. The value of each fan pack is \$68.

(c) THIRD DRAWING

1. First Prize. One (1) prize consisting of a Game Day Suite to one (1) Jaguars home game for sixteen (16) people including food and non-alcoholic beverages and sixteen (16)

tickets for the game. The selected game will be mutually determined, subject to availability. The value of the prize is \$2,000.

2. Second Prize. Thirty (30) prizes consisting of two (2) upper-deck tickets to one (1) Jaguars home game. The selected game will be mutually determined, subject to availability. The value of each pair of tickets is \$136.

3. Third Prize. Twenty (20) prizes of a Jaguars hat and t-shirt fan pack. The value of each fan pack is \$68.

(d) FOURTH DRAWING

1. First Prize. Two (2) prizes consisting of a VIP Training Camp Experience for twenty (20) people including food and non-alcoholic beverages and reserved seating during team practice. The date of each VIP Training Camp Experience event will be determined by the Jaguars at their sole discretion. The value of each prize is \$500.

2. Second Prize. Two (2) prizes consisting of a tour of the team locker room for four (4) people, including a view of the locker room, training/rehab facilities, weight room and equipment room with a member of the team staff. The Jaguars will determine the date of each locker room tour event at their sole discretion. The value of each prize is \$500.

3. Third Prize. Six (6) prizes consisting of one (1) authentic NFL Jaguars jerseys autographed by the players. Certificates of authenticity shall be provided by the Jaguars for each jersey. The value of each jersey is \$585.

4. Fourth Prize. Twenty (20) prizes of a Jaguars hat and t-shirt fan pack. The value of each fan pack is \$68.

(e) FIFTH DRAWING

1. First Prize. Six (6) prizes consisting of two (2) lower-level end-zone season tickets for each 2011 Jaguars pre-season and regular season home game. The value of each pair of season tickets is \$1,000.

2. Second Prize. Six (6) prizes consisting of one (1) replica Jaguars jersey autographed by members of the football squad. The value of each jersey is \$460.

3. Third Prize. Twenty (20) prizes of a Jaguars hat and t-shirt fan pack. The value of each fan pack is \$68.

(f) SIXTH DRAWING

1. First Prize. Six (6) prizes consisting of two (2) Touchdown Club season tickets for each 2011 Jaguars pre-season and regular season home game on the East Side of the Stadium and one (1) Touchdown Club parking pass. The value of each pair of season tickets and parking pass is \$1,500.

2. Second Prize. Six (6) prizes consisting of one (1) replica Jaguars jersey autographed by members of the football squad. The value of each jersey is \$460.

3. Third Prize. Twenty (20) prizes of a Jaguars hat and t-shirt fan pack. The value of each fan pack is \$68.

(4) To enter a non-winning ticket in the Jacksonville Jaguars Second Chance Drawing, visit the Florida Lottery’s Web site at flalottery.com, click on the Jacksonville Jaguars Second Chance Drawing icon and follow the directions.

The ticket number is located below the play instructions on the front of a JACKSONVILLE JAGUARS Scratch-Off ticket. Scratch off the latex covering to reveal the 24-digit ticket number. Winning JACKSONVILLE JAGUARS Scratch-Off tickets cannot be used for entry in the Second Chance Drawings. The odds of winning are dependent upon the number of entries received.

(5) Players may enter as many times as they wish during the contest period. However, each valid ticket number may only be used one time, for one entry in the Jacksonville Jaguars Second Chance Drawings. Tickets should not be mailed to the Lottery unless players are contacted by the Florida Lottery and requested to do so. Non-winning tickets received in the mail by the Florida Lottery will not be entered in the drawing and will not be returned.

(6) The number of entries drawn in each second chance drawing will vary by drawing. The requisite number of entries will be drawn to award prizes in the following order, as applicable to the drawing: First Prize, Second Prize, Third Prize and Fourth Prize. An additional twenty (20) entries will be drawn in each drawing to serve as alternates, in the order drawn, for unclaimed prizes, or mailed prizes returned by the U.S. Postal Service as unclaimed or undeliverable.

(7) The prizewinners in each Second Chance Drawing will be posted on flalottery.com on the day of the draw. The Florida Lottery will attempt to notify each of the First Prize winners in the second, third, fifth and sixth drawings by U.S. mail or e-mail using the contact information provided in the winner's registration data no later than one (1) week after the winners are drawn. If the Florida Lottery is unable to contact a winner within three (3) weeks of the date of the drawing, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner as described above. If the Florida Lottery is unable to contact the alternate winner within three (3) weeks of the date of award of the prize, the alternate winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to a second alternate winner. As long as a prize remains available, this process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of available alternates. If the Lottery is unable to contact an alternate, the prize will not be awarded.

(8) All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met. To claim a First Prize in the second, third, fifth and sixth drawings of the Jacksonville Jaguars Second Chance Drawing, the player must submit to the Florida Lottery the original valid non-winning JACKSONVILLE JAGUARS Scratch-Off ticket bearing the entry number selected in the drawing. Without such ticket, the player will forfeit his or her right to claim a prize. Winners must also submit a completed Winner Claim Form DOL 173-2, or Spanish Winner Claim Form DOL 173-2S, as referenced in Rule 53ER10-1,

appropriate identification, and a notarized Florida Lottery Release and Authorization Form DOL-474, revised 10/08. All forms must be submitted within seven (7) days of notification by the Florida Lottery that they are a winner. If the winner does not return the required forms within seven (7) days of notification, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner as described above. Form DOL-474 is hereby incorporated by reference and may be obtained at any Lottery office, from the Florida Lottery's Web site at www.flalottery.com, or by writing to: Florida Lottery, Public Affairs, 250 Marriott Drive, Tallahassee, Florida 32399-4016.

(9) The First Prizes in the first and fourth drawings and all other prizes will be shipped to the winner's address within approximately fifteen (15) days after the drawing. Prizes returned by the U.S. Postal Service as unclaimed or undeliverable will be awarded to alternate winners as described in subsection (6).

(10) For all prizes except for the hat and t-shirt fan packs, the Lottery will provide the winner with a certificate from the Jaguars describing the winner's prize. The certificate will contain the name and contact information for the person the prizewinner is to contact to make reservations to fulfill the prize packages won. The Jaguars shall coordinate with each winner a mutually agreeable date on which the winner may use the prize package. For 2010 game tickets, if an acceptable date during the 2010 season cannot be arranged, a date during the 2011 season shall be selected.

(11) The right to claim a prize is not assignable to another person or entity.

(12) Except as specifically mentioned herein, all federal, state and/or local taxes or other fees on the prizes won in the Jacksonville Jaguars Second Chance Drawing will be the responsibility of the winner.

Federal income taxes are required to be withheld from a prize awarded to a nonresident alien claimant at the rate of thirty percent (30%) pursuant to applicable provisions of the Internal Revenue Code. A nonresident alien claimant who is selected as a winner of a prize will be required to pay the withholding tax or forfeit the prize. The reporting and subsequent payment of any additional federal, state and/or local taxes shall be the responsibility of the nonresident alien winner.

(13) No cash option or substitute is available in lieu of Jacksonville Jaguars Second Chance Drawing prizes.

(14) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Prizes will be paid in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(15) Players must be at least 18 years of age. Persons prohibited by Section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to play.

(16) By entering the Jacksonville Jaguars Second Chance Drawing, a player gives his or her permission for the Florida Lottery to provide the player's address and telephone number to the Jaguars for prize fulfillment purposes.

(17) By entering the Jacksonville Jaguars Second Chance Drawing, a player gives his or her permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(18) Jacksonville Jaguars Second Chance Drawings shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm. The results of each drawing will be available after the drawing on the Florida Lottery's Web site at flalottery.com.

(19) This offer is void where prohibited by law.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 7-30-10.

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 30, 2010

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER10-34
RULE TITLE: Tampa Bay Buccaneers Second Chance Drawing

SUMMARY: The Department of the Lottery will conduct a Tampa Bay Buccaneers Second Chance Drawing from August 3, 2010 to December 1, 2010, in which special prizes will be awarded.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-34 Tampa Bay Buccaneers Second Chance Drawing.

(1) Beginning Tuesday, August 3, 2010, players can enter their non-winning Florida Lottery TAMPA BAY BUCCANEERS Scratch-Off tickets in a Tampa Bay Buccaneers Second Chance Drawing on the Florida Lottery Web site to win prizes as described below.

(2) Six (6) computerized Second Chance Drawings will be held from August 18 to December 1, 2010 from entries received by midnight the night before each drawing. Entries will be good for one drawing only. The draw dates are:

Drawing	Draw Date	From Entries Received
<u>1</u>	<u>Wednesday, August 18, 2010</u>	<u>August 3 – August 17, 2010</u>
<u>2</u>	<u>Wednesday, September 8, 2010</u>	<u>August 18 – September 7, 2010</u>
<u>3</u>	<u>Wednesday, September 29, 2010</u>	<u>September 8 – September 28, 2010</u>
<u>4</u>	<u>Wednesday, October 20, 2010</u>	<u>September 29 – October 19, 2010</u>
<u>5</u>	<u>Wednesday, November 10, 2010</u>	<u>October 20 – November 9, 2010</u>
<u>6</u>	<u>Wednesday, December 1, 2010</u>	<u>November 10 – November 30, 2010</u>

(3) The Tampa Bay Buccaneers Second Chance Drawing prizes are as follows:

(a) FIRST DRAWING

1. Grand Prize. One hundred (100) prizes consisting of two (2) upper-level tickets to the December 19, 2010 Buccaneers home game and a chance to win a 2011 Ford Mustang. The value of each pair of tickets is \$70.

2. First Prize. Six (6) prizes consisting of the use of a 12-person game suite for one regular season game, including twelve (12) tickets to the game, food and non-alcoholic beverages for twelve (12) attendees. The value of each use of the suite is \$5,000.

3. Second Prize. Two (2) prizes consisting of an away game watch party for ten (10) guests. The winner will have the opportunity to host a party for ten (10) persons at One Buccaneer Place to watch an away Buccaneers game. Food and non-alcoholic beverages will be provided and the guests will have an opportunity for a tour of the facilities. The value of each prize is \$550.

4. Third Prize. Ninety (90) prizes of a Buccaneers hat and t-shirt fan pack. The value of each fan pack is \$50.

(b) SECOND DRAWING

1. Grand Prize. One hundred (100) prizes consisting two (2) upper level-tickets to the December 19, 2010 Buccaneers home game and a chance to win a 2011 Ford Mustang. The value of each pair of tickets is \$70.

2. First Prize. Six (6) prizes consisting of two (2) tickets to an away game to be determined by the Buccaneers, including round-trip transportation for two (2) on the private Pewter Partner charter plane (one-day trip from Tampa), shuttle service to and from the airport to the stadium, and refreshments. The value of each prize is \$750.

3. Second Prize. Six (6) prizes consisting of a “behind the scenes” group tour of One Buccaneers Place for four (4) persons each; each tour to be hosted by a Buccaneers’ coach. Guests will be able to visit the team locker room, training/rehab facilities, weight room and equipment room. The value of each prize is \$575.

4. Third Prize. Ninety (90) prizes of a Buccaneers hat and t-shirt fan pack. The value of each fan pack is \$50.

(c) THIRD DRAWING.

1. Grand Prize. One hundred (100) prizes consisting of two (2) upper-level tickets to the December 19, 2010 Buccaneers home game and a chance to win a 2011 Ford Mustang. The value of each pair of tickets is \$70.

2. First Prize. Twenty-four (24) prizes consisting of two (2) lower-level tickets to one (1) Buccaneers regular season home game during the 2010 season. The value of each pair of single game tickets is \$200.

3. Second Prize. Three (3) prize packages each consisting of a VIP Team Practice Experience for ten (10) persons. Each experience includes a souvenir, and food and beverage for each person in the team dining area, followed by reserved seating during team practice. After practice, each group will have a "meet and greet" with a Buccaneers coach or player. The value of each prize package is \$530.

4. Third Prize. Ninety (90) prizes of a Buccaneers hat and t-shirt fan pack. The value of each fan pack is \$50.

(d) FOURTH DRAWING.

1. Grand Prize. One hundred (100) prizes consisting of two (2) upper-level tickets to the December 19, 2010 Buccaneers home game and a chance to win a 2011 Ford Mustang. The value of each pair of tickets is \$70.

2. First Prize. Four (4) prizes consisting of two (2) Club Level season tickets to each Buccaneers preseason and regular season home game during the 2011 season. The value of each pair of Club Level season tickets is \$5,900.

3. Second Prize. Eight (8) prizes consisting of two (2) lower-level season tickets to each Buccaneers preseason and regular season home game during the 2011 season. The value of each pair of season tickets is \$1,780.

4. Third Prize. Ninety (90) prizes of a Buccaneers hat and t-shirt fan pack. The value of each fan pack is \$50.

(e) FIFTH DRAWING.

1. Grand Prize. One hundred (100) prizes consisting of two (2) upper-level tickets to the December 19, 2010 Buccaneers home game and a chance to win a 2011 Ford Mustang. The value of each pair of tickets is \$70.

2. First Prize. Four (4) prizes consisting of one pair of Club Level season tickets to each Buccaneers preseason and regular season home game during the 2011 season. The value of each pair of Club Level season tickets is \$5,900.

3. Second Prize. Eight (8) prizes consisting two (2) lower-level season tickets to each Buccaneers preseason and regular season home game during the 2011 season. The value of each pair of season tickets is \$1,780.

4. Third Prize. Ninety (90) prizes of a Buccaneers hat and t-shirt fan pack. The value of each fan pack is \$50.

(f) SIXTH DRAWING.

1. First Prize. One (1) "Buccaneer for a Week" prize package consisting of a \$20,000 cash prize and a week of Bucs experiences to include: Team press conference to kick off the week of activities; two (2) passes to attend team practices; two (2) sideline passes to a home game determined by the Buccaneers; two (2) Club seats for the game; and the opportunity to attend a post-game press conference. The \$20,000 cash prize shall be payable by the Buccaneers directly to the prize winner. Buccaneers shall make any required federal income tax withholding and file required reports with the Internal Revenue Service. The value of the prize package is \$25,000.

2. Second Prize. Eight (8) prizes consisting of one (1) authentic player jersey worn by a player. Certificates of authenticity shall be provided by the Buccaneers for each jersey. The value of each jersey is \$700.

3. Third Prize. Twenty-two (22) prizes consisting of one (1) authentic player jersey. Certificates of authenticity shall be provided by the Buccaneers for each jersey. The value of each jersey is \$350.

4. Fourth Prize. Ninety (90) prizes of a Buccaneers hat and t-shirt fan pack. The value of each fan pack is \$50.

(4) To enter non-winning tickets in the Tampa Bay Buccaneers Second Chance Drawings, visit the Florida Lottery's Web site at flalottery.com, click on Tampa Bay Buccaneers Second Chance Drawing icon and follow the directions.

The ticket number is located below the play instructions on the front of a TAMPA BAY BUCCANEERS Scratch-Off ticket. Scratch off the latex covering to reveal the 24-digit ticket number. Winning TAMPA BAY BUCCANEERS Scratch-Off tickets cannot be used for entry in the Second Chance Drawings. The odds of winning are dependent upon the number of entries received.

(5) Players may enter as many times as they wish during the contest period. However, each valid ticket number may only be used one time, for one entry in the Tampa Bay Buccaneers Second Chance Drawings. Tickets should not be mailed to the Lottery unless players are contacted by the Florida Lottery and requested to do so. Non-winning tickets received in the mail by the Florida Lottery will not be entered in the drawing and will not be returned.

(6) The number of entries drawn in each second chance drawing will vary by drawing. The requisite number of entries will be drawn to award prizes in the following order, as applicable to the drawing: Grand Prize, First Prize, Second Prize, Third Prize and Fourth Prize. An additional twenty (20) entries will be drawn in each drawing to serve as alternates, in the order drawn, for unclaimed prizes or mailed prizes returned by the U.S. Postal Service as unclaimed or undeliverable.

(7) The prizewinners in each second chance drawing will be posted on flalottery.com on the day of the draw. The Florida Lottery will attempt to notify the First Prize winners in all drawings except the third drawing and Second Prize winners in the fourth, fifth and sixth drawings by telephone, U.S. mail or e-mail using the contact information provided in the winner's registration data no later than one (1) week after the winners are drawn. If the Florida Lottery is unable to contact a winner within three (3) weeks of the date of the drawing, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner as described above. If the Florida Lottery is unable to contact the alternate winner within three (3) weeks of the date of award of the prize, the alternate winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to a second alternate winner. As long as a prize remains available, this process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of available alternates. If the Lottery is unable to contact an alternate, the prize will not be awarded.

(8) All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met. To claim a First Prize in all drawings except the third drawing or a Second Prize in the fourth, through sixth drawings, the player must submit to the Florida Lottery the original valid non-winning TAMPA BAY BUCCANEERS Scratch-Off ticket bearing the entry number selected in the drawing. Without such ticket, the player will forfeit his or her right to claim a prize. Winners must also submit a completed Winner Claim Form DOL 173-2, or Spanish Winner Claim Form DOL 173-2S, as referenced in rule 53ER10-1, appropriate identification, and a notarized Florida Lottery Release and Authorization Form DOL-474, revised 10/08. All forms must be submitted within seven (7) days of notification by the Florida Lottery that they are a winner. If the winner does not return the required forms within seven (7) days of notification, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner as described above. Form DOL-474 is hereby incorporated by reference and may be obtained at any Lottery office, from the Florida Lottery's Web site at www.flalottery.com, or by writing to: Florida Lottery, Public Affairs, 250 Marriott Drive, Tallahassee, Florida 32399-4016.

(9) The Grand Prizes in the first through fifth drawings, the First Prize in the third drawing, the Second Prizes in the first through third drawings, all Third Prizes and the Fourth Prize in the sixth drawing will be shipped to the winner's address within approximately fifteen (15) days after the drawing. If any prize is returned by the U.S. Postal Service as unclaimed or undeliverable, the prize will be awarded to an alternate as described in subsection (6).

(10) For all prizes except for tickets to the December 19, 2010, game, the hat and t-shirt fan packs and the (unworn) authentic player jerseys, the Lottery will provide the winner with a certificate from the Buccaneers describing the winner's prize. The certificate will contain the name and contact information for the person the prizewinner is to contact to make reservations to fulfill the prize packages won. The Buccaneers shall coordinate with each winner a mutually agreeable date on which the winner may use the prize package. For 2010 game tickets, if an acceptable date during the 2010 season cannot be arranged, a date during the 2011 season shall be selected.

(11) Ford Mustang Giveaway.

(a) On Sunday, December 19, 2010, during a break between quarters of the Buccaneers vs. Detroit Lions football game, a Buccaneers representative shall randomly select ten (10) finalists from the 1,000 Grand Prize tickets (500 pairs) awarded in the first five (5) drawings. Each of the ten (10) finalists will scratch off play symbols on an oversized Florida Lottery TAMPA BAY BUCCANEERS Scratch-Off ticket. The person whose ticket reveals three (3) matching Ford Mustang images will win the prize.

(b) The winner of the Ford Mustang must be 18 years of age or older.

(c) The Ford Mustang prize is not transferable or assignable.

(d) A cash option is not available in lieu of the vehicle.

(e) Tax, tag and title fees on the automobile will be paid by the Florida Lottery. The Florida Lottery will pay applicable federal income tax withholding on the value of the prize, which is approximately \$26,695. Any additional federal, state and/or local taxes or other fees are the responsibility of the winner.

(f) The Florida Lottery provides no warranty for the Ford Mustang. Any warranties and guarantees are those of the manufacturer only.

(12) The right to claim a prize is not assignable to another person or entity.

(13) The Florida Lottery will pay applicable federal income tax withholding on the value of the First Prizes in the fourth and fifth drawings. Any additional federal, state and/or local taxes or fees on these prizes and all federal, state and/or local taxes or other fees on the other prizes won in the Tampa Bay Buccaneers Second Chance Drawing will be the responsibility of the winner.

Federal income taxes are required to be withheld from a prize awarded to a nonresident alien claimant at the rate of thirty percent (30%) pursuant to applicable provisions of the Internal Revenue Code. A nonresident alien claimant who is selected as a winner of a prize for which tax withholding is not paid by the Florida Lottery will be required to pay the withholding tax or forfeit the prize. The reporting and subsequent payment of any additional federal, state and/or local taxes shall be the responsibility of the nonresident alien winner.

(14) No cash option or substitute is available in lieu of Tampa Bay Buccaneers Second Chance Drawing prizes.

(15) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Prizes will be paid in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 23299-4011.

(16) Players must be at least 18 years of age. Persons prohibited by Section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to play.

(17) By entering the Tampa Bay Buccaneers Second Chance Drawing, a player gives his or her permission for the Florida Lottery to provide the player's address and telephone number to the Buccaneers for prize fulfillment purposes.

(18) By entering the Tampa Bay Buccaneers Second Chance Drawing, a player gives his or her permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(19) Tampa Bay Buccaneers Second Chance Drawings shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm. The results of each drawing will be available after the drawing on the Florida Lottery's Web site at flalottery.com.

(20) This offer is void where prohibited by law.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 7-30-10.

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 30, 2010

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER10-35
 RULE TITLE: Dolphins Fan Experience Second Chance Drawing

SUMMARY: The Department of the Lottery will conduct a Dolphins Fan Experience Second Chance Drawing from August 3, 2010 to December 1, 2010, in which special prizes will be awarded.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-35 Dolphins Fan Experience Second Chance Drawing.

(1) Beginning Tuesday, August 3, 2010, players can enter their non-winning Florida Lottery DOLPHINS Scratch-Off tickets in a Dolphins Fan Experience Second Chance Drawing on the Florida Lottery Web site to win prizes as described below.

(2) Six (6) computerized Second Chance Drawings will be held from August 18 to December 1, 2010 from entries received by midnight the night before each drawing. Entries will be good for one drawing only. The draw dates are:

Drawing	Draw Date	From Entries Received
1	Wednesday, August 18, 2010	August 3 – August 17, 2010
2	Wednesday, September 8, 2010	August 18 – September 7, 2010
3	Wednesday, September 29, 2010	September 8 – September 28, 2010
4	Wednesday, October 20, 2010	September 29 – October 19, 2010
5	Wednesday, November 10, 2010	October 20 – November 9, 2010
6	Wednesday, December 1, 2010	November 10 – November 30, 2010

(3) The Dolphins Fan Experience Second Chance Drawing prizes are as follows:

(a) FIRST DRAWING

1. Grand Prize. One hundred (100) prizes consisting of two (2) tickets to the December 19, 2010 Miami Dolphins home game and a chance to win a 2011 Ford Fiesta. The value of each pair of tickets is \$90.

2. First Prize. Six (6) prizes consisting of the use of a 12-person executive suite for one (1) regular season home game, determined by the Miami Dolphins, including twelve (12) tickets to the game, food and non-alcoholic beverages, and two (2) preferred parking passes. The value of the suite is \$10,250.

3. Second Prize. Seventy (70) prizes of a Miami Dolphins hat and t-shirt fan pack. The value of each fan pack is \$36.

(b) SECOND DRAWING

1. Grand Prize. One hundred (100) prizes consisting of two (2) tickets to the December 19, 2010 Miami Dolphins home game and a chance to win a 2011 Ford Fiesta. The value of each pair of tickets is \$90.

2. First Prize. One (1) prize consisting of a trip for two (2) persons to a regular season away game, including roundtrip airfare from a departure city of the winner's choice within the State of Florida to the away game host city, two (2) tickets to the game, one (1) double occupancy hotel room (room and tax only) for two (2) nights at a hotel selected by the Miami Dolphins (which shall be the Miami Dolphins team hotel, subject to availability), ground transportation from the team hotel to the game and return to the hotel, and ground transportation from the hotel to the airport for the return trip.

The winner will be responsible for all incidental room charges, including but not limited to, room and telephone service. The value of the prize is \$5,000.

3. Second Prize. Two (2) prizes consisting of an in-home watch party for ten (10) people at the winner's residence in Dade, Broward or Palm Beach County, Florida, to watch a Miami Dolphins away game. Tailgate-fare food and non-alcoholic beverages will be provided, including an appearance by a Miami Dolphins alumni player, cheerleaders, Fins Force Rally Team and special events staff members determined by the Miami Dolphins. The value of each prize is \$3,750.

4. Third Prize. Seventy (70) prizes of a Miami Dolphins hat and t-shirt fan pack. The value of each fan pack is \$36.

(c) THIRD DRAWING

1. Grand Prize. One hundred (100) prizes consisting of two (2) tickets to the December 19, 2010 Miami Dolphins home game and a chance to win a 2011 Ford Fiesta. The value of each pair of tickets is \$90.

