

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: IT-1.001
RULE TITLE: Division of Cultural Affairs

PURPOSE AND EFFECT: The purpose of this rule amendment is to establish in rule the most recent guidelines and grant report form for the General Program Support Program and the Specific Cultural Project Program. The guidelines for both programs clarify eligibility criteria, match requirements, application submission criteria, panel review and evaluation criteria, amend materials incorporated by reference, and update the application form.

SUBJECT AREA TO BE ADDRESSED: Guidelines and application forms for the General Program Support Program and the Specific Cultural Project Program. Specific areas include: eligibility criteria, match, application procedures, panel review and evaluation criteria, and updated application and grant report forms.

RULEMAKING AUTHORITY: 265.286(1), (11) FS.

LAW IMPLEMENTED: 265.286, 286.011, 286.012 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, January 10, 2011, 9:30 a.m.

PLACE: Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Donald R. Blancett, Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250. If you are 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: Donald R. Blancett, Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE NOS.:	RULE TITLES:
5L-1.002	Definitions
5L-1.007	Container Identification, Terminal Sale Date; Prohibitions
5L-1.008	Shellfish Handling

PURPOSE AND EFFECT: Workshops are scheduled to discuss the requirements of the National Shellfish Sanitation Program (NSSP) as it relates to *Vibrio vulnificus*. Requirements of the NSSP will be directly shared with affected industry members, statewide. Input received from harvesters, processors and interested persons in regards to the NSSP requirements will be used to shape the potential rule amendments which are likely to impact commercial harvesting and processing of oysters.

SUBJECT AREA TO BE ADDRESSED: Any proposed amendments will apply to commercial oyster harvesting and processing in Florida in order to protect the health of oyster consumers and to provide continued limited access to oyster resources during warmer months.

RULEMAKING AUTHORITY: 597.020 FS.

LAW IMPLEMENTED: 597.020 FS.

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

DATE AND TIME: Multiple workshops to be held. See full list below.

DATE AND TIME: February 1, 2011, 5:00 p.m. EST

PLACE: Wakulla County Extension Office, 84 Cedar Ave, Crawfordville, FL 32327

DATE AND TIME: February 1, 2011, 5:00 p.m. EST

PLACE: Senator George G. Kirkpatrick Marine Lab, 11350 S.W. 153rd Court, Cedar Key, FL 32625

DATE AND TIME: February 2, 2011, 3:00 p.m. EST

PLACE: City Hall, Oak Hill, 234 South US 1, Oak Hill, FL 32759

DATE AND TIME: February 2, 2011, 6:30 p.m. EST

PLACE: South Ponte Vedra Civic Association, 2724 South Ponte Vedra Blvd., Ponte Vedra Beach, FL 32082

DATE AND TIME: February 4, 2011, 3:00 p.m. CST

PLACE: Florida Dept. of Agriculture & Consumer Services, Division of Aquaculture, 4408 Delwood Lane, Panama City, FL 32408

DATE AND TIME: February 4, 2011, 6:30 p.m. CST

PLACE: Pensacola Junior College Milton Campus, Building 4900, Room 4902, 5988 Highway 90, Milton, FL 32570

DATE AND TIME: February 7, 2011, 4:00 p.m. EST

PLACE: Franklin County Courthouse, Commission Meeting Room, 33 Market St., Apalachicola, FL 32320

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Chris Brooks at (850)410-0858

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NO.: 5M-5.002 RULE TITLE: Approved Citrus BMPs

PURPOSE AND EFFECT: The purpose of this rulemaking is to revise the rule to allow flatwoods citrus producers outside of this area the opportunity to enroll in approved citrus best management practices.

SUBJECT AREA TO BE ADDRESSED: The proposed rule revision will address the development of practices that protect water resources, and allow flatwoods citrus producers to enroll voluntarily in the adopted Best Management Practices for Citrus Groves in the Peace River and Manasota Basins (October 2004) manual.

RULEMAKING AUTHORITY: 403.067(7)(c)2., 570.07(10), (23) FS.

LAW IMPLEMENTED: 403.067(7)(c)2. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governor Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700 or Fax (850)617-1701

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."

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-8.041 RULE TITLE: Minimum Flows

PURPOSE AND EFFECT: To amend Rule 40D-8.041, F.A.C., pursuant to Section 373.042, Florida Statutes, to establish Minimum Flows for the Homosassa River System and associated springs, including springs that discharge to the Homosassa River, the Southeast Fork of the Homosassa River, Halls River, and Hidden River.

SUBJECT AREA TO BE ADDRESSED: Establishment of a minimum flow for the Homosassa River System. Members of the District's Governing Board and Basin Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421 FS.

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

DATE AND TIME: January 6, 2011, 6:00 p.m.

PLACE: Lecanto Government Building – Room 280, 3600 West Sovereign Path, Lecanto, FL 34461

Pursuant to the provisions of 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 Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Doug Leeper, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4272

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.050 RULE TITLE: Community Behavioral Health Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.050, F.A.C., is to incorporate by reference the Florida Medicaid Community Behavioral Health Services Coverage and Limitations Handbook, October 2010. The handbook was revised to remove the enrollment requirement for Medicaid behavioral health providers to have an active contract with the Substance Abuse and Mental Health (SAMH) circuit or regional office for the location in which the agency will provide services. This Handbook adds descriptions and

policy for the Medicaid behavioral health managed care plans. In addition, this Handbook modifies and clarifies various staff qualifications and policy for community behavioral health services.

SUBJECT AREA TO BE ADDRESSED: Community Behavioral Health Services.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.9081, 409.912, 409.913 FS.

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

DATE AND TIME: Wednesday, January 5, 2011, 9:00 a.m. – 11:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Bill Hardin at the Bureau of Medicaid Services, (850)412-4242. If you are 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: Bill Hardin, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4242, e-mail: william.hardin@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.050 Community Behavioral Health Services.

(1) This rule applies to all community ~~behavioral mental~~ health services providers enrolled in the Medicaid program.

(2) All community behavioral health services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Community Behavioral Health Coverage and Limitations Handbook, October ~~2010~~ 2004, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. The handbooks are available on the Medicaid fiscal agent's Web site at mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting Option 7. Next, click on Provider Support, and then click on Handbooks.

(3) The following forms that are included in the Florida Medicaid Community Behavioral Health Coverage and Limitations Handbook are incorporated by reference: ~~Temporary Limited Service Authorization, October 2010~~ 2004; Authorization for Comprehensive Behavioral Health Assessment, October ~~2010~~ 2004; Comprehensive Behavioral Health Assessment Agency and Practitioner Provider Certification, October ~~2010~~ 2004; Specialized Therapeutic Foster Care Provider Agency Certification, October ~~2010~~ 2004; Authorization for Specialized Therapeutic Foster Care, October ~~2010~~ 2004; Authorization for Crisis Intervention, October ~~2010~~ 2004; Provider Agency Self Certification ~~for Form Behavioral Health Overlay Services in Juvenile Justice settings – Department of Juvenile Justice~~, October ~~2010~~ 2004; Provider Agency Certification ~~for Form Behavioral Health Overlay Services in Juvenile Justice Settings – Department of Juvenile Justice~~, October ~~2010~~ 2004; Certification of Eligibility for Behavioral Health Overlay Services ~~in Juvenile Justice settings – Department of Juvenile Justice~~, October ~~2010~~ 2004; Provider Agency Acknowledgement Self-Certification Form Therapeutic Group Home Services, October ~~2010~~ 2004; Therapeutic Group Care Services Provider Agency Certification, October ~~2010~~ 2004; Authorization for Therapeutic Group Care Services, October ~~2010~~ 2004; Certification of Eligibility for Behavioral Health Overlay Services ~~in Child Welfare settings – Child Welfare~~, October ~~2010~~ 2004; Provider Agency Self-Certification ~~for Form Behavioral Health Overlay Services in Child Welfare settings – Child Welfare~~, October ~~2010~~ 2004; Provider Agency Certification for Form Behavioral Health Overlay Services in Child Welfare settings – Child Welfare, October 2010. These forms are available by photocopying them from the Florida Medicaid Community Behavioral Health Services Coverage and Limitations Handbook. The handbook is available from the Medicaid fiscal agent.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.908, 409.9081, 409.912, 409.913 FS. History– New 1-27-82, Amended 10-25-84, Formerly 10C-7.525, Amended 1-19-94, Formerly 10C-7.0525, Amended 9-21-98, 11-14-00, 1-19-05,_____.

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 JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-7.002	Definitions
63E-7.003	Youth Admission

- 63E-7.006 Quality of Life and Youth Grievance Process
- 63E-7.009 Behavior Management
- 63E-7.010 Residential Case Management Services
- 63E-7.011 Delinquency Intervention and Treatment Services
- 63E-7.016 Program Administration

PURPOSE AND EFFECT: The rule amendments update and clarify conditions of confinement and treatment for delinquent youth in residential commitment programs.

SUBJECT AREA TO BE ADDRESSED: The rule amendments eliminate the use of behavior management units, clarify provisions for accessing legal services, and specify required delinquency intervention services in residential programming.

RULEMAKING AUTHORITY: 985.64 FS.

LAW IMPLEMENTED: 985.601(3) FS.

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

DATE AND TIME: Monday, January 3, 2011, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Nursing

- | | |
|-------------|---|
| RULE NO.: | RULE TITLE: |
| 64B9-15.011 | In-Service Training Requirements for Certified Nursing Assistants |

PURPOSE AND EFFECT: The Board proposes this amendment to add an additional area of in-service training.

SUBJECT AREA TO BE ADDRESSED: In-Service Training Requirements for Certified Nursing Assistants.

RULEMAKING AUTHORITY: 464.006, 464.202, 464.032 FS.

LAW IMPLEMENTED: 456.024, 464.032, 464.2085 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

- | | |
|------------|---|
| RULE NOS.: | RULE TITLES: |
| 65E-10.013 | Applicability |
| 65E-10.014 | Definitions |
| 65E-10.016 | Licensing Requirements |
| 65E-10.018 | Client Eligibility for Placement in Residential Treatment Programs |
| 65E-10.019 | Cost Sharing |
| 65E-10.021 | Standards for Residential Treatment Programs Serving Emotionally Disturbed Children and Adolescents |

PURPOSE AND EFFECT: The purpose of the proposed amendments is to remove language made obsolete by the promulgation of Chapter 65E-9, F.A.C., Licensure of Residential Treatment Centers and to update guidelines for residential placement of uninsured children and youth by the Department of Children and Families with general revenue funds.

SUBJECT AREA TO BE ADDRESSED: Rules 65E-10.013 Applicability; 65E-10.014 Definitions; 65E-10.016 Licensing Requirements; 65E-10.018 Client Eligibility for Placement in Residential Treatment Programs; 65E-10.019 Cost Sharing; and 65E-10.021 Standards for Residential Treatment Programs Serving Emotionally Disturbed Children and Adolescents.

RULEMAKING AUTHORITY: 394.4781(3) FS.

LAW IMPLEMENTED: 394.4781(3), (4) 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: Dr. Jane Streit, Department of Children and Families, Mental Health Program, 1317 Winewood Blvd., Building 6, Room 292, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65E-10.013 Applicability.

(1) These rules shall apply to all residential programs that are solely funded by the Department of Children and Families receive state children's mental health funds to provide treatment services to children who have an emotional disturbance.

(2) No change.

Rulemaking Specific Authority 394.4781(3) FS. Law Implemented 394.4781(3), (4) FS. History—New 3-1-84, Formerly 10E-10.13, Amended 4-8-96, 8-12-96, Formerly 10E-10.013, Amended _____.

65E-10.014 Definitions.

When used in Rules 65E-10.013 through 65E-10.018, F.A.C., 65E-10.021, F.A.C., unless otherwise clearly written in the text:

(1) "Child and family specific team" means a defined group of people that includes, at a minimum, the child and his/her family, a behavioral health representative from the Department of Children and Families or their designee, and any individuals important in the child's life who are identified and invited to participate by the child and family. This may include, for example, teachers, extended family members, friends, family support partners, healthcare providers, coaches, community resource providers, representatives from churches, synagogues or mosques, or agents from other service systems such as the Agency for Persons with Disability, the Department of Juvenile Justice, or the Agency for Healthcare Administration. "Clinical director" means a person with a master's degree and two years of "specialty" experience in a clinical capacity with severely emotionally disturbed children.

(2) "Continuum of care" means alcohol, drug abuse and mental health services ranging from the least restrictive prevention services to the most restrictive residential programs. The continuum is prevention oriented in that it promotes early problem identification and intervention to reduce the need for more restrictive, intrusive, longer term treatment programs. The following services comprise the continuum of care.

- (a) Prevention services;
- (b) Diagnostic and evaluation services;
- (c) Outpatient services;
- (d) Day treatment services;
- (e) Crisis counseling services;
- (f) Residential programs; and,
- (g) Treatment or receiving facilities.

(3) "Hazardous procedure" means aversive conditioning, any activity that places the client at physical risk or pain, or any experimental treatment methodology.

(2)(4) "Child" means any person under the age of 18.

(3)(8) "Psychiatrist" means a medical practitioner licensed under Chapter 458, F.S. as defined in Section 394.455(2)(b), F.S. This person shall have experience in treating emotionally disturbed children and adolescents.

(4) "Psychologist" means a mental health service provider as defined in Section 490.003(7), F.S., licensed to practice in Florida with experience in working with children and adolescents.

(5) "Nurse" means a person licensed as a registered nurse or practical nurse and two years' experience, of which one must be general nursing experience and the other in a specialty area working with children and adolescents.

(6) "Nursing assessment" means a general assessment conducted by a registered nurse in accordance with provisions of Section 464.003(3)(a)1. of the Nurse Practice Act. It does not serve as the physical examination required by Section 394.459(2)(e), F.S.

(5)(9) "Residential treatment program" means programs providing 24 hour live-in care and therapeutic services and includes the following:

(a) "Wilderness therapeutic service" means programs that use wilderness environments to provide therapeutic treatment experiences for emotionally disturbed youths.

(a)(b) "Therapeutic foster home" means a residential program in a community-based setting where one or two minors live in a licensed foster home with adults who receive specialized mental health training and support. Such support is also provided to natural parents and others as determined in the treatment plan.

(b)(e) "Therapeutic group home" means a 24 hour residential program licensed under Chapter 65E-9, F.A.C., providing community-based mental health services in a home-like group setting for up to twelve children who meet the criteria in Section 394.492(5) or (6), F.S. eight emotionally disturbed minors with extensive mental health support services and training provided to the group home parents or staff and the natural parents.

(c)(d) "Residential treatment center for children and adolescents" means a 24 hour residential program as defined in Section 394.67(21), F.S. providing mental health services to emotionally disturbed or psychotic minors. These, typically privately operated, programs offer a variety of treatment modalities in a more restrictive setting.

(6) "System of Care" means a spectrum of effective, community-based services and supports for children and youth with or at risk for mental health or other challenges and their families, that is organized into a coordinated network, builds meaningful partnerships with families and youth, and addresses their cultural and linguistic needs, in order to help them to function better at home, in school, in the community, and throughout life.

The following services comprise the system of care.

- (a) Prevention services;
- (b) Diagnostic and evaluation services;
- (c) Outpatient services;
- (d) Day treatment services;
- (e) Crisis counseling services;

- (f) Residential programs; and
- (g) Treatment or receiving facilities
- (h) Other services and supports designed to build resilience and support recovery.

~~(7) "Physician" means a medical practitioner as licensed pursuant to Chapter 458 or 459, F.S.~~

~~(8) "Psychiatrist" means a medical practitioner as defined in Section 394.455(2)(b), F.S. This person shall have experience in treating emotionally disturbed children and adolescents.~~

~~(9) "Residential program" means programs providing 24 hour live-in care and therapeutic services and includes the following:~~

~~(a) "Wilderness therapeutic service" means programs that use wilderness environments to provide therapeutic treatment experiences for emotionally disturbed youths.~~

~~(b) "Therapeutic foster home" means a residential program in a community based setting where one or two minors live in a licensed foster home with adults who receive specialized mental health training and support. Such support is also provided to natural parents and others as determined in the treatment plan.~~

~~(c) "Therapeutic group home" means a 24 hour residential program providing community based mental health services in a group setting for up to eight emotionally disturbed minors with extensive mental health support services and training provided to the group home parents or staff and the natural parents.~~

~~(d) "Residential treatment center" means a 24 hour residential program providing mental health services to emotionally disturbed or psychotic minors. These, typically privately operated, programs offer a variety of treatment modalities in a more restrictive setting.~~

~~(10) "Restraint" means restraining the child's limbs, head or body by the use of mechanical or physical devices; for example, straps, cuffs, harnesses, mittens, camisoles, for the purpose of preventing a person from inflicting injury upon themselves or others.~~

~~(11) "Seclusion" means to isolate and contain in a room those children who pose an imminent threat of physical harm to themselves or others. The room shall incorporate features which substantially reduce the possibility of children doing harm to themselves or leaving the room without authorization.~~

~~Rulemaking Specific Authority 394.4781(3), (4) FS. Law Implemented 394.4781(3) FS. History--New 3-1-84, Formerly 10E-10.14, Amended 4-8-96, Formerly 10E-10.014, Amended 9-14-98, Amended _____.~~

65E-10.016 Licensing Requirements.

(1) Children shall not be placed in residential placements which do not meet the applicable licensing standards of Chapters 65E-9 and 65C-14, F.A.C., or Chapter 395, F.S., and in the case of foster homes, are not certified as therapeutic

~~foster homes. All participating residential treatment programs homes must meet the applicable licensing requirements as indicated in Chapters 65C-13, 65C-14, 65C-15, F.A.C.~~

~~(2) It shall be the responsibility of the provider to secure the required licensure or certification and to make verification of such licensure or certification available to the Department upon request.~~

~~Rulemaking Specific Authority 409.165(1), 409.175(1), (2) FS. Law Implemented 394.4781(4), 409.145, 409.165, 409.175 FS. History--New 3-1-84, Formerly 10E-10.16, Amended 4-8-96, Formerly 10E-10.016, Amended _____.~~

65E-10.018 Client Eligibility for Placement in Residential Treatment Programs.

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

(b) Be currently assessed as emotionally disturbed by a clinical psychologist or by a psychiatrist licensed to practice in the State of Florida, with experience or training in children's disorders; who states that: be impaired to the extent that residential services are required; and

1. The child has an emotional disturbance as defined in Section 394.492(5), F.S., or a serious emotional disturbance as defined in Section 394.492(6), F.A.C.;

2. The emotional disturbance or serious emotional disturbance requires treatment in a residential treatment setting;

3. All available treatment that is less restrictive than residential treatment has been considered or is unavailable;

4. The treatment provided in the residential treatment setting is reasonably likely to resolve the child's presenting problems as identified by the psychiatrist or psychologist;

5. The nature, purpose, and expected length of treatment have been explained to the child and the child's parent or guardian.

(c) Have been staffed at a assessed by minimum by the circuit child and family appropriate district multidisciplinary team and been presented with all available options for treatment determined eligible for service.

(2) General revenue funds State Children's Mental Health funding, purchase of services, shall not be used to maintain children over the age of 18 in programs encompassed by these rules or to place a child for whom no appropriate services are available in Florida in an out of state residential treatment program which is not an approved Medicaid provider in the state where the child is being placed.

(3) Placement of children and youth in therapeutic out of home settings with general revenue funds is dependent on the availability of funds.

~~Rulemaking Specific Authority 394.4781(3) FS. Law Implemented 394.4781(3), (4) FS. History--New 3-1-84, Formerly 10E-10.18, Amended 4-8-96, Formerly 10E-10.018, Amended _____.~~

65E-10.019 Cost Sharing.

Rulemaking Specific Authority 394.4781(3)(c) FS. Law Implemented 394.4781(3)(c), (4), 409.2561 FS. History--New 3-1-84, Formerly 10E-10.19, 10E-10.019, Repealed.

65E-10.021 Standards for Residential Treatment Programs Serving Emotionally Disturbed Children and Adolescents.