2. First Prize. Two (2) prizes consisting of a VIP Day for ten (10) people at Sun Life Stadium in Dade County, Florida, on a non-Miami Dolphins game day, including a tour of the stadium, field and locker room. Tailgate-fare food and non-alcoholic beverages will be provided. The value of each prize is \$3,750.

3. Second Prize. One hundred twenty (120) prizes consisting of two (2) lower-level, corner end-zone, single game tickets for a regular season home game. The selected home game will be mutually determined, subject to availability. The value of each pair of tickets is \$184.

4. Third Prize. Seventy (70) prizes of a Miami Dolphins hat and t-shirt fan pack. The value of each fan pack is \$36.

(d) FOURTH DRAWING

1. Grand Prize. One hundred (100) prizes consisting of two (2) tickets to the December 19, 2010 Miami Dolphins home game and a chance to win a 2011 Ford Fiesta. The value of each pair of tickets is \$90.

2. First Prize. One (1) 2011 NFL Draft Preview Event, consisting of a VIP pre-draft tour of the practice facility for ten (10) persons hosted by a Miami Dolphins Coach, Alumni or Personality including light fare and non-alcoholic beverages. The date of the pre-draft tour event and the Miami Dolphins' attendee will be determined by the Miami Dolphins at their sole discretion. The pre-draft tour event will be held at the practice facility in Davie, Florida. The duration of the Pre Draft Tour will be mutually determined. The value of the prize is \$7,500.

3. Second Prize. Six (6) prizes consisting of a Tour of the Practice Facility, in Davie, Florida, for four (4) persons hosted by a Miami Dolphins Coach, Alumni or Personality, including a VIP Chalk Talk and Tour of the Practice Facility, light fare and non-alcoholic beverages. The date and duration of the

Chalk Talk and Tour event and the Miami Dolphins' attendee will be determined by the Miami Dolphins at their sole discretion. The value of each group tour prize is \$2,000.

4. Third Prize. Seventy (70) prizes of a Miami Dolphins hat and t-shirt fan pack. The value of each fan pack is \$36.

(e) FIFTH DRAWING

1. Grand Prize. One hundred (100) prizes consisting of two (2) tickets to the December 19, 2010 Miami Dolphins home game and a chance to win a 2011 Ford Fiesta. The value of each pair of tickets is \$90.

2. First Prize. Six (6) prizes consisting of two (2) 2011 lower-level pre-season and regular season home game season tickets. The value of each pair of tickets is \$1,740.

3. Second Prize. Twenty-four (24) prizes consisting of one (1) authentic player jersey. Certificates of authenticity shall be provided by the Miami Dolphins for each jersey. The value of each jersey is \$185.

4. Third Prize. Seventy (70) prizes of a Miami Dolphins hat and t-shirt fan pack. The value of each fan pack is \$36.

(f) SIXTH DRAWING

1. First Prize. Six (6) prizes consisting of two (2) 2011 Club Level pre-season and regular season home game season tickets. The value of each pair of tickets is \$3,406.

2. Second Prize. Six (6) prizes consisting of one (1) authentic player jersey worn by a player. Certificates of authenticity shall be provided by the Miami Dolphins for each jersey. The value of each jersey is \$700.00.

3. Third Prize. Seventy (70) prizes of a Miami Dolphins hat and t-shirt fan pack. The value of each fan pack is \$36.

(4) To enter a non-winning ticket in the Dolphins Fan Experience Second Chance Drawing, visit the Florida Lottery's Web site at flalottery.com, click on the Dolphins Fan Experience Second Chance Drawing icon and follow the directions.

The ticket number is located below the play instructions on the front of a DOLPHINS Scratch-Off ticket. Scratch off the latex covering to reveal the 24-digit ticket number. Winning DOLPHINS Scratch-Off tickets cannot be used for entry in the Second Chance Drawings. The odds of winning are dependent upon the number of entries received.

(5) Players may enter as many times as they wish during the contest period. However, each valid ticket number may only be used one time, for one entry in the Dolphins Fan Experience Second Chance Drawings. Tickets should not be mailed to the Lottery unless players are contacted by the Florida Lottery and requested to do so. Non-winning tickets received in the mail by the Florida Lottery will not be entered in the drawing and will not be returned.

(6) The number of entries drawn in each Second Chance Drawing will vary by drawing. The requisite number of entries will be drawn to award prizes in the following order, as applicable to the drawing: Grand Prize, First Prize, Second Prize, Third Prize. An additional twenty (20) entries will be

drawn in each drawing to serve as alternates, in the order drawn, for unclaimed prizes or mailed prizes returned by the U.S. Postal Service as unclaimed or undeliverable.

(7) The prizewinners in each Second Chance Drawing will be posted on flalottery.com on the day of the draw. The Florida Lottery will attempt to notify each of the First Prize and Second Prize winners by telephone (except for the Second Prize in the first, third and fifth drawings), U.S. mail or e-mail using the contact information provided in the winner's registration data no later than one (1) week after the winners are drawn. If the Florida Lottery is unable to contact a winner within three (3) weeks of the date of the drawing, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner as described above. If the Florida Lottery is unable to contact the alternate winner within three (3) weeks of the date of award of the prize, the alternate winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to a second alternate winner. As long as a prize remains available, this process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of available alternates. If the Lottery is unable to contact an alternate, the prize will not be awarded.

(8) All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met. To claim a First Prize or Second Prize (excluding the Second Prize in the first, third and fifth drawings) in a Dolphins Fan Experience Second Chance Drawing, the player must submit to the Florida Lottery the original valid non-winning DOLPHINS Scratch-Off ticket bearing the entry number selected in the drawing. Without such ticket, the player will forfeit his or her right to claim a prize. Winners must also submit a completed Winner Claim Form DOL 173-2, or Spanish Winner Claim Form DOL 173-2S, as referenced in Rule 53ER10-1, F.A.C., appropriate identification, and a notarized Florida Lottery Release and Authorization Form DOL-474, revised 10/08. All forms must be submitted within seven (7) days of notification by the Florida Lottery that they are a winner. If the winner does not return the required forms within seven (7) days of notification, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner as described above. Form DOL-474 is hereby incorporated by reference and may be obtained at any Lottery office, from the Florida Lottery's Web site at www.flalottery.com, or by writing to: Florida Lottery, Public Affairs, 250 Marriott Drive, Tallahassee, Florida 32399-4016.

(9) The Grand Prizes in the first through fifth drawings, the Second Prize in the first, third and fifth drawings, and all Third prizes will be shipped to the winner's address within approximately fifteen (15) days after the drawing. If any prize

is returned by the U.S. Postal Service as unclaimed or undeliverable, the prize will be awarded to an alternate as described in subsection (6).

(10) For all prizes, except for tickets to the December 19, 2010, game, the hat and t-shirt fan packs and the (unworn) authentic player jerseys, the Lottery will provide the winner with a certificate from the Miami Dolphins describing the winner's prize. The certificate will contain the name and contact information for the person the prizewinner is to contact to make reservations to fulfill the prize packages won. The Miami Dolphins shall coordinate with each winner a mutually agreeable date on which the winner may use the prize package. For 2010 game tickets, if an acceptable date during the 2010 season cannot be arranged, a date during the 2011 season shall be selected.

(11) Ford Fiesta Giveaway.

(a) On Sunday, December 19, 2010, during a break between quarters of the Miami Dolphins vs. Buffalo Bills football game, a Miami Dolphins representative shall randomly select ten (10) finalists from the 1,000 Grand Prize tickets (500 pairs) awarded in the first five (5) drawings. Each of the ten (10) finalists will scratch off play symbols on an oversized Florida Lottery DOLPHINS Scratch-Off ticket. The person whose ticket reveals three (3) matching Ford Fiesta images will win the prize.

(b) The winner of the Ford Fiesta must be 18 years of age or older.

(c) The Ford Fiesta prize is not transferable or assignable.

(d) A cash option is not available in lieu of the vehicle.

(e) The Florida Lottery will pay applicable federal income tax withholding on the value of the prize, which is approximately \$16,500 plus tax, tag and title fees. Any additional federal, state and/or local taxes or other fees are the responsibility of the winner.

(f) The Florida Lottery provides no warranty for the Ford Fiesta. Any warranties and guarantees are those of the manufacturer only.

(12) The right to claim a prize is not assignable to another person or entity.

(13) The Florida Lottery will pay applicable federal income tax withholding on the value of the First Prizes in the first and fourth drawings. Any additional federal, state and/or local taxes or fees on these prizes and all federal, state and/or local taxes or other fees on the other prizes won in the Dolphins Fan Experience Second Chance Drawing will be the responsibility of the winner.

Federal income taxes are required to be withheld from a prize awarded to a nonresident alien claimant at the rate of thirty percent (30%) pursuant to applicable provisions of the Internal Revenue Code. A nonresident alien claimant who is selected as a winner of a prize for which tax withholding is not paid by the Florida Lottery will be required to pay the withholding tax or

forfeit the prize. The reporting and subsequent payment of any additional federal, state and/or local taxes shall be the responsibility of the nonresident alien winner.

(14) No cash option or substitute is available in lieu of Dolphins Fan Experience Second Chance Drawing prizes.

(15) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Prizes will be paid in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 23299-4011.

(16) Players must be at least 18 years of age. Persons prohibited by Section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to play.

(17) By entering the Dolphins Fan Experience Second Chance Drawing, a player gives his or her permission for the Florida Lottery to provide the player's address and telephone number to the Miami Dolphins for prize fulfillment purposes.

(18) By entering the Dolphins Fan Experience Second Chance Drawing, a player gives his or her permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(19) Dolphins Fan Experience Second Chance Drawings shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm. The results of each drawing will be available after the drawing on the Florida Lottery's Web site at flalottery.com.

(20) This offer is void where prohibited by law.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History--New 8-2-10. Replaces 53ER10-32, F.A.C.

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: August 2, 2010

DEPARTMENT OF ELDER AFFAIRS

RULE NO.: 58ER10-1
 RULE TITLE: Background Screening Requirements
 SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Florida Legislature passed Chapter 2010-114, L.O.F., during the 2010 legislative session. This new law requires that effective August 1, 2010, all individuals seeking employment or volunteerism, which will require direct contact with individuals receiving services under the jurisdiction of the Department, must undergo a level 2 background screening

prior to employment or volunteerism. For this reason, the Department is publishing this emergency rule to protect the health, safety and welfare of its recipients, thus eliminating the threat of immediate danger by reducing the potential for physical, mental or sexual abuse, or financial exploitation.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: This emergency rule establishes criteria for complying with level 2 background screening requirements pursuant to Chapter 2010-114, L.O.F., and more specifically, pursuant to Sections 430.0402 and 435.01(2), F.S., provides rulemaking authority to individual agencies affected by the new background screening requirements. In addition, Section 430.08, F.S., provides the Department with rulemaking authority to establish rules to implement the provisions of Chapter 430, F.S. Due to the August 1, 2010 effective date of this new requirement, it is not possible to adopt rules through the regular rulemaking process due to time constraints.

SUMMARY: This emergency rule establishes criteria and procedures for complying with the new requirement of a level 2 background screening for all potential employees, who will have direct contact with Department recipients, prior to employment or volunteerism.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Suite 315, Tallahassee, FL 32399-7000; telephone (850)414-2113; Email address: crochetj@elderaffairs.org

THE FULL TEXT OF THE EMERGENCY RULE IS:

58ER10-1 Background Screening Requirements.

(1) DEFINITIONS.

In addition to the term "direct service provider," as defined in Section 430.0402(1)(b), F.S., the following definitions are included in this rule:

(a) "Agency" means the Agency for Health Care Administration.

(b) "Disqualifying Offense" means any criminal offense prohibited in Section 430.0402 or 435.04, F.S.

(c) "DOEA" or "Department" means the Florida Department of Elder Affairs.

(d) "FBI" means the Federal Bureau of Investigation.

(e) "FDLE" means the Florida Department of Law Enforcement.

(f) "Level 1 Screening" means an assessment of employment history checks, statewide criminal correspondence checks, local criminal history checks and a check of the Dru Sjodin National Sex Offender Public Website coordinated through FDLE to determine whether screened individuals have any disqualifying offenses pursuant to Section 430.0402 or 435.04, F.S.

(g) "Level 2 Screening" means an assessment of the criminal history record obtained through a fingerprint search coordinated through FDLE and the FBI to determine whether screened individuals have any disqualifying offenses pursuant to Section 430.0402 or 435.04, F.S.

(2) BACKGROUND SCREENING REQUIRED.

Pursuant to Section 430.0402(1)(a), F.S., Level 2 background screening consistent with the requirements of Chapter 435, F.S., is required for all direct service providers.

(3) IMPLEMENTATION AND RETENTION.

Pursuant to Section 430.0402, F.S., beginning August 1, 2010:

(a) All newly-hired direct service providers shall be required to undergo Level 2 background screening pursuant to Chapter 435 as a condition of employment or volunteerism and continued employment or volunteerism. Such screening shall ensure that a direct service provider has not been arrested awaiting final disposition of, has been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or has been adjudicated delinquent and the record has not been sealed or expunged for, any offense prohibited under Section 430.0402 or 435.04, F.S., or a similar law of another jurisdiction.

(b) Employers of direct service providers who have not been previously screened according to the screening standards of Chapter 435, F.S., must ensure that at least twenty percent (20%) of the available population of such individuals are screened pursuant to the Level 2 screening standards of Chapter 435, F.S., must be screened within 120 calendar days of August 1, 2010, and an additional twenty percent (20%) every 90 calendar days thereafter, until all direct service providers have successfully satisfied the screening standards of Chapter 435, F.S., or have applied for and received an exemption pursuant to Section 435.07, F.S. Employers with fewer than 5 direct service providers must ensure that all such direct service providers are screened within the initial 120 calendar day window.

(c) Thereafter, employers of direct service providers are responsible for coordinating with the Department to ensure applicant fingerprint retention by FDLE in the Applicant Fingerprint Retention and Notification Program, whereby, in the event of a direct service provider's subsequent arrest, notification is automatically sent to the Department's Background Screening Coordinator, according to the procedures specified in Section 943.05, F.S.

(d) Employers of direct service providers previously qualified for employment or volunteer work under Level 1 screening standards and individuals required to be screened according to the Level 2 screening standards contained in Chapter 435, F.S., pursuant to Section 430.0402, F.S., shall be required to be rescreened every 5 years from the date of their last background screening or exemption, unless such individual's fingerprints are continuously retained and

monitored by FDLE in the Applicant Fingerprint Retention and Notification Program, according to the procedures specified in Section 943.05, F.S.

(4) EXCEPTIONS.

The following are exceptions to the background screening requirements specified in this rule:

(a) Licensed physicians, nurses, or other professionals licensed by the Department of Health are not subject to the background screening requirements of Chapter 435, F.S. if they are providing a service that is within the scope of their licensed practice.

(b) Individuals qualified for employment by the Agency for Health Care Administration pursuant to the Agency's background screening standards for licensure or employment contained in Section 408.809, F.S., are not subject to subsequent or additional Level 2 background screening pursuant to Chapter 435, F.S., or the unique screening requirements of Section 430.0402, F.S., by virtue of their employment as a direct service provider, if they are providing a service that is within the scope of their licensed practice.

(5) ELECTRONIC SUBMISSION OF FINGERPRINTS.

Beginning August 1, 2010, fingerprints submitted pursuant to Chapter 435, F.S., must be submitted electronically to FDLE, pursuant to subsection (6) of this rule, unless there exists a hardship as acknowledged by the Department, which prevents an individual's fingerprints from being submitted electronically. In such instances, ink-based fingerprints are sufficient to satisfy the provisions of this rule, but only until July 1, 2012, when all must be submitted electronically pursuant to Section 435.04, F.S.

(6) SCREENERS.

Any screening company listed on the FDLE website as authorized to perform Level 2 LiveScan background screenings may be utilized to provide screening pursuant to this rule, so long as such screening company verifies in writing to the employer that all screeners have been subject to, and passed, a Level 1 background screening under the standards set forth in Chapter 435, F.S.

(7) SHARING OF SCREENING RESULTS.

The information that a particular direct service provider has successfully passed a Level 2 background screening may be shared among DOEA programs and providers. In addition, passage of a Level 2 background screening for one program or provider shall constitute passage for all programs and providers. However, the use of a Level 2 background screening by a subsequent program or provider shall not affect the applicable date for rescreening pursuant to paragraph (3)(d) of this rule, if any. No information other than the fact that the applicant passed Level 2 screening may be shared.

Rulemaking Authority 430.08, 435.01(2) FS. Law Implemented 430.0402 FS. History--New 8-2-10.

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: August 2, 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 CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: 65CER10-2
 RULE TITLE: General Information

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: With the passage of HB 5311 the Department of Health ceased inspection of food service establishments in child care facilities effective July 1, 2010. Currently, Chapter 65C-22, Florida Administrative Code, does not have specific standards for food hygiene. The intent of this emergency rule revision is to create the necessary verbiage that will appropriately reflect food hygiene standards for continued safety and well-being of the children served by Department of Children and Families. This emergency rule revision will allow the Department to inspect the food hygiene standards in child care facilities that provide food service.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Chapter 65C-22, Florida Administrative Code is the most efficient means of providing guidance to protect the health, safety, and welfare of children attend child care licensed by the Department.

SUMMARY: The new rule provides standards for the regulation of food hygiene in licensed child care programs.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Dinah Gallon, Child Care Program Office, 1317 Winewood Boulevard, Building 6, Room 388, Tallahassee, Florida 32399, phone: (850)488-4900 Email: Dinah_Gallon@dcf.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

65CER10-2 (65C-22.001) General Information.

(1) Application.

(a) Application for a license or for renewal of a license to operate a child care facility must be made on CF-FSP Form 5017, March 2009, Application for a License to Operate a Child Care Facility, which is incorporated by reference. CF-FSP Form 5017 may be obtained from the department's website at www.myflorida.com/childcare.

(b) Each completed CF-FSP Form 5017 must be submitted with the licensure fee pursuant to Section 402.315, F.S.

(c) The completed CF-FSP Form 5017 must be signed by the individual owner, prospective owner, or the designated representative of a partnership, association, or corporation, and must include submission of background screening documents for the owner/operator, and an approved fire ~~and environmental health~~ inspections.

(d) A completed CF-FSP Form 5017 for renewal of an annual license must be submitted to the licensing authority at least 45 days prior to the expiration date of the current license to ensure that a lapse of licensure does not occur. Failure to submit a completed CF-FSP Form 5017 at least 45 days prior to the expiration date of the current license constitutes a licensing violation as defined in paragraph 65C-22.010(2)(d), F.A.C.

(e) Urban Child Care.

1. In order to be classified as an urban child care facility, the applicant, prior to submitting an application for licensure must:

a. Obtain written documentation from the local governing body that confirms the geographical area has been declared urban; and

b. Consult with the licensing authority to verify that the required outdoor play space, required by subsection 65C-22.002(4), F.A.C., does not exist or cannot be made available. Urban designation will not be granted if the licensing authority determines space for an outdoor play area is available. Outdoor play space is "available" if appropriate space:

(I) Is adjacent to the facility, or

(II) Can be reached by a route that is free of hazards and is within 1/8 mile of the facility.

2. If requirements in subparagraph 1., above, are met, the applicant must complete and submit the CF-FSP Form 5017.

3. No application for an urban child care facility designation will be approved by the licensing authority without the above criteria being met.

(2) License.

(a) A child care facility license is issued in the name of the owner. The owner may be an individual, partnership, association, or corporation.

(b) At least one week prior to changing ownership of a child care facility, in compliance with Section 402.305(18), F.S., one of the following methods of notification to custodial parents or legal guardians must be observed:

1. Posting a notice in a conspicuous location at the facility;
2. Incorporating information into an existing newsletter; or
3. Individual letters or flyers.

(c) The total number of children in care on-site and while on field trips may never exceed the facility's licensed capacity.

(d) The Department may issue a provisional license allowing a facility to operate for a designated period of time while working to correct one or more licensing standard(s) not met, provided the owner is making adequate provisions to ensure the health and safety of the children in care. A provisional license is not a disciplinary sanction.

(3) Minimum Age Requirements. In the absence of the operator, there must be a staff person at least 21 years of age in charge of the child care facility, and on the premises at all times.

(4) Ratios.

(a) The staff-to-child ratio, as established in Section 402.305(4), F.S., is based on primary responsibility for the direct supervision of children, and applies at all times while children are in care.

(b) Mixed Age Groups.

1. In groups of mixed age ranges, where children under one year of age are included, one staff member shall be responsible for no more than four children of any age group, at all times.

2. In groups of mixed age ranges, where children one year of age but under two years of age are included, one staff member shall be responsible for no more than six children of any age group, at all times.

(c) For every 20 children, a child care facility must have one credentialed staff member pursuant to Section 402.305(3), F.S.

(5) Supervision.

(a) Direct supervision means watching and directing children's activities within the same room or designated outdoor play area, and responding to the needs of each child. Child care personnel at a facility must be assigned to provide direct supervision to a specific group of children, and be present with that group of children at all times. When caring for school-age children, child care personnel shall remain responsible for the supervision of the children in care, shall be capable of responding to emergencies, and are accountable for children at all times, including when children are separated from their groups.

(b) During nap time, supervision requires that staff be in close proximity, within sight and hearing of all the children. All other staff required to meet the staff-to-child ratio shall be within the same building on the same floor, and must be readily accessible and available to be summoned to ensure the safety of the children. Nap time supervision, as described in this section, does not include supervision of children up to 24 months of age, who must be directly supervised at all times.

(c) No person shall be an operator, owner, or employee of a child care facility while using or under the influence of narcotics, alcohol, or other drugs that impair an individual's ability to provide supervision and safe child care.

(d) Additional Supervision Requirements.

1. In addition to the number of staff required to meet the staff-to-child ratio, for the purpose of safety, one additional adult must be present on all field trips away from the child care facility to assist in providing direct supervision.

2. If a child care facility uses a swimming pool that exceeds three feet in depth or uses beach or lake areas for water activities, the child care facility must provide one person with a certified lifeguard certificate or equivalent unless a certified lifeguard is on duty and present when any children are in the swimming area. In situations where the child care facility provides a person with a certified lifeguard certificate or equivalent, that person can also serve as the additional adult to meet the requirement in subparagraph (d)1., above.

3. A telephone or other means of instant communication shall be available to staff responsible for children during all field trips. Cellular phones, two-way radio devices, citizen band radios, and other means of instant communication are acceptable.

(6) Transportation. For the purpose of this section, vehicles refer to those that are owned, operated or regularly used by the child care facility and vehicles that provide transportation through a contract or agreement with an outside entity. Parents' personal vehicles used during field trips are excluded from meeting the requirements in paragraphs 65C-22.001(6)(a)2., (b) and (c), F.A.C.

(a) When any vehicle is regularly used by a child care facility to provide transportation, the driver shall have the following:

1. A valid Florida driver's license,

2. An annual physical examination which grants medical approval to drive, and valid certificate(s) of course completion for first aid training and infant and child cardiopulmonary resuscitation (CPR) procedures.

(b) All child care facilities must comply with the insurance requirements found in Section 316.615(4), F.S.

(c) All vehicles regularly used to transport children shall be inspected annually by a mechanic to ensure proper working order. Documentation by the mechanic shall be maintained in the vehicle.

(d) The maximum number of individuals transported in a vehicle may not exceed the manufacturer's designated seating capacity or the number of factory installed seat belts.

(e) Each child, when transported, must be in an individual factory installed seat belt or federally approved child safety restraint, unless the vehicle is excluded from this requirement by Florida Statute.

(f) When transporting children, staff-to-child ratios must be maintained at all times. The driver may be included in the staff-to-child ratio. Prior to transporting children and upon the vehicle(s) arrival at its destination, the following shall be conducted by the driver(s) of the vehicle(s) used to transport the children:

1. Driver's Log. A log shall be maintained for all children being transported in the vehicle. The log shall be retained for a minimum of four months. The log shall include each child's name, date, time of departure, time of arrival, signature of driver, and signature of second staff member to verify the driver's log and that all children have left the vehicle.

2. Upon arrival at the destination, the driver of the vehicle shall:

a. Mark each child off the log as the children depart the vehicle;

b. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and

c. Sign, date and record the driver's log immediately, verifying that all children were accounted for, and that the visual sweep was conducted.

3. Upon arrival at the destination, a second staff member shall:

a. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and

b. Sign, date and record the driver's log immediately, verifying that all children were accounted for and that the log is complete.

(g) Each vehicle shall be equipped with contact information for all children being transported. When transporting children with chronic medical conditions (such as asthma, diabetes or seizures), their emergency care plans and supplies or medication shall be available. The responsible adult shall be trained to recognize and respond appropriately to the emergency.

(7) Planned Activities.