Rulemaking Specific Authority 394.4781(3), (4) FS. Law Implemented 394.4781(3) FS. History--New 3-1-84, Formerly 10E-10.21, Amended 4-8-96, Formerly 10E-10.021, Amended 9-14-98, Repealed.

Section II
Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.:	RULE TITLES:
5J-6.003	Definitions
5J-6.005	Licensing Requirement, Commercial Telephone Seller, Salesperson
5J-6.013	Exemption

PURPOSE AND EFFECT: The purpose and effect of the amendments to Rule 5J-6.003, F.A.C., is to clarify the term, "driver's license number", in order to effectively implement Section 501.605, F.S. and Section 501.607, F.S. The purpose and effect of the amendments to Rule 5J-6.005, F.A.C., is to implement Sections 501.605 and 501.607, F.S., requiring registration through the use of DACS Form 10001, Commercial Telephone Seller Business License Application Packet, Rev. 8-01-10, or DACS Form 10005, Commercial Telephone Salesperson Individual License Application Packet, Rev. 8-01-10. Amendments to Rule 5J-6.005, F.A.C., will also implement Section 501.609, F.S., requiring written notice to the Department using DACS Form 10006, Florida Telemarketing Act Material Change Form, Rev. 8-01-10, of any material changes in information previously submitted for purposes of licensure. The purpose and effect of Rule 5J-6.013, F.A.C., is to implement Section 501.608(1)(b), F.S., through the use of the Commercial Telephone Seller Affidavit of Exemption included in DACS Form-10001, Commercial Telephone Seller Business License Application Packet, Rev. 8-01-10, for those businesses claiming an exemption from licensure with the Department.

SUMMARY: Update of the Commercial Telephone Seller Business License Application Packet, Commercial Telephone Salesperson Individual License Application Packet, Florida Telemarketing Act Material Change Form, Affidavit of Exemption, and clarification of the definition of "driver's license".

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: 501.626 FS.

LAW IMPLEMENTED: 501.602, 501.603, 501.604, 501.605, 501.607, 501.608, 501.609 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 RULES IS: Mazey Strauss, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, phone (850)410-3848

THE FULL TEXT OF THE PROPOSED RULES IS:

5J-6.003 Definitions.

(1) For the purpose of this rule chapter, a "gift, award, or prize" does not include:

(a)(4) A de minimis offering of goods, such as a soft drink, a cup of coffee or tea, a snack, or a similar offering, or

(b)(2) Additional goods of like kind as the goods being offered for sale.

(2) As used in Section 501.605(2)(a) and Section 501.607(1)(a), F.S., if an applicant does not have a driver's license number, applicant shall state that fact and provide a current Florida identification card number, lawfully issued by the Florida Department of Highway Safety and Motor Vehicles.

Rulemaking Specific Authority 501.626 FS. Law Implemented 501.602, 501.603, 501.605, 501.607 FS. History--New 4-12-92, Amended 5-15-95, 8-8-95, _____.

5J-6.005 Licensing Requirement, Commercial Telephone Seller, Salesperson.

(1) No person may act as a commercial telephone seller or salesperson unless licensed by the Department of Agriculture and Consumer Services without first obtaining a license to conduct such activity. All applicants applications for a license shall submit to the Department form DACS Form 10001, Commercial Telephone Seller Business License Application Package, Rev. 8/10, effective 5-3-02, hereby incorporated by reference, along with and provided by the Department, verified by the applicant, and accompanied by the required non-refundable fee. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing,

2005 Apalachee Parkway, Terry L. Rhodes Bldg. Building, Tallahassee, Florida 32399-6500, or online at the following link: <http://www.doacs.state.fl.us/onestop/forms/10001.pdf>.

(2)(a) In the event a licensed commercial telephone seller hires an employee to function as a salesperson, but the employee does not possess a current commercial telephone salesperson license, the licensed commercial telephone seller may obtain interim operating authority for the unlicensed salesperson from the Department by submitting DACS Form 10005, Commercial Telephone Salesperson Individual License the Application Packet, Rev. 8/10, including for license as a commercial Telephone Salesperson and the Statement of Verification, which are included in form DACS 10001, effective 5-3-02, hereby incorporated by reference, along with and a written request that the applicant be granted interim operating authority. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, Terry L. Rhodes Bldg. Building, Tallahassee, Florida 32399-6500, or online at the following links: <http://www.doacs.state.fl.us/onestop/forms/10005.pdf>.

(b) through (c) No change.

(3) The licensee shall notify the Department of all material changes in the information submitted in either the application for license, including the original application for licensure license, or any application for renewal of the license, occurring prior to renewal within 10 days of the material change. The licensee shall utilize form DACS Form 10006, Florida Telemarketing Act Material Change Form, Rev. 8/10, hereby incorporated by reference Statement of Verification 10001. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, Terry L. Rhodes Bldg. Tallahassee, Florida 32399-6500, or online at the following links: <http://www.doacs.state.fl.us/onestop/forms/10006.pdf>.

(4) In the event that a salesperson licensee changes his/her company affiliation, the salesperson shall utilize DACS Form 10006 10001, Florida Telemarketing Act Material Change Form, Rev. 8/10, incorporated in subsection (3), above, form Statement of Verification, and pay the prescribed \$10 fee. Such change in status shall be submitted to the Department within 10 days of the change.

(5) In the event that a the salesperson intends to affiliate with more than one company, the salesperson shall execute a separate indicate such, as provided on form DACS 10001, by executing the Statement of Verification, as found in DACS Form 10005, Commercial Telephone Salesperson Individual License Application Packet, Rev. 8/10, incorporated in subsection (2), above, for each cCommercial tTelephone sSeller with which the salesperson intends to affiliate.

Rulemaking Specific Authority 501.626 FS. Law Implemented 501.605, 501.607, 501.608, 501.609 FS. History–New 4-12-92, Amended 2-15-93, 6-26-94, 5-15-95, 2-11-98, 1-20-03, _____.

5J-6.013 Exemption.

(1) Any business entity claiming an exemption from the commercial telephone seller laws pursuant to Section 501.608(1)(b), Florida Statutes, shall, prior to offering its services, file with the Department the executed Affidavit of Exemption included in form DACS Form 10001, Rev. 8/10, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, Terry L. Rhodes Bldg. Building, Tallahassee, Florida 32399-6500, or online at <http://www.doacs.state.fl.us/onestop/forms/10001.pdf>.

(2) No change.

Rulemaking Specific Authority 501.626 FS. Law Implemented 501.604, 501.608 FS. History–New 6-26-94, Amended 2-11-98, 1-20-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mazey Strauss, Division of Consumer Services, Terry L. Rhodes Building, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, phone (850)410-3848

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charles H. Bronson, Commissioner
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 10, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 10, 2010

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Communities Trust

RULE NOS.:	RULE TITLES:
9K-7.003	General Requirements and Eligibility Standards
9K-7.009	Project Approval

PURPOSE AND EFFECT: To include concise language in Chapter 9K-7, F.A.C., regarding when application cycles will be held and when funding can be applied to prior ranked and approved projects.

SUMMARY: Proposal to eliminate the requirement that FCT announce the amount of Florida Forever bond funds in the Notice of Application Period published in the Florida Administrative Weekly and to allow FCT to apply available funds to prior ranked and approved projects if funds become available prior to the next noticed Application cycle.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: There are no regulatory costs nor will this rulemaking impact small businesses.

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: 380.507(11) FS.

LAW IMPLEMENTED: 259.105, 380.505-.515 FS.

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

DATE AND TIME: January 20, 2011, 10:00 a.m.

PLACE: Randall Kelley Training Room, 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: Ken Reecy, FCT Administrator, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850)922-1701. If you are 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: Ken Reecy, FCT Administrator, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850)922-1701

THE FULL TEXT OF THE PROPOSED RULES IS:

9K-7.003 General Requirements and Eligibility Standards. The following constitutes the general procedures for the Florida Forever Program of the Florida Communities Trust (FCT).

(1) No change.

(2) Notice of Application Period. The Trust shall announce ~~the amount of Florida Forever bond funds available for Awards~~, the limitation on Award amounts, and applicable deadlines in the Notice of Application Period published in the Florida Administrative Weekly.

(3) through (11) No change.

Rulemaking Authority 380.507(11) FS. Law Implemented 259.105, 380.505-.515 FS. History--New 5-27-01, Amended 5-20-02, 2-7-05, 2-19-07, 2-8-10,_____.

9K-7.009 Project Approval.

(1) through (2) No change.

(3) If for any reason funds awarded ~~to an approved project~~ become available prior to the ranking and selection meeting for the next noticed Application cycle, those funds may be committed to other ranked and approved project(s) ~~based upon available funds~~.

(4) through (6) No change.

Rulemaking Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History--New 6-25-01, Amended 5-20-02, 2-7-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ken Reecy, FCT Administrator, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850)922-1701

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Thomas G. Pelham, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 7, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 1, 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."

STATE BOARD OF ADMINISTRATION

RULE NOS.:	RULE TITLES:
19-8.029	Insurer Reporting Requirements
19-8.030	Insurer Responsibilities

PURPOSE AND EFFECT: The State Board of Administration, Florida Hurricane Catastrophe Fund, seeks to amend the rules listed above to implement Section 215.555, Florida Statutes.

SUMMARY: The rules are being amended to adopt 2011/2012 Contract Year forms. Substantive changes are as follows: Rule 19-8.029, F.A.C., Insurer Reporting Requirements, is being amended to adopt the 2011/2012 Data Call and the 2011/2012 Interim and Proof of Loss forms. Rule 19-8.030, F.A.C., Insurer Responsibilities, is being amended to adopt the 2011/2012 Exposure and Loss Examination Advance Preparation Instructions and to adopt the 2011/2012 Interim and Proof of Loss forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A SERC has been prepared by the agency for Rule 19-8.029, F.A.C., and is available by contacting Tracy Allen at the address, telephone number or e-mail address listed below. A SERC has not been prepared for Rule 19-8.030, F.A.C. The following is a summary of the SERC: No adverse impact on economic growth, private-sector job creating or employment, or private sector investment. No adverse impact on business competitiveness or innovation. Minimal regulatory costs for the 172 participating insurers to make minor one-time programming changes. No increased spending for the Agency anticipated. No costs to other states, local governmental entities, small counties or small cities. No impact on state or local revenues.

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: 215.555(3) FS.

LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7), (10), (16), (17) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Tracy Allen, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1341 or tracy.allen@sbafla.com

THE FULL TEXT OF THE PROPOSED RULES IS:

19-8.029 Insurer Reporting Requirements.

(1) through (2) No change.

(a) Citizens Property Insurance Corporation or "Citizens" means the entity formed under Section 627.351(6), F.S., and includes both the High Risk Account and the Personal Lines and Commercial Lines Accounts.

(b) through (d) No change.

(e) Data Call means the annual reporting of insured values forms. These forms are the FHCF-D1A for Contract Years after the 2002/2003 Contract Year year and the FHCF-D1A and FHCF-D1B for the Contract Year 2002/2003 and all prior Contract Years years.

(f) through (g) No change.

(h) Loss Reporting Forms mean the FHCF-L1A and FHCF-L1B for Contract Years after the 2002/2003 Contract Year and means the FHCF-L1A, FHCF-L1B and FHCF-L1C for the Contract Years 2002/2003 and all prior Contract Years years.

(i) through (3)(a) No change.

(b) Confidentiality of reports containing insured values under Covered Policies. Section 215.557, F.S., enacted for the express purpose of protecting trade secret and proprietary information submitted to the FHCF by participating insurers, protects the confidentiality of information of the type submitted in the Data Call (FHCF-D1A), examination workpapers, and examination reports, ~~or loss reports (FHCF-L1A, FHCF-L1B and~~ such information is not subject to the provisions of Section 119.07(1), F.S., or Section 24(a), Article I of the Florida State Constitution. Confidential data and trade secrets reported to the FHCF are protected to the extent allowed by law.

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

(m) For the 2011/2012 Contract Year, the reporting shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2011 Data Call," rev. 01/11, hereby adopted and incorporated by reference into this rule. The form may be obtained from the Fund's Administrator at the address stated in subsection (6) below. A new participant writing covered

policies on or after June 1 but prior to December 1, shall report its actual exposure as of December 31 of the Contract Year on or before March 1 of the Contract Year, to the Administrator.

(5) through (6) No change.

(7)(a) For the 2005/2006 and earlier Contract Years the applicable Interim Loss Report is that form that was in effect for the Contract Year as reflected by the revision date on the form. For example, the applicable Interim Loss Report for the Contract Year 2004-2005 is the FHCF-L1A, with the revision date of 05/04 05/05.

(b) through (f) No change.

(g) For the 2011/2012 Contract Year, the applicable Interim Loss Report is the "Contract Year 2011 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1A, rev. 01/11, which is hereby adopted and incorporated by reference into this rule. The applicable Proof of Loss Report is the "Contract Year 2011 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," FHCF-L1B, rev. 01/11, which is hereby adopted and incorporated by reference into this rule. The forms may be obtained from the Fund's Administrator at the address stated in subsection (6) above.

(8) No change.

Rulemaking Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7), (15) FS. History—New 5-17-99, Amended 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, 5-19-04, 8-29-04, 5-29-05, 5-10-06, 5-8-07, 6-8-08, 3-30-09, 8-2-09, 3-29-10, 8-8-10, _____.

19-8.030 Insurer Responsibilities.

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

(i) Data Call means the annual reporting of insured values forms. These forms, as adopted and incorporated into Rule 19-8.029, F.A.C., are the FHCF-D1A for Contract Years after the 2002/2003 Contract Year year and the FHCF-D1A and FHCF-D1B for Contract Year 2002/2003 and all prior Contract Years years.

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

1. For the 2010/2011 and earlier Contract Years, eEach Insurer required to participate in the FHCF must designate a coverage level in the annual Reimbursement Contract, make any required selections therein and execute the Reimbursement Contract and applicable Addenda so that the Contract, including the schedules and applicable Addenda, have been received by June 1 of each Contract Year.

2. For the 2011/2012 and subsequent Contract Years, each Insurer required to participate in the FHCF must designate a coverage level in the annual Reimbursement Contract, make any required selections therein and execute the Reimbursement Contract and applicable Addenda so that the Contract, including the schedules and applicable Addenda, have been received by the March 1 prior to each Contract Year.

(b) through (c) No change.

(d) Optional coverages authorized by law must be chosen by current participants by executing and returning the applicable Addenda to the Reimbursement Contract ~~by June 1~~ of the relevant Contract Year by the date required. New Participants choosing optional coverage must execute and return the applicable Addenda to the Reimbursement Contract for the relevant Contract Year prior to the time in which a covered loss occurs and within 30 days of writing its first covered policy. Any current or New Participant failing to meet these deadlines shall not be eligible for such optional coverage.

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

(d) Resubmissions of Data: With one exception noted below, any Insurer which submits a Data Call, Form FHCF-D1A, with incorrect data, incomplete data, or data in the wrong format and is required to resubmit will be given 30 days from the date on the letter from the FHCF notifying the Insurer of the need to resubmit. An extension of 30 days will be granted if the Insurer can show that the need for the additional time is due to circumstances beyond the reasonable control of the Insurer participant. Exception: If the Insurer, at the time it receives notice of the need to resubmit, has already been issued a notice of examinations, the usual 30 day time limitation (measured from the date of the letter giving notice of the need to resubmit) does not apply. In this situation, the time period in which the Insurer must resubmit is measured by counting backwards 30 days from the date that the examinations are scheduled to begin as reflected on the notice of examinations letter. The FHCF needs the information prior to the examinations; thus, no extensions can be granted.

(6)(a) No change.

(b) New Participants during the period of June 1 through November 30: Those Insurers that first begin writing Covered Policies from June 1 through November 30 of a Contract Year must submit a payment of \$1,000 on or before the date indicated on the invoice. Once a New Participant's Data Call, which is filed on or before March 1 of the Contract Year, has been reviewed by the Administrator and the Company's actual Reimbursement Premium has been determined on its actual exposure, an invoice with the amount due, if any, will be sent to the Company by the Administrator. Payment, if any amounts are shown as due on the invoice, is due within 30 days from the date on the invoice. In no event will the Premium be less than the \$1,000.

(c) through (d) No change.

(7) Examination Requirements. A Company is required to prepare and retain an examination file in accordance with the specifications outlined in the Data Call instructions and a detailed claims listing to support losses reported on the Proof of Loss Report. Such records must be retained until the FHCF has completed its examination of a Company's exposure submission and any loss reports applicable to the Data Call Contract Year and commutation for the Contract Year (if applicable) has been concluded. The records provided for

examination must be from the examination file as originally prepared unless a subsequent resubmission was sent to the FHCF. Note that both Citizens and Insurers participating in Quota Share Primary Insurance Arrangements must keep complete and accurate records, including copies of policy declaration pages and supporting claims documents, for the purpose of exposure and loss reimbursement examinations by the FHCF.

(a) Advance Examination Record Requirements: Within 30 days from the date on the letter from the FHCF, Companies are required to provide the FHCF with the records indicated in the applicable Contract Year's; "Exposure Examination Advance Preparation Instructions" or in the applicable Contract Year's "Loss Reimbursement Examination Advance Preparation Instructions". An extension of 30 days may be granted if the Insurer can show that the need for the additional time is due to circumstances beyond the reasonable control of the Insurer participant.

1. For Contract Years prior to the 2003/2004 Contract Year, Form FHCF-API as revised for each Contract Year, is the applicable Exposure Examination Advance Preparation Instructions form to use.

2. For the 2004/2005 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Audit – Contract Year 2004 Advance Preparation Instructions," FHCF-API, rev. 5/04. The applicable loss examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2004 Advance Preparation Instructions," FHCF-LAPI, ~~rev.~~ 05/06.

3. For the 2005/2006 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2005 Advance Preparation Instructions," FHCF-API, rev. 5/05. The applicable loss examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year 2005 Advance Preparation Instructions," FHCF-LAPI, rev. 05/07.

4. For the 2006/2007 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination – Contract Year 2006 Advance Preparation Instructions," FHCF-EAPI, rev. 5/06. The applicable loss examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Loss Reimbursement Examination – Contract Year XXXX Advance Preparation Instructions," FHCF-LAPI, ~~rev.~~ new 05/06.

5. through 8. No change.

9. For the 2011/2012 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination –

Contract Year 2011 Advance Preparation Instructions.” FHCf-EAP1, rev. 01/11. The applicable loss examination instructions form is the “Florida Hurricane Catastrophe Fund (FHCf) Loss Reimbursement Examination – Contract Year 2011 Advance Preparation Instructions.” FHCf-LAP1, rev. 01/11.

10.9. These forms are hereby adopted and incorporated by reference into this rule. Copies of these forms may be obtained from the FHCf website, www.sbafla.com/fhcf or by contacting the State Board of Administration. The mailing address is P. O. Box 13300, Tallahassee, Florida 32317-3300. The street address is 1801 Hermitage Blvd., Tallahassee, Florida 32308.

(b) On-site Examination Record Requirements: The FHCf-EAP1, “Exposure Examination Advance Preparation Instructions” form and the FHCf-LAP1, “Loss Reimbursement Examination Advance Preparation Instructions” form each contain a list of the information that the Companies must have available, on-site, on the date the exposure or loss examination is to begin. These records must be made available to the FHCf examiner upon request.

(c) through (8)(e) No change.

(f) For the Contract Year 2011-2012, the applicable “Florida Hurricane Catastrophe Fund Interim Loss Report,” is the FHCf-L1A rev. 01/11 and the applicable “Florida Hurricane Catastrophe Fund Proof of Loss Report,” is the FHCf-L1B rev. 01/11. These forms are hereby adopted and incorporated by reference into this rule.

(g) These forms are hereby adopted and incorporated by reference into this rule and may be obtained from the Fund’s Administrator, Paragon Strategic Solutions Inc., 8200 Tower, 5600 West 83rd Street, Suite 1100, Minneapolis, Minnesota 55437. Companies must submit a detailed claims listing (in a delimited ASCII format) to support the losses reported in the FHCf-L1B, Proof of Loss Report, at the same time it submits its first Proof of Loss Report for a specific Covered Event that qualifies the Company for reimbursement under that Covered Event, and should be prepared to supply a detailed claims listing for any subsequent Proof of Loss Report upon request. Refer to Form FHCf-LAP1 for the required file layout. The Proof of Loss Report and the detailed claims listing are required to be sent to the FHCf Administrator, Paragon Strategic Solutions Inc., at the address listed above. If your Company submits its Proof of Loss Reports electronically through the FHCf’s Online Claims System at www.sbafla.com/fhcf, the detailed claims listing may be attached to the Company’s submission.

(9) No change.

(a) Resubmissions of Data: A \$1,000 resubmission fee (for resubmissions that are not the result of an examination by the SBA) will be invoiced by the FHCf for each submission. If a resubmission is necessary as a result of an examination report issued by the SBA, the resubmission fee will be \$2,000. If a Company’s examination-required resubmission is inadequate

and the SBA requires an additional resubmission(s), the resubmission fee for each subsequent resubmission shall be \$2,000.

(b) No change.

(c) Consequences for Failure to meet the requirements contained in the FHCf-EAP1, “Exposure Examination Advance Preparation Instructions,” the FHCf-LAP1, “Loss Reimbursement Examination Advance Preparation Instructions,” or the on-site examination record requirements in a timely manner: In addition to other penalties or consequences, the FHCf has the authority, pursuant to Section 215.555(4)(f), F.S., to require that the Insurer pay for the following services under the circumstances outlined below:

1. If an examination is delayed, cannot be conducted as scheduled or cannot be completed and the Insurer is responsible for such, the Insurer shall be required to reimburse the FHCf for all the usual and customary expenses connected to such delay, cancellation or incompleteness.

2. If the FHCf finds any Insurer’s records or other necessary information to be inadequate or inadequately posted, recorded, or maintained, the FHCf may employ experts to reconstruct, rewrite, record, post, or maintain such records or information, at the expense of the Insurer being examined.

3. An Insurer required to reimburse the FHCf for costs as outlined in subparagraphs 1. and 2. immediately above, will owe interest on the amount owed to the FHCf from the date the FHCf pays such expenses until the date payment from the Insurer is received. The applicable interest rate will be the average rate earned by the SBA for the FHCf for the first ~~four~~ five months of the current Contract Year plus 5%. Also, the payment of reimbursements or refunds by the FHCf to any Insurer will be offset by any amounts owed by that Insurer to the FHCf.

(10) No change.

(11) Optional Coverage Programs: Except as provided in this subsection, this rule applies to the Additional Coverage Option created in Section 215.555(4)(b)4., F.S., and the Temporary Emergency Additional Coverage Option (“TEACO”) created in Section 215.555(16), F.S., and the Temporary Increase in Coverage Limit Options option created in Section 215.555(17), F.S. (“TICL”). ~~The definition of Premium in paragraph (3)(m), above, does not apply to TEACO. With respect to this Option, the word “Premium” when used in this rule shall refer to the amount payable under Section 215.555(16)(f), F.S., for this optional coverage. The definition of Premium in paragraph (3)(m), above, does not apply to Section 215.555(4)(b)4., F.S., Additional Coverage Option. With respect to this Option, the word “Premium” when used in this rule shall refer to the amount payable under Section 215.555(4)(b)4., F.S., for this optional coverage.~~

(12) No change.

Rulemaking Authority 215.555(3) FS. Law Implemented 215.555 FS. History—New 5-13-03, Amended 5-19-04, 5-29-05, 5-10-06, 5-8-07, 8-13-07, 6-8-08, 3-30-09, 3-29-10, 8-8-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack E. Nicholson, FHCF Chief Operating Officer, State Board of Administration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 7, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 10, 2010

EXECUTIVE OFFICE OF THE GOVERNOR

Florida Energy & Climate Commission

RULE NO.: 27N-1.500
 RULE TITLE: Solar Energy Systems Incentives Program

PURPOSE AND EFFECT: This chapter implements the Florida Renewable Energy Technologies Act, providing for rebates for solar energy systems. The Solar Energy Systems Incentives Program sunset June 30, 2010.

SUMMARY: Rule 27N-1.500, F.A.C., Solar Energy Systems Incentives Program.

- a) Revised application submission guidelines.
- b) Created online application process.

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

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

RULEMAKING AUTHORITY: 377.6015, 377.804(3), 377.806(7), 220.192(3) FS.

LAW IMPLEMENTED: 377.6015, 377.803, 377.804, 377.806, 377.808, 220.192 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: Jacqueline Warr at (850)487-3800

THE FULL TEXT OF THE PROPOSED RULE IS:

27N-1.500 Solar Energy Systems Incentives Program.

Rulemaking Specific Authority 377.6015, 377.806(7) FS. Law Implemented 377.6015, 377.801, 377.802, 377.803, 377.806 FS. History—New 10-22-07, Formerly 62-16.500, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeremy Susac

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alexander Mack

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

ADMINISTRATION COMMISSION

RULE NOS.:	RULE TITLES:
28-18.100	Purpose and Effect
28-18.300	Work Program Administration
28-18.400	Comprehensive Plan

PURPOSE AND EFFECT: Proposal to adopt new rules for the City of Marathon Purpose and Effect, Work Program Administration and Comprehensive Plan to implement the Section 380.0552(4), Florida Statutes, annual reporting requirement to the Administration Commission describing the progress of the City of Marathon in accomplishing the remaining tasks under the Work Program as set forth in Rule 28-20.110, F.A.C, that are necessary prior to the removal of the Florida Keys Area of Critical State Concern designation

SUMMARY: The proposed rules for the City of Marathon Comprehensive Plan identify the individual Work Program tasks set forth in Rule 28-20.110, F.A.C., and the completion dates of the Work Program tasks necessary for consideration by the Administration Commission prior to Removal of the Area of Critical State Concern Designation. As required by Section 380.0552(4), Florida Statutes, the Work Program tasks specified in Administration Commission rules must be reported annually. The protection of the natural environment of the Florida Keys, and the identification of and progress in accomplishing the tasks under Work Program (as set out in Rule 28-20.110, F.A.C.) is reported to the Department of Community Affairs for the preparation of a written annual report to the Administration Commission. The Work Program tasks include the continued implementation of the Wastewater Master Plan and the construction of wastewater treatment and collection facilities; the continued implementation of the Florida Keys Carrying Capacity Study; the identification and completion of stormwater projects; and the analysis of hurricane evacuation issues in the Florida Keys. As noted below, the rule numbers for Work Program Administration and Comprehensive Plan have been changed (28-18.200 changed to 28-18.300; 28-18.300 changed to 28-18.400).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Costs has been 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: 380.0552(9), 380.05(22) FS.

LAW IMPLEMENTED: 380.0552 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: January 10, 2011, 10:00 a.m.

PLACE: Department of Community Affairs, 2555 Shumard Oak Boulevard, Room 305, Tallahassee, Florida 32399-2100

A SECOND POST LEGISLATIVE RATIFICATION HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW.

DATE AND TIME: May 17, 2011, 9:00 a.m.

PLACE: Cabinet Meeting Room, Room LL03, The Capitol, 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 7 days before the workshop/meeting by contacting: Barbara Powell, Planning Analyst, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, telephone (850)922-1782. If you are 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: Barbara Powell, Planning Analyst, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Telephone (850)922-1782

THE FULL TEXT OF THE PROPOSED RULES IS:

28-18.100 Purpose and Effect.

(1) The purpose of this Chapter is to amend the Comprehensive Plan of the City of Marathon, effective date of May 5, 2005, within the Florida Keys Area of Critical State Concern, pursuant to Section 380.0552(9), F.S. In order to provide an accurate record of the amendments approved by this chapter, each set of amendments is set forth in a separate rule section. If any provision of the comprehensive plan is amended by two rule sections, the latest amendment shall control.

(2) As provided in Sections 380.05(10) and 380.0552(7), F.S., the Comprehensive Plan of the City of Marathon adopted herein shall be superseded by amendments which are proposed by Marathon and approved by the Department of Community Affairs pursuant to Sections 380.05(6) and 380.0552(9), F.S.

Rulemaking Authority 380.0552(9), 380.05(22) FS. Law Implemented 380.0552 FS. History—New _____.

28-18.300 Work Program Administration.

[THIS WAS PREVIOUSLY ADVERTISED IN THE FAW (RULE DEVELOPMENT) AS 28-18.200.]

(1) Pursuant to Section 380.0552(4) paragraph (b), the Department of Community Affairs (Department) shall submit a written annual report to the Administration Commission on November 30, 2011 and each year thereafter, until such time as the designation is removed, describing the progress of the Florida Keys Area toward accomplishing remaining tasks under the work program (as set out in Rule 28-20.110, F.A.C. and Rule 28-18.400, F.A.C.) and providing a recommendation as to whether progress toward accomplishing the tasks of the work program has been achieved.

(2) The Department of Community Affairs shall recommend to the Administration Commission the removal of designation when the removal of designation criteria of Section 380.0552(4), F.S., is achieved.

(3) For tasks in the work program related to water quality, the Department of Community Affairs shall request assistance from appropriate federal, state, regional, and local agencies and request to contribute any relevant data, analysis and recommendations, and take an active role in assisting the City in completing the task. Each agency shall prepare a section to be included in the Department's reports which indicates the agency's actions relative to the work program. The Department of Community Affairs shall specifically request that the Florida Keys National Marine Sanctuary Water Quality Protection Program Steering Committee (Water Quality Steering Committee) take an active role to allocate funding or provide staff to monitor nearshore waters, as necessary, for nutrient reductions.

Rulemaking Authority 380.0552(9), 380.05(22) FS. Law Implemented 380.0552 FS. History—New _____.

28-18.400 Comprehensive Plan.

[THIS WAS PREVIOUSLY ADVERTISED IN THE FAW (RULE DEVELOPMENT) AS 28-18.300.]

(1) The Comprehensive Plan of the City of Marathon, as the same exists on January 1, 2011, is hereby amended to read as follows:

(2) Policy 1-3.5.18 Marathon Work Program Conditions and Objectives.

(a) The number of allocations issued annually for residential development under the Residential Building Permit Allocation System (BPAS) shall not exceed a total annual unit cap of 30, plus any available unused BPAS allocations from a previous year. Unused BPAS allocations may be retained and made available only for affordable housing and Administrative Relief from BPAS year to BPAS year. Unused market rate allocations shall be available for Administrative Relief. Any unused affordable allocations will roll over to affordable housing. This BPAS allocation represents the total number of allocations for development that may be issued during a year. A BPAS year means the twelve-month period beginning on July 13. Policy 1-3.5.18 supersedes Policy 1-3.5.2 of the City of Marathon Comprehensive Plan.

(b) No exemptions or increases in the number of allocations may be allowed, other than that which may be expressly provided for in the comprehensive plan or for which there is an existing agreement as of September 27, 2005 for affordable housing between the Department and the local government in the critical areas.

(c) Allocations and permits to construct a new development or redevelopment that requires a modification or a repair to the onsite sewage treatment and disposal system, per Section 381.0065(4)(l) and Section 403.086(10), F.S., and subsection 64E-6.001(4), F.A.C., shall not be issued unless the unit is connected to or will be connected to a central sewer system that has committed funding, a construction permit from the Department of Environmental Protection and the collection system is physically under construction, or the unit has an onsite sewage treatment and disposal system that meets the treatment and disposal requirements of Section 381.0065(4)(l) and Section 403.086(10), F.S.

(d) Through the Permit Allocation Systems, Marathon shall direct new growth and redevelopment to areas served by a central sewer system that has committed funding, a construction permit from the Department of Environmental Protection and is physically under construction. Prior to the ranking and approval of awards for an allocation authorizing development of new principal structures, Marathon shall coordinate with the central wastewater facility provider and shall increase an applicant's score by four points for parcels served by a collection line within a central wastewater facility service area where a central wastewater treatment facility has been constructed that meets the treatment standards of Sections 381.0065(4)(l) and 403.086(10), F.S., and where treatment capacity is available. The points shall only be awarded if a design permit has been issued for the collection system and the parcel lies within the service area of the wastewater treatment facility.

(e) Beginning November 30, 2011, Marathon and the Department of Community Affairs shall annually report to the Administration Commission documenting the degree to which the work program objectives for the work program year have been achieved. The Commission shall consider the findings and recommendations provided in those reports and shall determine whether progress has been achieved toward accomplishing the tasks of the work program. If the Commission determines that progress has not been made, the unit cap for residential development shall be reduced by at least 20 percent for the following year.

(f) If the Commission determines that progress has been made for the work program year, then the Commission shall restore the unit cap for residential development for the following year up to a maximum of 30 allocations per BPAS year.

(g) Notwithstanding any other date set forth in this plan, the dates set forth in the work program shall control where conflicts exist.

(h) Wastewater treatment and disposal in Marathon is governed by the requirements of Sections 381.0065(4)(l) and 403.086(10), F.S., as amended. Nothing in this rule shall be construed to limit the authority of the Department of Environmental Protection or Department of Health to enforce Section 381.0065(4)(l) and 403.086(10), F.S., as amended.

(3) Policy 1-2.2.4 Hurricane Modeling.

For hurricane evacuation clearance time modeling purposes, clearance time shall begin when the Monroe County Emergency Management Coordinator issues the evacuation order for the permanent population for a category C-E hurricane event. The termination point shall be the intersection of U.S. Highway One and the Florida turnpike in Homestead/Florida City.

(4) WORK PROGRAM. Local government annual tasks to achieve progress are the remaining tasks of the Work Program from Rule 28-20.110, F.A.C., and Rule 28-18.400, F.A.C. Hurricane Evacuation tasks from Year 8, Task Q of the Work Program in Rule 28-20.110, F.A.C. Carrying Capacity & Habitat Protection tasks from Year 6, Task C; and Year 8, Task F of the Work Program in Rule 28-20.110, F.A.C. Wastewater tasks from Year 4, Task A; Year 6, Task A; Year 7, Task A of the Work Program in Rule 28-20.110, F.A.C. Water Quality tasks from Year 8, Task M of the Work Program in Rule 28-20.110, F.A.C.

(a) Carrying Capacity Study Implementation.

1. By July 1, 2011, Marathon shall adopt a Comprehensive Plan Policy to require that administrative relief in the form of the issuance of a building permit is not allowed for lands within the Florida Forever targeted acquisition areas unless, after 60 days from the receipt of a complete application for administrative relief, it has been determined the parcel will not be purchased by any city, county, state or federal agency. Marathon shall develop a mechanism to routinely notify the Department of Environmental Protection of upcoming administrative relief requests at least 6 months prior to the deadline for administrative relief.

2. By July 1, 2011, Marathon shall adopt Land Development Regulations to require that administrative relief in the form of the issuance of a building permit is not allowed for lands within the Florida Forever targeted acquisition areas unless, after 60 days from the receipt of a complete application for administrative relief, it has been determined the parcel will not be purchased by any city, county, state or federal agency.

3. By July 1, 2011, Marathon shall amend the Comprehensive Plan to limit allocations into high quality tropical hardwood hammock.

4. By July 1, 2011, Marathon shall amend the Land Development Regulations to limit allocations into high quality tropical hardwood hammock.

5. By July 1, 2011, Marathon shall adopt a Comprehensive Plan Policy discouraging private applications for future land use map amendments which increase allowable density/intensity on lands in the Florida Keys.

6. By July 1, 2011 and each July thereafter, Marathon shall evaluate its land acquisition needs and state and federal funding opportunities and apply annually to at least one state or federal land acquisition grant program.

7. By July 1, 2011, Marathon shall enter into a memorandum of understanding with the Department of Community Affairs, Division of Emergency Management, Monroe County, Islamorada, Key West, Key Colony Beach, and Layton after a notice and comment period of at least 30 days for interested parties. The memorandum of understanding shall stipulate, based on professionally acceptable data and analysis, the input variables and assumptions, including regional considerations, for utilizing the Florida Keys Hurricane Evacuation Model or other models acceptable to the Department of Community Affairs to accurately depict evacuation clearance times for the population of the Florida Keys.

8. By July 1, 2011, the Florida Keys Hurricane Evacuation Model shall be run with the agreed upon variables from the memorandum of understanding. Marathon and the Department of Community Affairs shall update the data for the Florida Keys Hurricane Evacuation Model as professionally acceptable sources of information are released (such as the Census, American Communities Survey, Bureau of Business and Economic Research, and other studies). The City shall also evaluate and address appropriate adjustments to the hurricane evacuation model within each Evaluation and Appraisal Report.

9. By December 1, 2011, Marathon shall complete an analysis of maximum build-out capacity for the Florida Keys Area of Critical State Concern, consistent with the requirement to maintain a 24-hour evacuation clearance time and the Florida Keys Carrying Capacity Study constraints. This analysis shall be prepared in coordination with the Department of Community Affairs, Monroe County and each municipality in the Keys.

10. By December 1, 2011, the Department of Community Affairs shall apply the derived clearance time to assess and determine the remaining allocations for the Florida Keys Areas of Critical State Concern. The Department will recommend appropriate revisions to the Administration Commission regarding the allocation rates and distribution of allocations to Monroe County, Marathon, Islamorada, Key West, Layton and Key Colony Beach or identify alternative evacuation strategies that support the 24-hour hurricane evacuation clearance time. If necessary, the Department of Community Affairs shall work with each local government to amend the respective

Comprehensive Plans to reflect revised allocation rates and distributions or propose rule making to the Administration Commission.

11. By July 1, 2012, based on the Department of Community Affairs' recommendations, Marathon shall amend the current building permit allocation system (BPAS in the Comprehensive Plan and Land Development Regulations) based on infrastructure availability, level of service standards, environmental carrying capacity, and hurricane evacuation clearance time.

(b) Wastewater Implementation.

1. By July 1, 2011 and each July 1 thereafter, Marathon shall annually evaluate and allocate funding for wastewater implementation. Marathon shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.

2. By July 1, 2011, Marathon shall provide a final determination of service areas requiring upgrade to meet Section 381.0065(4)(l) and 403.086(10), F.S., wastewater treatment and disposal standards. This shall be in the form of a resolution, including a map of the non-service areas. The Department of Health, Marathon, and the City's wastewater provider shall explore possible mechanisms to provide upgrades and central management of onsite sewage treatment and disposal systems located in non-service areas of the City. By March 1, 2013, the Department of Health will provide an update to the Department of Community Affairs describing the mechanisms discussed by the parties and the results of those discussions.

3. By July 1, 2011, Marathon shall work with the owners of wastewater facilities throughout the City and the Department of Environmental Protection (DEP) and the Department of Health (DOH) to fulfill the requirements of Sections 381.0065(4)(l) and 403.086(10), F.S., regarding wastewater treatment and disposal. This will include coordination of actions with DOH and DEP to notify owners regarding systems that will not meet 2015 treatment and disposal requirements.

4. By July 1, 2011, Marathon shall adopt an ordinance establishing the upgrade program with implementation dates, time frames, and enforcement for upgrading on-site systems and package plants in non-service areas.

5. By July 1, 2011, Marathon shall evaluate its wastewater needs and state and federal funding opportunities and apply annually to at least one state or federal grant program for wastewater projects and connections.

6. By July 1, 2011, Marathon shall continue to develop and implement local funding programs necessary to timely fund wastewater construction and future operation, maintenance and replacement of facilities.

7. By July 1, 2011 and each year through 2013, Marathon shall annually draft a resolution requesting the issuance of a portion of the \$200 million of bonds authorized under Section

215.619, F.S., and an appropriation of sufficient debt service for those bonds, for the construction of wastewater projects within the Florida Keys.