(a) Each age group or class must have a written and followed plan of scheduled daily activities posted in a conspicuous location accessible to parents. The written plan must meet the needs of the children being served and include scheduled activities that:

1. Promote emotional, social, intellectual and physical growth;

2. Include quiet and active play, both indoors and outdoors; and

3. Include meals, snacks and nap times, if appropriate for the age and the times the children are in care.

(b) Providers are encouraged to advise parents or legal guardians of their child's activities on a daily basis and to participate in the program's activities.

(c) Parents or legal guardians must be advised in advance of each field trip activity. The date, time and location of the field trip must be posted in a conspicuous location at least two working days prior to each field trip. Written parental permission must be obtained in the form of a general permission slip. If special circumstances arise where notification of an event cannot be posted for two working days, individual permission slips must be obtained from the custodial

parent or legal guardian for each child participating on the field trip. Documentation of parental permission for field trips shall be maintained for a minimum of four months from the date of each field trip.

(8) Child Discipline.

(a) Verification that the child care facility has provided, in writing, the disciplinary policy used by the facility shall be documented on the enrollment form with the signature of the custodial parent or legal guardian.

(b) All child care personnel must comply with the facility's written disciplinary policy. Such policies shall include standards that prohibit children from being subjected to discipline which is severe, humiliating, frightening, or associated with food, rest, or toileting. Spanking or any other form of physical punishment is prohibited for all child care personnel.

(c) A copy of the facility's current written disciplinary policy must be available to the licensing authority to review for compliance with Section 402.305(12), F.S.

(9) Access. A child care facility must provide the custodial parent or legal guardian access, in person and by telephone, to the child care facility during the facility's normal hours of operation or during the time the child is in care.

(10) Attendance. Daily attendance of children shall be taken and recorded by the child care facility personnel, documenting the time when each child enters and departs a child care facility or program. The custodial parent or guardian may document the time when their child(ren) enter and depart the child care facility or program. However, child care facility personnel are responsible for ensuring that attendance records are complete and accurate. Such records shall be maintained for a minimum of four months. Attendance forms used for Voluntary Pre-Kindergarten or School Readiness may be used if applicable.

(11) Child Safety.

(a) Acts or omissions that meet the definition of child abuse or neglect provided in Chapter 39, F.S., constitute a violation of the standards in Sections 402.301-.319, F.S., and shall support imposition of a sanction, as provided in Section 402.310, F.S.

(b) Failure to perform the duties of a mandatory reporter pursuant to Section 39.201, F.S., constitutes a violation of the standards in Sections 402.301-.319, F.S.

Rulemaking Authority 402.305, 402.309 FS. Law Implemented 402.305, 402.309, 402.3055, 402.308, 402.310 FS. History--New 6-1-97, Amended 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10, 7-29-10.

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 29, 2010

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: 65CER10-3
 RULE TITLE: Food and Nutrition

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: With the passage of HB 5311 the Department of Health ceased inspection of food service establishments in child care facilities effective July 1, 2010. Currently, Chapter 65C-22, Florida Administrative Code, does not have specific standards for food hygiene. The intent of this emergency rule revision is to create the necessary verbiage that will appropriately reflect food hygiene standards for continued safety and well-being of the children served by Department of Children and Families. This emergency rule revision will allow the Department to inspect the food hygiene standards in child care facilities that provide food service.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Chapter 65C-22, Florida Administrative Code is the most efficient means of providing guidance to protect the health, safety, and welfare of children attend child care licensed by the Department.

SUMMARY: The new rule provides standards for the regulation of food hygiene in licensed child care programs.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Dinah Gallon, Child Care Program Office, 1317 Winewood Boulevard, Building 6, Room 388, Tallahassee, Florida 32399, phone: (850)488-4900 Email: Dinah_Gallon@dcf.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

65CER10-3 (65C-22.005) Food and Nutrition.

(1) Nutrition.

(a) If a facility chooses to supply food, it shall provide nutritious meals and snacks of a quantity and quality to meet the daily nutritional needs of the children. The USDA MyPyramid, April 2005, which is incorporated by reference, shall be used to determine what food groups to serve at each meal or snack and the serving size of the selected foods for children ages two and older. The categories "oils" and "discretionary calories" may not be considered food groups. Copies of the USDA MyPyramid may be obtained from the USDA website at www.mypyramid.gov. Using the USDA MyPyramid, breakfast shall consist of at least three different food groups, lunch and dinner shall consist of at least four different food groups, and snacks shall consist of at least two different food groups. Operators who participate in the USDA Food Program shall provide nutritious meals and snacks in accordance with the Department of Health and the USDA requirements.

(b) If a facility chooses not to provide meals and snacks, arrangements must be made with the custodial parent or legal guardian to provide nutritional food for the child.

(c) If a special diet is required for a child by a physician, a copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet shall be maintained in the child's file. If the custodial parent or legal guardian notifies the child care facility of any known food allergies, written documentation must be maintained in the child's file for as long as the child is in care. Special food restrictions must be shared with staff and must be posted in a conspicuous location.

(d) Meal and snack menus shall be planned, written, and posted at the beginning of each week. Menus shall be dated and posted in the food service area and in a conspicuous place accessible to parents. Any menu substitution shall be noted on the menu. Daily meal and snack menus shall be maintained for a minimum of four months for licensing purposes. Operators who participate in the USDA Food Program must keep menus in accordance with the Department of Health and the USDA requirements.

(2) ~~Food Hygiene Preparation Area.~~ All licensed child care facilities that supply food must comply with requirements outlined ~~approved by the Environmental Health Section to prepare food shall have documentation on file from the Department of Health verifying the facility meets the applicable requirements as specified in Chapter 64E-11, F.A.C., Food Hygiene.~~

(3) Food Service.

(a) Children shall be individually fed or supervised at feeding, and offered foods appropriate for their ages.

(b) Single service paper or plastic plates, utensils, and cups shall not be reused. Plates, utensils, cups, bottles, and sippy cups provided by the facility that are not disposable shall be washed, rinsed, and sanitized between uses.

(c) There shall be no propped bottles. If a child cannot hold the bottle, then a staff person or volunteer must hold the bottle during feeding. There shall be no automatic feeding devices unless medically prescribed. Formula shall be refrigerated and handled in a sanitary manner at all times.

(d) All bottles and sippy cups prepared and used continuously throughout the day or brought from home shall be individually labeled with the child's first and last name. Sippy cups and bottles brought from home shall be returned to the custodial parent or legal guardian daily.

(e) Heated foods and bottles must be tested before feeding to ensure heat is evenly distributed and to prevent injury to children.

(f) Facilities shall provide sufficient age appropriate seating so that children are seated at tables for meals.

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History—New 6-1-97, Amended 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, 4-12-07, Repromulgated 5-1-08, Amended 1-13-10, 7-29-10.

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 29, 2010

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: 65CER10-4
 RULE TITLE: School Age Child Care

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: With the passage of HB 5311 the Department of Health ceased inspection of food service establishments in child care facilities effective July 1, 2010. Currently, Chapter 65C-22, Florida Administrative Code, does not have specific standards for food hygiene. The intent of this emergency rule revision is to create the necessary verbiage that will appropriately reflect food hygiene standards for continued safety and well-being of the children served by Department of Children and Families. This emergency rule revision will allow the Department to inspect the food hygiene standards in child care facilities that provide food service.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Chapter 65C-22, Florida Administrative Code is the most efficient means of providing guidance to protect the health, safety, and welfare of children attend child care licensed by the Department.

SUMMARY: The new rule provides standards for the regulation of food hygiene in licensed child care programs.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Dinah Gallon, Child Care Program Office, 1317 Winewood Boulevard, Building 6, Room 388, Tallahassee, Florida 32399, phone: (850)488-4900 Email: Dinah_Gallon@dcf.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

65CER10-4 (65C-22.008) School Age Child Care.

(1) Definitions.

(a) "School-Age Child" means a child who is at least five years of age by September 1st of the beginning of the school year and who attends kindergarten through grade five.

(b) "School-Age Child Care Program" means any licensed child care facility serving school-aged children as defined in paragraph (1)(a), above or any before and after school programs that are licensed as a child care facility defined in Section 402.302, F.S., and serve only school-aged children as defined in paragraph (1)(a), above.

(2) Licensure Requirements.

(a) An after school program exempted under subparagraph (2)(c)1. or 3., below may become licensed if they choose to meet all of the applicable licensing standards in subsection (3) below.

(b) After school programs that choose to expand their program beyond the parameters in subparagraphs (2)(c)1. through 4., below must be assessed to determine if licensure is required. Any of the after school programs accepting children under the age of the school-age child as defined in paragraph (1)(a) above, must be licensed.

(c) An "After School Program" serving school-age children is not required to be licensed if the program meets one of the following criteria, and complies with the minimum background screening requirements provided in Sections 402.305 and 402.3055, F.S.:

1. Program is located on public/nonpublic school sites, operated and staffed directly by that school or through a written or formal agreement between the school and a provider to serve school-age children attending the school. These programs exclusively serve those children who attend the public/nonpublic school during the school day. The program may extend to providing services before school, on teacher planning days, holidays, and intercessions that occur during the school district's official calendar year. Pursuant to Section 402.305(5), F.S., programs operated in public school facilities, regardless of the operator, shall follow the standards set forth by the Florida Building Code State Requirements for Public Educational Facilities; or

2. Program provides activities that are strictly instructional or tutorial/academic in nature. These programs cannot extend beyond the instructional and tutorial/academic activities of that program and cannot serve or prepare meals. The program may choose to provide drinks, snacks, and vending machine items that do not require refrigeration. Some examples of these programs include, but are not limited to, computer class; ballet; karate; gymnastics; baseball, and other sports; or

3. Program meets all of the following criteria:

a. Operates for a period not to exceed a total of four hours in any one day; however, the program may extend to providing services before school, on teacher planning days, holidays, and intercessions that occur during the school district's official calendar year; and

b. Allows children to enter and leave the program at any time, without adult supervision; and

c. Does not provide any transportation, directly or through a contract or agreement with an outside entity, for the purpose of field trips, during the hours of operation; and

d. Does not serve or prepare any meals or snacks. The program may choose to provide drinks, snacks, and vending machine items that do not require refrigeration; or

4. Provides after school care exclusively for children in grades six and above.

(d) Application for licensure. Application for a license or for renewal of a license to operate a school-age child care program must be made on CF-FSP Form 5017, March 2009, Application for a License to Operate a Child Care Facility, which is incorporated by reference. CF-FSP Form 5017 may be obtained from the department's website at www.myflorida.com/childcare.

1. Each completed CF-FSP Form 5017 must be submitted with the licensure fee.

2. The completed CF-FSP Form 5017 must be signed by the individual owner, or prospective owner, or the designated representative of a partnership, association, or corporation, and must include submission of background screening documents for the owner/operator, and an approved fire ~~and environmental health~~ inspections.

3. For the purpose of issuing a license, any out-of-state criminal offense, which if committed in Florida would constitute a disqualifying felony offense, shall be treated as a disqualifying felony offense for screening purposes under this rule.

4. A completed CF-FSP Form 5017 for renewal of an annual license must be submitted to the licensing authority at least 45 days prior to the expiration date of the current license to ensure that a lapse of licensure does not occur. Failure to submit a completed CF-FSP Form 5017 at least 45 days prior to the expiration date of the current license constitutes a licensing violation as defined in paragraph 65C-22.010(2)(d), F.A.C.

(e) License. A school-age child care license is issued in the name of the owner. The owner may be an individual, partnership, association, or corporation, and the license must be posted in a conspicuous location where the school-age child care program is operating.

(3) School-Age Child Care Standards. The following school-age child care standards apply to "School-Age Child Care Programs" as defined in paragraph (1)(b), above. These programs must meet the following licensing standards:

(a) Minimum Age Requirements. In the absence of the operator, there must be a staff person at least 21 years of age in charge of the school-age child care program and on the premises at all times.

(b) Ratios. For children five years of age and older, there must be one child care personnel for every 25 children.

(c) Supervision. When caring for school-age children, child care personnel shall remain responsible for the supervision of the children in care and capable of responding to emergencies, and are accountable for children at all times, which includes when children are separated from their groups. At all times lighting must be sufficient to visually observe and supervise children while in care.

1. No person shall be an operator, owner, or employee in a school-age child care program while using or under the influence of narcotics, alcohol, or other drugs that impair an individual's ability to provide supervision and safe child care.

2. In addition to the number of staff required to meet the staff-to-child ratio, for the purpose of safety, one additional adult must be present on all field trips away from the school-age child care program to assist in providing direct supervision.

3. A telephone or other means of instant communication shall be available to staff responsible for children during all field trips. Cellular phones, two-way radio devices, citizen band radios, and other means of instant communication are acceptable.

4. If a school-age child care program uses a swimming pool that exceeds three feet in depth or uses beach or lake areas for water activities, the school-age child care program must provide one person with a certified lifeguard certificate or equivalent, unless a certified lifeguard is on duty and present when any children are in the swimming area. In situations where the school-age child care program provides a person with a certified lifeguard certificate or equivalent, that person can also serve as the additional adult to meet the requirement in subparagraph (c)2., above.

(d) Access. A school-age child care program must provide the custodial parent or legal guardian access, in person and by telephone, to the program during the program's normal hours of operation or during the time the child is in care.

(e) General Requirements.

1. All school-age child care program facilities must be clean, in good repair, and free from health and safety hazards and from vermin infestation. During the hours that the program is in operation, no portion of the building shall be used for any activity which endangers the health and safety of the children. It is the responsibility of the director/owner that all areas of the facility are free from fire hazards, such as lint and dust build up in heating and air vents, filters, exhaust fans, ceiling fans, and dryer vents.

2. All areas and surfaces accessible to children shall be free from toxic substances and hazardous materials.

3. All potentially harmful items including cleaning supplies, flammable products, poisonous, toxic, and hazardous materials must be labeled. These items, including knives, sharp tools, and other potential dangerous hazards, shall either be stored in a locked area or must be inaccessible and out of a child's reach.

4. No firearms or weapons, as defined in Section 790.001, F.S., shall be allowed within any building or upon any person located on the premises, excluding federal, state, or local Law Enforcement Officers.

5. No narcotics, alcohol, or other impairing drugs shall be present on the premises.

6. Animals must be properly immunized, free from disease, and clean. Parents must be informed in writing of all animals on the premises. Such information may be provided by way of a conspicuously posted notice or bulletin, policy handbook, parent flier, or a statement included on the enrollment form. Documentation of current immunizations must be available for review upon request by the licensing authority.

7. Pursuant to Chapter 386, F.S., smoking is prohibited within the school-age child care facility, all outdoor areas, during field trips, and in vehicles when being used to transport children. Owner/operators are to notify custodial parents and legal guardians, in writing that smoking is prohibited on the premises of the child care facility.

8. Design and construction of a new child care facility or modifications to an existing facility must meet the minimum requirements of the applicable local governing body.

(f) Rooms Occupied by Children.

1. An inside temperature of 65 to 82 degrees Fahrenheit must be maintained at all times.

2. Cleaning shall not take place while rooms are occupied by children except for general clean-up activities which are a part of the daily routine.

3. Pest control shall not take place while rooms are occupied by children.

(g) Napping and Sleeping Space. For the purposes of this standard, sleeping refers to the normal night time sleep cycle while napping refers to a brief period of rest during daylight or early evening hours. Each school-age child care program must include a designated area where each child can sit quietly or lie down to rest or nap. When not in use, napping space and usable indoor floor space may be used interchangeably as described in paragraph (3)(i), below.

(h) Toilet and Bath Facilities.

1. Each school-age child care program shall provide and maintain toilet and bath facilities that are easily accessible and at a height usable by the children. Platforms are acceptable when safely constructed, with impervious surfaces that can be easily cleaned and sanitized or disinfected.

2. For facilities having from one to fifteen children, there shall be at least one toilet and one wash basin. There shall be one additional toilet and basin for every 30 children thereafter. For design and construction of a new child care facility or modification to an existing facility, subparagraph (3)(e)8., above shall apply.

3. Toilet facilities shall not open directly into an area where food is prepared. A toilet facility may open directly into an area used by children where food is served.

4. Running water, soap, trash receptacles, toilet paper, and disposable towels or hand drying machines that are properly installed and maintained shall be available and within reach of children using the toileting facility.

5. Each basin and toilet must be maintained in good operating condition, cleaned and sanitized or disinfected as needed, at least once per day.

(i) Indoor Floor Space.

1. A school-age child care program that held a valid license on October 1, 1992, must have a minimum of 20 square feet of usable indoor floor space for each child. A school-age child care program that did not hold a valid license on October 1, 1992, and seeks regulatory approval to operate as a school-age child care program, must have a minimum of 35 square feet of usable indoor floor space for each child.

2. Usable indoor floor space refers to that space available for indoor play, classroom, work area, or nap space. Usable indoor floor space is calculated by measuring at floor level from interior walls and by deleting space for stairways, toilets and bath facilities, permanent fixtures and non-movable furniture. Kitchens, offices, laundry rooms, storage areas, hallways, and other areas not used in normal day-to-day operations are not included when calculating usable indoor floor space.

3. In addition to the total facility minimum square footage per child, each room that is routinely occupied by children must have a minimum of 20 square feet or 35 square feet (whichever is applicable) per child at all times.

a. The capacity, as calculated by the licensing authority for each room, must be posted in a conspicuous location within the room.

b. When common or multi-purpose areas are used for dining or occasional large group assembly activities and special events, the applicable 20 or 35 square feet requirement of usable space for each child does not apply for that period of time only; however, the facility must maintain minimum square footage per child in accordance with the requirements of the local fire authority.

4. Shelves or storage for toys and other materials shall be considered as usable indoor floor space if accessible to children.

5. A school-age child care program may request in writing permission from the licensing authority to operate under an exception to usable indoor floor space as specified in paragraph (3)(i), above. The written request must include an explanation of why the exception is necessary as well as an alternate plan to accommodate instances of inclement weather.

(j) Outdoor Play Area.

1. There shall be a minimum of 45 square feet of usable, safe and sanitary outdoor play area per each school-age child. A minimum outside play area shall be provided for one-half of the licensed capacity.

2. Based on the outdoor square footage, the total number of children using the play area may not exceed the outdoor capacity.

3. The outdoor play area shall be clean and free from litter, nails, glass, and other hazards.

4. The outdoor play area shall provide shade.

5. During outdoor play, personnel must situate themselves in the outdoor play area so that all children can be observed and direct supervision can be provided.

6. The facility's outdoor play area shall be fenced in accordance with local ordinances to prevent access by children to all water hazards within or adjacent to outdoor play areas, such as pools, ditches, retention and fish ponds.

7. The outdoor play area shall have and maintain safe and adequate fencing or walls a minimum of four feet in height. Fencing, including gates, must be continuous and shall not have gaps that would allow children to exit the outdoor play area. The base of the fence must remain at ground level, and be free from erosion or build-up to prevent inside or outside access by children or animals.

8. A school-age child care program may request in writing permission from the licensing authority to operate under an exception to outdoor floor space as specified above. The written request must include an explanation of why the exception is necessary as well as an alternate plan for inclusion of fine and gross motor skills opportunities. If not requesting an exemption to the outdoor play area, the school-age child care program may operate without a fence if all the following provisions are met:

a. The children using the outdoor play area are in five year old kindergarten and grades one or above;

b. In addition to the established staff-to-child ratios, for the purpose of safety, an additional staff member is present at all times during outdoor activities, to assist in providing direct supervision;

c. The outdoor play area is bordered by a road or street open to travel by the public with a posted or unposted speed limit of no more than 25 miles per hour, or where the posted or unposted speed limit is no greater than 35 miles per hour and the playground is a minimum of 30 feet from the edge of the road; and

d. The licensing authority has provided written authorization to the program to operate without a fence.

(k) Health and Sanitation.

1. All buildings, when the windows or doors are open, must have and maintain screens to prevent entrance of any insect or rodent. Screens are not required for open air classrooms and picnic areas.

2. Employees, volunteers, and children shall wash their hands with soap and running water, dry thoroughly and follow personal hygiene procedures for themselves, or while assisting others, and immediately after outdoor play.

3. Safe drinking water shall be available to all children. If disposable cups are used, they must be discarded after each use.

~~4. School-age child care programs must have written documentation from the local Environmental Health Unit that they have either met or have been exempted from local environmental health standards.~~

(l) Equipment and Furnishings.

1. Indoor Equipment.

a. A school-age child care program shall make available toys, equipment and furnishings suitable to each child's age and development and of a quantity suitable for each child to be involved in activities.

b. Toys, equipment and furnishings must be safe and maintained in a sanitary condition, and shall be cleaned and sanitized or disinfected immediately if exposed to bodily fluids, such as saliva.

2. Outdoor Equipment.

a. A school-age child care program shall provide and maintain equipment and play activities suitable to each child's age and development.

b. All playground equipment shall be securely anchored, unless portable or stationary by design, in good repair, maintained in safe condition, and placed to ensure safe usage by the children. Maintenance shall include inspections, at least every other month, of all supports above and below the ground and all connectors and moving parts. Documentation of maintenance inspections shall be maintained for one year.

c. Permanent or stationary playground equipment must have a ground cover or other protective surface under the equipment that provides resilience, and is maintained to reduce the incidence of injuries to children in the event of falls.

d. All equipment, fences, and objects on the program's premises shall be free from sharp, broken and jagged edges, and shall be properly placed to prevent overcrowding or safety hazards in any one area.

e. All equipment used in the outdoor play area shall be constructed and maintained to allow for water drainage, and shall be maintained in a safe and sanitary condition.

(m) Health Related Requirements.

1. Communicable Disease Control.

a. Children in care shall be observed on a daily basis for signs of communicable disease. Any child, child care personnel or other person in the school-age child care program suspected of having a communicable disease shall be removed from the program or placed in an isolation area until removed. Such person may not return without medical authorization, or until the signs and symptoms of the disease are no longer present. A child's condition shall be reported to the custodial parent or legal guardian. Signs and symptoms of a suspected communicable disease include the following:

(I) Severe coughing, causing a child to become red or blue in the face or to make a whooping sound;

(II) Difficult or rapid breathing;

(III) Stiff neck;

(IV) Diarrhea (more than one abnormally loose stool within a 24 hour period);

(V) Temperature of 101 degrees Fahrenheit or higher when in conjunction with any other signs of illness;

(VI) Pink Eye;

(VII) Exposed, open skin lesions;

(VIII) Unusually dark urine and/or gray or white stool;

(IX) Yellowish skin or eyes; or

(X) Any other unusual sign or symptom of illness.

b. A child identified as having head lice shall not be permitted to return until the following day, only if treatment has occurred and has been verified. Verification of treatment may include a product box, box top, empty bottle, or signed statement by a parent that treatment has occurred. The child care facility must treat areas, equipment, toys, and furnishings with which the child has been in contact.

c. Isolation Area. Each school-age child care program shall have a designated isolation area for a child who becomes ill while in care of the program. Such space shall be adequately ventilated, heated, and equipped with a bed, mat, or cot, and materials that can be cleaned and sanitized or disinfected easily. Linens shall be changed after each use and used linens shall be kept in a closed container in the isolation area until cleaned. Disposable items shall be kept in a closed container in the isolation area until thrown away. The isolated child must be within sight and hearing of a staff person at all times. The child must be carefully observed for worsening conditions.

d. Outbreaks. Operators are required to notify the local county health department immediately upon any suspected outbreak of communicable disease in accordance with Chapter 64D-3, F.A.C., Communicable Disease Control and must follow the health department's direction. A suspected outbreak occurs when two or more children or employees have the onset of similar signs or symptoms, as outlined in sub-subparagraph (3)(m)1.a., above, within a 72-hour period or when a case of a serious or reportable communicable disease is diagnosed or suspected on a child or employee.

2. First Aid, Cardiopulmonary Resuscitation and Emergency Procedures.

a. Each school-age child care program must have at least one staff member with current and valid certificate(s) of course completion for first aid training and child cardiopulmonary resuscitation (CPR) procedures. One staff member satisfying these training requirements shall be present at all times that children are in care at the program, both on-site and on field trips. A field trip includes all activities away from the program excluding regular transportation to and from the program, i.e., pick-up and drop-off.

b. Certificate(s) of course completion are valid based on the time frames established by each first aid and CPR training program, not to exceed three years. CPR courses must include on-site instructor-based skill assessments by a certified CPR instructor. Documentation of completion of the online course

and on-site assessment must be maintained at the facility and available for review by the licensing authority. Documentation that identifies staff members have met the first aid and child cardiopulmonary resuscitation (CPR) training requirement shall be kept on file at the school-age child care program facility.

c. At least one first aid kit must be maintained on the premises of the school-age child care program at all times. A first aid kit must also accompany child care staff when children are participating on field trips. Each kit shall be in a closed container and labeled "First Aid." The kits shall be accessible to the child care staff at all times and kept out of the reach of children. Each kit must at a minimum include:

(I) Soap,

(II) Band-aids or equivalent,

(III) Disposable non-porous gloves,

(IV) Cotton balls or applicators,

(V) Sterile gauze pads and rolls,

(VI) Adhesive tape,

(VII) Thermometer,

(VIII) Tweezers,

(IX) Pre-moistened wipes,

(X) Scissors, and

(XI) A current resource guide on first aid and CPR procedures.

3. Emergency Procedures and Notification.

a. Emergency telephone numbers, including ambulance, fire, police, poison control center, Florida Abuse Hotline, the county public health unit and the address and directions to the facility, including major intersections and local landmarks, must be posted on or near all school-age child care program telephones and shall be used to protect the health, safety and well-being of any child in day care.

b. Custodial parents or legal guardians shall be notified immediately in the event of any serious illness, accident, injury or emergency to their child and their specific instructions regarding action to be taken under such circumstances shall be obtained and followed. If the custodial parent or legal guardian cannot be reached, the school-age child care program owner will contact those persons designated by the custodial parent or legal guardian to be contacted under these circumstances, and shall follow any written instructions provided by the custodial parent or legal guardian on the enrollment form.

c. All accidents and incidents which occur at a school-age child care program or while a child is in the care of program staff must be documented on the day they occur. This documentation must be shared with the custodial parent or legal guardian on the date of occurrence. Documentation shall include the name of the affected party, date and time of occurrence, description of occurrence, actions taken and by whom, and appropriate signatures of program staff and custodial parent or legal guardian. The documentation must be

maintained for one year. If the parent or legal guardian does not pick up the child on the date of occurrence of the accident or incident, the individual authorized to pick up the child must sign and be provided a copy of the accident/incident form.

4. Medication. School-age child care programs are not required to give medication; however, if a program chooses to do so, the following shall apply:

a. The school-age child care program must have written authorization from the custodial parent or legal guardian to dispense prescription and non-prescription medications. This authorization must be dated and signed by the custodial parent or legal guardian and contain the child's name; the name of the medication to be dispensed; and date, time and amount of dosage to be given. This record shall be initialed or signed by the program personnel who gave the medication.

b. Any known allergies to medication or special restrictions must also be documented, maintained in the child's file, shared with staff and posted with stored medication.

c. Prescription and non-prescription medication brought to the school-age child care program by the custodial parent or legal guardian must be in the original container. Prescription medication must have a label stating the name of the physician, child's name, name of the medication, and medication directions. All prescription and non-prescription medication shall be dispensed according to written directions on the prescription label or printed manufacturer's label.

d. In the event of an emergency, non-prescription medication that is not brought in by the parent or legal guardian can be dispensed only if the program has written authorization from the parent or legal guardian to do so.

e. Any medication dispensed under these conditions must be documented in the child's file and the custodial parent or legal guardian must be notified on the day of occurrence.

f. The facility must maintain a record for each child receiving medications that documents the full name of the child, the name of medication, the date and time the medication was dispensed, the amount and dosage, and the name of the person who dispensed the medication. The record shall be maintained for a minimum of four months after the last day the child received the dosage.

g. All medicine must have child resistant caps, if applicable, and shall either be stored in a locked area or must be inaccessible and out of a child's reach.

h. Medication that has expired or that is no longer being dispensed shall be returned to the custodial parent or legal guardian or discarded if the child is no longer enrolled at the school-age child care program.

(n) Child Discipline.

1. Verification that the school-age child care program has provided, in writing, the disciplinary policy used by the program shall be documented on the enrollment form with the signature of the custodial parent or legal guardian.

2. All child care personnel must comply with the school-age child care program's written disciplinary policy. Such policies shall include standards that prohibit children from being subjected to discipline that is severe, humiliating, frightening, or associated with food, rest, or toileting. Spanking or any other form of physical punishment is prohibited by all child care personnel.

3. A copy of the school-age child care program's current written disciplinary policies must be available to the licensing authority to review for compliance with Section 402.305(12), F.S.

(o) Attendance. Daily attendance of children shall be taken and recorded by the school-age child care program personnel, documenting the time when each child enters and departs a child care facility or program. The custodial parent or guardian may document the time when their child(ren) enter and depart the child care facility or program. However, child care facility personnel are responsible for ensuring that attendance records are complete and accurate. Such records shall be maintained for a minimum of four months. Attendance forms used for School Readiness may be used if applicable.

(p) Nutrition.

1. If a school-age child care program chooses to supply food, it shall provide nutritious meals and snacks of a quantity and quality to meet the daily nutritional needs of the children. The USDA My Pyramid, April 2005, shall be used to determine what food groups to serve at each meal or snack and the serving size of the selected foods for children ages two and older. Using the USDA My Pyramid, breakfast shall consist of at least three different food groups, lunch and dinner shall consist of at least four different food groups, and snacks shall consist of at least two different food groups. The categories "oils" and "discretionary calories" may not be considered food groups. Copies of the USDA My Pyramid may be obtained from the USDA website at www.mypyramid.gov.

2. If a school-age child care program chooses not to provide meals and snacks, arrangements must be made with the custodial parent or legal guardian to provide nutritional food for the child.

3. If a special diet is required for a child by a physician, a copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet shall be maintained in the child's file. If the parent or legal guardian notifies the school-age child care program of any known food allergies, written documentation must be maintained in the child's file for as long as the child is in care. Special food restrictions must be shared with staff and must be posted in a conspicuous location.

4. Meal and snack menus shall be planned, written, and posted at the beginning of each week. Any menu substitution shall be noted on the menu. Menus shall be dated and posted in the food service area and in a conspicuous place accessible to parents. Daily meal and snack menus shall be maintained for a minimum of four months for licensing purposes. Operators

who participate in the USDA Food Program must keep menus in accordance with the Department of Health and USDA requirements.

(q) ~~Food Hygiene Preparation Area.~~

~~1. All licensed school-age child care programs that supply food must comply with requirements outlined approved by the Environmental Health Section to prepare food shall have documentation on file from the Department of Health verifying the facility meets the applicable requirements as specified in Chapter 64E-11, F.A.C., Food Hygiene.~~

~~2. School-age child care programs must have written documentation from the local Environmental Health Unit that they have either met or have been exempted from local environmental health standards, specified in Chapter 64E-11, F.A.C., Food Hygiene, as it pertains to the food preparation area defined above.~~

(r) Food Service.

1. School-age child care programs shall provide sufficient age appropriate seating so that children are seated at tables for meals.

2. Children shall be supervised during all meals and snacks and offered foods appropriate for their ages.

3. Single service paper or plastic plates, utensils, and cups shall not be reused. Plates, utensils and cups provided by the facility that are not disposable shall be washed, rinsed, and sanitized between uses.

(s) Fire and Emergency Safety.

1. Unless statutorily exempted, all school-age child care programs shall conform to state standards adopted by the State Fire Marshal, Chapter 69A-36, F.A.C., Uniform Fire Safety Standards for Nonresidential Child Care Facilities and shall be inspected annually. A copy of the current and approved annual fire inspection report by a certified fire inspector must be on file with the licensing authority. If the school-age program is granted a fire inspection exemption by the local fire inspection office, the exemption must be documented and maintained on file at the program.

2. There shall be at least one corded telephone in the school-age child care program facility that is neither locked nor located at a pay station that is available to all staff during the hours of operation.

3. The child care facility must properly maintain fire extinguishers at all times.

4. The operator shall prepare and post the emergency evacuation plan in each room of the program, including a diagram of safe routes by which the personnel and children may exit in the event of fire or other emergency requiring evacuation.

5. During the facility's licensure year, fire drills shall be conducted a minimum of 10 times and be conducted at various dates and times when children are in care, and shall not occur less than 30 days apart. A current attendance record must

accompany staff out of the building during a drill or actual evacuation, and be used to account for all children. The fire drills conducted must include, at a minimum:

a. One fire drill using an alternate evacuation route, and

b. One drill in the presence and at the request of the licensing authority in coordination with the operator or designee.

6. The operator shall maintain a written record of fire drills showing the date, number of children and staff in attendance, evacuation route used, and time taken for all individuals to evacuate the premises. Each record shall be maintained for a minimum of one year from the date of the fire drill.

7. When the school-age program's fire alarm is activated, all adults and children must evacuate the facility.

8. The operator shall develop a written emergency preparedness plan to include, at a minimum, procedures to be taken by the child care facility during a fire, lockdown, and inclement weather (tornadoes).

9. Emergency preparedness drills shall be conducted when children are in care. Each drill, excluding the fire drills, outlined in the emergency preparedness plan must be practiced a minimum of one time per year, documentation of which must be maintained for one year. A current attendance record must accompany staff during the drill or actual emergency and must be used to account for all children.

10. The operator shall maintain and post in a conspicuous location a written record of emergency preparedness drills showing the type of drill, date conducted, number of children and staff in attendance, and time taken for all individuals to complete the drill.

11. Documentation of conducted fire and emergency preparedness drills must be available at the time of the inspection. Documentation produced after the inspection shall not meet the licensing standard or corrective action requirements.

12. After a fire or natural disaster, the operator must notify the licensing authority within 24 hours as to their operational status in order for the licensing authority to ensure health standards are being met for continued operation.

(t) Transportation. For the purpose of this section, vehicles refer to those owned, operated, or regularly used by the school-age child care program, and vehicles that provide transportation through a contract or agreement with an outside entity. Parents' personal vehicles used for transporting during field trips are excluded from meeting the requirements in subparagraph 65C-22.001(6)(a)2. and paragraphs (b) and (c), F.A.C.

1. When any vehicle is regularly used by a school-age child care program to provide transportation, the driver shall have the following:

a. A valid Florida driver's license,

b. An annual physical examination which grants medical approval to drive, and valid certificate(s) of course completion for first aid training and infant and child cardiopulmonary resuscitation (CPR) procedures.

2. All child care facilities must comply with the insurance requirements found in Section 316.615(4), F.S.

3. All vehicles regularly used to transport children shall be inspected annually by a mechanic to ensure that they are in proper working order. Documentation by the mechanic shall be maintained in the vehicle.

4. The maximum number of individuals transported in a vehicle may not exceed the manufacturer's designated seating capacity or the number of factory installed seat belts.

5. Each child, when transported, must be in an individual factory installed seat belt or federally approved child safety restraint unless the vehicle is excluded from this requirement by Florida Statute.

6. When transporting children, staff-to-child ratios must be maintained at all times. The driver may be included in the staff-to-child ratio.

7. Driver's Log. A log shall be maintained for all children being transported in the vehicle. The log shall be retained for a minimum of four months. The log shall include each child's name, date, time of departure, time of arrival, signature of driver, and signature of second staff member to verify the driver's log and that all children have left the vehicle.

8. Prior to transporting children, the driver's log must be recorded, signed, and dated immediately, verifying that all children were accounted for and that the log is complete.

9. Upon arrival at the destination, the driver of the vehicle shall:

a. Mark each child off the log as the children depart the vehicle;

b. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and

c. Record, sign, and date the driver's log immediately, verifying that all children were accounted for, and that the visual sweep was conducted.

a. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and 10. Upon arrival at the destination, a second staff member shall:

b. Sign, date and record the driver's log immediately, verifying that all children were accounted for, and that the log is complete.

11. Each vehicle shall be equipped with contact information for all children being transported. When transporting children with chronic medical conditions (such as asthma, diabetes or seizures), their emergency care plans and supplies or medication shall be available. The responsible adult shall be trained to recognize and respond appropriately to the emergency.

12. Planned Activities.

a. Each group or class must have a written and followed plan of scheduled activities posted in a conspicuous location accessible to parents. The written plan must meet the needs of the children being served and include scheduled activities that:

(I) Include both indoors and outdoor play, if applicable; and

(II) Include meals, snacks, and the times the children are in care.

b. Parents must be advised in advance of each field trip activity. The date, time, and location of the field trip must be posted in a conspicuous location at least two working days prior to each field trip. Written parental permission must be obtained in the form of a general permission slip. If special circumstances arise where notification of an event cannot be posted for two working days, individual permission slips must be obtained from the custodial parent or legal guardian for each child participating on the field trip. Documentation of parental permission for field trips shall be maintained for a minimum of four months from the date of each field trip.

(u) Record Keeping.

1. General Requirements.

a. Each of the records described in this section shall be maintained at the school-age child care program and shall be available during the hours of operation for review by the licensing authority.

b. A copy of all background screening clearance documents for the director and owner must be provided to the department to be included in the department's official licensing file.

c. Copies of required records are acceptable for documentation. Original documents are the property of the party providing the information.

2. Health Records. School-aged children attending public or nonpublic schools are not required to have student health examination and immunization records on file at the school-age child care program as such records are on file at the school where the child is enrolled.

3. Enrollment Information. The facility operator shall obtain enrollment information from the child's custodial parent or legal guardian prior to accepting a child in care. This information shall be documented on CF-FSP Form 5219, Child Care Application for Enrollment, which is incorporate by reference in subsection 65C-22.006(3), F.A.C., or an equivalent form that contains all the information required by the department on CF-FSP Form 5219. CF-FSP Form 5219 may be obtained from the licensing authority or by going to the department's website at www.myflorida.com/childcare.

a. Enrollment information shall be kept current and on file.

b. The child shall not be released to any person other than the person(s) authorized or in the manner authorized in writing by the custodial parent or legal guardians.

c. There shall be signed statements from the custodial parents or legal guardian that the school-age child care program has provided them with the following information:

(I) The department's child care facility brochure, CF/PI 175-24, Know Your Child Care Facility, which is incorporated by reference in subparagraph 65C-22.006(3)(a)1., F.A.C. This brochure may be obtained from the licensing authority or by going to the department's website at www.myflorida.com/childcare. Local licensing agencies may use an equivalent brochure approved by the department.

(II) The school-age child care program's written disciplinary practices.

(III) Annually, during the months of August and September, the child care facility director must provide parents with information detailing the causes, symptoms, and transmission of the influenza virus. To assist providers the department developed a brochure, CF/PI 175-70, June 2009, Influenza Virus, Guide to Parents, which may be obtained from the department's website at www.myflorida.com/childcare.

4. Personnel Records. Records shall be maintained and kept current on all child care personnel, as defined by Section 402.302(3), F.S., and household members if the facility is located in a private residence. These shall include:

a. An employment application with the required statement pursuant to Section 402.3055(1)(b), F.S.

b. Position and date of employment.

c. CF-FSP Form 5337, Child Abuse & Neglect Reporting Requirements, which is incorporated by reference in paragraph 65C-22.006(4)(c), F.A.C., must be signed annually by all child care personnel.

d. Prior to beginning volunteering in a school-age program, a CF-FSP 5217, March 2009, Volunteer Affidavit, which is incorporated by reference, and may be obtained from the department's website www.myflorida.com/childcare, must be completed and on file at the facility for the volunteer.

e. Initial Screening. Screening information must be documented on CF-FSP Form 5131, Background Screening and Personnel File Requirements, which is incorporated by reference in paragraph 65C-22.006(4)(d), F.A.C. Screening includes the following:

(I) Level 2 screening as defined in Section 435.04, F.S., which includes at a minimum, FBI, FDLE, and local law enforcement records checks.

(II) An employment history check must include the previous two years, which shall include the applicant's job title and a description of their regular duties, confirmation of employment dates, and level of job performance. Failed attempts to obtain the employment history must be documented in the personnel file and include date, time, and the reason the information was not obtained.

(III) CF Form 1649A, January 2007, Child Care Attestation of Good Moral Character, which is incorporated by reference, must be completed for all child care personnel annually. CF Form 1649A may be obtained from the department's website at www.myflorida.com/childcare.

f. Re-Screening. A screening conducted under this rule is valid for five years, at which time a statewide re-screen must be conducted.

(I) The five year re-screen is required for the all child care personnel.

(II) The five year re-screen must include, at a minimum, statewide criminal records checks through the Florida Department of Law Enforcement (FDLE) and a local criminal records check.

(III) CF 1649A, Child Care Attestation of Good Moral Character, which is incorporated by reference, must be completed for all child care personnel annually. A copy of the CF 1649A may be obtained from the department's website at www.myflorida.com/childcare.

(IV) A copy of all background screening clearance documents for the director and owner must be included in the department's official licensing file or in accordance with the appropriate local licensing agency requirements.

g. Break In Employment. Child care personnel must be re-screened following a break in employment in the child care industry as outlined in sub-subparagraph (3)(u)4.e. above that exceeds 90 days.

h. Leave of Absence. If child care personnel take a leave of absence, such as maternity leave, extended sick leave, migrant child care programs, etc., re-screening is not required unless the five year re-screen has come due during the leave of absence.

i. Copies of training information and credentials as described in subsection 65C-22.008(4), below.

j. Driver's license and driver physical examination documentation. A copy of the driver's license and the physician certification or another form containing the same elements of the physician certification, granting medical approval to operate the vehicle, and valid certificate(s) of course completion for first aid training and child cardiopulmonary resuscitation (CPR) procedures must also be maintained in the driver's personnel file.

5. Summary of Records. In addition to the documentation outlined in subparagraphs (3)(u)1., 2. and 3., above, the following is a list of records that shall be maintained at the school-age child care program and available during the hours of operation for review by the licensing authority.

a. Driver's log. Must be retained for the previous four months as referenced in subparagraph (3)(t)7., above.

b. Facility's written disciplinary policies as referenced in subparagraph (3)(n)3., above.

c. Written record of fire drills. Must be maintained for a minimum of one year as referenced in subparagraph (3)(s)4., above.

d. Documentation of staff members who have met the first aid and child cardiopulmonary resuscitation (CPR) training requirement as referenced in sub-subparagraph (3)(m)2.b., above.

e. Posted emergency telephone numbers, the facility address and directions to the facility as referenced in sub-subparagraph (3)(m)3.a., above.

f. Documentation of accidents/incidents. Must be maintained for one year as referenced in sub-subparagraph (3)(m)3.c., above.

g. Emergency evacuation plan and preparedness plan as referenced in subparagraph (3)(s)9., above. Documentation must be maintained for one year from the date of each drill.

h. Record for each child receiving medication. Must be maintained for a minimum of four months after the last day the child received the dosage as referenced in sub-subparagraph (3)(m)4.f., above.

i. Sample meal plan for special diet (if applicable). A copy of the physician's order, a copy of the diet, and a sample meal plan for the special diet must be maintained for as long as the child is in care as referenced in subparagraph (3)(p)3., above.

j. Written documentation of known food allergies (if applicable). Must be maintained for as long as the child is in care as referenced in subparagraph (3)(p)3., above.

k. Daily meal and snack menus, including meal substitutions. Must be maintained for four months as referenced in subparagraph (3)(p)4., above.

(4) School-Age Child Care Personnel Training Requirements.

(a) Definitions.

1. "Active" is the status of a candidate's awarded credential or certification signifying requirements have been successfully met.

2. "Before-School and After-School site" refers to a program, regardless of location, that provides child care for children who are at least five years old, are enrolled in and attend a kindergarten program, or grades one and above during a school district's calendar year. This is limited to programs that provide care only before and after the recognized hours of a district's school day and on teacher planning days, holidays, and intercessions that occur during the school district's official calendar year.

3. "Begin training for child care personnel" refers to a candidate's commencement of at least one of the child care training courses listed in Section 402.305(2)(d), F.S. This may be accomplished by classroom attendance in a department-approved training course, acquiring an educational exemption from a department-approved training course, beginning a department-approved online child care training

course, or by receiving results from a department-approved competency examination within the first 90 days of employment in the child care industry in any licensed Florida school-age child care program. The child care facility is responsible for obtaining documentation from child care personnel.

4. "Continuing Education Unit (CEU)" is a standard unit of measure of coursework used for training and credential purposes. The department will accept CEUs from education institutions accredited and recognized by the U.S. Department of Education, or nationally affiliated state professional organizations.

5. "Director" means "operator" as defined in Section 402.302(11), F.S., is the on-site administrator or individual who has the primary responsibility for the day-to-day operation, supervision and administration of a child care facility.

6. "Director Credential" is a department-approved comprehensive credential that consists of educational and experiential requirements as referenced in paragraph (4)(i), below.

7. "Foster Grandparents" are directly supervised volunteers who participate in the federal program pursuant to 45 Code of Federal Regulations part 2552. Foster grandparents work with one or more children with special or exceptional needs in child care programs. Foster grandparents are not counted in the staff-to-child ratio. Foster grandparents shall be required to have 100% attendance in the following department's training courses: Child Care Facility Rules and Regulations; Health, Safety, and Nutrition; Identifying and Reporting Child Abuse and Neglect; and Special Needs Appropriate Practices. Foster grandparents are not classified as child care personnel, and they may not be assigned the roles of teacher's aides, group leaders or other similar positions."

8. "High School Diploma, GED and/or College Degree" means a diploma or degree obtained from institution accredited and recognized by U.S. Department of Education. High school diplomas issued by private schools that are registered with the Florida Department of Education will be accepted. If a high school diploma is earned outside the U.S., it must be translated by someone who is a member of the American Translators Association, an approved credential evaluation agency approved by the Bureau of Educators Certification, or an accredited college/university. If a college degree is earned outside the U.S., it must be evaluated by an approved credential evaluation agency approved by the Bureau of Educators Certification or an accredited college/university to be equivalent to a U.S. degree.

9. "Inactive" refers to the status of a candidate's awarded credential or certification that is no longer active; however, remains eligible for renewal.

10. "Professional contribution" for the purpose of Director Credential renewal, demonstrates a dedication to early childhood or school-age education outside of the child care program responsibilities.

11. "Training Transcript" is the electronic documentation of statutorily mandated training and staff credential qualifications for child care personnel. Training Transcripts may be obtained from the department's website at www.myflorida.com/childcare.

12. "Weighted score" means a scaled score, rather than a percentage score, based on the difficulty of the exam and determined by competency exam professionals in consultation with subject matter experts.

13. "Year of experience" is equivalent to a minimum of 1040 hours of paid and/or nonpaid documented work experience.

(b) Child care personnel must begin training within 90 days of employment and successfully complete the department's training within 12 months from the date training begins. Training completion may not exceed 15 months from the date of employment in the child care industry in any licensed Florida child care facility.

(c) Child care personnel must successfully complete 40 hours of child care training by completing the following department's training as evidenced by successful completion of competency examinations offered by the department or its designated representative with a weighted score of 70 or better. School-age child care personnel must complete:

1. Child Care Facility Rules and Regulation;
 2. Health, Safety, and Nutrition;
 3. Identifying and Reporting Child Abuse and Neglect;
- and
4. School Age-Appropriate Practices.
 5. The remaining hours must be met by completing any combination of training identified in sub-subparagraphs a. and b. below.

a. Successful completion of competency examinations offered by the department or its designated representative with a weighted score of 70 or better for any of the following courses:

- (I) Child Growth and Development (6 or 10 hours),
- (II) Behavioral Observation and Screening (6 or 10 hours),
- (III) Infant and Toddler Appropriate Practices (10 hours),
- (IV) Preschool Appropriate Practices (10 hours),
- (V) Special Needs Appropriate Practices (10 hours),
- (VI) Basic Guidance and Discipline (5 hours online),
- (VII) Early Literacy for Children Ages Birth Through Three (5 hours online),
- (VIII) Early Childhood Computer Learning Centers (5 hours online),
- (IX) Emergent Literacy for Voluntary Pre-Kindergarten (VPK) Instructors (5 hours online), or

b. Completion of specialized school-age training, provided by the department, a national organization or affiliates of a national organization, that requires demonstration of competencies through passage of examination(s), or completion and assessment of a Professional Resource File (portfolio of materials that demonstrate competency).

6. School-age child care personnel in compliance with paragraph 65C-22.003(2)(a), F.A.C., shall be considered in compliance with the school-age child care personnel training requirements.

7. Child care personnel who left the child care industry in compliance with training requirements, upon returning, shall be granted 90 days to comply with any new mandated training requirements. Completion of such training may be counted toward the annual in-service training requirement.

8. Child care personnel who left the child care industry not in compliance with training requirements must complete required training prior to re-employment.

9. Child care personnel employed at the same child care facility prior to October 1, 1992, with no break in employment with the same employer, are exempt from completing Part II of the child care training.

(d) Documentation of Training. Effective October 1, 2010, the department's Training Transcript will be the only acceptable verification of successful completion of the department's training. Training completion documented on CF-FSP Form 5267, April 2006, Child Care Training Course Completion Certificate, which is incorporated by reference, will no longer be accepted by the department after October 1, 2010, nor will any previous versions. Form CF-FSP 5267 is provided to participants upon completion of a department approved training course. A copy of the department's Training Transcript may be obtained from the department's website at www.myflorida.com/childcare.

1. A copy of the CF-FSP Form 5267 until October 1, 2010, or Training Transcript must be maintained at the school-age child care program.