8. By July 1, 2011, Marathon shall develop a mechanism to provide accurate and timely information and establish annual funding allocations necessary to support the issuance of bonds authorized under Section 215.619, F.S., and to assure the timely completion of work as necessary to fulfill any terms and conditions associated with bonds.

9. Beginning July 1, 2013 and each July 1 thereafter, Marathon shall provide a report of addresses and the property appraiser's parcel numbers of any property owner that fails or refuses to connect to the central sewer facility within the required timeframe to the Monroe County Health Department and the Department of Community Affairs. This report shall describe the status of enforcement action and provide the circumstances of why enforcement may or may not have been initiated. The Monroe County Department of Health and Department of Community Affairs may proceed with enforcement as necessary and appropriate.

(c) Wastewater Project Implementation.

1. Sub area 1: Knight's Key.

- a. By July 1, 2011, Marathon shall secure plant site; and
- b. By December 1, 2011, Marathon shall construct Knight's Key Wastewater Plant; and
- c. By May 1, 2012, Marathon shall initiate connections; and
- d. By July 1, 2012, Marathon shall complete connections (100%).

2. Sub area 2: Boot Key (non-service area).

By July 1, 2011, Marathon shall ensure completion of upgrade.

3. Sub area 3: 11 Street – 39 Street (Vaca Key West).

- a. By July 1, 2011, Marathon shall complete construction of plant; and
- b. By July 1, 2011, Marathon shall complete construction of collection system; and
- c. By July 1, 2011, Marathon shall initiate connections; and
- d. By July 1, 2012, Marathon shall complete connections (100%).

4. Sub area 4: Gulfside 39 Street (Vaca Key Central).

By July 1, 2013, Marathon shall complete connections (100%).

5. Sub area 5: Little Venice (60 Street – Vaca Cut East).

- a. By July 1, 2012, Marathon shall complete construction of collection system; and
- b. By July 1, 2012, Marathon shall initiate connections for Phase II; and
- c. By July 1, 2013, Marathon shall complete connections (100%) for Phase II.

6. Sub area 6-Vaca Cut-Coco Plum (Fat Key Deer West).

By July 1, 2011, Marathon shall complete connections (100%).

7. Sub area 7: Tom Harbor Bridge-Grassy Key.

a. By July 1, 2012, Marathon shall complete construction of plant; and

b. By July 1, 2012, Marathon shall bid and award design of collection system; and

c. By July 1, 2012, Marathon shall construction of collection system; and

d. By July 1, 2012, Marathon shall initiate connections; and

e. By July 1, 2013, Marathon shall complete connections (100%).

(d) Stormwater Treatment Facilities.

1. Beginning July 1, 2011 and each July 1 thereafter Marathon shall annually evaluate and allocate funding for stormwater implementation. Marathon shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.

2. Beginning July 1, 2010 and each July 1 thereafter, Marathon shall annually apply for stormwater grants from the South Florida Water Management District.

3. Sub area 3: 11 Street – 37 Street (Vaca Key West): By July 1, 2011, complete Stormwater Treatment Facilities simultaneously with wastewater projects, including the direct outfall retrofits for 27th Street and 24th Street.

4. Sub area 5: Little Venice (60 Street – Vaca Cut East): By July 1, 2012, complete Stormwater Treatment Facilities simultaneously with wastewater projects.

5. Sub area 7: Tom Harbor Bridge-Grassy Key: By July 1, 2012, complete Stormwater Treatment Facilities simultaneously with wastewater projects.

6. By July 1, 2012, Marathon shall eliminate direct outfall retrofits for: 27th Street, Sombrero Islands, 24th Street, and 52nd Street.

Rulemaking Authority 380.0552(9), 380.05(22) FS. Law Implemented 380.0552 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Jerry McDaniel, Secretary, Administration Commission

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Administration Commission

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: December 7, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAW: November 26, 2008 and February 6,

2009

ADMINISTRATION COMMISSION

RULE NOS.:

RULE TITLES:

28-19.300

Work Program Administration

28-19.310

Comprehensive Plan

PURPOSE AND EFFECT: Proposal to adopt new rules for the Village of Islamorada Work Program Administration and Comprehensive Plan to implement the Section 380.0552(4),

Florida Statutes, annual reporting requirement to the Administration Commission describing the progress of the Village of Islamorada in accomplishing the remaining tasks under the Work Program as set forth in Rule 28-20.110, F.A.C., that are necessary prior to the removal of the Florida Keys Area of Critical State Concern designation.

SUMMARY: The proposed rules for the Village of Islamorada Comprehensive Plan identify the individual Work Program tasks set forth in Rule 28-20.110, F.A.C., and the completion dates of the Work Program tasks necessary for consideration by the Administration Commission prior to Removal of the Area of Critical State Concern Designation. As required by Section 380.0552(4), Florida Statutes, the Work Program tasks specified in Administration Commission rules must be reported annually. The protection of the natural environment of the Florida Keys, and the identification of and progress in accomplishing the tasks under Work Program (as set out in Rule 28-20.110, F.A.C.) is reported to the Department of Community Affairs for the preparation of a written annual report to the Administration Commission. The Work Program tasks include the continued implementation of the Wastewater Master Plan and the construction of wastewater treatment and collection facilities; the continued implementation of the Florida Keys Carrying Capacity Study; the identification and completion of stormwater projects; and the analysis of hurricane evacuation issues in the Florida Keys.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Costs has been 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: 380.0552(9), 380.05(22) FS.

LAW IMPLEMENTED: 380.0552 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: January 10, 2011, 10:00 a.m.

PLACE: Department of Community Affairs, 2555 Shumard Oak Boulevard, Room 305, Tallahassee, Florida 32399-2100

A SECOND POST LEGISLATIVE RATIFICATION HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW.

DATE AND TIME: May 17, 2011, 9:00 a.m.

PLACE: Cabinet Meeting Room, Room LL03, The Capitol, 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 7 days before the workshop/meeting by contacting: Barbara Powell, Planning Analyst, Department of

Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, telephone (850)922-1782. If you are 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: Barbara Powell, Planning Analyst, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, telephone (850)922-1782

THE FULL TEXT OF THE PROPOSED RULES IS:

28-19.300 Work Program Administration.

(1) Pursuant to Section 380.0552(4)(b), F.S., the Department of Community Affairs shall submit a written annual report to the Administration Commission on November 30, 2011 and each year thereafter, until such time as the designation is removed, describing the progress of the Florida Keys Area toward accomplishing remaining tasks under the work program (as set out in Rules 28-20.110 and 28-19.310, F.A.C.), the fulfillment of the legislative intent and providing a recommendation as to whether progress toward accomplishing the tasks of the work program has been achieved.

(2) The Department of Community Affairs shall recommend to the Administration Commission the removal of designation when the removal of designation criteria of Section 380.0552(4), F.S., is achieved.

(3) For tasks related to water quality in the work program, the Department of Community Affairs shall request assistance from appropriate federal, state, regional, and local agencies to contribute any relevant data, analysis and recommendations, and that they take an active role in assisting the Village in completing the task. Each agency shall prepare a section to be included in the Department's reports which indicates the agency's actions relative to the work program. The Department of Community Affairs shall specifically request that the Florida Keys National Marine Sanctuary Water Quality Protection Program Steering Committee (Water Quality Steering Committee) take an active role to allocate funding or provide staff to monitor nearshore waters, as necessary, for nutrient reduction.

Rulemaking Authority 380.0552(9), 380.05(22) FS. Law Implemented 380.0552 FS. History—New _____.

28-19.310 Comprehensive Plan.

(1) The Comprehensive Plan of of Islamorada, Village of Islands, as the same exists on January 1, 2011, is hereby amended to read as follows:

(2) Policy 1-3.1.1 Islamorada Work Program Conditions and Objectives.

(a) The number of permits issued annually for residential development under the Residential Building Permit Allocation System (BPAS) shall not exceed a total annual unit cap of 22

market rate units and 6 affordable housing units, plus any available unused BPAS allocations from the previous BPAS year. Unused BPAS allocations may be retained and made available only for affordable housing and Administrative Relief from BPAS year to BPAS year. Unused market rate allocations shall be available for Administrative Relief. Any unused affordable allocations will roll over to affordable housing. This BPAS allocation represents the total number of allocations for development that may be issued during a year. A BPAS year means the twelve-month period beginning on July 13.

(b) No exemptions or increases in the number of allocations may be allowed, other than that which may be expressly provided for in the comprehensive plan or for which there is an existing agreement as of September 27, 2005, for affordable housing between the Department and the local government in the area of critical state concern.

(c) Beginning November 30, 2011, the Village and the Department of Community Affairs shall annually report to the Administration Commission documenting the degree to which the work program objectives for the work program year have been achieved. The Commission shall consider the findings and recommendations provided in those reports and shall determine whether progress has been achieved toward accomplishing the tasks of the work program. If the Commission determines that progress has not been made, the unit cap for residential development shall be reduced by at least 20 percent for the following year.

(d) Allocations and permits to construct a new development or redevelopment that requires a modification or a repair to the onsite sewage treatment and disposal system, per Sections 381.0065(4)(1) and 403.086(10), F.S., and subsection 64E-6.001(4), F.A.C., shall not be issued unless the unit is connected to or will be connected to a central sewer system that has committed funding, a construction permit from the Department of Environmental Protection and the collection system is physically under construction or the unit has an onsite sewage treatment and disposal system that meets the treatment and disposal requirements of Sections 381.0065(4)(1) and 403.086(10), F.S.

(e) Through the Permit Allocation Systems, Islamorada shall direct new growth and redevelopment to areas connected to or that will be connected to a central sewer system that has committed funding, a construction permit from the Department of Environmental Protection and is physically under construction. Prior to the ranking and approval of awards for an allocation authorizing development of new principal structures, the Village of Islamorada, shall coordinate with the central wastewater facility provider and shall increase an applicant's score by two points for parcels served by a collection line within a central wastewater facility service area where a central wastewater treatment facility has been constructed that meets the treatment standards of Sections

381.0065(4)(1) and 403.086(10), F.S., and where treatment capacity is available. The points shall only be awarded if a design permit has been issued for the collection system and the parcel lies within the service area of the wastewater treatment facility.

(f) If the Commission determines that progress has been made for the work program year, then the Commission shall restore the unit cap for residential development for the following year up to a maximum of 28 allocations per BPAS year.

(g) Wastewater treatment and disposal in Islamorada is governed by the requirements of Sections 381.0065(4)(1) and 403.086(10), F.S. Nothing in this rule shall be construed to limit the authority of the Department of Environmental Protection or Department of Health to enforce Sections 381.0065(4)(1) and 403.086(10), F.S.

(h) Notwithstanding any other date set forth in this plan, the dates set forth in the work program shall control where conflicts exist.

(3) Policy 2-1. 2.10 Hurricane Modeling.

For hurricane evacuation clearance time modeling purposes, clearance time shall begin when the Monroe County Emergency Management Coordinator issues the evacuation order for the permanent population for a category C-E hurricane event. The termination point shall be the intersection of U.S. Highway One and the Florida turnpike in Homestead/Florida City.

(4) WORK PROGRAM. Local government annual tasks to achieve progress are the remaining tasks of the Work Program from Rules 28-20.110 and 28-19.310, F.A.C. Hurricane Evacuation tasks from Year 8, Task Q of the Work Program in Rule 28-20.110, F.A.C. Carrying Capacity & Habitat Protection tasks from Year 6, Task C; and Year 8, Task F of the Work Program in Rule 28-20.110, F.A.C. Wastewater tasks from Year 4, Task A; Year 6, Task A; Year 7, Task A of the Work Program in Rule 28-20.110, F.A.C.

(a) Carrying Capacity Implementation.

1. By July 1, 2011 and each July 1 thereafter, Islamorada shall evaluate its land acquisition needs and state and federal funding opportunities and apply to at least one state or federal land acquisition grant program.

2. By July 1, 2011, Islamorada shall enter into a memorandum of understanding with the Department of Community Affairs, Division of Emergency Management, Marathon, Islamorada, Key West, Key Colony Beach, and Layton after a notice, public workshop and comment period of at least 30 days for interested parties. The memorandum of understanding shall stipulate, based on professionally acceptable data and analysis, the input variables and assumptions, including regional considerations, for utilizing the Florida Keys Hurricane Evacuation Model or other models acceptable to the Department to accurately depict evacuation clearance times for the population of the Florida Keys.

3. By July 1, 2011, the Florida Keys Hurricane Evacuation Model shall be run with the agreed upon variables from the memorandum of understanding. Islamorada and the Department of Community Affairs shall update the data for the Florida Keys Hurricane Evacuation Model as professionally acceptable sources of information are released (such as the Census, American Communities Survey, Bureau of Business and Economic Research, and other studies). Islamorada shall also evaluate and address appropriate adjustments to the hurricane evacuation model within each Evaluation and Appraisal Report.

4. By July 1, 2011, Islamorada shall complete an analysis of maximum build-out capacity for the Florida Keys Area of Critical State Concern, consistent with the requirement to maintain a 24-hour evacuation clearance time and the Florida Keys Carrying Capacity Study constraints. This analysis shall be prepared in coordination with the Department of Community Affairs, Monroe County and each municipality in the Keys.

5. By July 1, 2011, the Department of Community Affairs shall apply the derived clearance time to assess and determine the remaining allocations for the Florida Keys Areas of Critical State Concern. The Department will recommend appropriate revisions to the Administration Commission regarding the allocation rates and distribution of allocations to Monroe County, Marathon, Islamorada, Key West, Layton and Key Colony Beach or identify alternative evacuation strategies that support the 24-hour evacuation clearance time. If necessary, Department of Community Affairs shall work with each local government to amend the Comprehensive Plans to reflect revised allocation rates and distributions or propose rule making to the Administration Commission.

6. By July 1, 2011, based on the Department of Community Affairs' recommendations, Islamorada shall amend the current building permit allocation system (BPAS in the Comprehensive Plan and Land Development Regulations) based on infrastructure availability, level of service standards, environmental carrying capacity constraints, and hurricane evacuation clearance time.

(b) Wastewater Implementation.

1. Beginning July 1, 2011 and each July 1 thereafter, Islamorada shall identify any funding for wastewater implementation. Islamorada shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.

2. By July 1, 2011, Islamorada shall provide a final determination of cold spots requiring upgrade to meet Sections 381.0065(4)(l) and 403.086(10), F.S., wastewater treatment and disposal standards. This shall be in the form of a resolution including a map of the non-service areas.

3. By July 1, 2011, Islamorada shall work with the owners of wastewater facilities and on site systems throughout the Village and the Department of Environmental Protection

(DEP) and the Department of Health (DOH) to fulfill the requirements of Sections 381.0065(4)(l) and 403.086(10), F.S., regarding wastewater treatment and disposal. This will include coordination of actions with DOH and DEP to notify owners regarding systems that will not meet 2015 treatment standards.

4. By March 2013, the Department of Health, Islamorada, and the City's wastewater provider shall explore possible mechanisms to provide upgrades and central management of onsite sewage treatment and disposal systems located in non-service areas and unfunded service areas of the City. The Department of Health will provide an update to the Department of Community Affairs describing the mechanisms discussed by the parties and the results of those discussions.

5. By July 1, 2011, Islamorada shall adopt an ordinance establishing the upgrade program with implementation dates, time frames, and enforcement for upgrading onsite systems and package plants in non-service areas.

6. By July 1, 2011 and by July 1 of each year thereafter, Islamorada shall evaluate its wastewater needs and state and federal funding opportunities and apply annually to at least one state or federal grant program for wastewater projects and connections.

7. By July 1, 2011, Islamorada shall develop and implement local funding programs necessary to timely fund wastewater construction and future operation, maintenance and replacement of facilities.

8. By July 1, 2011 and each July 1 thereafter through 2013, Islamorada shall annually draft a resolution requesting the issuance of a portion of the \$200 million of bonds authorized under Section 215.619, F.S., and an appropriation of sufficient debt service for those bonds, for the construction of wastewater projects within the Florida Keys.

9. By July 1, 2011 and each July 1 thereafter through 2013, Islamorada shall develop a mechanism to provide accurate and timely information and establish annual funding allocations necessary to support the issuance of bonds authorized under Section 215.619, F.S., and to assure the timely completion of work as necessary to fulfill any terms and conditions associated with bonds.

10. By July 1, 2013 and each July 1 thereafter, Islamorada shall provide a report of addresses and the property appraiser's parcel numbers of any property owner that fails or refuses to connect to the central sewer facility within the required timeframe to the Monroe County Health Department and the Department of Community Affairs. This report shall describe the status of enforcement action and provide the circumstances of why enforcement may or may not have been initiated. The Monroe County Department of Health and Department of Community Affairs may proceed with enforcement as necessary and appropriate.

(c) Wastewater Project Implementation.

1. By July 1, 2010, Islamorada shall finalize wastewater schedule and funding plan.

2. Environmental Protection Agency Decentralized Sewer Project.

a. By July 1, 2011, Islamorada shall award contract for design of system; and

b. By July 1, 2011, Islamorada shall advertise request for proposal to construct system; and

c. By July 1, 2011, Islamorada shall award contract for construction; and

d. By July 1, 2011, Islamorada shall initiate construction; and

e. By July 1, 2011, Islamorada shall complete construction; and

f. By July 1, 2011, Islamorada shall connect to decentralized system.

3. Plantation Key Wastewater Treatment Facility.

a. By July 1, 2011, Islamorada shall complete an additional 700 connections (Phase II) to the North Plantation Key Wastewater Treatment Plant (WWTP); and

b. By July 1, 2011, Islamorada shall advertise request for proposal to obtain engineering services for the design of the South Plantation Key Wastewater Treatment Plant; and

c. By July 1, 2011, Islamorada shall award the contract for the design of the South Plantation Key wastewater treatment plant; and

d. By July 1, 2012, Islamorada shall finalize design of wastewater treatment plant; and

e. By July 1, 2012, Islamorada shall secure site for the South Plantation wastewater treatment plant; and

f. By July 1, 2012, Islamorada shall advertise for proposals for construction of wastewater treatment plant; and

g. By July 1, 2012, Islamorada shall award construction contract for wastewater treatment plant; and

h. By July 1, 2012, Islamorada shall complete construction of wastewater treatment plant; and

i. By July 1, 2012, Islamorada shall design the collection system; and

j. By July 1, 2012, Islamorada shall advertise for proposals for the construction of the collection system; and

k. By July 1, 2012, Islamorada shall award collection system construction contract; and

l. By July 1, 2013, Islamorada shall construct collection system; and

m. By July 1, 2013, Islamorada shall initiate connections to the treatment facility; and

n. By July 1, 2014, Islamorada shall complete connections (100%) to the treatment facility.

4. Lower Matecumbe Wastewater Treatment Facility.

a. By July 1, 2011, Islamorada shall advertise request for proposal to obtain engineering services for design of the Lower Matecumbe wastewater treatment plant; and

b. By July 1, 2011, Islamorada shall award contract for design of Lower Matecumbe wastewater treatment plant; and

c. By July 1, 2011, Islamorada shall initiate Lower Matecumbe wastewater treatment plant design; and

d. By July 1, 2012, Islamorada shall finalize design of Lower Matecumbe wastewater treatment plant; and

e. By July 1, 2012, Islamorada shall secure site for Lower Matecumbe wastewater treatment plant; and

f. By July 1, 2012, Islamorada shall advertise for proposals for construction of Lower Matecumbe wastewater treatment plant; and

g. By July 1, 2012, Islamorada shall award construction contract for Lower Matecumbe wastewater treatment plant; and

h. By July 1, 2012, Islamorada shall design Lower Matecumbe collection system; and

i. By July 1, 2012, Islamorada shall advertise for proposals for construction of Lower Matecumbe wastewater treatment plant; and

j. By July 1, 2012, Islamorada shall award Lower Matecumbe collection system construction contract; and

k. By July 1, 2012, Islamorada shall complete construction of Lower Matecumbe wastewater treatment plant; and

l. By July 1, 2013, Islamorada shall construct Lower Matecumbe collection system; and

m. By July 1, 2013, Islamorada shall initiate connections to Lower Matecumbe treatment facility; and

n. By July 1, 2014, Islamorada shall complete connections (100%) to Lower Matecumbe treatment facility.

5. Upper Matecumbe Wastewater Treatment Facility.

a. By July 1, 2011, Islamorada shall advertise request for proposal to obtain engineering services for design of Upper Matecumbe wastewater treatment plant; and

b. By July 1, 2011, Islamorada shall award contract for design of Upper Matecumbe wastewater treatment plant; and

c. By July 1, 2011, Islamorada shall initiate Upper Matecumbe wastewater treatment plant design; and

d. By July 1, 2012, Islamorada shall finalize design of Upper Matecumbe wastewater treatment plant; and

e. By July 1, 2012, Islamorada shall secure site for Upper Matecumbe wastewater treatment plant; and

f. By July 1, 2012, Islamorada shall advertise for proposals for construction of Upper Matecumbe wastewater treatment plant; and

g. By July 1, 2012, Islamorada shall award construction contract for the Upper Matecumbe wastewater treatment plant; and

h. By July 1, 2013, Islamorada shall complete construction of the Upper Matecumbe wastewater treatment plant; and

i. By July 1, 2012, Islamorada shall design the Upper Matecumbe collection system; and

j. By July 1, 2012, Islamorada shall advertise for proposals for the construction of the Upper Matecumbe collection system; and

k. By July 1, 2012, Islamorada shall award the Upper Matecumbe collection system construction contract; and

l. By July 1, 2013, Islamorada shall initiate connections to the Upper Matecumbe treatment facility; and

m. By July 1, 2014, Islamorada shall complete connections (100%) to the Upper Matecumbe treatment facility.

6. Windley Wastewater Treatment Facility.

a. By July 1, 2011, Islamorada shall advertise request for proposal to obtain engineering services for design of the Windley wastewater treatment plant; and

b. By July 1, 2011, Islamorada shall award contract for design of the Windley wastewater treatment plant; and

c. By July 1, 2011, Islamorada shall initiate the Windley wastewater treatment plant design; and

d. By July 1, 2012, Islamorada shall complete design of the Windley wastewater treatment plant; and

e. By July 1, 2012, Islamorada shall advertise for proposals for construction of the Windley wastewater treatment plant; and

f. By July 1, 2012, Islamorada shall award construction contract for the Windley wastewater treatment plant; and

g. By July 1, 2013, Islamorada shall complete construction of the Windley wastewater treatment plant; and

h. By July 1, 2013, Islamorada shall design the Windley collection system; and

i. By July 1, 2013, Islamorada shall advertise request for proposals for the construction of the the Windley collection system; and

j. By July 1, 2013, Islamorada shall award the Windley collection system construction contract; and

k. By July 1, 2013, Islamorada shall construct the Windley collection system; and

l. By July 1, 2013, Islamorada shall initiate connections to the Windley treatment facility; and

m. By July 1, 2013, Islamorada shall complete 50% connections to the Windley treatment facility; and

n. By July 1, 2014, Islamorada shall Complete connections (100%) to the Windley treatment facility.

Rulemaking Authority 380.0552(9), 380.05(22) FS. Law Implemented 380.0552 FS. History--New .

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jerry McDaniel, Secretary, Administration Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Administration Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 7, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2008 and February 6, 2009

ADMINISTRATION COMMISSION

RULE NOS.: RULE TITLES:
28-20.130 Work Program Administration
28-20.140 Comprehensive Plan

PURPOSE AND EFFECT: Proposal to adopt revised rules for Monroe County Work Program Administration and Comprehensive Plan to implement the Section 380.0552(4), Florida Statutes, annual reporting requirement to the Administration Commission describing the progress of Monroe County in accomplishing the remaining tasks under the Work Program as set forth in Rule 28-20.110, F.A.C, that are necessary prior to the removal of the Florida Keys Area of Critical State Concern designation.

SUMMARY: The proposed rules for the Monroe County Comprehensive Plan identify the individual Work Program tasks set forth in Rule 28-20.110, F.A.C., and the completion dates of the Work Program tasks necessary for consideration by the Administration Commission prior to Removal of the Area of Critical State Concern Designation. As required by Section 380.0552(4), Florida Statutes, the Work Program tasks specified in Administration Commission rules must be reported annually. The protection of the natural environment of the Florida Keys, and the identification of and progress in accomplishing the tasks under Work Program (as set out in Rule 28-20.110, F.A.C.) is reported to the Department of Community Affairs for the preparation of a written annual report to the Administration Commission. The Work Program tasks include the continued implementation of the Wastewater Master Plan and the construction of wastewater treatment and collection facilities; the continued implementation of the Florida Keys Carrying Capacity Study; the identification and completion of stormwater projects; and the analysis of hurricane evacuation issues in the Florida Keys.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Costs has been 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: 380.0552(9), 380.05(22) FS.

LAW IMPLEMENTED: 380.0552 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: January 10, 2011, 10:00 a.m.

PLACE: Department of Community Affairs, 2555 Shumard Oak Boulevard, Room 305, Tallahassee, Florida 32399-2100

A SECOND POST LEGISLATIVE RATIFICATION HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW.

DATE AND TIME: May 17, 2011, 9:00 a.m.

PLACE: Cabinet Meeting Room, Room LL03, The Capitol, 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 7 days before the workshop/meeting by contacting: Barbara Powell, Planning Analyst, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, telephone (850)922-1782. If you are 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: Barbara Powell, Planning Analyst, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Telephone (850)922-1782

THE FULL TEXT OF THE PROPOSED RULES IS:

28-20.130 Work Program Administration.

(1) Pursuant to Section 380.0552(4)(b), the Department of Community Affairs shall submit a written annual report to the Administration Commission on, November 30, 2011 and each year thereafter, until such time as the designation is removed, describing the progress of the Florida Keys Area toward accomplishing remaining tasks under the work program (as set out in Rules 28-20.110 and 28-20.140, F.A.C.), the fulfillment of the legislative intent and providing a recommendation as to whether progress toward accomplishing the tasks of the work program has been achieved.

(2) The Department of Community Affairs shall recommend to the Administration Commission the removal of designation when the removal of designation criteria of Section 380.0552(4), F.S., is achieved.

(3) For each water quality task in the work program, the Department of Community Affairs shall request appropriate federal, state, regional, and local agencies to contribute any relevant data, analysis and recommendations, and to take an active role in assisting the County in completing the task. Each agency shall prepare a section to be included in the Department's report which indicates the agency's actions relative to the work program. The Department of Community Affairs shall specifically request that the Florida Keys National Marine Sanctuary Water Quality Protection Program Steering Committee (Water Quality Steering Committee) take an active role in coordinating relevant local, state and federal agencies to allocate funding or provide staff to monitor nearshore waters, as necessary, for nutrient reductions.

Rulemaking Authority 380.0552(9), 380.05(22) FS. Law Implemented 380.0552 FS. History—New _____.

28-20.140 Comprehensive Plan.

(1) The Monroe County Comprehensive Plan Policy Document, as the same exists on January 1, 2011, is hereby amended to read as follows:

(2) Policy 101.2.13 Monroe County Work Program Conditions and Objectives.

(a) Monroe County shall establish and maintain a Permit Allocation System for new residential development. The Permit Allocation System shall supersede Policy 101.2.1.

(b) The number of permits issued annually for residential development under the Rate of Growth Ordinance shall not exceed a total annual unit cap of 197, plus any available unused ROGO allocations from a previous ROGO year. Each year's ROGO allocation of 197 units shall be split with a minimum of 71 units allocated for affordable housing in perpetuity and market rate allocations not to exceed 126 residential units per year. Unused ROGO allocations may be retained and made available only for affordable housing and Administrative Relief from ROGO year to ROGO year. Unused allocations for market rate shall be available for Administrative Relief. Any unused affordable allocations will roll over to affordable housing. A ROGO year means the twelve-month period beginning on July 13.

(c) This allocation represents the total number of allocations for development that may be issued during a ROGO year. No exemptions or increases in the number of allocations may be allowed, other than that which may be expressly provided for in the comprehensive plan or for which there is an existing agreement as of September 27 2005, for affordable housing between the Department and the local government in the critical areas.

(d) Allocations and permits to construct a new development or redevelopment that requires a modification or a repair to the onsite sewage treatment and disposal system, per Section 381.0065(4), F.S. and subsection 64E-6.001(4), F.A.C., shall not be issued unless the unit is connected to or will be connected to a central sewer system that has committed funding, a construction permit from the Department of Environmental Protection and the collection system is physically under construction or the unit has an onsite sewage treatment and disposal system that meets the treatment and disposal requirements of Section 381.0065(4), F.S.

(e) Through the Permit Allocation Systems, Monroe County shall direct new growth and redevelopment to areas served by a central sewer system that has committed funding, a construction permit from the Department of Environmental Protection and is physically under construction. Prior to the ranking and approval of awards for an allocation authorizing development of new principal structures, Monroe County, shall coordinate with the central wastewater facility provider and shall increase an applicant's score by four points for parcels served by a collection line within a central wastewater facility service area where a central wastewater treatment facility has

been constructed that meets the treatment standards of Section 403.086(10), F.S., and where treatment capacity is available. The points shall only be awarded if a design permit has been issued for the collection system and the parcel lies within the service area of the wastewater treatment facility.

(f) Beginning November 30, 2011, Monroe County and the Department of Community Affairs shall annually report to the Administration Commission documenting the degree to which the work program objectives for the work program year have been achieved. The Commission shall consider the findings and recommendations provided in those reports and shall determine whether progress has been achieved. If the Commission determines that progress has not been made, the unit cap for residential development shall be reduced by at least 20 percent for the following ROGO year.

(g) If the Commission determines that progress has been made for the work program year, then the Commission may restore the unit cap for residential development for the following year up to a maximum of 197 allocations per ROGO year.

(h) Notwithstanding any other date set forth in this plan, the dates set forth in the work program shall control where conflicts exist.

(i) Wastewater treatment and disposal in Monroe County is governed by the requirements of Section 381.0065(4) and 403.086(10), F.S. Nothing in this rule shall be construed to limit the authority of the Department of Environmental Protection or the Department of Health to enforce Sections 381.0065(4) and 403.086(10), F.S.

(3) Policy 216.1.19. Hurricane Modeling

For the purposes of hurricane evacuation clearance time modeling purposes, clearance time shall begin when the Monroe County Emergency Management Coordinator issues the evacuation order for permanent residents to evacuate during a Category C-E event. The termination point shall be U.S. Highway One and the Florida Turnpike in Homestead/Florida City.

(4) WORK PROGRAM. Local government annual tasks to achieve progress are the remaining tasks of the Work Program that originate from Rule 28-20.110, F.A.C. Hurricane Evacuation tasks from Year 8, Task Q of the Work Program in Rules 28-20.110 and 28-20.140, F.A.C. Carrying Capacity & Habitat Protection tasks from Year 6, Task C; and Year 8, Task F of the Work Program in Rule 28-20.110, F.A.C. Wastewater tasks from Year 4, Task A; Year 6, Task A; Year 7, Task A; Year 9 Tasks A and B; and Year 10, Tasks A, B, C, D, and E of the Work Program in Rule 28-20.110, F.A.C. Water Quality tasks from Year 8, Task M of the Work Program in Rule 28-20.110, F.A.C.

(a) Carrying Capacity Study Implementation.

1. By July 1, 2011, Monroe County shall adopt the conservation planning mapping (the Tier Zoning Overlay Maps and System) into the Comprehensive Plan based upon the

recommendations of the Tier Designation Review Committee with the adjusted Tier boundaries, into the Comprehensive Plan.

2. By July 1, 2011, Monroe County shall adjust the Tier I and Tier IIIA (SPA) boundaries to more accurately reflect the criteria for that Tier as amended by Final Order DCA07-GM166 and implement the Florida Keys Carrying Capacity Study, utilizing the updated habitat data, and based upon the recommendations of the Tier Designation Review Committee Work Group.

3. By July 1, 2011, Monroe County shall create Goal 106 to complete the 10 Year Work Program found in Rule 28-20.110, F.A.C., and to establish objectives to develop a build-out horizon in the Florida Keys and adopt conservation planning mapping into the Comprehensive Plan.

4. By July 1, 2011, Monroe County shall create Objective 106.2 to adopt conservation planning mapping (Tier Maps) into the Monroe Comprehensive Plan based upon the recommendations of the Tier Designation Review Committee Work Group.

5. By July 1, 2011, Monroe County shall adopt Policy 106.2.1 to require the preparation of updated habitat data and establish a regular schedule for continued update to coincide with evaluation and appraisal report timelines.

6. By July 1, 2011, Monroe County shall adopt Policy 106.2.2 to establish the Tier Designation Work Group Review Committee to consist of representatives selected by the Florida Department of Community Affairs from Monroe County, Florida Fish & Wildlife Conservation Commission, United States Fish & Wildlife Service, Department of Environmental Protection and environmental and other relevant interests. This Committee shall be tasked with the responsibility of Tier designation review utilizing the criteria for Tier placement and best available data to recommend amendments to ensure implementation of and adherence to the Florida Keys Carrying Capacity Study. These proposed amendments shall be recommended during 2009 and subsequently coincide with the Evaluation and Appraisal report timelines beginning with the second Evaluation and Appraisal review which follows the adoption of the revised Tier System and Maps as required above adopted in 2011. Each evaluation and appraisal report submitted following the 2011 evaluation and appraisal report shall also include an analysis and recommendations based upon the process described above.

7. By July 1, 2011 and each July thereafter, Monroe County and the Monroe County Land Authority shall submit a report annually to the Administration Commission on the land acquisition funding and efforts in the Florida Keys to purchase Tier I and Big Pine Key Tier II lands and the purchase of parcels where a Monroe County building permit allocation has been denied for four (4) years or more. The report shall include

an identification of all sources of funds and assessment of fund balances within those sources available to the County and the Monroe County Land Authority.

8. By July 1, 2011, Monroe County shall adopt Land Development Regulations to require that administrative relief in the form of the issuance of a building permit is not allowed for lands within the Florida Forever targeted acquisition areas or Tier I lands unless, after 60 days from the receipt of a complete application for administrative relief, it has been determined the parcel will not be purchased by any county, state or federal or any private entity. The County shall develop a mechanism to routinely notify the Department of Environmental Protection of upcoming administrative relief requests at least 6 months prior to the deadline for administrative relief.

9. By July 1, 2011, in order to implement the Florida Keys Carrying Capacity Study, Monroe County shall adopt a Comprehensive Plan Policy to discourage private applications for future land use changes which increase allowable density/intensity.

10. By July 1, 2011, Monroe County shall evaluate its land acquisition needs and state and federal funding opportunities and apply annually to at least one state or federal land acquisition grant program.

11. By July 1, 2011, Monroe County shall enter into a memorandum of understanding with the Department of Community Affairs, Division of Emergency Management, Marathon, Islamorada, Key West, Key Colony Beach, and Layton after a notice and comment period of at least 30 days for interested parties. The memorandum of understanding shall stipulate, based on professionally acceptable data and analysis, the input variables and assumptions, including regional considerations, for utilizing the Florida Keys Hurricane Evacuation Model or other models acceptable to the Department to accurately depict evacuation clearance times for the population of the Florida Keys.

12. By July 1, 2011, the Florida Keys Hurricane Evacuation Model shall be run with the agreed upon variables from the memorandum of understanding to complete an analysis of maximum build-out capacity for the Florida Keys Area of Critical State Concern, consistent with the requirement to maintain a 24-hour evacuation clearance time and the Florida Keys Carrying Capacity Study constraints. This analysis shall be prepared in coordination with the Department of Community Affairs and each municipality in the Keys.

13. By July 1, 2011, the County and the Department of Community Affairs shall update the data for the Florida Keys Hurricane Evacuation Model as professionally acceptable sources of information are released (such as the Census, American Communities Survey, Bureau of Economic and Business Research, and other studies). The County shall also

evaluate and address appropriate adjustments to the hurricane evacuation model within each Evaluation and Appraisal Report.

14. By July 1, 2011, the Department of Community Affairs shall apply the derived clearance time to assess and determine the remaining allocations for the Florida Keys Areas of Critical State Concern. The Department will recommend appropriate revisions to the Administration Commission regarding the allocation rates and distribution of allocations to Monroe County, Marathon, Islamorada, Key West, Layton and Key Colony Beach or identify alternative evacuation strategies that support the 24 hour evacuation clearance time. If necessary, the Department of Community Affairs shall work with each local government to amend the Comprehensive Plans to reflect revised allocation rates and distributions or propose rule making to the Administration Commission.

(b) Wastewater Implementation.

1. By July 1, 2011, Monroe County shall annually evaluate and allocate funding for wastewater implementation. Monroe County shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.

2. By July 1, 2011, Monroe County shall provide a final determination of cold spots and unfunded service areas requiring upgrade to meet Section 403.086(10) and 381.0065(4)(l), F.S., wastewater treatment and disposal standards. The determination shall be adopted by resolution and shall include a map delineating the non-service areas.

3. By August 1, 2013, Monroe County shall work with the owners of wastewater facilities and throughout the County and the Department of Health (DOH) and the Department of Environmental Protection (DEP) to fulfill the requirements of Sections 403.086(10) and 381.0065(4)(l), F.S., regarding wastewater treatment and disposal. This will include coordination of actions with DOH and DEP to notify owners regarding systems that will not meet the advanced wastewater treatment standards.

4. By August 1, 2011, Monroe County shall adopt an ordinance establishing the upgrade program with implementation dates, time frames, and enforcement for upgrading on-site systems and package plants.

5. By July 1, 2011, Monroe County shall annually draft a resolution requesting the issuance of \$50 million of the \$200 million of bonds authorized under Section 215.619, F.S., and an appropriation of sufficient debt service for those bonds, for the construction of wastewater projects within the Florida Keys.

6. By July 1, 2011, Monroe County shall develop a mechanism to provide accurate and timely information and establish annual funding allocations necessary to support the issuance of bonds authorized under Section 215.619, F.S., and to assure the timely completion of work as necessary to fulfill any terms and conditions associated with bonds.

7. By July 1, 2011, Monroe County shall evaluate its wastewater needs and state and federal funding opportunities and apply annually to at least one state or federal grant program for wastewater projects and connections.

8. By July 1, 2011, Monroe County shall develop and implement local funding programs necessary to timely fund wastewater construction and future operation, maintenance and replacement of facilities.

9. By July 1, 2011, Monroe County shall, identify by County resolution the areas of the County that will be served by central sewage facilities (“service areas”) and the areas of the County that will not be served by central sewage facilities (“non-service areas”). The non service areas shall be delineated in the form of a map.

10. By July 1, 2013, the Department of Health, Monroe County, and the County’s wastewater provider shall develop and execute an interlocal agreement for non-service areas and unfunded service areas. The agreement shall address mechanisms for the FCAA or other appropriate entity to provide upgrades and central management of onsite sewage treatment and disposal systems located in non-service areas and unfunded service areas. The Department of Health and the Department of Environmental Protection will provide an report to the Department of Community Affairs no later than July 1, 2013, assessing the magnitude of non-compliance and enforcement mechanisms necessary to ensure upgrades of wastewater treatment facilities in accordance with Sections 403.086(10) and 381.0065(4), F.S.

11. By July 1, 2013, and each July thereafter the County shall provide a report of addresses and the property appraiser’s parcel numbers of any property owner that fails or refuses to connect to the central sewer facility within the required timeframe to the Monroe County Health Department, Department of Environmental Protection, and the Department of Community Affairs. This report shall describe the status of enforcement action and provide the circumstances of why enforcement may or may not have been initiated. The Monroe County Department of Health and Department of Community Affairs may proceed with enforcement as necessary and appropriate.

(c) Wastewater Project Implementation.