2. A copy of the CF-FSP Form 5267 until October 1, 2010, or Training Transcript for the director of a school-age child care program must be maintained in the department's licensing file.

3. Training documented on CF-FSP Form 5267 that is not included on the Training Transcript must be sent to the department or designated representative prior to October 1, 2010, to be documented on the individual's Training Transcript.

4. As of October 1, 2010, any course completion certificate not documented on the Training Transcript will be considered invalid, requiring that the course(s) be retaken. Until the coursework is retaken and completed, child care facilities will be out of compliance with the mandated training standard.

(e) School-age child care personnel are exempt from the training requirement of five clock-hour early literacy and language development of children from birth to five years of age, under paragraph 65C-22.003(2)(b), F.A.C.

(f) School-age child care programs are exempt from the staff credential requirement as outlined in subsection 65C-22.003(7), F.A.C.

(g) Exemptions from the Introductory Child Care Training.

1. Competency Examination Exemptions. Child care personnel have one opportunity, if they choose, to exempt from one or more of the department's Introductory Child Care Training courses prior to attending training by successful completion of corresponding competency examinations with a weighted score of 70 or better. Exemption examinations are not available for the department's online Part II specialized training courses.

2. Educational Exemptions.

a. The department or its designated representative shall exempt child care personnel from the Health, Safety and Nutrition; Child Growth and Development; and Behavioral Observation and Screening courses who meet one of the following educational qualifications:

(I) Associate's degree or higher with six college credit hours in early childhood education/child growth and development or degree in elementary education with certification to teach any age birth through 6th grade.

(II) An active National Early Childhood Credential (NECC) or an active Birth Through Five Florida Child Care Professional Credential (FCCPC).

b. The department or its designated representative shall exempt child care personnel with a Bachelor's degree or higher in Early Childhood Education or Preschool Education from the Infant and Toddler Appropriate Practices course and Preschool Appropriate Practices course.

c. The department or its designated representative shall exempt child care personnel with a Bachelor's degree or higher in Elementary Education from the School-Age Appropriate Practices course.

d. The department or its designated representative shall exempt child care personnel with a Bachelor's degree or higher in Exceptional Student Education from the Special Needs Appropriate Practices course.

e. There are no educational exemptions from the Child Care Facility Rules and Regulations and the Identifying and Reporting Child Abuse and Neglect courses or from the department's online training courses.

(h) Annual In-Service Training.

1. All child care facility personnel must complete a minimum of 10 clock-hours or one CEU of in-service training annually during the state's fiscal year beginning July 1 and ending June 30.

2. The annual 10 clock-hours or one CEU of in-service training concentrating on children ages birth through 12 must be completed in one or more of the following areas (college level courses will be accepted):

- a. Health and safety, including universal precautions;
- b. Child CPR;
- c. First Aid (may only be taken to meet the in-service requirement once every three years);
- d. Nutrition;
- e. Child development – typical and atypical;
- f. Child transportation and safety;
- g. Behavior management;
- h. Working with families;
- i. Design and use of child oriented space;
- j. Community, health and social service resources;
- k. Child abuse;
- l. Child care for multilingual children;
- m. Working with children with disabilities in child care;
- n. Safety in outdoor play;
- o. Literacy;
- p. Guidance and discipline;
- q. Computer technology;
- r. Leadership development/program management and staff supervision;
- s. Age appropriate lesson planning;
- t. Homework assistance for school-age care;
- u. Developing special interest centers/spaces and environments; or
- v. Other course areas relating to child care or child care management.

3. Documentation of the in-service training requirement must be recorded on CF-FSP Form 5268, Child Care In-Service Training Record, which is incorporated by reference in paragraph 65C-22.003(6)(c), F.A.C., and included in the child care facilities' personnel records. CF-FSP Form 5268 may be obtained from the department's website at www.myflorida.com/childcare. A new in-service training record is required each fiscal year. The in-service training records for the previous two fiscal years must also be maintained at the school-age child care program for review by the licensing authority.

4. Mandated 40-clock-hour introductory child care training, Parts I and II, may be used to meet the annual in-service training requirement during the first fiscal year of employment.

5. All child care personnel continuously employed or hired between July 1 and June 1 of the state's fiscal year must complete the annual in-service training requirement. This includes any changes in employment from one program to another.

6. Child care personnel continuously employed or hired between July 1 and June 1 of the state's fiscal year who do not complete the required annual in-service training during any given year must complete the remaining in-service training hours within 30 days of the noncompliance finding by the licensing authority. These hours cannot be used to meet the current year's in-service training requirements.

(i) Director Credential.

1. Director Credential Requirement. Pursuant to Section 402.305(2)(f), F.S., a child care facility must have a credentialed director. An individual with an inactive Director Credential is ineligible to be the director of a child care facility. An applicant for the Director Credential must meet the requirements referenced in CF-FSP Form 5290, March 2009, Florida Child Care Director Credential and Renewal Application which is incorporated by reference in paragraph 65C-22.003(8)(a), F.A.C. CF-FSP Form 5290 may be obtained from the department's website at www.myflorida.com/childcare. All applications and documentation will be verified, and if complete, the credential will be issued by the department or designated representative on CF-FSP Form 5252, April 2006, Florida Director Credential Certificate, which is incorporated by reference in paragraph 65C-22.003(8)(a), F.A.C.

a. An individual may not be the director of child care facilities that overlap in the hours of operation.

b. Each school-age child care program must have a credentialed director that is on-site a majority of hours that the facility is in operation.

c. Every applicant for a license to operate a child care facility or a license for a change of ownership of a child care facility must document that the facility director has an active Director Credential prior to issuance of the license.

d. School-age child care program owners must notify the licensing authority within five working days of when the facility loses a credentialed director or when there is a change of director.

(I) The licensing authority will then issue a provisional license for a period not to exceed six months for any facility without a credentialed director.

(II) The provisional license will have an effective date of the first day the facility was without a credentialed director.

e. CF-FSP Form 5252, Florida Director Credential Certificate, must be maintained at the school-age child care program for review by the licensing authority.

2. A credentialed director may supervise multiple before-school and after-school sites for a single organization as follows:

a. Three sites regardless of the number of children enrolled, or

b. More than three sites if the combined total number of children enrolled at the sites does not exceed 350. In calculating the total number of children enrolled, the number of children in the before- and after-school program shall be calculated and viewed as separate programs.

c. In counties where the public school district has included four year-old children in public before-school and after-school programs, the school district may participate in the multi-site supervision option. Public school districts that serve four year old children in the before-school and after-school programs are required to have a credentialed staff person pursuant to the credentialing requirements in paragraph 65C-22.003(7)(a), F.A.C., in order to accommodate the four year-old children.

d. When a credentialed director is supervising multiple sites, the individual left in charge of the site during the director's absence must meet the following requirements:

(I) Be at least 21 years of age;

(II) Have completed the approved 40 clock-hour Introductory Child Care Training approved by the department; and

(III) Have completed the department's Part II specialized training course, Special Needs Appropriate Practices, or completed a minimum of eight hours of in-service training in serving children with disabilities; or

(IV) Have completed the department's School-Age Appropriate Practices specialized training module.

3. Director Credential Renewal.

a. To maintain an active Director Credential at either level, complete the renewal section of the CF-FSP Form 5290, March 2009, Florida Child Care Director Credential and Renewal Application which may be obtained from the department's website at www.myflorida.com/childcare.

b. A Director Credential renewal, as documented on CF-FSP Form 5252, Florida Director Credential Certificate is active for five years from the date of issuance. The completed renewal application, including all required documentation, may be submitted to the department for review, and issuance of a Director Credential Renewal Certificate no earlier than one year prior to the end of the active period of the Director Credential. The Director Credential renewal date is determined by the end date of the active period.

c. If a renewal application is received after the end of the active period for the Director Credential, the Director Credential Renewal Application will be reviewed and, if approved, a certificate will be issued with a renewal date of five years from the date the completed renewal application was processed.

4. Director Credential Training Providers.

a. The department is responsible for reviewing and approving "Overview of Child Care Management" courses offered through vocational-technical schools, community colleges and universities to determine if the requirements for the Director Credential coursework are met. Applications for

new coursework will no longer be accepted by the department. A list of approved "Overview of Child Care Management" courses may be obtained from the department's website at www.myflorida.com/childcare.

b. All college level coursework pertaining to the following content areas will be accepted as approved coursework towards the Advanced Level Director Credential requirements:

(I) Child Care and Education Organizational Leadership and Management;

(II) Child Care and Education Financial and Legal Issues; and

(III) Child Care and Education Programming.

Rulemaking Authority 402.305 FS. Law implemented 402.305 FS. History—New 9-12-04, Amended 4-12-07, 5-1-08, 1-13-10, 7-29-10.

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 29, 2010

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on August 2, 2010, the Agency for Health Care Administration has issued an order.

The order is on the petition for variance or waiver filed by James Mark on May 3, 2010. The petition was assigned Agency Case Number: 2010004701. The Agency has granted a temporary waiver from subsection 59A-18.006(1), F.A.C. to James Mark for a period of 2 years upon a finding that the purpose of the underlying statute will be achieved by other means and that an application of the rule would violate the principles of fairness.

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

NOTICE IS HEREBY GIVEN THAT on July 23, 2010, the Agency for Health Care Administration, received a petition for Variance or Waiver of Rule 59A-1.005, Florida Administrative Code, from ROCKY MOUNTAIN LIONS EYE BANK. The petition requests a variance or waiver of rule provisions that

require FDA-licensed HTLV testing for donor tissue. The specific provision on which the waiver is sought: subparagraph 59A-1.005(35)(a)2., Florida Administrative Code. The Petitioner in its request seeks a permanent variance or waiver from the rule due to substantial hardship.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jamie L. Jackson, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on April 20, 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 Hippodrome Theatre, filed January 29, 2010, and advertised in Vol. 36, No. 9, 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, 3.10.4(t), 3.11.1(a)(2) and 3.4.5(d) 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 2010-051).

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 April 29, 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 Sun Dome, Inc., filed February 4, 2010, and advertised in Vol. 36, No. 9 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 has not demonstrated that the purpose of the statute underlying the rule will be met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-058).

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 May 12, 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 Wilderness Country Club, filed February 5, 2010, and advertised in Vol. 36, No. 9 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 2.2.4.2 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 2010-061).

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 April 27, 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 Plantation Club Villas, filed February 8, 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 grants 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, until December 31, 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 2010-071).

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 April 26, 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 Oceans Seven Condo Assoc., Inc., filed February 15, 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 grants 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, 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 2010-089).

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 April 26, 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 Banyan Tree Village Condo Assoc., Inc., filed October 31, 2011, 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 grants the Petitioner a variance from Rule 3.11.1(a)(2) and 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, until October 31, 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 2010-118).

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 April 26, 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 Edgewater Arms Third Inc., 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 grants the Petitioner a variance from Rule 2.26.4.1 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, 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 2010-123).

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 April 26, 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 Palma Del Mar Condo Assoc. #5, filed February 24, 2010, and advertised in Vol. 36, No. 13 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 2010-141).

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 April 26, 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 Castel Del Mare Bldg. A-C, filed March 5, 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 grants the Petitioner a variance from Rule 3.11.3 and 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, until September 22, 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 2010-149).

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 April 27, 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 Shipwatch Two, filed April 27, 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 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, 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 2010-154).

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 April 26, 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 Century Village South Hampton Bldg. A, filed April 9, 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 grants the Petitioner a variance from Rule 2.7.4 and 2.8.2 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 May 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 2010-156).

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 April 26, 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 Waters Edge Condo Assoc., filed March 9, 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 grants the Petitioner a variance from Chapter 30, Section 3002.9, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until May 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 2010-158).

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 April 26, 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 Security Square, filed March 11, 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 grants the Petitioner a variance from Rule 3.11.3, 3.3.2 and 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, until May 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 2010-159).

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 April 26, 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 Coastal House, filed March 11, 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 grants the Petitioner a variance from Rule 3.11.3, 3.11.1(a)(2) and 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, 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 2010-160).

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 April 26, 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 Palma Del Mar 4 Condo Assoc., Inc., filed March 11, 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 grants the Petitioner a variance from Rule 3.11.3, 2.7.4, 3.10.4(t) and 2.2.2 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 May 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 2010-161).

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 April 26, 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 Lake Worth Towers, Inc., 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 grants the Petitioner a variance from Rule 3.11.3 and 2.7.4 ASME A17.3, 1996 edition and from Rule 8.11.2.1.1(c) and 8.11.2.1.4(b) ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until April 15, 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 2010-165).

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 April 26, 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 Little Hickory Bay Condo, filed March 15, 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 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, 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 2010-166).

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 April 26, 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 Gateway Square #5 Condos, filed March 16, 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 grants the Petitioner a variance from Rule 2.7.4, 3.10.4(t), 3.3.2, 2.2.3 and 3.9.1 ASME A17.3, 1996 edition and from Rule 8.6.5.8 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until November 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 2010-167).

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 April 26, 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 Island Gulf Resort Condo Assoc., Inc., filed March 16, 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 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 December 21, 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 2010-168).

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 April 26, 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 Horizon House of Naples, filed March 17, 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 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 17, 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 2010-171).

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 April 20, 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 410 Wilma Assoc., filed March 17, 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 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, 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 2010-172).

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 April 21, 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 Embarq, filed March 16, 2010, 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 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 December 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 2010-185).

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 May 26, 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 Sunshine Towers Apartment Residence, filed March 18, 2010, and advertised in Vol. 36, No. 18 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 April 1, 2014, 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 2010-186).

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 May 26, 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 Armenia Professional Center, filed March 18, 2010, and advertised in Vol. 36, No. 18 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, 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 2010-188).

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 May 12, 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 Casuarina Club Condo, filed March 26, 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, 3.10.4(t) 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 March 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 2010-199).

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 April 20, 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 Neighborly Care Network, filed April 20, 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 61C-5.009,

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 2010-215).

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 May 12, 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 Columbian Apartments, filed April 5, 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 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 March 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 2010-220).

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 May 12, 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 Florida Capital Bank Bldg., filed April 5, 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 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 March 31, 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 2010-223).

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 May 12, 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 Florida Capital Bank Bldg., filed April 5,

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 2.7.4 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, until March 31, 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 2010-225).

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 May 12, 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 Plaza Tower, filed April 5, 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 2.7.4 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, until March 31, 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 2010-227).

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 May 12, 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 Plaza Tower, filed April 5, 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 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 March 31, 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 2010-228).

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 May 12, 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 Lake Highland Prep School Bldg. 940, filed April 5, 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 2.2.2.5 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 2010-230).

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 May 12, 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 Winter Park 9th Grade Center, 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 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 2010-234).

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 May 12, 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 The Brentmoor, 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 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 2010-235).

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 May 26, 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 The Paramount Hotel Group, filed March 8, 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 grants the Petitioner a variance from Rule 3.11.3, 3.11.1(a)(2) and 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, until December 31, 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 2010-251).

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 April 13, 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 Key Capri Condo Assoc., Inc., filed April 13, 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 December 31, 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 2010-254).

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 May 26, 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 Westshore 500, filed May 26, 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 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 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 2010-256).

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 May 26, 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 Poincianna Place Condos, filed March 3, 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 2.7.4 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, until July 1, 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 2010-261).

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 May 26, 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 Best Western Altamonte Springs, filed April 19, 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 3.10.4(e), 3.3.2 and 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, until April 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 2010-262).

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 May 26, 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 Days Inn Ft. Myers, filed April 19, 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 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 December 31, 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 2010-263).

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 May 26, 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 Clarion Hotel, filed April 19, 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 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 December 31, 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 2010-264).

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 May 26, 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 USF Patel Bldg., filed April 20, 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 2.2.2.5 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 2010-266).

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 May 26, 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 Wagg Building, filed April 22, 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, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, until May 12, 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 2010-268).

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 May 20, 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 St. James and St. Andrews Residence of Palm Beaches, filed May 3, 2010, and advertised in Vol. 36, No. 21 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 March 31, 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 2010-291).

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 May 26, 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 The Lands of the President Condo Eight-A Assoc., Inc., filed May 11, 2010, and advertised in Vol. 36, No. 21 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, 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 2010-295).

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 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Suntrust Building. 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 2010-480).

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 22, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Pointe Towers Condo. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.2.3, 2.7.4, 3.3.2, 3.4.5, 3.9.1, 3.10.3, 3.10.4(t), 3.11.1, 4.7.8 and 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 lighting, restricted door openings, platform guards, car illumination, normal terminal stopping devices,

top-of-car operating devices, electrical protective devices, emergency operation and signaling devices and firefighter's service 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 2010-481).

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 30, 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 Pelicans Condos, filed June 30, 2010, and advertised in Vol. 36, No. 29, 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 2010-449).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 23, 2010, the The Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(2)(a), subsections 61C-4.010(6), (7), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code from Axum Coffee LLC located in Winter Garden. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom on the same level be provided for use by customers and employees. They are requesting to utilize public bathrooms located on a different level of the building than the food service establishment.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT on July 28, 2010, the Bureau of Beaches and Coastal Systems, received a petition for variance or waiver, pursuant to Section 120.542, Florida Statutes, and Chapter 28-104, F.A.C., from subsections 62B-33.002(18), (33) and (43) F.A.C., which defines "eligible structures", "major reconstruction" and "non-conforming structure," 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 received from Tom Tomasello, P.A., on behalf of Charlotte Anderson, Jerral (Jr.), John and Jerral (Sr.) Jones, regarding WL-809 & 1058, ATF AR. The property is located at 120 Village Beach East, Santa Rosa Beach, in Walton County.

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

DEPARTMENT OF HEALTH

The Board of Dentistry hereby gives notice that it has received a petition, filed on July 26, 2010, by Richard Kaplan, D.M.D., seeking a waiver or variance of paragraph 64B5-2.013(1)(c), F.A.C., with respect to the following licensure requirement: that each applicant for a Florida dental license successfully complete all three examinations as provided for in Section 466.006, Florida Statutes, within a 13 month period in order to qualify for licensure.

Comments on this petition should be filed with the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Susan Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT the Petition for Waiver or Variance filed on behalf of Frank Kolovrat, Jr., P.A., has been withdrawn, upon request of the Petitioner. The Notice of Petition for Waiver or Variance was published in Vol. 36, No. 26, of the July 2, 2010, issue of the F.A.W.

The person to be contacted regarding this Petition is: Larry McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

NOTICE IS HEREBY GIVEN THAT on August 3, 2010, the Board of Medicine, Council on Physician Assistants, received a petition for waiver or variance filed by Michelle L. Snyder, 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 Optometry received a petition for waiver or variance filed by Thomas R. Karkkainen, O.D., M.S., from Rule 64B13-4.001, F.A.C., with regard to the licensure requirement of Rule 64B13-4.001, F.A.C., that applicants submit scores on the national licensing exam taken no longer than 5 years prior to application. Comments on this petition should be filed with the Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, within 14 days of publication of this notice.

For a copy of the petition, contact: Bruce Deterding, Executive Director, Board of Optometry, at the above address, or telephone (850)245-4355.

NOTICE IS HEREBY GIVEN THAT on July 29, 2010, the Florida Department of Health, Division of Emergency Medical Operations, Office of Trauma has issued an order.

An emergency petition was filed by Fort Walton Beach Medical Center, Inc. on behalf of Fort Walton Beach Medical Center with the Department of Health on April 29, 2010 requesting a variance or waiver of portions of Rule 64J-2.010, paragraph 64J-2.012(1)(a) and subsections 64J-2.013(6), (7), Florida Administrative Code. Notice of filing the petition was published on the Office of Trauma website on May 4, 2010 and in the Florida Administrative Weekly on May 14, 2010. Petitioner faxed a letter on May 21, 2010 waiving the requirement in subsection 28-104.005(1), F.A.C., that the Department issue an order granting or denying the emergency petition within 30 days. Sacred Heart Hospital filed, pursuant to Sections 120.569 and 120.57, Florida Statutes, a Petition to Intervene in Opposition to FWBMC's Petition for Variance or Waiver on May 20, 2010. Petitioner filed a Response in Opposition to Sacred Heart's Petition to Intervene on May 25, 2010. Petitioner informed the Department by telephone and email on July 28, 2010 of its voluntary dismissal of the

petition. Petitioner filed its Notice of Voluntary Dismissal on July 29, 2010. WHEREFORE, in light of the Notice of Voluntary Dismissal, no ruling is made on the Petition for Variance or Waiver, and Sacred Heart Hospital's Petition to Intervene is dismissed as moot.

A copy of the Order may be obtained by contacting: Susan McDevitt, Director, Office of Trauma, 4052 Bald Cypress Way, Bin #C-18, Tallahassee, FL 32399-1738, (850)245-4440, ext. 2760, Fax: (850)488-2512, susan_mcdevitt@doh.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on June 30, 2010, the Department of Children and Families, received a petition for waiver of subparagraph 65C-13.030(5)(j)3., Florida Administrative Code, assigned Case No.: 10-040W, from Boys' Home Association and Melissa Corley. Subparagraph 65C-13.030(5)(j)3., F.A.C., which provides that a caregiver in a licensed foster home may not have a DUI-related driving offenses within the past five years.

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

NOTICE IS HEREBY GIVEN THAT on July 15, 2010, the Department of Children and Families, received a petition for waiver of subparagraph 65C-13.030(2)1., Florida Administrative Code, assigned Case No.: 10-041W, from Angela and Stevie Washington. Subparagraph 65C-13.030(2)1., F.A.C., require a foster parent who also provides child care as a licensed family day care home cannot provide care for more than five children, including biological, foster and adopted children.

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

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on July 30, 2010, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Homestead III Associates, Ltd.

DATE PETITION WAS FILED: July 7, 2010

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 67-48.020(2), F.A.C.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, July 9, 2010, Vol. 36, No. 27

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: July 30, 2010

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Della Harrell, Corporation Clerk at (850)488-4197 or e-mail: Della.Harrell@floridahousing.org. The Final Order is posted on Florida Housing's website at: floridahousing.org.

NOTICE IS HEREBY GIVEN THAT on July 30, 2010, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: SPRING LAKE COVE, LLLP

DATE PETITION WAS FILED: July 7, 2010

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 67-48.010(8), F.A.C.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, July 16, 2010, Vol. 36, No. 28

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: July 30, 2010

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Della Harrell, Corporation Clerk at (850)488-4197 or e-mail: Della.Harrell@floridahousing.org. The Final Order is posted on Florida Housing's website at: floridahousing.org.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Friends of the Museums of Florida History, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: August 26, 2010, 3:00 p.m.

PLACE: Secretary of State's Office, 1st Floor, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Support for Museum of Florida History's upcoming project.

A copy of the agenda may be obtained by contacting: Elyse Cornelison, Museum of Florida History at (850)245-6400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Elyse Cornelison, Museum of Florida History at (850)245-6400. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida Agriculture in the Classroom, Inc.** announces a public meeting to which all persons are invited.

DATES AND TIME: Aug. 26-27, 2010, 1:00 p.m.

PLACE: Sarasota Ritz-Carlton, 1111 Ritz-Carlton Drive, Sarasota, FL 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Agriculture in the Classroom, Inc. board of directors will hold its annual board retreat.

A copy of the agenda may be obtained by contacting: gaskalla@ufl.edu.

The **Florida Citrus Box Tax**, Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 24, 2010, 10:00 a.m.

PLACE: Citrus Research and Education Center, Ben Hill Griffin Hall, Room 3, 1700 Experiment Station Road, Lake Alfred, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to set assessment rate for the 2010/2011 citrus season.

A copy of the agenda may be obtained by contacting: Sarah Oglesby at (850)488-3022.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Sarah Oglesby at (850)488-3022. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Pesticide Review Council** announces a public meeting to which all persons are invited.

DATE AND TIME: September 16, 2010, 9:00 a.m.

PLACE: Austin Cary Memorial Forest, Conference Building, 10625 Northeast Waldo Road, Gainesville, Florida 32609

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the council during which there will be a review of pertinent pesticide issues impacting on human health and the environment.

A copy of the agenda may be obtained by contacting: Stacey Reese at (850)488-7429.

For more information, you may contact: Florida Department of Agriculture and Consumer Services, Bureau of Pesticides, 3125 Conner Boulevard, Building 6, Mail L-29, Tallahassee, Florida 32399-1650, (850)487-0532.

The Florida **Department of Agriculture and Consumer Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, August 24, 2010, 9:00 a.m. (EDT)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4873444#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to conduct general business of the Florida Alligator Marketing and Education Committee, and to discuss marketing and education initiatives for the current and next fiscal year.

A copy of the agenda may be obtained by contacting: John Easley or Martin May at (850)488-0163.

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

For more information, you may contact: John Easley or Martin May at (850)488-0163.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry (DOF)** and the Seminole State Forest Management Plan Advisory Group announce two public meetings and a public hearing to which all persons are invited.