1. Key Largo Wastewater Treatment Facility. Key Largo Wastewater Treatment District is responsible for wastewater treatment in its service area and the completion of the Key Largo Wastewater Treatment Facility.

a. By July 1, 2011, Monroe County shall complete construction of the South Transmission Line; and

b. By July 1, 2011, Monroe County shall complete design of Collection basin C, E, F, G, H, I, J, and K; and

c. By July 1, 2011, Monroe County shall complete construction of Collection basins E-H; and

d. By July 1, 2011, Monroe County shall schedule construction of Collection basins I-K; and

e. By July 1, 2011, Monroe County shall complete construction of Collection basins I-K; and

f. By July 1, 2011, Monroe County shall complete 50% of hook-ups to Key Largo Regional WWTP; and

g. By July 1, 2012, Monroe County shall complete 75% of hook-ups to Key Largo Regional WWTP; and

h. By July 1, 2013, Monroe County shall complete all remaining connections to Key Largo Regional WWTP.

2. Hawk’s Cay, Duck Key and Conch Key Wastewater Treatment Facility.

a. By July 1, 2011, Monroe County shall complete construction of Hawk’s Cay WWTP upgrade/expansion, transmission, and collection system; and

b. By July 1, 2011, Monroe County shall complete construction of Duck Key collection system; and

c. By July 1, 2011, Monroe County shall initiate property connections to Hawk’s Cay WWTP; and

d. By July 1, 2012, Monroe County shall complete 50% of hook-ups to Hawk’s Cay WWTP; and

e. By July 1, 2013, Monroe County shall complete 75% of hook-ups to Hawk’s Cay WWTP; and

f. By July 1, 2014, Monroe County shall complete all remaining connections to Hawk’s Cay WWTP.

3. South Lower Keys Wastewater Treatment Facility (Big Coppitt Regional System).

a. By July 1, 2012, Monroe County shall complete 75% hookups to South Lower Keys WWTP; and

b. By July 1, 2013, Monroe County shall complete all remaining connections to the South Lower Keys WWTP.

4. Cudjoe Regional Wastewater Treatment Facility.

a. By July 1, 2011, Monroe County shall complete planning and design documents for the Cudjoe Regional Wastewater Treatment Facility for Phases 1 and 2 (WWTP; transmission main and collection system); and

b. By July 1, 2012, Monroe County shall complete construction of Wastewater Treatment Plant Phase 1 and collection systems (Phase 1 is the initial WWTP construction to treat flows from a central collection area); and

c. By July 1, 2012 Monroe County shall initiate construction of Wastewater Treatment Plant Phase 2 (Phase 2 is the planned WWTP expansion to provide additional capacity to treat flows from the expanded collection area); and

d. By July 1, 2013 Monroe County shall complete construction of Wastewater Treatment Plant Phase 2 Expansion; and

e. By July 1, 2013, Monroe County shall complete construction of central collection lines and transmission main; and

f. By July 1, 2013, Monroe County shall initiate property connections – complete 25% of hook-ups to Cudjoe Regional WWTP; and

g. By July 1, 2012, Monroe County shall complete 50% of hook-ups to Cudjoe Regional WWTP; and

h. By July 1, 2014, Monroe County shall complete 75% of hook-ups to Cudjoe Regional WWTP; and

i. By January 1, 2015, Monroe County shall complete all remaining connections to Cudjoe Regional WWTP.

(d) Stormwater Treatment Facilities.

1. By July 1, 2011, Monroe County shall evaluate and allocate funding for stormwater implementation. Monroe County shall identify any funding in the annual update to the Capital Improvements Element of the Comprehensive Plan.

2. By July 1, 2011, Monroe County shall apply for stormwater grants from the South Florida Water Management District.

3. By July 1, 2011, Monroe County shall design and construct Mile Marker 17-19 stormwater runoff management improvements along U.S. Highway One through Joint Participation Agreement with FDOT.

4. By July 1, 2011, Monroe County shall complete Card Sound Road stormwater improvements.

Rulemaking Authority 380.0552(9), 380.05(22) FS. Law Implemented 380.0552 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Jerry McDaniel, Secretary, Administration Commission
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Administration Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 7, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2008 and February 6, 2009

DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-601.713	Inmate Visiting – Definitions
33-601.714	Inmate Visiting – General
33-601.715	Visiting Application Initiation Process
33-601.716	Visiting Record Management
33-601.717	Visiting Denial
33-601.718	Review of Request for Visiting Privileges
33-601.725	Permissible Items for Visitors
33-601.731	Suspension of Visiting Privileges
33-601.732	Reinstatement of Revoked or Suspended Visiting Privileges
33-601.733	Visiting – Special Status Inmates
33-601.735	Non-Contact Visiting
33-601.737	Visiting – Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to amend Rule 33-601.713, F.A.C., to clarify language and add a definition of “major rule violation”

for the purpose of visiting privileges suspension; to amend Rule 33-601.714, F.A.C., to clarify the warden’s authority to deny or terminate a visit; to amend Rule 33-601.715, F.A.C., to correct language referring to the wrong form; to amend Rule 33-601.716, F.A.C., to clarify the circumstances under which an individual may be on the visiting list of more than one non-family inmate; to substantially reword Rule 33-601.717, F.A.C., to clarify the circumstances under which an individual may be denied visiting privileges; to repeal Rule 33-601.718, F.A.C., as the language is being moved to other rules within Chapter 33-601, F.A.C.; to amend Rule 33-601.725, F.A.C., to include a photo ID and a copy of a notarized authorization to supervise a minor as permissible items for visitors to possess; to amend Rule 33-601.731, F.A.C., to clarify the circumstances under which an individual’s visiting privileges may be suspended and to incorporate by reference the Visiting Privileges Suspension Matrix, which specifies the time period of suspensions in relation to their underlying infractions; to amend Rule 33-601.732, F.A.C., to clarify the procedure for reinstatement of suspended visiting privileges; to amend Rule 33-601.733, F.A.C., to include language being moved from Rule 33-601.734, F.A.C., concerning the visiting privileges of inmates in confinement and protective management statuses; to amend Rule 33-601.735, F.A.C., to clarify that noncontact visits for confinement and protective management status inmates must be pre-approved by the warden or designee; and to amend Rule 33-601.737, F.A.C., to clarify form language.

SUMMARY: The proposed rules are amended as follows: the language of Rule 33-601.713, F.A.C., is clarified and a definition of “major rule violation” for the purpose of visiting privileges suspension is added; Rule 33-601.714, F.A.C., clarifies the warden’s authority to deny or terminate a visit; Rule 33-601.715, F.A.C., corrects language referring to the wrong form; Rule 33-601.716, F.A.C., clarifies the circumstances under which an individual may be on the visiting list of more than one non-family inmate; Rule 33-601.717, F.A.C., is substantially reworded to clarify the circumstances under which an individual may be denied visiting privileges; Rule 33-601.718, F.A.C., is repealed as the language of the rule is being moved to other rules within Chapter 33-601, F.A.C.; Rule 33-601.725, F.A.C., adds a photo ID and a copy of a notarized authorization to supervise a minor to the list of permissible items for visitors to possess; Rule 33-601.731, F.A.C., clarifies the circumstances under which an individual’s visiting privileges may be suspended and incorporates by reference the Visiting Privileges Suspension Matrix, which specifies the time period of suspensions in relation to their underlying infractions; Rule 33-601.732, F.A.C., clarifies the procedure for reinstatement of suspended visiting privileges; Rule 33-601.733, F.A.C., adds language being moved from Rule 33-601.734, F.A.C., concerning the visiting privileges of inmates in confinement and protective management statuses; Rule 33-601.735, F.A.C., clarifies that noncontact visits for confinement and protective management

status inmates must be pre-approved by the warden or designee; and Rule 33-601.737, F.A.C., clarifies language on Forms DC6-111B and DC6-111D.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that these rules will not have an adverse impact on small business and are not likely to directly or indirectly increase regulatory costs within a year of taking effect. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 944.09, 944.23 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.23, 944.47, 944.8031 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULES IS:

33-601.713 Inmate Visiting – Definitions.

(1) No change.

(2) “Automated Visiting Record (AVR)” refers to a computer subsystem of the Department’s electronic offender database ~~Offender Based Information System (OBIS)~~ that automates visitor facility entry and exit and records visiting information.

(3) “Emancipated Minor” refers to a visitor seventeen years of age or younger who furnishes written proof of emancipation and attaches a copy to ~~the Request for Visiting Privileges~~, Form DC6-111A, Request for Visiting Privileges. Form DC6-111A is incorporated by reference in Rule 33-601.737, F.A.C.

(4) No change.

(5) “~~Immediate~~ Family” for the purposes of Rules 33-601.713 through 33-601.737, F.A.C. refers to an inmate’s spouse, children, parents, brothers, sisters, grandparents, great-grandparents, grandchildren, step-brothers, step-sisters, step-parents, step-grandparents, aunts, uncles, nieces, nephews, foster parents, step-children, half brothers, half sisters, brothers-in-law, sisters-in-law, mothers-in-law, fathers-in-law, and sons and daughters-in-law.

(6) through (7) No change.

(8) “Suspension” refers to the withdrawal or voiding suspension of visiting privileges for a specified period of time for an inmate or visitor.

(9) through (12) No change.

(13) “Special Status Inmate” refers to an inmate who is not in the general population but is in a special classification status as outlined in Rule 33-601.733, F.A.C., who that shall be prohibited or restricted from prohibit or restrict visiting based upon the status.

(14) No change.

(15) “Indefinite Suspension” ~~“Revoked”~~ refers to the withdrawal withdrawing or voiding of visiting privileges of a visitor for an unspecified period of time.

(16) No change.

(17) “Major Rule Violation” for the purpose of Rules 33-601.713 through 33-601.737, F.A.C., refers to any assault, battery, or attempted assault or battery; any intentional lewd or lascivious exhibition in the presence of staff or visitors; any spoken or written threat towards any person; inciting, attempting to incite, or participating in any riot, strike, mutinous act or disturbance; fighting; possession of weapons, ammunition, explosives, or escape paraphernalia; and any escape or escape attempt.

(18) Lewd or Lascivious Exhibition – An inmate commits a lewd or lascivious exhibition when the inmate:

(a) Intentionally masturbates;

(b) Intentionally exposes the genitals without authorization; or

(c) Intentionally commits any other sexual act that does not involve actual physical or sexual contact with the victim, including, but not limited to, sadomasochistic abuse, sexual bestiality, or the simulation of any act involving sexual activity in the presence of a staff member or volunteer.

Rulemaking Specific Authority 944.09, 944.23 FS. Law Implemented 20.315, 944.09, 944.23 FS. History–New 11-18-01, Amended 5-27-02, 9-29-03, 3-7-04, 12-6-04,_____.

33-601.714 Inmate Visiting – General.

(1) through (2) No change.

(3) The warden, assistant warden, or duty warden is authorized to deny or terminate a visit pursuant to Rule 33-601.729, F.A.C. if any of its aspects are disruptive or violate rules, procedures, instructions, restrictions, orders, or directions. Any disruption or violation shall be entered on the AVR and may shall subject the visitor to revocation or suspension of visiting privileges by the warden or designee and the inmate to disciplinary action.

(4) Posting of Policies.

(a) No change.

(b) The warden or designee shall display the visiting rules, procedures, and any technical instructions that do not impede the maintenance of the security of the institution in a manner that allows visitors to read them before they begin the institutional visiting entry process.

(5) No change.

Rulemaking Specific Authority 944.09, 944.23 FS. Law Implemented 20.315, 944.09, 944.23, 944.8031 FS. History–New 11-18-01, Amended 5-27-02, 9-29-03,_____.

33-601.715 Visiting Application Initiation Process.

(1) No change.

(2) The inmate shall be given up to fifteen copies of Form DC6-111A, the Request for Visiting Privileges, Form DC6-111A, and Form DC6-111B, Visitor Information Summary, Form DC6-111B, within 24 hours after arrival at his or her permanent facility. Forms DC6-111A and DC6-111B are incorporated by reference in Rule 33-601.737, F.A.C. The inmate shall be responsible for sending the forms to each family member or friend twelve years of age or older, whom the inmate wishes to be placed in his or her approved visiting record. Minors eleven years of age and younger are not required to submit Form DC6-111A, a Request for Visiting Privileges, DC6-111B, until they reach 12 years of age.

(a) Only visitors who have not been denied approved pursuant to Rule 33-601.717 33-601.718, F.A.C., shall be allowed to visit.

(b) The prospective visitor shall be required to complete a Form DC6-111A, Request for Visiting Privileges, by filling in each line or inserting “NA” (not applicable) where appropriate.

(3) through (4) No change.

Rulemaking Specific Authority 944.09, 944.23 FS. Law Implemented 20.315, 944.09, 944.23 FS. History–New 11-18-01, Amended 5-27-02, 9-29-03,_____.

33-601.716 Visiting Record Management.

(1) The Bureau of Classification and Central Records shall develop and maintain computerized inmate – visiting records.

(2) Department staff shall document all requests for visits, ~~and~~ decisions made with regard to visiting, and pertinent comments on the automated visiting record.

(3) No change.

(4) Inmates shall be permitted to remove or request to add visitors to their inmate visiting records by completing Form DC6-111C, a Remove/Add Visitor Request, Form DC6-111C, provided by institutional classification staff. Form DC6-111C is incorporated by reference in Rule 33-601.737, F.A.C. Additions to the visiting record shall be allowed at any time, up to the limit of fifteen approved visitors. Removals shall only be permitted every six months. Visitors whose visiting privileges are suspended ~~or revoked~~ shall not be removed from an inmate’s approved visiting list, ~~while in the respective status~~ and the inmate shall not be allowed to replace the visitor with another approved visitor.

(5) No change.

(6) A visitor shall ~~not~~ be permitted to be on the more than one inmate’s approved visiting record of all inmates who are unless they are immediate family as well as one non-family inmate members except as provided in subsection (7) 33-601.716(7), F.A.C.

(7) A visitor who is approved as ~~immediate~~ family on an inmate’s visiting record shall not be considered for visitation with a non-~~immediate~~ family ~~member~~ inmate if both inmates are housed at the same institution unless:

(a) The ~~immediate~~ family member inmate is transferred to another institution or is released from incarceration.

(b) The visitor is already approved to visit a non-~~immediate~~ family inmate prior to the immediate family member inmate being received at the same institution. Visitation shall be allowed, but not on the same day.

(c) The visitor is already approved to visit a non-~~immediate~~ family ~~member~~ inmate prior to being transferred to the same institution housing a ~~an immediate~~ family member inmate. Visitation shall be allowed, but not on the same day.

(8) An approved visitor who is on the visiting list of two or more ~~immediate~~ family ~~member~~ inmates who are at the same institution may visit the inmates at the same time.

(9) A visitor approved to visit ~~as a non-immediate~~ family ~~inmate member~~ shall not be removed from the visiting list of the inmate for purposes of visiting another non-~~immediate~~ family ~~member~~ inmate at the same institution.

Rulemaking Specific Authority 944.09, 944.23 FS. Law Implemented 20.315, 944.09, 944.23 FS. History–New 11-18-01, Amended 9-29-03,_____.

(Substantial Rewording of Rule 33-601.717 follows. See Florida Administrative Code for present text.)

33-601.717 Visiting Denial.

(1) Visitors shall not be denied visiting because of disability, race, creed, color, or national origin of the inmate or visitor. Visits shall not be denied based on the ideas or opinions held or expressed by the inmate or visitor or for any reason unrelated to security, good order, or rehabilitative objectives of the institution.

(2) Initial Denial of Visiting Privileges.

(a) In approving or disapproving visiting privileges, the assigned institutional classification officer shall review Form DC6-111A, Request for Visiting Privileges, and shall consider all factors related to the security, order, and effective management of the institution. Form DC6-111A is incorporated by reference in Rule 33-601.737, F.A.C.

(b) Prior criminal records shall not automatically result in disapproval of visiting; the nature, extent, and recentness of criminal convictions and adjudications withheld as well as the applicant’s relationship to the inmate shall be considered when approving or disapproving an application for visiting privileges. The assigned institutional classification officer shall evaluate an applicant’s criminal history and visiting background using Form DC6-111D, Visitor Screening Matrix. Form DC6-111D is incorporated by reference in Rule 33-601.737, F.A.C. An application shall be denied if applicant’s criminal history includes:

1. Release from incarceration in any jurisdiction for a felony conviction within the last two years unless the applicant was incarcerated at any time in the facility in which visitation is requested;

2. Release from incarceration for a felony conviction within the last five years if the applicant was incarcerated at any time in the facility in which visitation is requested. If an inmate transfer results in visitation in a facility in which an approved visitor was previously incarcerated and released within the last five years, the warden shall, on a case by case basis, determine if the approved visitor shall be allowed to visit. Factors to be considered shall include, but are not limited to, the visitor's adjustment during incarceration, the relationship of the inmate to the visitor, institutional security, and public safety;

3. Release from incarceration in any jurisdiction for a misdemeanor conviction within the last year;

4. Current community supervision status or termination from community supervision in any jurisdiction within the past year; and

5. The disposition of arrests. If the disposition of an arrest is not reflected, the disposition shall be ascertained prior to approval of the application. If additional documentation of the charge is necessary, the prospective visitor shall be responsible for providing official documentation of the disposition or circumstances of the offense in question.

(c) An application for visiting privileges shall be denied if the applicant:

1. Has possessed, introduced, or attempted to introduce contraband as defined in Section 944.47, F.S., into any facility;

2. Has committed serious or repeated violations of departmental rules or procedures during a previous visit within the past five years;

3. Is a former department employee, contract employee, or volunteer with a documented work history that raises security concerns;

4. Is a victim of an inmate's current or prior offense with consideration of the nature of the inmate's offense, the extent of the victimization, and the relationship of the victim to the inmate;

5. Is a co-defendant of the inmate in a current or prior offense;

6. Provided testimony, documentation, or physical evidence that assisted the prosecution in the inmate's conviction or incarceration;

7. Has an active protection order or injunction against the inmate to be visited or the inmate has an active protection order or injunction against the prospective visitor;

8. Is an illegal alien;

9. Is a department volunteer or intern at the institution in which visitation is requested or was a volunteer or intern at the institution at any time in the previous five years; or

10. Escaped, attempted to escape, or assisted or attempted to assist an escape or escape attempt from any facility. If visitation is denied based on this paragraph, the denial shall be permanent.

(d) Visiting privileges shall be denied if the inmate or the prospective visitor gave false or misleading information to obtain visiting privileges within the past six months, unless it is reasonably determinable that the incorrect information was provided as a result of an inadvertent or good faith mistake, omission, or clerical error. Discovery of intentional falsification of visitor information after the visitor has been approved for visitation shall result in the visitor being considered for suspension of visiting privileges pursuant to Rule 33-601.731, F.A.C.

(e) In approving or denying an application for visiting privileges, the institutional classification officer shall consider all other factors related to the security, order, or effective management of the institution.

(f) The Secretary or designee, who for the purpose of this rule shall be the Assistant Secretary of Institutions, has the authority to review and modify the classification officer's approval or denial of visiting privileges.

(3) Denial of Visitation after Initial Approval of Visiting Privileges.

(a) Visiting shall be denied during a declared emergency.

(b) Upon review of Form DC6-111A, the institutional classification officer may deny visiting for individuals approved to visit who subsequently become subject to denial pursuant to any of the criteria set forth in subsection (2) of this rule prior to any official suspension pursuant to Rule 33-601.731, F.A.C.

Rulemaking Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.23 FS. History--New 11-18-01, Amended 5-27-02, 9-29-03, 6-15-06, 1-7-07, _____.

Editorial Note: Formerly 33-601.706 and 33-601.707, F.A.C.

33-601.718 Review of Request for Visiting Privileges.

Rulemaking Specific Authority 944.09, 944.23 FS. Law Implemented 20.315, 944.09, 944.23 FS. History--New 11-18-01, Amended 9-29-03, Repealed _____.

33-601.725 Permissible Items for Visitors.

(1) Visitors shall be allowed to bring only authorized items listed into any department facility. Entry shall be denied if the visitor attempts to enter the institution or facility while possessing any unauthorized item or any authorized item in more than the approved amounts. Authorized items shall be removed by the visitor at the end of the visit. Authorized items include:

(a) through (d) No change.

(e) One (1) photographic identification card.

~~(f)(e)~~ Prescription medications. The department reserves the right to prohibit individuals from bringing any medication into the facility that may pose a threat to the inmate population or institutional security. Visitor requiring medical injections must leave such items secured in their vehicles and will be allowed to depart the visiting area if an injection is required. Reentry into the visiting area shall be allowed in accordance with Rule 33-601.723 subsection 33-601.723(6), F.A.C. The visitor shall not be allowed to bring needles or syringes into any department facility or dispose of them on the grounds of any department institution or facility under any circumstances.

1. through 3. No change.

~~(g)(f)~~ Feminine hygiene items enclosed in the original individual wrapping may be carried into the visiting park in a small pouch or bag.

~~(h)(g)~~ Hairbrush and comb.

(i) If the visitor is an authorized adult as defined in Rule 33-601.713, F.A.C., one (1) copy of a notarized authorization to supervise a minor.

~~(j)(h)~~ Visitors with authorized infants and small children shall be allowed to bring in:

1. through 4. No change.

~~(k)(i)~~ Sunglasses.

~~(l)(j)~~ Small unopened package of facial tissues in clear plastic.

(2) No change.

Rulemaking Specific Authority 944.09, 944.23 FS. Law Implemented 944.09, 944.23, 944.47, 944.8031 FS. History—New 11-18-01, Amended 5-27-02, 7-1-03, 12-30-03, 11-25-04, 3-29-07, 10-8-07, _____.

33-601.731 ~~Revocation or~~ Suspension of Visiting Privileges.

(1) Suspension of Inmate Visiting Privileges.

~~(a)(1)~~ Suspension, including indefinite suspension, of an inmate's visiting privileges shall be considered by the Institutional Classification Team (ICT) ~~ICT~~ as a management tool independent of any disciplinary action taken pursuant to Rules 33-601.301 through 33-601.314, F.A.C.

~~(b)(2)~~ Indefinite suspension of an inmate's visiting privileges shall be considered by the ICT Institutional Classification Team (ICT) as a management tool only when an inmate is found guilty of the following offenses:

1. Any major rule violation as defined in Rule 33-601.713, F.A.C.

~~(a)~~ Possessing any firearms, dangerous weapons, explosives or explosive devices;

~~(b)~~ Criminal activity, serious rule violations, repeated visiting rule or procedure infractions or security breach. A serious rule violation is a violation that subjects the violator to suspension of privileges for a minimum of two years or to revocation of visiting privileges;

~~2.(e)~~ Possessing or using: a cellular telephone or other portable communication device as defined in Section 944.47(1)(a)6., F.S.; any components or peripherals to such devices, including but not limited to SIM cards, Bluetooth items, batteries, and charging devices; any other technology that is found to be in furtherance of possessing or using a communication device prohibited under the statute.

~~(c)(3)~~ An inmate shall be subject to suspension of visiting privileges ~~for up to two years~~ by the ICT as a management tool when the inmate is found guilty of the following disciplinary offenses: ~~in paragraphs (a) through (d) below. In determining the length of suspension, the ICT shall consider the extent of the sexual misconduct, the amount and type of drugs, the amount of money, the type of article or instrument, the inmate's prior disciplinary history, and the inmate's prior visiting record.~~

1.(a) Committing or engaging in sexual misconduct (i.e., nudity, sexual acts with or without others, willful exposure of private body parts, or soliciting sexual acts from others).

2.(b) Possessing or passing money.

3.(e) Possessing or using drugs.

4. Possessing or using intoxicating beverages.

5. Refusing to participate in a mandatory program or being removed from a mandatory program due to negative behavior.

6. Possessing a recording device.

7. Violation of visiting rules.

~~(d) Possessing any article or instrument that aids in escape or attempted escape.~~

~~(4) An inmate shall be subject to suspension of visiting privileges for three months for a first offense, six months for a second offense and two years for a third or subsequent offense, by the ICT as a management tool when an inmate is found guilty of possessing any of the following contraband or illegal items:~~

~~(a) Intoxicating beverages,~~

~~(b) Recording devices.~~

~~(5) An inmate shall be subject to suspension of visiting privileges for three months by the ICT as a management tool when an inmate is rated "unsatisfactory" for the work or program performance rating, including part-time assignment or security assessment. Such three month suspension shall begin with the month the rating was entered and run consecutively for each unsatisfactory rating.~~

~~(6) Inmates shall be suspended from receiving visits for three months beginning with the next visiting period for refusing to participate or being removed from a mandatory program due to negative behavior.~~

~~(7) The ICT shall consider suspending the inmate's visiting privileges for each subsequent offense described in subsections 33-601.731(1) through (5), F.A.C.~~

(d) The ICT shall suspend the visiting privileges of any inmate subject to a pending investigation for escape, attempted escape, or possession of escape paraphernalia until the investigation is complete. If the inmate is found guilty, the ICT shall consider indefinite suspension of the inmate's visiting privileges pursuant to paragraph (1)(b) of this Rule. If the inmate is not found guilty, the ICT shall immediately reinstate the inmate's visiting privileges.

(e) If an inmate is found guilty of an offense listed in paragraph (1)(c), the ICT shall suspend the inmate's visiting privileges for the length of time specified on Form NII-102, Visiting Privileges Suspension Matrix. Form NII-102 is hereby incorporated by reference. A copy is available from the Forms Control Administrator, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____ . If an inmate's visiting privileges are suspended pursuant to this Rule and the inmate receives a subsequent guilty finding for one of the offenses listed in paragraph (1)(c), the inmate is subject to an increased period of suspension as follows:

1. If the subsequent offense occurs within two years of a guilty finding for the same offense, the inmate's visiting privileges shall be suspended for the length of time specified on Form NII-102 for subsequent offenses. This period of suspension shall be concurrent with any period of suspension remaining as a result of the previous offense, not to exceed a total of two years from the time of the subsequent offense.

2. If the subsequent offense is different from the previous offense, the inmate's visiting privileges shall be suspended for the length of time specified on Form NII-102 for an initial violation. However, this period of suspension shall be concurrent with any period of suspension remaining as a result of the previous offense, not to exceed a total of two years from the time of the subsequent offense.

(e)(8) In lieu of suspending an inmate's visiting privileges, the ICT is authorized to consider placement of an inmate in non-contact visitation status as provided in Rule 33-601.735 paragraph 33-601.735(2)(e), F.A.C., for offenses listed in paragraph (1)(c) subsections 33-601.731(1) through (6), F.A.C.

(2)(9) Suspension of Visitor's Visiting Privileges.

(a) A visitor's visiting privileges shall be indefinitely suspended ~~revoked~~ by the warden or designee when the visitor:

1. through 2. No change.
3. Assists, facilitates, aids or abets an inmate to escape or attempt to escape or is found in possession of or passing or attempting to pass to an inmate any item or instrument that is capable of being used to aid in effecting or attempting an escape. Local law enforcement shall be called in this instance.

a. All visiting privileges of the escapee shall be suspended upon his or her return to department's custody.

b. Visiting privileges shall be suspended pending completion of the Inspector General's investigation if an attempted escape is alleged.

4. through 7. No change.

(b) A visitor's visiting ~~Visiting~~ privileges shall be suspended by the warden or designee ~~for up to two years~~ when the visitor:

1. Attempts to pass or passes money to an inmate,;
2. Is intoxicated or has consumed intoxicating beverages or is found in possession of intoxicating beverages on the grounds of any department facility, or is found passing or attempting to pass such items to an inmate,;

3. Violates visitor conduct standards in Rule subsection 33-601.727(1)(i) through (k), F.A.C.

4. Commits criminal activity, ~~serious rule violations or infractions or any security breach.~~

5. ~~Falsifies~~ As a former employee, contract employee, or vendor falsifies information to obtain visiting privileges, including falsification of guardianship documents, unless it is reasonably determinable that the incorrect information was provided as a result of an inadvertent or good faith mistake, omission, or clerical error.

(c) If a visitor is found guilty of an offense listed in paragraph (2)(b), the warden or designee shall suspend the visitor's visiting privileges for the period of time specified on Form NII-102, Visiting Privileges Suspension Matrix. If a visitor's visiting privileges are suspended pursuant to this Rule and the visitor subsequently commits one of the offenses listed in paragraph (2)(b), the visitor is subject to an increased period of suspension as follows:

1. If the subsequent offense occurs within two years of the commission of the same offense, the visitor's visiting privileges shall be suspended for the length of time specified on Form NII-102 for subsequent offenses. This period of suspension shall be concurrent with any period of suspension remaining as a result of the previous offense, not to exceed a total of two years from the time of the subsequent offense.

2. If the subsequent offense is different from the previous offense, the visitor's visiting privileges shall be suspended for the length of time specified on Form NII-102 for an initial violation. However, this period of suspension shall be concurrent with any period of suspension remaining as a result of the previous offense, not to exceed a total of two years from the time of the subsequent offense ~~Visitors found in violation of paragraph 33-601.717(5)(f), F.A.C. falsifying information to obtain visiting privileges, subsections 33-601.723(3) and (5), F.A.C., falsifying information at visitor registration and falsifying documents of guardianship, subsection 33-601.724(2), F.A.C. visitor attire, Rule 33-601.726, F.A.C. visitor searches, or visitor conduct standards as outlined in paragraphs 33-601.727(1)(a) through (h), F.A.C., shall have visiting privileges suspended by the warden or designee supervisor for up to one year.~~

~~(3)(10)~~ The warden or designee shall have the discretion to impose a length of suspension less than the maximum allowed by rule by considering the type of violation, the impact of the violation on the overall security or safety of the institution, and prior visits without incident.

(4) Temporary suspensions. The Inspector General's Office is authorized to temporarily suspend the visiting privileges of an approved visitor who is involved in or is the subject of an ongoing investigation pending the outcome of the investigation.

Rulemaking Specific Authority 944.09, 944.23 FS. Law Implemented 944.09, 944.23, 944.47, 944.8031 FS. History—New 11-18-01, Amended 5-27-02, 9-29-03, 10-4-07, 1-8-09, _____.

Editorial Note: Formerly 33-601.707 and 33-601.708, F.A.C.

33-601.732 Reinstatement of ~~Revoked~~ or Suspended Visiting Privileges.

(1) Reinstatement of Inmate Visiting Privileges. The warden or designee shall approve or deny requests for reinstatement of an inmate's suspended visiting privileges. The inmate shall submit a written request for reinstatement to the warden on Form DC6-236, Inmate Request. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

(a) Reinstatement of indefinitely suspended privileges ~~suspended for more than two years~~ shall only be considered after two years from imposition of the indefinite suspension.

1. The warden or designee shall review the request, render a final decision and notify the inmate concerned.

2. Should the inmate be denied reinstatement, the inmate may not make another request for six months ~~one year~~ from the last decision requesting reinstatement.

(b) Reinstatement of suspended privileges ~~suspended for two years or less~~ shall not be considered for reinstatement for a period of one year from the imposition of the most recent suspension. Should the inmate be denied, the inmate may not make another request for six months ~~from the last decision requesting reinstatement~~.

~~(c) Early reinstatement of suspensions of one year or less shall not be considered for reinstatement until at least six months from the date of suspension. Should the inmate be denied reinstatement, the inmate may not make another request.~~

(2) Reinstatement of Visitor Visiting Privileges. The warden or designee shall approve or deny requests for reinstatement of a visitor's ~~revoked~~ or suspended visiting privileges ~~privilege~~. The visitor, or inmate on behalf of the affected visitor, shall submit a written request for reinstatement of privileges to the assigned institutional classification officer. The visitor for whom the reinstatement is being considered shall submit Form DC6-111A, a Request for Visiting

Privileges, ~~Form DC6-111A~~, if the suspension has been for longer than six months. Form DC6-111A is incorporated by reference in Rule 33-601.737, F.A.C.

(a) Reinstatement of ~~indefinitely suspended~~ ~~revoked~~ privileges shall only be considered after two years from imposition of the indefinite suspension.

1. No change.

2. Should the visitor be denied reinstatement, the inmate or suspended visitor may not make another request for six months ~~one year~~ from the last decision requesting reinstatement.

(b) Reinstatement of suspended privileges ~~suspended for two years or less~~ shall not be considered for reinstatement for a period of one year from the imposition of the most recent suspension. Should the visitor be denied reinstatement, the inmate or suspended visitor may not make another request for six months ~~from the last decision requesting reinstatement~~.

~~(c) Early reinstatement of suspensions of one year and under shall not be considered for reinstatement until at least six months from the date of suspension. Should the visitor be denied reinstatement, the inmate or suspended visitor may not make another request.~~

Rulemaking Specific Authority 944.09, 944.23 FS. Law Implemented 944.09, 944.23, 944.8031 FS. History—New 11-18-01, Amended 5-27-02, 9-29-03, _____.

33-601.733 Visiting – Special Status Inmates.

(1) Inmates in special statuses, except for medical reasons, are not considered inmates with regular visiting privileges and must have special approval to visit. Inmates in special statuses shall be prohibited or restricted from regular visiting due to adverse impacts on security and orderly institutional operation.

(a) No change.

(b) Inmates in administrative confinement, protective management, or disciplinary confinement status shall have visiting privileges as outlined in Rules 33-602.220, 33-602.221, and 33-602.222, F.A.C., respectively. The warden or designee shall determine whether an approved visit for inmates in one of the above statuses will be non-contact pursuant to Rule 33-601.735, F.A.C. In disciplinary confinement, administrative confinement, or protective management status, inmates shall have visiting privileges as outlined in Rules 33-602.222, 33-602.220, and 33-602.221 ~~Rule 33-601.734, F.A.C.~~

(c) through (2) No change.

(3) Visitation for inmates in prolonged hospitalization or with serious medical conditions or terminal illnesses shall be allowed visits unless security or medical issues as determined by the warden and chief health officer preclude visitation. A decision shall be made on a case-by-case basis. If visitation is authorized, the warden, in consultation with the chief health officer, shall determine the visitation schedule and shall inform

at least three members of the inmate’s immediate family. The regional director shall be informed in high notoriety cases before allowing visiting.

(4) through (6) No change.

Rulemaking Specific Authority 944.09, 944.23 FS. Law Implemented 20.315, 944.09, 944.23, 944.8031 FS. History–New 11-18-01, Amended 5-27-02, 12-25-08,_____.

Editorial Note: Formerly 33-601.704, F.A.C.

33-601.735 Non-Contact Visiting.

(1) through (4) No change.

(5) For inmates in Administrative Confinement pursuant to Rule 33-602.220, F.A.C., Protective Management pursuant to Rule 33-602.221, F.A.C., or Disciplinary Confinement pursuant to Rule 33-602.222, F.A.C., the warden or designee shall determine whether a pre-approved visit will be contact or non-contact based on one or all of the criteria set forth in subsection (2).

Rulemaking Specific Authority 944.09, 944.23 FS. Law Implemented 20.315, 944.09, 944.23, 944.8031 FS. History–New 11-18-01, Amended _____.

33-601.737 Visiting – Forms.

The following forms are hereby incorporated by reference. A copy of any of these forms is available from the Forms Control Administrator, ~~Office of Research, Planning and Support Services~~, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(1) through (3) No change.

(4) DC6-111B, Visitor Information Summary, effective _____ ~~8-23-07~~.

(5) No change.

(6) DC6-111D, Visitor Screening Matrix, effective _____ ~~8-23-07~~.

Rulemaking Specific Authority 944.09, 944.23 FS. Law Implemented 944.09, 944.23, 944.8031 FS. History–New 11-18-01, Amended 4-29-02, 9-29-03, 3-31-05, 7-17-05, 3-21-06, 3-29-07, 8-23-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Wendell Whitehurst, Deputy Assistant Secretary for Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Davison, Deputy Secretary

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 23, 2009

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.800
 RULE TITLE: Close Management

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to change form DC6-229, which improperly states in its instructions section that the form should be kept for a week (rather than 30 days) prior to being sent to classification for review.

SUMMARY: For consistency with other Department rules, the proposed rule amends form DC6-229, Daily Record of Special Housing, to state in the instructions section that the form should be kept for 30 days prior to being sent to classification for review.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an adverse impact on small business and is not likely to directly or indirectly increase regulatory costs by more than \$200,000 within one year of taking effect. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.800 Close Management.

(1) through (18) No change.

(19) Forms. The following forms referenced in this rule are hereby incorporated by reference. Copies of any of these forms are available from the Forms Control Administrator, ~~Office of Research, Planning and Support Services, Department of Corrections~~, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) through (d) No change.

(e) Form DC6-229, Daily Record of Special Housing, effective date _____ ~~4-27-08~~.

(f) through (k) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History–New 2-1-01, Amended 12-16-01, 4-8-04, 3-10-05, 4-9-06, 8-23-07, 4-27-08, 6-28-10,_____.

Editorial Note: Formerly 33-601.801-.813, substantially amended February 1, 2001.

NAME OF PERSON ORIGINATING PROPOSED RULE:
John Hancock, Assistant Secretary of Institutions
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Walter McNeil, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: October 28, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: November 12, 2010

DEPARTMENT OF ELDER AFFAIRS

RULE NOS.:	RULE TITLES:
58-2.001	Definitions
58-2.003	Background Screening Requirements
58-2.005	Implementation and Retention
58-2.007	Exceptions
58-2.009	Electronic Submission of Fingerprints
58-2.011	Background Screeners
58-2.013	Sharing of Screening Results

PURPOSE AND EFFECT: The purpose and effect of the proposed rule chapter are to establish criteria and procedures in order to comply with the requirements of Section 430.0402, F.S., which mandates a Level 2 background screening for direct service providers.

SUMMARY: This rule chapter establishes criteria and procedures for complying with the new requirement of a Level 2 background screening for all employees or volunteers, who have direct contact with recipients receiving services under jurisdiction of the Department.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed rules will have an impact on small business as defined in Section 288.703, F.S. Pursuant to Sections 120.54(3)(b)1.b. and 120.541(2)(a), F.S., the department's statement of estimated regulatory costs is provided. The regulatory cost is determined to be in excess of \$200,000 in the aggregate within one year after implementation of this rule chapter (Section 120.54(3)(b)1.b., F.S.), and is determined to be approximately \$3,106,620 in aggregate within five years after the implementation of this rule chapter (Section 120.541(2)(a)), F.S.

The proposed rules will not have an impact on small cities or counties as defined in Section 120.52, F.S. Therefore, a statement of estimated regulatory costs has not been prepared in regards to small cities or counties.

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: 430.08, 435.01(2) FS.

LAW IMPLEMENTED: 430.0402, 435.01, 435.02, 435.03, 435.04, 435.06, 435.07 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: Tuesday, January 11, 2011, 9:30 a.m. – 11:30 a.m., EST

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225F, Tallahassee, FL 32317

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; Telephone number: (850)414-2113; Email address: crochethj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; Telephone number: (850)414-2113; Email address: crochethj@elderaffairs.org

THE FULL TEXT OF THE PROPOSED RULES IS:

58-2.001 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:

(1) “Disqualifying Offense” means any criminal offense prohibited in Section 430.0402 or 435.04, F.S.

(2) “DOEA” or “Department” means the Florida Department of Elder Affairs.

(3) “DOH” means the Florida Department of Health.

(4) “FBI” means the Federal Bureau of Investigation.

(5) “FDLE” means the Florida Department of Law Enforcement.

(6) “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.

(7) “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.

(8) “Livescan” means both the technique and the technology used by law enforcement agencies and private facilities to capture fingerprints and palm prints electronically, without the need for the more traditional method of ink and paper.

Rulemaking Authority 430.08, 435.01(2) FS. Law Implemented 430.0402, 435.01, 435.02, 435.03, 435.04, 435.06, 435.07 FS. History–New _____.

58-2.003 Background Screening Requirements.