MPAG MEETING:

DATE AND TIME: Tuesday, August 31, 2010, 6:00 p.m.

PLACE: Theater Building, Camp Boggy Creek, 30500 Brantley Branch Road, Eustis, FL 32736

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Seminole 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 Seminole State Forest.

PUBLIC HEARING:

DATE AND TIME: Tuesday, August 31, 2010, 6:30 p.m.

PLACE: Theater Building, Camp Boggy Creek, 30500 Brantley Branch Road, Eustis, FL 32736

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit comments on management of the Seminole State Forest. Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to DOF's Seminole State Forest at the Lake Forestry Station, 9610 CR 44,

Leesburg, FL 34788, Attention: Joe Bishop, and should be mailed so as to arrive at the office by the date of the public hearing.

MPAG MEETING:

DATE AND TIME: Wednesday, September 1, 2010, 9:30 a.m.

PLACE: Theater Building, Camp Boggy Creek, 30500 Brantley Branch Road, Eustis, FL 32736

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Seminole State Forest Management Plan Advisory Group to review comments from the public hearing held the previous day and provide recommendations to the DOF to help in preparation of a management plan for the Seminole State Forest.

A copy of the agenda may be obtained by contacting: Seminole State Forest, Lake Forestry Station, 9610 CR 44, Leesburg, FL 34788, Joe Bishop at (352)360-6677.

Pursuant to the provisions of 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 Seminole 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 Florida **Department of Agriculture and Consumer Services, Division of Forestry (DOF)** and the Lake Talquin State Forest (LTSF) Management Plan Advisory Group announce two public meetings and a public hearing to which all persons are invited.

MPAG MEETING:

DATE AND TIME: Tuesday, August 31, 2010, 6:15 p.m.

PLACE: Bear Creek Educational Forest, 8125 Pat Thomas Pkwy., Quincy, FL 32351

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the LTSF 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 LTSF.

PUBLIC HEARING:

DATE AND TIME: Tuesday, August 31, 2010, 6:30 p.m.

PLACE: Bear Creek Educational Forest, 8125 Pat Thomas Pkwy., Quincy, FL 32351

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit comments from the public on the management of the LTSF. Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to the: DOF's LTSF, 865 Geddie Rd., Tallahassee, FL 32304, Attention: Chris Colburn and should be mailed so as to arrive at the office by the date of the public hearing.

MPAG MEETING:

DATE AND TIME: Wednesday, September 1, 2010, 9:00 a.m.

PLACE: Bear Creek Educational Forest, 8125 Pat Thomas Pkwy., Quincy, FL 32351

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the LTSF Management Plan Advisory Group to review comments from the public hearing of August 31, 2010 and provide recommendations to the DOF to help in preparation of a management plan for the LTSF.

A copy of the agenda may be obtained by contacting: LTSF, 865 Geddie Road, Tallahassee, FL 32304, Chris Colburn at (850)414-1129.

Pursuant to the provisions of 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 LTSF 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 **Transgenic Aquatic Species Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 31, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Division of Aquaculture Conference Room, 1203 Governor's Square Boulevard, Suite 501, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Applications to culture zebra danios.

A copy of the agenda may be obtained by contacting: Paul Zajicek at (850)488-4033.

Pursuant to the provisions of 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: Paul Zajicek at (850)488-4033. If you are 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: Paul Zajicek at (850)488-4033.

DEPARTMENT OF EDUCATION

The Florida **Department of Education** announces a telephone conference call of the State Board of Education to which all persons are invited.

DATE AND TIME: August 23, 2010, 10:00 a.m.

PLACE: Conference Call: 1(866)304-6786, Conference Code: 90974370#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this conference call is for the Consideration of Good Cause Exemptions for Voluntary Prekindergarten Education Programs.

A copy of the agenda and a list of providers eligible for exemption may be obtained at the Department of Education's website at: <http://www.fldoe.org/board/meetings/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this conference call is asked to advise the agency at least 7 days before the conference call by contacting: Lynn Abbott at (850)245-9661 or email: lynn.abbott@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).

For more information, you may contact: Lynn Abbott, Agency Clerk, Department of Education at (850)245-9661 or e-mail: lynn.abbott@fldoe.org.

The **University of West Florida**, Florida Public Archaeology Network announces a public meeting to which all persons are invited.

DATE AND TIME: August 25, 2010, 10:00 a.m. – 12:00 Noon (EDT)

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a quarterly Board of Directors meeting, via conference call, to discuss FPAN matters related to the FPAN Southwest Region. The public may join the conference call by dialing from any telephone. Contact: Cheryl Phelps, Office Administrator, FPAN at (850)595-0050 or email: cphelps@uwf.edu for access information.

A copy of the agenda may be obtained by contacting: Cheryl Phelps, Office Administrator, FPAN at (850)595-0050 or email: cphelps@uwf.edu. Agenda will be posted on web page www.flpublicarchaeology.org seven days prior to meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Cheryl Phelps at (850)595-0050. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation**, District One announces two public information workshops to which all persons are invited.

DATE AND TIME: Thursday, September 9, 2010, 5:30 p.m. – 7:30 p.m.

PLACE: Northridge Church Gymnasium, 2250 State Road (S.R.) 17 South, Haines City, FL

DATE AND TIME: Monday, September 13, 2010, 5:30 p.m. – 7:30 p.m.

PLACE: W. H. Stuart Conference Center, 1710 Highway 17 South, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Both workshops will be held in an open house format to allow persons an opportunity to express their views concerning the location, conceptual design, and social, economic and environmental impacts of the Project Development and Environment Study of the Central Polk Parkway in Polk County. The west leg of the study area extends from S.R. 60 east of Bartow northwesterly to the Polk Parkway (S.R. 570). The east leg connects S.R. 60 east of Bartow to Interstate 4 in northeast Polk County. The proposed multi-lane roadway would be built on a new alignment. A no-build option is also a viable alternative throughout the study process. Financial Project ID 423601-1-22-01.

A copy of the agenda may be obtained by contacting: Project Manager Nicole Broome, E.I., FDOT District One, Environmental Management Office, P. O. Box 1249, Bartow, Florida 33831, (863)519-2373 or e-mail: nicole.broome@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these workshops is asked to advise the agency at least seven (7) days before the workshops by contacting Ms. Broome. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Thursday September 16, 2010, 6:00 p.m. – 7:00 p.m.

PLACE: Comfort Inn and Executive Suites, 3860 Tollgate Boulevard, Naples, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The public kickoff meeting is regarding a Cumulative Effects Evaluation (CEE) study conducted in association with the proposed Interstate 75 interchange at Everglades Boulevard in Collier County. A cumulative effects evaluation study looks at changes in an area through time and how these changes affect resources in that area. This study will look at how past, present and reasonably foreseeable future changes affect eight protected species found within southwest Florida. The eight species that will be studied include Florida panther, Florida black bear, Florida sandhill crane, wood stork, red-cockaded woodpecker, gopher tortoise, eastern indigo snake, and mangrove fox squirrel.

A short presentation describing the study and its purpose will begin at approximately 6:00 p.m. The remainder of the meeting is held in an informal, open house format. Individuals may attend at any time, from 6:00 p.m. – 7:00 p.m., to review study displays and to hold one-on-one conversations with study team members. The meeting is conducted to afford people the opportunity to express their views regarding the study. Interested people are encouraged to attend the meeting.

A copy of the agenda may be obtained by contacting Ms. Gwen G. Pipkin, Senior Project Manager, (863)519-2375, email: gwen.pipkin@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 7 days before the meeting by contacting Ms. Pipkin at (863)519-2375. If you are 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."

PUBLIC SERVICE COMMISSION

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

TITLE: Nuclear Cost Recovery Clause; Docket Number: 100009-EI

HEARING: Evidentiary Hearing regarding confidentiality requests

DATE AND TIME: Friday, August 20, 2010, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit the utilities, Commission staff, and any party who has timely objected to the confidentiality requests, the opportunity to present testimony and exhibits relative to the requests for confidential classification by Florida Power & Light Company and Progress Energy Florida, Inc., for certain testimony and exhibits that will be used during the 2010 Nuclear Cost Recovery Clause Hearing. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on August 11, 2010.

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

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

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: August 31, 2010, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

A copy of the agenda may be obtained by any person who requests a copy and pays the reasonable cost of the copy (\$1.00, see copying charges for Commission Records), by contacting: Office of Commission Clerk at (850)413-6770 or writing: Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Website: <http://www.floridapsc.com> at no charge.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or

1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: August 31, 2010, Immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact: Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at <http://www.psc.state.fl.us/agendas/internalaffairs/>.

REGIONAL PLANNING COUNCILS

The **Escambia County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 24, 2010, 10:00 a.m.

PLACE: Pensacola City Hall, Whibbs Room, 180 Governmental Center; Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board meeting.

A copy of the agenda may be obtained by contacting: www.wfrpc.org/escambiatd.

Pursuant to the provisions of 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: Ellie Roberts at email: ellie.roberts@wfrpc.org or call 1(800)226-8914. If you are 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: Julia Pearsall at julia.pearsall@wfrpc.org or 1(800)226-8914, ext. 231.

The **Santa Rosa County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 24, 2010, 2:00 p.m.

PLACE: Santa Rosa County Commission Chambers, 6495 Caroline Street, Milton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board meeting.

A copy of the agenda may be obtained by contacting: www.wfrpc.org/santarosatd one week prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ellie Roberts at email: ellie.roberts@wfrpc.org or call 1(800)226-8914. If you are 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: Julia Pearsall at julia.pearsall@wfrpc.org or 1(800)226-8914, ext. 231.

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

DATE AND TIME: August 26, 2010, 5:00 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Planning Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: August 26, 2010, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: August 26, 2010, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: August 26, 2010, 6:30 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Audit Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: August 26, 2010, 7:30 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Statewide Regional Evacuation Study Rollout meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 30, 2010, 1:00 p.m.

PLACE: East Central Florida Regional Planning Council Offices, 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, Florida 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Roll out Statewide Regional Evacuation Study with presentations, data deliverables and the opportunity to ask questions

concerning the study, transportation model, and more. This meeting signifies the end of the project development and the beginning of training and learning the study, data and tools associated with it.

A copy of the agenda may be obtained by contacting: Tara McCue at (407)262-7772 or tara@ecfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Tara McCue at (407)262-7772 or tara@ecfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tara McCue at (407)262-7772 or tara@ecfrpc.org.

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

DATE AND TIME: August 17, 2010, 9:30 a.m.

PLACE: Turner Agri-Civic Center, Exhibit Hall, 2250 N. E. Roan Street, Arcadia, FL 34266

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Local Emergency Planning Committee and/or its subcommittees, to discuss the provision of the Emergency Planning and Community Right-to-Know Program. Additionally, items pertaining to the State Emergency Response Commission and its subcommittee for training may be discussed.

A copy of the agenda may be obtained by contacting: Chuck Carter, Program Director at (863)534-7130, ext. 107 or email: ccarter@cfrc.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.

The **Southwest Florida Regional Planning Council**, Lee County MPO announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 20, 2010, immediately following the 9:00 a.m. MPO Board Meeting

PLACE: Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), will conduct a public meeting to gather input and comment on the transportation planning process of the Lee County MPO as a part of the Federal Certification Review process. The MPO is responsible for establishing priorities to meet short-term (next 5 years) and long-term (20+

years) multi-modal transportation needs. The public meeting is an important part of a federal review process that is required every four years for Transportation Management Areas (TMA).

The Federal review team would like to hear from you directly at the public meeting, or via mail, email or fax. If you are unable to attend the meeting, public comment forms are available at the Southwest Florida Regional Planning Council office, 1926 Victoria Avenue, Fort Myers or by visiting the MPO website at: www.mpo-swfl.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Meghan Marion, Lee MPO prior to the meeting by calling (239)338-2550, ext. 219 or email: mmarion@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: www.mpo-swfl.org or call (239)338-2550, ext. 219.

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

DATE AND TIME: Wednesday, September 1, 2010, 10:30 a.m.

PLACE: Hendry County Administrative Offices, 165 South Lee Street, Suite A, LaBelle, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Joint Glades/Hendry Local Coordinating Board for the Transportation Disadvantaged will be holding their quarterly board meeting.

A copy of the agenda may be obtained by contacting: Brian Raimondo at (239)338-2550, ext. 211 or by e-mail: braimondo@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Brian Raimondo at (239)338-2550, ext. 211 or by e-mail: braimondo@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Visit our website at: http://www.swfrpc.org/trans_disadv.shtml.

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

DATE AND TIME: Monday, September 13, 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 Islamorada Village of Islands, Monroe County and Florida City; 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 Miami and Doral; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting. Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location. Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices at (954)985-4416 (Broward).

A copy of the agenda may be obtained by contacting: (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: (954)985-4416.

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

DATE AND TIME: Monday, September 27, 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: To discuss and review the Revolving Loan Fund loan applications. A copy of the agenda may be obtained by contacting: Cheryl Cook at (954)985-4416 or email: cherylc@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 2 days before the workshop/meeting by contacting: Cheryl Cook at (954)985-4416 or email: cherylc@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: Cheryl Cook at (954)985-4416 or email: cherylc@sfrpc.com.

METROPOLITAN PLANNING ORGANIZATIONS

The **Metropolitan Transportation Planning Organization** for the Gainesville Urbanized Area announces a public meeting to which all persons are invited.

DATE AND TIME: August 25, 2010, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Alachua County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Hillsborough County MPO Transportation Disadvantaged Coordinating Board (TDCB)** announces a public meeting to which all persons are invited.

DATES AND TIME: August 26, 2010; October 28, 2010; December 9, 2010, 9:15 a.m.

PLACE: County Center Bldg., 601 E. Kennedy Blvd., 18th Floor, Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: Coordinated services and programs for the transportation disadvantaged with the goal of improving quality of life for

children who are at high risk; the elderly; those who have physical or mental disabilities; and the economically disadvantaged.

A copy of the agenda may be obtained by contacting: Michele Ogilvie at (813)273-3774, ext. 317, ogilviem@plancom.org for more information.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Michele Ogilvie at (813)273-3774, ext. 317, ogilviem@plancom.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.

The Local Coordinating Board for the **Transportation Disadvantaged of Martin County** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 23, 2010, 4:30 p.m.

PLACE: Martin County Administration Building, 1st Floor, Growth Management Conference Room, 2401 S. E. Monterey Road, Stuart, FL 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Local Coordinating Board for the Transportation Disadvantaged is comprised of seventeen (17) members with representation from the elderly, disabled, citizen advocates, public education community, Florida Department of Transportation and other various State and local agencies.

The Local Coordinating Board members are the voice of the transportation disadvantaged in Martin County. The Board exists to identify local transportation service needs, and to give information, advice, and direction to the Community Transportation Coordinator (CTC), Medical Transportation Management, Inc., who coordinates transportation disadvantaged services in Martin County, and to the State Transportation Disadvantaged Commission in Tallahassee.

A copy of the agenda may be obtained by contacting: Lisandra Bonet, Martin MPO, 2nd Floor, 2401 S. E. Monterey Road, Stuart, FL 34996, (772)221-1498, Fax: (772)221-2389, email: lbonet@martin.fl.us. Items not included on the agenda may also be heard in consideration of the best interests of the public's health, safety, welfare and as necessary to protect every person's right of access.

Español: Si usted desea recibir esta información en español, por favor llame al: (772)221-1498.

Pursuant to the provisions of 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: Transportation assistance to and from meetings for disabled persons may be arranged by calling 1(866)836-7034.

Non-English speaking or visually impaired persons who need an accommodation are advised to contact the County Administrator's office at (772)288-5420 or in writing to: 2401 S. E. Monterey Road, Stuart, FL 34996, no later than 3 days before the meeting date. If you are hearing or voice impaired, please call: (772)288-5940 (TDD). If you are 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: Lisandra Bonet, Martin MPO, 2nd Floor, 2401 S. E. Monterey Road, Stuart, FL 34996, (772)221-1498, Fax: (772)221-2389, email: lbonet@martin.fl.us.

If you are unable to attend, your comments and concerns are encouraged and can be entered into the record by submitting your written request to the address above.

The Local Coordinating Board for the **Transportation Disadvantaged of Martin County** announces a hearing to which all persons are invited.

DATE AND TIME: Monday, August 23, 2010, 6:00 p.m.

PLACE: Martin County Administration Building, 1st Floor, Growth Management Conference Room, 2401 S. E. Monterey Road, Stuart, FL 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: Following the regular Board Meeting, a Public Hearing will be held for all interested citizens to provide input on transportation needs and services to the disabled, elderly, children at risk, low income and other citizens in Martin County.

The Local Coordinating Board for the Transportation Disadvantaged is comprised of seventeen (17) members with representation from the elderly, disabled, citizen advocates, public education community, Florida Department of Transportation and other various State and local agencies.

The Local Coordinating Board members are the voice of the transportation disadvantaged in Martin County. The Board exists to identify local transportation service needs, and to give information, advice, and direction to the Community Transportation Coordinator (CTC), Medical Transportation

Management, Inc., who coordinates transportation disadvantaged services in Martin County, and to the State Transportation Disadvantaged Commission in Tallahassee.

A copy of the agenda may be obtained by contacting: Lisandra Bonet, Martin MPO, 2nd Floor, 2401 S. E. Monterey Road, Stuart, FL 34996, (772)221-1498, Fax: (772)221-2389, email: lbonet@martin.fl.us.

Español: Si usted desea recibir esta información en español, por favor llame al: (772)221-1498.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least three days before the workshop/meeting by contacting: Transportation assistance to and from meetings for disabled persons may be arranged by calling 1(866)836-7034. Non-English speaking or visually impaired persons who need an accommodation are advised to contact the County Administrator's office at (772)288-5420 or in writing to: 2401 S. E. Monterey Road, Stuart, FL 34996, no later than 3 days before the meeting date. If you are hearing or voice impaired, please call: (772)288-5940 (TDD). If you are 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: Lisandra Bonet, Martin MPO, 2nd Floor, 2401 S. E. Monterey Road, Stuart, FL 34996, (772)221-1498, Fax: (772)221-2389, email: lbonet@martin.fl.us.

If you are unable to attend, your comments and concerns are encouraged and can be entered into the record by submitting your written request to the address above.

The Okaloosa County Transportation Disadvantaged Local Coordinating Board announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 25, 2010, 9:00 a.m.

PLACE: Ft. Walton Administration Bldg., 1804 Lewis Turner Road, Ft. Walton Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Local Coordination Board Meeting.

A copy of the agenda may be obtained by contacting: www.wfrpc.org/okaloosatd one week prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dorothy McKenzie at e-mail: dorothy.mckenzie@wfrpc.org or 1(800)226-8914, ext. 230. If you are 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: Julia Pearsall at julia.pearsall@wfrpc.org or 1(800)226-8914, ext. 231.

The Walton County Transportation Disadvantaged Local Coordinating Board announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 25, 2010, 1:30 p.m.

PLACE: Walton County Extension Services Bldg., 732 N. 9th Street, DeFuniak Springs, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Local Coordinating Board Meeting.

A copy of the agenda may be obtained by contacting: www.wfrpc.org/waltontd one week prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dorothy McKenzie at email: dorothy.mckenzie@wfrpc.org or call 1(800)226-8914. If you are 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: Julia Pearsall at julia.pearsall@wfrpc.org or 1(800)226-8914, ext. 231.

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: August 26, 2010, 1:00 p.m. (ET)

PLACE: District Headquarters, 10 miles west of Tallahassee on Highway 90, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to discuss District business.

OTHER MEETINGS TO BE HELD ON AUGUST 26, 2010:

- 11:15 p.m. – 12:15 p.m. District Lands Committee meeting – to discuss Land Acquisition Matters
- 12:15 p.m. – 12:30 p.m. Administration, Budget and Finance Committee – to consider Revised Fiscal Year 2010-2011 Tentative Proposed Budget
- 1:15 p.m. Public Hearing on Regulatory Matters
- 1:20 p.m. Public Hearing on Land Acquisition Matters

A copy of the agenda may be obtained by contacting: Robin Tucker, Northwest Florida Water Management District, 81 Water Management Drive, Havana, FL 32333, (850)539-5999 (also available through the Internet: www.nwfwmd.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Ms. Jean Whitten at (850)539-5999. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 Suwannee River Water Management District (District) announces a public meeting to which all persons are invited.

DATE AND TIME: August 24, 2010, 1:30 p.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, Florida 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board committee meeting to discuss surplus lands.

A copy of the agenda may be obtained by contacting: the District at (386)362-1001 or 1(800)226-1066 (Florida Only).

Pursuant to the provisions of 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: (386)362-1001 or 1(800)226-1066 (Florida Only). If you are 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 Suwannee River Water Management District (District) announces a telephone conference call to which all persons are invited.

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

PLACE: District Headquarters, 9225 CR 49, Live Oak, Florida 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board monthly teleconference, general items of discussion.

A copy of the agenda may be obtained by contacting: Lisa Cheshire or Kristel Callahan at (386)362-1001 or 1(800)226-1066 (Florida Only) or on the District's website at www.mysuwanneeriver.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: Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida Only). If you are 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 workshop to which all persons are invited.

DATE AND TIME: Friday, August 20, 2010, 9:30 a.m.

PLACE: Kyra InfoTech, 4454 Florida National Drive, Lakeland, FL 33813

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Water Star Certification Event. Recognition of the first commercial property to be certified. One or more Governing Board, Basin Board or Advisory Committee members may attend.

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).

For more information, you may contact: Susan.Douglas@watermatters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4752 (Ad Order EXE0064).

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

DATE AND TIME: Tuesday, August 24, 2010, 9:00 a.m.

PLACE: Hardee County Agri-Civic Center, 515 Civic Center Drive, Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. 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: LuAnne.Stout@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4605 (Ad Order EXE0065).

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

DATES AND TIME: Thursday, August 26, 2010; Friday, August 27, 2010, 8:00 a.m.

PLACE: Ocala Hilton, 3600 S. W. 36th Avenue, Ocala, FL 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2010 Florida Waterfowl Summit. Wetland habitat restoration education. One or more Governing Board, Basin Board or Advisory Committee members may attend.

A copy of the agenda may be obtained by contacting: www.unitedwaterfowlersfl.org or 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4606.

For more information, you may contact: Lou.Kavouras@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4606 (Ad Order EXE0066).

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

DATE AND TIME: August 25, 2010, 9:00 a.m. – 4:00 p.m.

PLACE: SWFWMD-Martin, St. Lucie Service Center, 780 S. E. Indian Street, Willoughby Crossroads Plaza, Stuart, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding Lake Okeechobee service area water supply needs. The public is advised that it is possible that one

or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

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

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

The **Lower West Coast Regional Water Supply Plan**, Water Resources Advisory Commission, Issues Workshop announces a public meeting to which all persons are invited.

DATE AND TIME: August 30, 2010, 10:00 a.m. – 12:00 Noon

PLACE: SWFWMD Lower West Coast Service Center, 2301 McGregor Boulevard, Fort Myers, FL 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Action items from previous meeting, Water resource and supply development. Resource options: Floridan aquifer, ASR storage, Reclaimed water, Seawater and Conventional sources (fresh surface and ground water), ASR well permitting, Floridan aquifer system, Case studies of local utilities, Review draft Chapters 1 & 2 of plan.

A copy of the agenda may be obtained by contacting: Terry Bengtsson at email: tbengts@sfwmd.gov or (239)338-2929.

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

REGIONAL UTILITY AUTHORITIES

NOTICE OF CANCELLATION – The **Withlacoochee Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: August 18, 2010, 4:30 p.m.

PLACE: Withlacoochee Regional Planning Council Headquarters, Conference Room, 1241 S. W. 10th Street (SR 200), Ocala, Florida 34474-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting has been CANCELLED.

For more information, you may contact: Jackson Sullivan at (850)385-0220.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF CANCELLATION – The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2010 meeting has been CANCELLED

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting of the Health Information Exchange Coordinating Committee scheduled for August 27, 2010 has been CANCELLED and will be rescheduled.

A copy of the agenda may be obtained by contacting: Dana Watson at (850)412-3784. The agenda will be available seven (7) days prior to the rescheduled meeting to be noticed.

For more information, you may contact: Dana Watson at (850)412-3784.

The **Agency For Health Care Administration, Medicaid** announces a public meeting to which all persons are invited.

DATE AND TIME: August 30, 2010, 3:00 p.m. – 4:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Enhanced Benefits Panel will discuss issues related to the technical aspects of the Enhanced Benefits Rewards Program, under Medicaid Reform.

A copy of the agenda may be obtained by contacting: Aldria White, Agency for Health Care Administration, 2562 Executive Center Circle East, Mail Stop #22, Tallahassee, FL 32301, (850)412-3447.

Pursuant to the provisions of 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: Aldria White, Agency for Health Care Administration, 2562 Executive Center Circle East, Mail Stop #22, Tallahassee, FL 32301, (850)412-3447. If you are 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 Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 1, 2010, 10:00 a.m. – 12:00 Noon

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Medicaid is holding a public forum to discuss subjects related to the Therapy Services program. The Agency will discuss proposed and recent changes to the Therapy Services program.

A copy of the meeting agenda will be posted on the Agency for Health Care Administration website at <http://ahca.myflorida.com/Medicaid/childhealthservices/therapyserv/index.shtml>. If you would like to attend, or request a copy of the agenda, please contact: John Loar, Therapy Services Program Analyst, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308 or email: john.loar@ahca.myflorida.com.

A copy of the agenda may be obtained by contacting: John Loar, Therapy Services Program Analyst, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308 or email: john.loar@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 48 hours before the workshop/meeting by contacting: John Loar, Bureau of Medicaid Services at (850)412-4222. If you are 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 MANAGEMENT SERVICES

The **Agency for Workforce Innovation**, Early Learning Information System, Project Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 24, 2010, 2:00 p.m. – 3:30 p.m.

PLACE: Caldwell Building, Conference Room B49, 107 E. Madison Street, Tallahassee, Florida 32399; Conference Call: 1(888) 808-6959, Conference Code: 9997256#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular recurring meeting to review project status and act on any decisions required of the Committee.

A copy of the agenda may be obtained by contacting: <http://www.floridajobs.org/earlylearning/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: Dianne Corbett at (850)245-7285. If you are 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 Management Services, Division of Telecommunications** the Joint Task Force on State Agency Law Enforcement Communications announces a public meeting to which all persons are invited.

DATE AND TIME: August 23, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee, Florida 32399; Conference Call: 1(888)808-6959, Passcode: 9227435#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss operational matters for the Statewide Law Enforcement Radio System.

A copy of the agenda may be obtained by contacting: Department of Management Services at (850)922-7435.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least days before the workshop/meeting by contacting: Department of Management Services at (850)922-7435. If you are 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: Bruce Meyers at (850)922-7510, bruce.meyers@dms.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATE AND TIME: August 18, 2010, 9:00 a.m.

PLACE: Sawgrass Marriott, 1000 PGA Tour Boulevard, Ponte Verda Beach, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Architecture and Interior Design announces a public meeting to which all persons are invited to attend.

DATE AND TIME: August 18, 2010, 9:00 a.m.

PLACE: Sawgrass Marriott, 1000 PGA Tour Boulevard, Ponte Verda Beach, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public.

The following cases are open to the public:

Carolina S. Aguilera 2009-059475

Build-Masters Group, Inc. 2009-042409

Bruce C. Anderson

Consultech & Associates 2010-002527

Robert McGoldrick

DRV Design 2010-002956

Deepak R. Vora

Hart Homes Marketing, Inc. 2009-061102

Garrick Hart

Living Interior Design, Inc. 2010-015837

Celia C. Domenech

McHarris Planning & Design 2009-042948

Joseph M. McHarris

M.E. Construction, Inc. 2010-009243

Luke Miorelli

Mizener Designs & Consulting 2010-002306

Joseph R. Mizener

Zureida Molina-Julio 2009-060440

Zands Design Concepts, Inc.

Carlos Ott 2009-059084

Tarlos & Associates, Inc. 2009-046898

Chungsun Kang

David K. Minacci

Smith, Thompson, Shaw & Manausa, PA

3520 Thomasville Road, Fourth Floor

Tallahassee, Florida 32309; (850)402-1570; (850)241-0161

A copy of the agenda may be obtained by contacting: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570, (850)241-0161.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570; (850)241-0161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570, (850)241-0161.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIME: August 23, 2010, 1:30 p.m.

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32309

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: August 24, 2010, 9:00 a.m. and 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

The **Electrical Contractors' Licensing Board** announces a public meeting to which all persons are invited.

DATES AND TIMES: September 15, 2010, 2:00 p.m.; September 16, 2010, 8:30 a.m.; September 17, 2010, 8:30 a.m.

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Fort Lauderdale, FL 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: September 15, 2010 – General Business; September 15, 2010 – Probable Cause Panel (Portions closed to the public); September 16, 2010 – General Business; September 17, 2010 – General Business.

A copy of the agenda may be obtained by contacting: Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)487-8304.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)487-8304. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)487-8304.

The **Florida Engineers Management Corporation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, September 15, 2010, 2:00 p.m. (EST)

PLACE: Florida Board of Professional Engineers, 2507 Callaway Rd., Ste. 200, Tallahassee, FL 32303; Conference Call: 1(866)895-8146, Passcode: 30295716#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the corporation.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at rsammons@fbpe.org.

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

agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons at rsammons@fbpe.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: Rebecca Sammons at rsammons@fbpe.org.

NOTICE OF CANCELLATION – The Board of Accountancy announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 26, 2010, Board meeting, 1:00 p.m. – until all business is concluded

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting has been cancelled.

For more information, you may contact: June Carroll at (352)333-2505.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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

DATE AND TIME: August 18, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: City of Port St. Lucie, City Hall Building, Department Training Room, 1st Floor, 121 S. W. Port St. Lucie Boulevard, Port St. Lucie, FL 34984-5042

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a technical meeting to discuss issues related to the St. Lucie River and Estuary Basin Management Action Plan (BMAP). The BMAP is the means for implementation of the St. Lucie Nutrient and Dissolved Oxygen Total Maximum Daily Load (TMDL). Technical meetings serve a forum for stakeholders to provide recommendations to the Department of Environmental Protection regarding the development of the St. Lucie River Basin Management Action Plan.

A copy of the agenda may be obtained by contacting: Ms. Bonita Gorham, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3000, Tallahassee, Florida 32399-2400 or by visiting: <http://www.dep.state.fl.us/water/watersheds/bmap.htm>.

Pursuant to the provisions of 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: Ms. Bonita Gorham at (850)245-8513. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection**, Bureau of Mining and Minerals Regulation announces a public meeting to which all persons are invited.

DATE AND TIME: August 25, 2010, 9:30 a.m.

PLACE: Circle B Bar Reserve, Nature Discovery Center, Meeting Room, 4399 Winter Lake Road, Lakeland, Florida 33812

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Nonmandatory Land Reclamation Committee will review the status of the Nonmandatory Land Reclamation Program. A field trip to the Tenoroc Fish Management Area will follow the meeting.

A copy of the agenda may be obtained by contacting: Barbara Owens, Department of Environmental Protection, 2051 East Dirac Dr., Tallahassee, FL 32310-3760, (850)487-3894.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Barbara Owens at (850)487-3894. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Barbara Owens at (850)487-3894.

DEPARTMENT OF HEALTH

The **Board of Dentistry** announces a hearing to which all persons are invited.

DATE AND TIME: Friday, September 17, 2010, 8:00 a.m. or as soon thereafter as possible

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed amendment to Rule 64B5-4.002, F.A.C.

Any person wishing to appear by phone must contact the Board office to have their name placed on an attendance list.

A copy of the agenda may be obtained by contacting: Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3258, or emailing a request to the Board Office at Sue_Foster@doh.state.fl.us or by calling (850)245-4567.

Pursuant to the provisions of 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: Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3258. If you are 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: Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3258 or by calling (850)245-4567.

The **Board of Massage Therapy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, August 27, 2010, 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454590#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director at (850)245-4161 or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Anthony Jusevitch, Executive Director 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 **Department of Health** announces a public meeting to which all persons are invited.

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

PLACE: Renaissance Orlando Airport, 5445 Forbes Place, Orlando, Florida 32812, (407)240-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the Committee.

A copy of the agenda may be obtained by contacting: Shaila Washington, Acting Medical Compliance Officer, Department of Health, Division of Medical Quality Assurance, Compliance Management Unit, 4052 Bald Cypress Way, Bin #C076, Tallahassee, FL 32399-3258.

Pursuant to the provisions of 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: Shaila Washington, Acting Medical Compliance Officer at (850)245-4268. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Medicine and Osteopathic Medicine**, Pain Management Clinic Standards of Practice Joint Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 10, 2010, 8:00 a.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Blvd., Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss standards of practice for physicians practicing in pain management clinics subject to the provisions of SB 462 (2009) and SB 2272 (2010).

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director at (850)245-4161 or 4052 Bald Cypress Way, #C06, Tallahassee, FL 32399.

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: August 23, 2009, 10:00 a.m. – 4:00 p.m.

PLACE: JW Marriott Grande Lakes, Palazzo F, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ad Hoc Committee on Domestic Minor Sex Trafficking of the Human Trafficking Taskforce.

A copy of the agenda may be obtained by contacting: Donielle Manning at (850)921-6136.

Pursuant to the provisions of 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: Donielle Manning at (850)921-6136. If you are 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: Donielle Manning at (850)921-6136, email: donielle_manning@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 23, 2010, 2:00, p.m.

PLACE: Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, Florida 32399-0700; Conference Call: 1(888)808-6959, Conference Code: 4883791#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The debriefing meeting of the Department Evaluators as provided for in Section 2.6 and Appendix XIII-a 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, Florida 32399-0700 or email: 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 email: 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 Governor's Task Force on Autism Spectrum Disorders announces a telephone conference call to which all persons are invited.

DATES AND TIME: August 17, 2010; August 18, 2010, 1:00 p.m. – conclusion

PLACE: Conference Call: 1(888)808-6959, Code: 9439484#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a conference call for the Governor's Task Force on Autism Spectrum Disorders. The Task Force will discuss the scope and prioritization of issues to be addressed as listed in Executive Order 09-82.

Pursuant to the provisions of 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: Deleah Sims at (850)488-9547 or by email: Deleah_Sims@apd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: www.healthyfloridians.com/autism.html.

The Agency for Persons with Disabilities, Community Residential Roundtable announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 1, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Conference Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Roundtable will meet to discuss the implementation of Senate Bill 1166, passed during the 2010 regular session relating to community residential homes.

A copy of the agenda may be obtained by contacting: Danielle Scoggins, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-5853.

Pursuant to the provisions of 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: Danielle Scoggins, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-5853. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Danielle Scoggins, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-5853, email: danielle_scoggins@apd.state.fl.us.

The Agency for Persons with Disabilities, Services for Children with Disabilities Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: September 1, 2010, 1:00 p.m. – 4:00 p.m.

PLACE: Agency for Persons with Disabilities, Conference Room 301, 4030 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Task Force will meet to develop a plan for the creation of and enrollment in the Developmental Disabilities Savings Program.

A copy of the agenda may be obtained by contacting: Danielle Scoggins at (850)414-5853.

Pursuant to the provisions of 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: Danielle Scoggins, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee,

Florida 32399, (850)414-5853, email: danielle_scoggins@apd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Danielle Scoggins, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-5853, email: danielle_scoggins@apd.state.fl.us.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: September 1-3, 2010, 8:30 a.m. each day

PLACE: Hilton Pensacola Beach Gulf Front, 12 Via de Luna Drive, Pensacola, Florida 32561

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss substantive and procedural issues associated with the Fish and Wildlife Conservation Commission and to take action on proposed rules and policy issues. The meeting may include fact finding field trips to Commission managed areas or facilities and to other areas to learn about management, and enforcement activities.

A copy of the agenda may be obtained by contacting: Kathleen Hampton, Florida Fish and Wildlife Conservation Commission, 620 South Meridian St., Tallahassee, Florida 32399-1600.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: September 8, 2010, 6:00 p.m. – 8:00 p.m. (Central Time)

PLACE: Gulf Coast Community College, 5230 W. US Hwy. 98, Student Union East, 2nd Floor, Conference Room, Panama City, FL 32401

DATE AND TIME: September 9, 2010, 6:00 p.m. – 8:00 p.m.

PLACE: FWC, 620 S. Meridian, Farris Bryant Building, 2nd Floor, Conference Room, Tallahassee, FL 32399

DATE AND TIME: September 20, 2010, 6:00 p.m. – 8:00 p.m.

PLACE: Brevard Agricultural Center, 3695 Lake Drive, Cocoa, FL 32926

DATE AND TIME: November 23, 2010, 6:00 p.m. – 8:00 p.m.

PLACE: Jacksonville Public Library, Southeast Branch, 10599 Deerwood Park Blvd., Jacksonville, FL 32256

DATE AND TIME: November 30, 2010, 6:00 p.m. – 8:00 p.m.

PLACE: Fish and Wildlife Research Institute, 100 Eighth Ave., S. E., Karen A. Steidinger Auditorium, St. Petersburg, FL 33701

DATE AND TIME: December 1, 2010, 6:00 p.m. – 8:00 p.m.

PLACE: City Hall Council Chambers, 123 N. W. Hwy. 19, Crystal River, FL 34428

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of these workshops is to review the Commission's recent regional analysis of the red drum stock assessment. Possible rule changes will be discussed including creating regional management areas for red drum and raising the bag limit to two red drum per person per day in the two northern regions of the state. Possible rule changes will also be discussed for the southeast region of the state such as a change to the slot limit or closed seasons.

A copy of the agenda may be obtained by contacting: Mark Robson, 620 South Meridian, Tallahassee, Florida 32399, (850)487-0554.

Pursuant to the provisions of 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: Mark Robson, 620 S. Meridian, Tallahassee, FL 32399, (850)487-0554.

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: September 14, 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 690-149.303, Florida Administrative Code, published on April 9, 2010 in Vol. 36, No. 14, of the Florida Administrative Weekly. The rule number in the Notice portion of the Notice of Proposed Rulemaking is corrected to 690-149.303.

A copy of the agenda may be obtained by contacting: Gerry Smith, Life and Health Product Review, Office of Insurance Regulation, email: Gerry.Smith@flor.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gerry Smith, Life and Health Product Review, Office of Insurance Regulation, email: Gerry.Smith@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Gerry Smith, Life and Health Product Review, Office of Insurance Regulation, email: Gerry.Smith@flor.com.

The Financial Services Commission, Office of Financial Regulation announces a hearing to which all persons are invited.

DATE AND TIME: August 26, 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 Chapter 69V-40, F.A.C., published on June 18, 2010, in Vol. 36, No. 24 of the Florida Administrative Weekly. A notice of change for these rules is also published in this edition of the Florida Administrative Weekly.

A copy of the agenda may be obtained by contacting: Governor and Cabinet website at: <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Andrea Moreland, Office of Financial Regulation, at (850)410-9601, email: andrea.moreland@flofr.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Andrea Moreland, Office of Financial Regulation at (850)410-9601, email: andrea.moreland@flofr.com.

The Financial Services Commission, Office of Financial Regulation announces a hearing to which all persons are invited.

DATE AND TIME: August 26, 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 the Rule 69W-100.007, F.A.C., 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: Governor and Cabinet website at: <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Andrea Moreland, Office of Financial Regulation, at (850)410-9601, andrea.moreland@flofr.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Andrea Moreland, Office of Financial Regulation at (850)410-9601, andrea.moreland@flofr.com.

The Financial Services Commission, Office of Financial Regulation announces a hearing to which all persons are invited.

DATE AND TIME: August 26, 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 69W-200.001, F.A.C., 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: Governor and Cabinet website at: <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Andrea Moreland, Office of Financial Regulation, at (850)410-9601, andrea.moreland@flofr.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Andrea Moreland, Office of Financial Regulation, at (850)410-9601, andrea.moreland@flofr.com.

The Financial Services Commission, Office of Financial Regulation announces a hearing to which all persons are invited.

DATE AND TIME: August 26, 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 Rules 69W-300.002 and 69W-300.003, F.A.C., 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: Governor and Cabinet website at: <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Andrea Moreland, Office of Financial Regulation, at (850)410-9601, email: andrea.moreland@flofr.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Andrea Moreland, Office of Financial Regulation at (850)410-9601, email: andrea.moreland@flofr.com.

The **Financial Services Commission, Office of Financial Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: August 26, 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 the Rule 69W-301.003, F.A.C., 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: Governor and Cabinet website at: <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Andrea Moreland, Office of Financial Regulation at (850)410-9601, email: andrea.moreland@flofr.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Andrea Moreland, Office of Financial Regulation at (850)410-9601, email: andrea.moreland@flofr.com.

The **Financial Services Commission, Office of Financial Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: August 26, 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 the Rules 69W-500.008, 69W-500.013, 69W-500.015, 69W-500.016 and 69W-500.017, F.A.C., 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: Governor and Cabinet website at: <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Andrea Moreland, Office of Financial Regulation at (850)410-9601, email: andrea.moreland@flofr.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Andrea Moreland, Office of Financial Regulation at (850)410-9601, email: andrea.moreland@flofr.com.

CITRUS COUNTY TRANSIT

The **Citrus County Transit** announces a public meeting to which all persons are invited.

DATE AND TIMES: August 20, 2010, Public Hearing, 9:30 a.m. – 10:30 a.m.; Regular Meeting, 10:30 a.m. – 12:30 p.m.

PLACE: Lecanto Government Building, 3600 W. Sovereign Path, Room 166, Lecanto, FL 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of last meeting minutes (5/21/10); Discussion of: TDSP, Rate Calculation, CTC Evaluation, etc.

A copy of the agenda may be obtained by contacting: Becky Ear at (352)527-7630, email: becky.ear@bocc.citrus.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: County Administrator's Office, 110 N. Apopka

Ave., Inverness, FL 34450. If you are 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: Becky Ear during 8:00 a.m. – 4:00 p.m. at (352)527-7630, email: becky.ear@bocc.citrus.fl.us.

AREA AGENCY ON AGING OF PASCO-PINELLAS

The **Area Agency on Aging of Pasco-Pinellas** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday August 16, 2010, 9:30 a.m.

PLACE: 9887 4th Street North, Suite 100, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to the Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Brenda Black at (727)570-9696.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Brenda Black at (727)570-9696. If you are 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: Brenda Black at (727)570-9696.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The **Center for Independent Living in Central Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, August 28, 2010, 9:00 a.m. – 12:00 Noon

PLACE: 720 North Denning Drive, Winter Park, FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: Strategic Planning.

A copy of the agenda may be obtained by contacting: Luana Kutz at (407)623-1070 or lkutz@cilorlando.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: Luana Kutz at (407)623-1070 or lkutz@

cilorlando.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).

DISABILITY SOLUTIONS FOR INDEPENDENT LIVING, INC.

The **disAbility Solutions for Independent Living, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: August 16, 2010, 6:00 p.m.

PLACE: 119 S. Palmetto Ave., Suite 180, Daytona Beach, FL 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a Board of Director’s Meeting that is open to the public. A review of the agency’s budget reports will be conducted, as well as a discussion of the fundraising efforts and the expansion of the agency’s programs.

A copy of the agenda may be obtained by contacting: Kristine Cravener at (386)255-1812 or TTY (386)252-6222, email: kristine@dsil.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: Kristine Cravener at (386)255-1812 or TTY (386)252-6222, email: kristine@dsil.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kristine Cravener at (386)255-1812, TTY (386)252-6222, email: kristine@dsil.org.

CENTER FOR INDEPENDENT LIVING OF SOUTH FLORIDA

The **Center for Independent Living of South Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, August 28, 2010, 12:00 Noon – 2:00 p.m.

PLACE: 6660 Biscayne Boulevard, Miami, FL 33138

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting of the board of directors of the Center for Independent Living of South Florida, Inc. The Finance Committee and other ad hoc committees will meet 11:00 a.m. – 12:00 Noon, prior to the board meeting.

If alternate format (Braille, large print, electronic or audiotape), ASL interpreter, or other accommodation is required, please request at least 14 days in advance of the meeting date. RSVP to: Mary@soflacil.org or call: (305)751-8025, (TDD) (305)751-8891.

A copy of the agenda may be obtained by contacting: Mary@soflacil.org or call (305)751-8025, ext. 110.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Information Systems Advisory Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, August 17, 2010, 3:00 p.m.

PLACE: Conference Call: 1(866)765-5861

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business before the Information Systems Advisory Committee. A copy of the agenda may be obtained by contacting: The Corporate website at: <https://www.citizensfla.com> or Stephanie Martin at (850)513-3751.

Pursuant to the provisions of 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: Stephanie Martin at (850)513-3751. If you are 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 Audit Committee of **Citizens Property Insurance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday August 25, 2010, 2.30 p.m.

PLACE: Hyatt Regency Orlando International Airport, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: but not limited to, the Office of the Internal Auditor update and audit reports.

A copy of the agenda may be obtained by contacting: Betty Veal at (904)407-0440.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Betty Veal at (904)407-0440. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA COLLEGE SYSTEM RISK MANAGEMENT CONSORTIUM

The **Florida College System Risk Management Consortium** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 20, 2010, 10:00 a.m. – 2:00 p.m.

PLACE: Renaissance Hotel & Resort, Orlando Airport, 5445 Forbes Place, Orlando, FL 32812

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Florida College System Risk Management Consortium.

Pursuant to the provisions of 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: Pam Robinson at (352)955-2190, ext. 111. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA HIGHER EDUCATIONAL FACILITIES FINANCING AUTHORITY

The **Florida Higher Educational Facilities Financing Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 26, 2010, 12:00 Noon

PLACE: The Campus of Bethune-Cookman University, Second Floor, Conference Room, White Hall, 640 Dr. Mary McLeod Bethune Boulevard, Daytona Beach, Florida 32114, (386)481-2858; Conference Call: 1(866)578-5716, Conference Code: 6813188#

GENERAL SUBJECT MATTER TO BE CONSIDERED: (a) Consider a bond resolution authorizing the issuance by the Authority of up to \$30,500,000 in principal amount of its revenue bonds in order to fund a loan to Bethune-Cookman University to refund Volusia County Educational Facilities Authority Variable Rate Educational Facilities Revenue Bonds (Bethune-Cookman College, Inc. Series, 2001) and to finance certain improvements and construction of residence halls on its campus; approving the forms of documents and authorizing execution of same; authorizing the sale of the bonds to the underwriter designated by the University via negotiated sale; and authorizing officers of the Authority to accomplish the issuance of such bonds; (b) Any other matters that may come before the Authority.

A copy of the agenda may be obtained by contacting: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

Pursuant to the provisions of 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: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

The **Hardee County Economic Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 23, 2010, 8:30 a.m.
PLACE: 412 W. Orange Street, Room 102, Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting with Grant Application Presentations.

A copy of the agenda may be obtained by contacting: Sandy Meeks at (863)773-9430.

Pursuant to the provisions of 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: Sandy Meeks at (863)773-9430. If you are 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: Sandy Meeks at (863)773-9430.

SOIL AND WATER CONSERVATION DISTRICT

The **Hendry Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: August 26, 2010, 1:00 p.m.

PLACE: Large Conference Room, Dallas B. Townsend Ag. Building, 1085 Pratt Blvd., LaBelle, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board meeting.

A copy of the agenda may be obtained by contacting: Barbara Tillis at (863)674-4160.

The **Madison Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: August 16, 2010, 8:15 a.m.

PLACE: USDA Service Center, Suite 2, U.S. 90 E., Madison, FL 32340

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: (850)973-6595.

The **Collier Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: 3rd Thursday of each month 8:30 a.m.

PLACE: 14700 Immokalee Rd., Naples, FL 34120

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Business Meeting.

A copy of the agenda may be obtained by contacting: collierswcd.org.

ENTERPRISE FLORIDA, INC.

The **Enterprise Florida, Inc.**, Rural/Working Group announces a public meeting to which all persons are invited.

DATE AND TIME: August 17, 2010, 10:00 a.m.

PLACE: Biltmore Hotel, Danielson Gallery, 1200 Anastasia Avenue, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda or for more information, you may contact: Ellen Stalnaker at (407)956-5615.

The **Enterprise Florida**, Competitiveness Working Group announces a public meeting to which all persons are invited.

DATE AND TIME: August 17, 2010, 1:00 p.m.

PLACE: Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda or for more information, you may contact: Ellen Stalnaker at (407)956-5615.

The **Enterprise Florida**, Competitiveness Working Group announces a public meeting to which all persons are invited.

DATE AND TIME: August 17, 2010, 3:15 p.m.

PLACE: Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Ellen Stalnaker at (407)956-5615.

For more information, you may contact: Ellen Stalnaker at (407)956-5615.

The **Enterprise Florida**, Marketing Working Group announces a public meeting to which all persons are invited.

DATE AND TIME: August 17, 2010, 3:15 p.m.

PLACE: Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Ellen Stalnaker at (407)956-5615.

For more information, you may contact: Ellen Stalnaker at (407)956-5615.

The **Enterprise Florida**, Stakeholders Council announces a public meeting to which all persons are invited.

DATE AND TIME: August 18, 2010, 8:30 a.m.

PLACE: Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Ellen Stalnaker at (407)956-5615.

For more information, you may contact: Ellen Stalnaker at (407)956-5615.

The **Enterprise Florida**, TEC Council announces a public meeting to which all persons are invited.

DATE AND TIME: August 18, 2010, 1:00 p.m.

PLACE: Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Ellen Stalnaker at (407)956-5615.

For more information, you may contact: Ellen Stalnaker at (407)956-5615.

The **Enterprise Florida**, Global Commerce & Investment Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 18, 2010, 2:30 p.m.

PLACE: Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Ellen Stalnaker at (407)956-5615.

The **Enterprise Florida**, Life Sciences Council announces a public meeting to which all persons are invited.

DATE AND TIME: August 18, 2010, 3:00 p.m.

PLACE: Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Ellen Stalnaker at (407)956-5615.

For more information, you may contact: Ellen Stalnaker at (407)956-5615.

The **Enterprise Florida**, Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 18, 2010, 4:00 p.m.

PLACE: Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Ellen Stalnaker at (407)956-5615.

The **Enterprise Florida, Inc.**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: August 19, 2010, 8:30 a.m.

PLACE: Biltmore Hotel, 1200 Anastasia Avenue, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will discuss on-going, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Ellen Stalnaker at (407)956-5615.

FLORIDA SPORTS FOUNDATION

The **Florida Sports Foundation**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 15, 2010, 11:00 a.m. – 4:00 p.m.

PLACE: Hilton Bayfront, 333 First Street South, St. Petersburg, FL 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is to discuss the promotion and development of Sports within the State of Florida.

A copy of the agenda may be obtained by contacting: Info@flsports.com.

BABCOCK RANCH INC.

The **Babcock Ranch Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: August 20, 2010, 9:00 a.m. – 1:00 p.m.

PLACE: Babcock Ranch, Cypress Lodge – Great Room, 8000 State Road 31, Punta Gorda, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting Agenda

Welcome:

Call to Order: Chairman Hilary Swain

Quorum: Chairman Swain

Meeting Minutes:

- Adoption of Minutes of the Board of Director’s meeting, April 13, 2010
- Review of Minutes of Executive/Legislative Committee meeting, June 3, 2010

Chairman’s Report:

- Follow up on action items from April meeting, submittal of annual report, budget request submitted to FDACS, legislative support sought.
- Discussions with Babcock Ranch Management, LLC
- Discussion with Terry Rhodes at Florida Department of Agriculture and Consumer Services

Treasurer’s Report:

Report from Babcock Ranch LLC/Kitson Partners:

Agency Staff Reports:

Lee County Report:

Charlotte County Report:

Public Input:

Discussion Items:

- Replacement of Cary Lightsey – status
- Submitting an annual operating budget request – FDACS
- Status of Business Plan
- Any recommendations for changes in Babcock Ranch legislation associated with renewal of Management Agreement
- Development Advisory Committee meeting to be scheduled
- Any other business.

A copy of the agenda may be obtained by contacting: Debbie Upp at (863)465-2571, ext. 251 or execassistant@archbold-station.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: Debbie Upp at (863)465-2571, ext. 251. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Albert Frost, Petitioner/Unit Owner, In Re: Tregate Condominium Association, Inc., Docket No.: 2010037898. The petition seeks the agency’s opinion as to the applicability of Section 718.123, Florida Statutes, as it applies to the petitioner.

Whether the president of Tregate East Condominium Association, Inc. prevented a unit owner from using the common element clubroom on two occasions in violation of Section 718.123, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

The Board of Nursing hereby gives notice that on July 19, 2010, it received a Petition for Declaratory Statement filed by Sharon Van Fleet, MS, RN, PMHCNS-BC, seeking the Board’s interpretation of Section 464.003, F.S., 2009 and whether it is within the scope of practice in the State of Florida for a clinical nurse specialist, whose specialty is psychiatric-mental health nursing, to conduct a psychiatric assessment of an individual threatening suicide. The Board will address this petition at its next meeting.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252. Comments on this petition should be filed with the Board of Nursing within 14 days of publication of this notice.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement

filed by City of Deerfield Beach Fire and Rescue on June 28, 2010. The following is a summary of the agency’s disposition of the petition:

The answer to Petitioner’s questions is that the manual fire alarm pull station must be located in the natural exit egress path away from the building. Section 553.73, F.S., provides a process for resolving disputes that may arise.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238, Fax: (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mailing your request to: Lesley.Mendelson@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:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Invitation to Bid – Construction of Building Facilities
at the Immokalee State Farmers’ Market

As a Contractor, you are invited to submit a bid to the FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF FORESTRY, hereinafter referred to as Owner, for the Construction of Building Facilities at the Immokalee State Farmers’ Market, 424 New Market Road, Immokalee, Florida. The Project Budget is estimated to be \$7,000,000.00.

The Department is seeking a Contractor for the the construction of three new buildings and repair to a fourth building at the Immokalee State Farmers’ Market. The contractor shall provide all materials, labor, equipment and inspection fees necessary to complete the construction project in accordance with the terms and conditions of the Invitation to Bid.

PROJECT NAME AND LOCATION: CONSTRUCTION OF BUILDING FACILITIES AT THE IMMOKALEE STATE FARMERS’ MARKET, 424 New Market Road, Immokalee, Florida.

SOLICITATION DOCUMENT: The entire solicitation document, which includes specifications, may be viewed and downloaded from the Vendor Bid System at <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements, Bid Number ITB/DM-10/11-06, or by calling the Purchasing Office at (850)617-7181.

PLANS AND DRAWINGS: Architectural and Civil, Plans and Drawings, including technical specifications and a copy of the bid document can be viewed at CPH Engineers, 500 West Fulton Street, Sanford, Florida, (407)322-6841, Attention Pam Smith. These documents are available for purchase from CPH Engineers for a fee of \$250.00 per set. Complete Plans and Specifications will also be available through F. W. Dodge plan room, Tampa.

MANDATORY PRE-BID CONFERENCE/SITE VISIT: Each bidder must, before submitting a bid, attend the mandatory pre-bid conference/site visit. The pre-bid conference/site visit will be held on August 31, 2010, 10:30 a.m., Immokalee State Farmers’ Market, 424 New Market Road, Immokalee, Florida, (239)658-3505. During the pre-bid conference, a site visit will be held for prospective bidders. It is the bidders’ responsibility to consider any and all site conditions or requirements for the project. Specifications will be available at the mandatory pre-bid conference/site visit.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who had been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: Each bid shall be accompanied by a Performance Bond in the amount of one-hundred percent (100%) of the Base Bid Price.

BID BOND: Each bid shall be accompanied by a Bid Bond Guarantee payable to the Department in the amount of five percent (5%) of the Base Bid Price.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: September 30, 2010, 2:00 p.m.

PLACE: Department of Agriculture and Consumer Services, 407 S. Calhoun Street, SB-8 Mayo Building, Tallahassee, Florida 32399-0800, (850)617-7181.

CONTRACT AWARD: The official Notice of Award Recommendation will be by electronic posting at: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C. by the Owner.

DEPARTMENT OF EDUCATION

NOTICE TO CONSTRUCTION MANAGERS:

New College of Florida announces that construction management services will be required for the project listed below:

Project No.: NCF-06
 Project: Seawall Project
 New College of Florida
 Sarasota, Florida

Estimated Construction Budget: \$2,000,000

New College of Florida, Florida’s Honors College, is located on Sarasota Bay on a campus largely comprised of the former Charles Ringling Estate. Part of the Ringling legacy is approximately 1,031 linear feet of Ringling-era (1920’s) seawall, much of it declining and some of it in danger of failing. Two large storm water outfalls penetrate the seawall. The only dock is a modest concrete structure.

The project, currently in an analysis and design phase, will involve the following work scope:

- The restoration, repair or removal of the seawall depending on design recommendations,
- The creation of an intertidal lagoon landward of the existing seawall line,
- The rerouting of storm water from existing outlets through the created lagoon,
- The creation of a walkway along the shoreline along with associated landscaping and lighting.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP). The development of the GMP is planned at the completion of the 50% Construction Document phase. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, encouraging the inclusion of Minority Business enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager’s contract.

RESPONSE DUE DATE: By 4:00 p.m. (Local Time), September 10, 2010

Proposals are to be sent to: Mr. Jack Whelan, Project Manager, Facilities Planning and Construction, 5800 Bay Shore Road, PHS 104, Sarasota, FL 34243-2109, (941)487-4694.

INSTRUCTIONS:

Submit ten (10) bound copies and one (1) PDF copy on a compact disk with a Table of Contents and tabbed sections in the following order:

1. Letter of Interest detailing the firm’s qualification to meet the above referenced selection criteria.
2. A current New College Experience Questionnaire and Contractor’s Financial Statement. (Note: Submittals without the forms filled out will not be considered. Do not submit financial statements.)

3. Résumés of proposed staff and staff organizations.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. References from prior clients received within the last five years.

The New College Experience Questionnaire and Contractor’s Financial Statement as well as instructions and the project fact sheet are available from New College Facilities Planning and Construction at the address shown on the bottom of this advertisement or may be downloaded from New College’s website: www.ncf.edu/facilities. Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

All proposal information submitted becomes the property of New College of Florida, will be placed on file, and not returned. Applications that do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with regulations of the Florida Board of Governors.

SHORTLIST SELECTION PROCESS: From the proposals selected, the College shall shortlist a minimum of three (3) firms and a maximum of five (5) firms for further interviews.

The selected firm or firms will be required to be registered with MyFloridaMarketPlace before a contract can be executed. However they will be exempt from the one percent fee.

Submit proposals to:

Jack Whelan, Project Manager
 Facilities Planning and Construction
 New College of Florida
 5800 Bay Shore Road, PHS 120
 Sarasota, FL 34243
 Telephone: (941)487-4694; Fax: (941)487-4239
jwhelan@ncf.edu

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.”

SCHOOL BOARD OF PASCO COUNTY

Corkboards and Markerboards

Notice is hereby given that sealed bids will be received and publicly opened thereafter at the office of the Purchasing Department, District School Board of Pasco County, 20430 Gator Lane, Land O’Lakes, FL 34638 on or until September 15, 2010 at 2:30 p.m., for investment management services for the Florida Education Investment Trust Fund (FEITF). Bids will be accepted and publicly opened on September 15, 2010, if date/time stamped 2:30 p.m. or earlier; date/time stamps of 2:30:01 or later will be rejected.

NAME OF PROJECT: Bid #11-045-LR

Corkboards and Markerboards

DOCUMENTS:

Available through

<http://purchasing.Pasco.k12.fl.us>,
under “Vendor Bid”

The District School Board of Pasco County reserves the right to waive minor formalities in any bid, to accept any bid which they consider to be in the best public interest, and to reject any part of, or any and all bids. Award will be made to the highest scoring, responsive and responsible bidder, in the opinion and at the option of the District School Board of Pasco County. Their decision shall be final and conclusive.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

NOTICE TO PROFESSIONAL CONSULTANTS

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Section 287.055, F.S., individuals desiring to render professional services for the following project:

CONTINUING CONSULTING ENGINEERING SERVICES
 TAMPA INTERNATIONAL, PLANT CITY, PETER O.
 KNIGHT AND TAMPA EXECUTIVE AIRPORTS

This agreement provides for design services for specific projects selected by the Authority in support of the capital improvement program. Tasks include design of projects with the following disciplines: airport, civil, mechanical, electrical

and structural engineering and architectural. Specialized services may include fire protection engineering, electronic systems, communications/IT systems, traffic engineering services, land surveying and materials testing.

Significant Dates:

- RFQ posted on web site: August 25, 2010, by 5:00 p.m.
- Mandatory pre-qualification conference: September 9, 2010, 2:00 p.m.
- Request for Clarification deadline: September 13, 2010, by 5:00 p.m.
- Qualifications Package Due: September 22, 2010, by 5:00 p.m.
- Technical Evaluation Committee Meeting: October 20, 2010, 9:00 a.m.
- Selection by Authority Board: November 4, 2010, 9:00 a.m.

For additional information on location of meeting and other project details, go to the Authority website at: www.tampairport.com; Quick Links/Airport Business/Notice of Solicitation.

Section XII Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT CONSISTENT WITH SECTION 163.3177(2), FLORIDA STATUTES DCA DOCKET NUMBER 06-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Broward County, Coconut Creek, Cooper City, Coral Springs, Dania Beach, Davie, Deerfield Beach, Hallandale Beach, Lauderhill, Margate, Miramar, North Lauderdale, Parkland, Pembroke Park, Pembroke Pines, Plantation, Pompano Beach, Southwest Ranches, Sunrise, Tamarac, Weston, West Park and Wilton Manors and the Broward County School Board, pursuant to Section 163.3177, F.S., to be consistent with the minimum requirements of Sections 163.3177(2), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the The School Board of Broward County, 600 Southeast Third Avenue, Fort Lauderdale, Florida 33301.

Any affected person, as defined in Section 163.3177(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.3177(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described

in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Broward County, Coconut Creek, Cooper City, Coral Springs, Dania Beach, Davie, Deerfield Beach, Hallandale Beach, Lauderhill, Margate, Miramar, North Lauderdale, Parkland, Pembroke Park, Pembroke Pines, Plantation, Pompano Beach, Southwest Ranches, Sunrise, Tamarac, Weston, West Park and Wilton Manors and the Broward County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Poinciana M10-002

NOTICE IS HEREBY GIVEN THAT the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), F.S.

- FILE NO.: BLIM-06-2010-002
- DATE RECEIVED: July 28, 2010
- DEVELOPMENT NAME: POINCIANA VILLAGE 1, NEIGHBORHOOD 3 EAST

DEVELOPER/AGENT: Avatar Properties, Inc.
 DEVELOPMENT TYPE: Rules 28-24.023, 28-24.031,
 28-24.020, F.A.C.
 LOCAL GOVERNMENT: Osceola County

DCA Final Order No.: DCA10-OR-088A
 In Re: POLK COUNTY LAND DEVELOPMENT
 REGULATIONS ADOPTED BY
 POLK COUNTY ORDINANCE NO.: 09-066

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. 09-066.

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 March 17, 2010, the Department received for review Polk County Ordinance No.: 09-066 which was adopted by the Polk County Board of County Commissioners on November 23, 2009.
3. Proposed Ordinance No.: 10-003 amends the Polk County Land Development Code 09T-34; Ordinance No.: 00-09; and Section 502, Table 5.2, to add the use Recreation, Active and delete the use Recreation, High Intensity from Table 5.2 Use Table for Green Swamp ACSC. The amendment to the Polk County Land Development Code adds the Recreation, Active use to Table 5.2, and provides for this use within the corresponding land use districts, establishes levels of review, and is in response to DCA Final Order DCA09-OR-272.
4. The Ordinance is consistent with the County's Comprehensive Plan Goals, Objectives, and Policies.

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.: 09-066 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.: 09-066 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.

/s/ _____
 CHARLES GAUTHIER, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 29th day of July, 2010.

/s/ _____
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

By Hand Delivery or Interagency Mail:
Rebecca Jetton, Community Planning Administrator, DCA Tallahassee
Richard E. Shine, Assistant General Counsel, DCA Tallahassee

DCA Final Order No.: DCA10-OR-153
In Re: POLK COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY
POLK COUNTY ORDINANCE NO.: 10-018

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. 10-018.

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 June 7, 2010, the Department received for review Polk County Ordinance No.: 10-018 that was adopted by the Polk County Board of County Commissioners on May 19, 2010.

3. Proposed Ordinance No.: 10-018 amends: Section 760.D, Signs Exempt From Building Permit Requirements specifically addressing the requirements for directional signs.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes (2009).
5. 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.
6. "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.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Section 380.05(6), Florida Statutes; see *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code ("Principles").
8. Ordinance No.: 10-018 is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.
9. Ordinance No.: 10-018 is consistent with the Polk County Comprehensive Plan Objective 2.128-A Signage, and Policy 2.128-A1.

WHEREFORE, IT IS ORDERED that Ordinance No.: 10-018 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.

/s/ _____
 CHARLES GAUTHIER, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE

PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 29th day of July, 2010.

/s/ _____
Paula Ford, Agency Clerk

By U.S. Mail:
Michael F. Craig, Esq.
Polk County Attorney
P. O. Box 9005, Drawer AT01
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

By Hand Delivery or Interagency Mail:
Rebecca Jetton, Community Planning Administrator, DCA Tallahassee
Richard E. Shine, Assistant General Counsel, DCA Tallahassee

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 Taotao USA, Inc., intends to allow the establishment of Ride Green Florida, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Tao Tao Industry Co., Ltd. (TAOI) at 671 West Fairbanks Avenue, Winter Park (Orange County), Florida 32789, on or after September 13, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Ride Green Florida, LLC, are dealer operator(s): Brian Schwarz, 671 West Fairbanks Avenue, Winter Park, Florida 32789; principal investor(s): Brian Schwarz, 671 West Fairbanks Avenue, Winter Park, Florida 32789.

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: Michael Hillman, Taotao USA, Inc., 2425 Camp Avenue, #100, 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 Taotao USA, Inc., intends to allow the establishment of Roadpower USA LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Tao Tao Industry Co.,

Ltd. (TAOI) at 927 North 3rd Street, Jacksonville Beach (Duval County), Florida 32250, on or after September 13, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Roadpower USA, LLC, are dealer operator(s): Jim Lee, 927 3rd Street North, Jacksonville Beach, Florida 32250; principal investor(s): Jim Lee, 515 11th Avenue North, Jacksonville Beach, Florida 32250.

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: Michael Hillman, Taotao USA, Inc., 2425 Camp Avenue, # 100, 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 Kinroad, LP. intends to allow the establishment of Sunrise Scooters, as a dealership for the sale of motorcycles manufactured by Kinroad Xintian Motorcycle Manufacturing Co., Ltd. (KNRO) at 1923 South Federal Highway, Ft. Lauderdale (Broward County), Florida 33316, on or after September 13, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Sunrise Scooters are dealer operator(s): Scott Koster, 1923 South Federal Highway, Ft. Lauderdale, Florida 33316; principal investor(s): Scott Koster, 1923 South Federal Highway, Ft. Lauderdale, Florida 33316.

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: Jianxin Gu, Kinroad, LP. 1135 West Trinity Mills 100, 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 Renmin Motors, Inc., intends to allow the establishment of Wild Hogs Scooters and Motorsports, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co., Ltd. (ZHNG) at 3311 West Lake Mary Boulevard Units 1& 2, Lake Mary (Seminole County), Florida 32746, on or after September 13, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Wild Hogs Scooters and Motorsports, LLC, are dealer operator(s): Jason M. Rupp, 3311 West Lake Mary Boulevard, Lake Mary, Florida 32746; principal investor(s): Jason M. Rupp, 3311 West Lake Mary Boulevard, Lake Mary, Florida 32746.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Alexander H. Li, Renmin Motors, Inc., 1810 South Park Street, Madison, Wisconsin 53713.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of 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 Ducati North America, Inc., intends to allow the establishment of WP Enterprises of Orlando, LLC, d/b/a Ducati Orlando as a dealership for the sale of motorcycles manufactured by Ducati (DUCA) at 8901 Futures Drive, Orlando (Orange County), Florida 32819, on or after September 13, 2010.

The name and address of the dealer operator(s) and principal investor(s) of WP Enterprises of Orlando, LLC, d/b/a Ducati Orlando are dealer operator(s): William Perretti, Jr., 163 Orchard Lane, Ormond Beach, Florida 32176; principal investor(s): William Perretti, Jr., 163 Orchard Lane, Ormond Beach, Florida 32176.

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: Kristi M. Blanchard, Ducati North America, Inc., 10443 Bandle Drive, Cupertino, California 95014.

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

EXEMPTIONS

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: St. Johns District: 4-3
ID # E1000011 Decision: A Issue Date: 7/2/2010
Facility/Project: Clyde E. Lassen State Veterans' Nursing Home

Applicant: State of Florida Department of Veterans' Affairs
Project Description: Establish a 120-bed State Veterans' Nursing Home

Proposed Project Cost: \$31,000,000.00

County: Broward District: 10
ID # E1000012 Decision: A Issue Date: 7/8/2010
Facility/Project: Atlantic Shores Hospital
Applicant: Atlantic Shores Hospital, LLC

Project Description: Addition of 72 child/adolescent psychiatric beds through the conversion of 60 adult psychiatric beds and 12 adult substance abuse beds

Proposed Project Cost: \$40,000.00

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

NOTICE OF QUOTA LIQUOR LICENSE DRAWINGS

The Division will accept Quota License Drawing Entry Forms for 45 days beginning the third Monday in August. This year entry forms will be accepted from August 16, 2010, until 5:00 p.m., September 29, 2010, for the following counties and amounts: BROWARD (1)*, HILLSBOROUGH (2)*, LAKE (1), PASCO (1), PINELLAS (1)*, ST. JOHNS (1)

*One (1) or more revoked licenses are being re-issued pursuant to Section 561.19(2)(a), F.S.

The Division must receive all entry forms before this deadline. No exceptions. Mail the completed entry form, including payment (check or money order made payable to the division), to: Division of Alcoholic Beverages and Tobacco, Attention: Quota License Drawing, 1940 North Monroe Street, Tallahassee, Florida 32399-1021.

DBPR ABT-6033 is the only entry form that will be accepted for filing into these drawings. All other entry forms from prior drawings will be denied. All interested persons should contact

the Division's district office serving their area of interest or visit the Division's Internet website: <http://www.myflorida.license.com/dbpr/abt> to obtain the proper application form.

Further information may also be obtained by calling: (850)488-8284 or writing to: Division of Alcoholic Beverages and Tobacco, Bureau of Licensing, New Quota License Drawing, 1940 North Monroe Street, Tallahassee, FL 32399-1021.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at: http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On July 29, 2010 Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Restriction Order with regard to the license of Kirk Edward Blaske, R.N. License #RN 2765242. This Emergency Restriction 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. For additional information, contact the Department of Health, Agency Clerk's Office.

On July 29, 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 Leticia Monique Christie, R.N., License #RN 9305901. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 29, 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 Heather Marie Drumheller, R.N., License #RN 9229008. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 29, 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 Casey Jade Floyd, R.N. License #RN 9217055. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 29, 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 Amy Kristen Mayorga, R.N. License #RN 9220992. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 29, 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 Patrina L. Streater, C.N.A., License #CNA 96009. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 29, 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 Cayika F. Wimberly, C.N.A. License #CNA 139069. This Emergency Suspension Order

was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the: Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., September 3, 2010):

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: Naples Bancorp, Inc. (Bank of Naples), Naples, Florida
Proposed Purchaser: Kenneth R. Murray, Naples, Florida
Received: July 28, 2010

EXPANDED FIELD OF MEMBERSHIP

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at <http://www.flofr.com/banking/cufm.asp>

Name and Address of Applicant: Flag Credit Union, 3115 Conner Boulevard, Tallahassee, FL 32311

Expansion Includes: Geographic Area

Received: July 22, 2010

Name and Address of Applicant: Florida Commerce Credit Union, 1620 Futura Drive, Tallahassee, FL 32317

Expansion Includes: Geographic Area

Received: July 23, 2010

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN July 26, 2010
 and July 30, 2010

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF TRANSPORTATION

14-98.003	7/29/10	8/18/10	36/14	36/25
14-98.005	7/29/10	8/18/10	36/14	36/25

DEPARTMENT OF CORRECTIONS

33-601.720	7/26/10	8/15/10	36/25	
------------	---------	---------	-------	--

COMMISSION ON ETHICS

34-7.010	7/29/10	8/18/10	36/24	
34-12.200	7/29/10	8/18/10	36/24	
34-12.330	7/29/10	8/18/10	36/24	
34-12.400	7/29/10	8/18/10	36/24	

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-3.600	7/28/10	8/17/10	36/23	
-----------	---------	---------	-------	--

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

61-27.001	7/30/10	8/19/10	36/25	
61-27.002	7/30/10	8/19/10	36/25	
61-27.003	7/30/10	8/19/10	36/25	
61-27.004	7/30/10	8/19/10	36/25	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

Division of Alcoholic Beverage and Tobacco

61A-1.010	7/30/10	9/15/10	36/14	36/26
-----------	---------	---------	-------	-------

Florida Real Estate Appraisal Board

61J1-4.007	7/30/10	8/19/10	36/9	36/26
------------	---------	---------	------	-------

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-348.100	7/29/10	8/18/10	35/43	36/26
62-348.200	7/29/10	8/18/10	35/43	36/26
62-348.300	7/29/10	8/18/10	35/43	36/26
62-348.500	7/29/10	8/18/10	35/43	
62-348.600	7/29/10	8/18/10	35/43	
62-348.700	7/29/10	8/18/10	35/43	36/26
62-348.800	7/29/10	8/18/10	35/43	
62-348.900	7/29/10	8/18/10	35/43	

DEPARTMENT OF HEALTH

Board of Pharmacy

64B16-28.120	7/27/10	8/16/10	35/39	
64B16-28.502	7/27/10	8/16/10	35/39	
64B16-28.602	7/27/10	8/16/10	35/39	
64B16-28.6021	7/27/10	8/16/10	35/39	