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 as defined in Section 430.0402(1)(b), F.S.

Rulemaking Authority 430.08, 435.01(2) FS. Law Implemented 430.0402, 435.01, 435.02, 435.03, 435.04, 435.06, 435.07 FS. History–New _____.

58-2.005 Implementation and Retention.

Pursuant to Section 430.0402, F.S., beginning August 1, 2010, the following is required:

(1) NEW DIRECT SERVICE PROVIDERS: All newly-hired direct service providers shall be required to undergo a Level 2 background screening pursuant to Chapter 435 prior to 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, 435.03 or 435.04, F.S., or a similar law of another jurisdiction.

(2) CURRENTLY EMPLOYED DIRECT SERVICE PROVIDERS: Employers of direct service providers, who have not been previously screened according to the screening standards of Chapter 435, F.S., must be screened pursuant to the Level 2 screening standards of Chapter 435, F.S., and successfully satisfy the screening standards of Section 430.0402, F.S. and Chapter 435, F.S., or have applied for and received an exemption pursuant to Section 435.07, F.S.

(3) EMPLOYER COORDINATION WITH FDLE: Employers of direct service providers are responsible for ensuring applicant fingerprints are retained by FDLE in the Applicant Fingerprint Retention and Notification Program, whereby notification is automatically sent to the Department’s Background Screening Coordinator, according to the procedures specified in Section 943.05, F.S., in the event of a direct service provider’s subsequent arrest.

Rulemaking Authority 430.08, 435.01(2) FS. Law Implemented 430.0402, 435.01, 435.02, 435.03, 435.04, 435.06, 435.07 FS. History–New _____.

58-2.007 Exceptions.

Pursuant to Section 430.0402, F.S., physicians, nurses, or other professionals licensed by DOH 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.

Rulemaking Authority 430.08, 435.01(2) FS. Law Implemented 430.0402 FS. History–New _____.

58-2.009 Electronic Submission of Fingerprints.

Pursuant to Chapter 435, F.S., effective August 1, 2010, fingerprints must be submitted electronically to FDLE and retained by that entity pursuant to subsection (3) of Rule 58-2.005, F.A.C.

Rulemaking Authority 430.08, 435.01(2) FS. Law Implemented 430.0402, 435.01, 435.02, 435.03, 435.04, 435.06, 435.07 FS. History–New _____.

58-2.111 Background Screeners.

The following entities may be utilized to conduct a Level 2 background screening:

(1) Any screening company listed on the FDLE website as authorized to perform Level 2 LiveScan background screenings. The website address is: http://www.fdle.state.fl.us/Content/getdoc/04833e12-3fc6-4c03-9993-379244e0da50/live_scan.aspx.

(2) Any local law enforcement capable of performing Level 2 Livescan background screenings, provided the equipment and electronic fingerprint data submission have been evaluated by FDLE to verify compliance with both FDLE and FBI regulations and standards.

Rulemaking Authority 430.08, 435.01(2) FS. Law Implemented 430.0402, 435.01, 435.02, 435.03, 435.04, 435.06, 435.07 FS. History–New _____.

58-2.113 Sharing of Screening Results.

The information that a 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, 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, 435.01, 435.02, 435.03, 435.04, 435.06, 435.07 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jim Crochet

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charles T. Corley, Interim Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 20, 2010

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-8.001 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The proposed rule amendments are intended to set forth additional violations and the disciplinary guidelines for those violations.

SUMMARY: The proposed rule amendments set forth various violations and the range of disciplinary guidelines for the violations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an adverse impact on small business, nor will the proposed rule amendments be likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after the implementation of the rule.

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

RULEMAKING AUTHORITY: 456.0375(4)(c), 456.50(2), 456.0575, 456.079, 458.309, 458.331(5) FS.

LAW IMPLEMENTED: 456.0375(4)(c), 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.001 Disciplinary Guidelines.

(1) No change.

(2) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

RECOMMENDED RANGE OF PENALTY

VIOLATION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
(a) through (yy) No change. (zz) Being terminated from the state Medicaid program <u>for cause</u> , or any other state Medicaid program, or the federal Medicare program.	(zz) From a letter of concern to suspension, and a fine of \$1,000 to \$5,000.	(zz) From a reprimand to revocation, and a fine of \$5,000 to \$10,000.	
(456.072(1)(kk), F.S.) (aaa) through (ccc) No change. <u>(ddd) Registration of pain clinic by a designated physician through misrepresentation or fraud.</u>			
<u>(458.331(1)(oo), F.S.)</u> <u>1. For registering a pain clinic through misrepresentation.</u> <u>(458.331(1)(oo)1., F.S.)</u> <u>2. For registering a pain clinic through fraud.</u> <u>(458.331(1)(oo)1., F.S.)</u>	<u>1. From a letter of concern to probation, and a fine of \$1,000.00 to \$5,000.00.</u> <u>2. Revocation and a \$5,000.00 fine to revocation and a \$10,000.00 fine.</u>	<u>1. From a period of probation, to revocation, and a fine of \$5,000.00 to \$10,000.00.</u>	

(eee) Procuring or attempting to procure, the registration of a pain management clinic for any other person by making or causing to be made, any false representation. (458.331(1)(oo)2., F.S.
(fff) Failing to comply with any requirement of Chapter 499, the Florida Drug and Cosmetic Act; 21 U.S.C., ss. 301-392, the Federal Food, Drug, and Cosmetic Act; 21 U.S.C. ss. 821 et seq., the Drug Abuse Prevention Control Act; or Chapter 893, F.S., the Florida Comprehensive Drug Abuse Prevention and Control Act. (458.331(1)(oo)3., F.S.

(ggg) Being convicted of or found guilty of, regardless of adjudication to, a felony or any other crime involving moral turpitude, fraud, dishonesty, or deceit in any jurisdiction of the courts of this state, or anyother state, or of the United States. (458.331(1)(oo)4., F.S.
(hhh) Being convicted of, or disciplined by a regulatory agency of the Federal Government or a regulatory agency of another state for any offense that would constitute a violation of Chapter 458, F.S. (458.331(1)(oo)5., F.S.

(iii) Being convicted of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime which relates to the practice of, or the ability to practice, a licensed health care profession. (458.331(1)(oo)6., F.S.

(jjj) Being convicted of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime which relates to health care fraud. (458.331(1)(oo)7., F.S.
1. Being convicted of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime relating to healthcare fraud in dollar amounts in excess of \$5,000.00.

(eee) Revocation, and a \$5,000.00 fine to revocation and a \$10,000.00 fine.

(fff) From a letterof concern to probation, and a fine of \$1,000 .00 to \$5,000.00.

(ggg) From probation to revocation, an administrative fine ranging from \$1,000.00 to \$10,000.00, and 50 to 100 hours of community service.

(hhh) From imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida to suspension until the license is unencumbered in the jurisdiction in which disciplinary action was originally taken, and an administrative fine ranging from \$1,000.00 to \$5,000.00.

(iii) From probation to revocation, an administrative fine ranging from \$1,000.00 to \$10,000.00, and 50 to 100 hours of community service.

1. Revocation and a fine of \$10,000.00

(fff) From a reprimand to suspension, followed by a period of probation, and a fine of \$5,000.00 to \$10,000.00.

(ggg) From suspension to revocation, an administrative fine ranging from \$5,000.00 to \$10,000.00, and from 100 to 200 hours of community service.

(hhh) From imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida to revocation, and an administrative fine ranging from \$5,000.00 to \$10,000.00.

(iii) From suspension to revocation, an administrative fine ranging from \$5,000.00 to \$10,000.00, and from 100 to 200 hours of community service.

(fff) From a reprimand to revocation, and a fine of \$7,500.00 to \$10,000.00 fine.

2. Being convicted of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime relating to healthcare fraud in dollar amounts of \$5,000.00 or less.

(kkk) Dispensing any medicinal drug based upon a communication that purports to be a prescription as defined in Section 465.003(14) or 893.02, F.S., if the dispensing practitioner knows or has reason to believe that the purported prescription is not based upon a valid practitioner-patient relationship.

(458.331(1)(oo)8., F.S.

(lll) Failing to timely notify the Board of the date of his or her termination from a pain management clinic as required by Section 458.3265(2), F.S.

(458.331(1)(oo)9., F.S.

(mmm) Failing to timely notify the Department of the theft of prescription blanks from a pain management clinic or a breach of other methods for for prescribing within 24 hours as required by Section 458.3265(2), F.S.

(458.331(1)(pp), F.S.

(nnn) Promoting or advertising through any communication media the use, sale, or dispensing of any controlled substance appearing on any schedule in Chapter 893, F.S.

(458.331(1)(qq), F.S.

2. A \$10,000.00 administrative fine, 100 hours of community service, and suspension of the license, followed by a period of probation.

(kkk) From a reprimand to revocation, an administrative fine ranging from \$1,000.00 to \$10,000.00, and 50 to 100 hours of community service.

(lll) From a letter of concern to probation, an administrative fine ranging from \$1,000.00 to \$5,000.00, and 25 to 50 hours of community service.

(mmm) From a letter of concern to probation, an administrative fine ranging from \$1,000.00 to \$5,000.00, and 25 to 50 hours of community service.

(nnn) From a letter of concern to one (1) year suspension, to be followed by a period of probation, 50 to 100 hours of community service and an administrative fine from \$1,000.00 to \$5,000.00.

2. Revocation and a fine of \$10,000.00.

(kkk) From probation to revocation, an administrative fine ranging from \$5,000.00 to \$10,000.00, and 100 to 200 hours of community service.

(lll) From a reprimand to suspension, followed by a period of probation, an administrative fine ranging from \$5,000.00 to \$10,000.00, and 50 to 100 hours of community service.

(mmm) From probation to suspension, followed by a period of probation, an administrative fine ranging from \$5,000.00 to \$10,000.00, and 50 to 100 hours of community service.

(nnn) From reprimand to up to one (1) year suspension, to be followed by a period of probation, from 100 to 200 hours of community service and an administrative fine from \$5,000.00 to \$10,000.00.

(lll) From suspension, followed by a period of probation to revocation, an administrative fine of \$10,000.00.

(mmm) From suspension, followed by a period of probation to revocation, an administrative fine of \$10,000.00.

(3) through (7) No change.

Rulemaking Authority 456.0375(4)(c), 456.50(2), 456.0575, 456.079, 458.309, 458.331(5) FS. Law Implemented 456.0375(4)(c), 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) FS. History--New 12-5-79, Formerly 21M-20.01, Amended 1-11-87, 6-20-90, Formerly 21M-20.001, Amended 11-4-93, Formerly 61F6-20.001, Amended 6-24-96, 12-22-96, Formerly 59R-8.001, Amended 5-14-98, 12-28-99, 1-31-01, 7-10-01, 6-4-02, 9-10-02, 12-11-02, 8-20-03, 6-7-04, 8-17-04, 1-4-06, 8-13-06, 8-29-06, 11-22-06, 1-30-07, 2-18-09, 12-22-09, 7-27-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 2, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 20, 2010

DEPARTMENT OF HEALTH

School Psychology

RULE NOS.:

64B21-501.003

64B21-501.005

64B21-501.0065

64B21-501.009

RULE TITLES:

Biennial Renewal Fee

Application Fees

Change of Status Fee

Initial Licensure Fee

PURPOSE AND EFFECT: The Department determined that it needs to reduce fees and to update the rules.

SUMMARY: These rules reduce the school psychology fees to \$190 for biennial renewal, to \$175 for the application, and to \$175 for initial licensure. They also clarify that the change of status fee is not imposed if the status is changed at the beginning of the licensure cycle.

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

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

RULEMAKING AUTHORITY: 456.013, 490.007(1), 490.015, 490.015(2) FS.

LAW IMPLEMENTED: 456.013, 456.036, 456.036(4), 490.005, 490.006, 490.007(1) 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: Allen Hall, Executive Director, Office of School Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULES IS:

64B21-501.003 Biennial Renewal Fee.

The fee for biennial ~~license~~ renewal of an active status license is ~~\$190.00~~ ~~\$250.00~~ for school psychologists.

Rulemaking Specific Authority 490.015(2), 490.007(1) FS. Law Implemented 490.007(1) FS. History–New 4-13-82, Amended 4-20-83, 3-19-85, Formerly 21U-501.03, Amended 7-10-89, 1-10-91, Formerly 21U-501.003, 61E9-501.003, Amended 9-9-01,_____.

64B21-501.005 Application Fees.

(1) The non-refundable application fee for licensure by examination is ~~\$175.00~~ ~~\$250.00~~.

(2) The non-refundable application fee for licensure by endorsement is ~~\$175.00~~ ~~\$250.00~~.

(3) No change.

Rulemaking Specific Authority 456.013, 490.015 FS. Law Implemented 456.036(4), 490.005, 490.006 FS. History–New 8-27-84, Amended 12-16-84, 2-21-85, Formerly 21U-501.05, Amended 1-28-92, 6-21-92, Formerly 21U-501.005, 61E9-501.005, Amended 9-9-01, 9-27-05,_____.

64B21-501.0065 Change of Status Fee.

If a licensee seeks to change the status of his or her license at any time other than at the beginning of a licensure cycle, a change of status fee of \$50.00 shall be applied.

Rulemaking Specific Authority 490.015(2) FS. Law Implemented 456.036 FS. History–New 9-9-01, Amended _____.

64B21-501.009 Initial Licensure Fee.

The fee for initial licensure shall be ~~\$175.00~~ ~~\$250.00~~. This fee is refundable if the applicant is not eligible for licensure.

Rulemaking Specific Authority 490.015, 456.013 FS. Law Implemented 456.013 FS. History–New 7-10-89, Amended 1-10-91, 6-21-92, Formerly 21U-501.009, 61E9-501.009, Amended 9-9-01,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Allen Hall

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ana M. Viamonte Ros, M.D., M.P.H.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 15, 2010

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NOS.:	RULE TITLES:
65E-26.001	Applicability
65E-26.002	Enrollment and Eligibility Requirements

PURPOSE AND EFFECT: The purpose of the rule development is to create a new rule to incorporate statutory changes in priority populations and services as they relate to enrollment and eligibility requirements. This rule shall apply to all community mental health providers and licensed mental health residential treatment facilities under contract with the department or the agency to provide treatment services to the Substance Abuse and Mental Health Program Offices.

SUMMARY: This chapter establishes standards for identifying individuals who are eligible for publicly funded substance abuse and mental health services and for enrolling these individuals into the department's priority populations as referenced in Section 394.674, Florida Statutes.

RULEMAKING AUTHORITY: 394.674(4) FS.

LAW IMPLEMENTED: 394.674 FS.

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: 394.674(4) FS.

LAW IMPLEMENTED: 394.674 FS.

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

DATE AND TIME: Friday, January 14, 2011, 10:00 a.m.

PLACE: Department of Children and Families, Mental Health Program Office, 1317 Winewood Blvd., Building 6, Conference Room A, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Denise L. Barber, Department of Children and Families, Mental Health Program Office, 1317 Winewood Blvd., Building 6, Room 207, Tallahassee, FL 32399-0700

THE FULL TEXT OF THE PROPOSED RULES IS:

65E-26.001 Applicability.

This chapter establishes standards for identifying individuals who are eligible for publicly funded substance abuse and mental health services and for enrolling these individuals into the department's priority populations as referenced in Section 394.674, Florida Statutes.

Rulemaking Authority 394.674(4) FS. Law Implemented 394.674 FS. History--New _____.

65E-26.002 Enrollment and Eligibility Requirements.

(1) To be eligible for substance abuse and mental health services funded by the Department of Children and Family Services (DCF), an individual must be enrolled in one of the department's priority populations as referenced in Section 394.674, Florida Statutes.

(2) To meet this enrollment requirement, the provider must submit enrollment data and service event data in the department's database system as follows:

(a) Every service event funded by the department must have a corresponding enrollment record showing the priority population of the person served.

(b) Service event records funded by the department that do not have corresponding enrollment records will not be accepted in the department's database system.

(3) Each service provider under contract with the Department of Children and Family Services (DCF) to provide substance abuse and/or mental health services must establish written policies and procedures describing the process for enrolling eligible persons into the department's priority populations, and for reporting enrollment data elements into the department's database system.

(4) For eligible persons who meet the department's priority population criteria and who are admitted into the service provider agency to receive these services, the provider must do the following:

(a) Enroll the person into the most appropriate priority population at the time of admission:

(b) Collect and submit the enrollment data element(s) as part of the initial admission record reported in the department's database system; and

(c) Review the enrollment record of each active client as part of the ongoing case review process to determine if the person's priority population criteria have changed and, if necessary, re-enroll the person as follows:

1. Re-enroll the person in the most appropriate priority population to reflect the change.

2. Collect and submit the enrollment data element(s) as part of the priority population update record reported in the department's database system. This record shall include only the key fields and the required enrollment data elements.

(5) For eligible persons who meet the department's priority population criteria but are not admitted into the provider agency because these persons are seen on a brief emergency basis and are immediately discharged or because needed services are unavailable within the provider agency, the provider must also:

(a) Enroll the person into the most appropriate priority population at the time of immediate discharge and

(b) Collect and submit the enrollment data element(s) as part of the immediate discharge record reported in the department's database system.

(6) For persons who do not meet the above conditions in subsections 65E-26.002(4) and (5), F.A.C., the providers may, but are not required to, collect and submit the admission records or immediate discharge records in the department's database system.

Rulemaking Authority 394.674(4) FS. Law Implemented 394.674 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Denise L. Barber

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: George Sheldon

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 36, No. 16, April 23, 2010

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-20.005
RULE TITLE: Specific Fish Management Area Regulations

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to alter the bag limit for black bass in Orange and Lochloosa Lakes Fish Management Areas (Alachua County) from three fish per day outside of the protective slot limit of 15 to 24 inches in total length (all fish between 15 and 24 inches must be released) to three fish per day, only one of which may be over 24 inches in total length and the protective slot limit would remain unchanged. The effect would be to enable the agency to better manage fisheries resources.

SUMMARY: The proposed rule would change the present black bass daily bag limit of three fish outside of the protective slot limit (bass between 15 and 24 inches in total length must

be immediately released unharmed) to three bass outside the slot with only one fish exceeding 24 inches in total length. The slot would remain unaltered.

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

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

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-20.005 Specific Fish Management Area Regulations.

- (1) No change.
- (2) North Central Region:
 - (a) No change.
 - (b) Lakes Lochloosa, Orange and Newnans, Alachua County:

- 1. through 2. No change.
- 3. Orange Lake, including waters lakeward (south and east) of County Road 346 and in waters west of U.S. Highway 301:

No person shall kill or possess any black bass that is 15 inches or more in total length and less than 24 inches in total length and no person shall take in any one day more than three (3) black bass of which only one (1) may be 24 inches in total length or larger.

- 4. Lochloosa Lake, including Tadpole Creek, Lochloosa Creek, and Cross Creek:

No person shall kill or possess any black bass that is 15 inches or more in total length and less than 24 inches in total length and no person shall take in any one day more than three (3) black bass of which only one (1) may be 24 inches in total length or larger.

- (c) through (s) No change.
- (3) through (5) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 2-19-80, 5-19-80, 6-4-81, 9-28-81, 6-21-82, 7-1-83, 11-17-83, 7-1-84, 7-1-85, Formerly 39-20.05, Amended 2-27-86, 6-1-86, 5-10-87, 4-13-88, 7-1-89, 7-1-90, 4-11-91, 7-1-91, 7-2-92, 8-23-92, 4-20-93, 7-1-94, 8-15-95, 10-23-95, 4-1-96, 2-16-97, 6-1-97, 6-29-97, 1-1-98, 7-1-98, 11-2-98, Formerly 39-20.005, Amended 4-30-00, 7-1-00, 10-10-00, 4-1-01, 7-1-01, 10-9-01, 7-1-02, 1-1-03, 7-1-03, 1-1-04, 7-1-04, 7-17-05, 7-1-06, 4-1-07, 7-1-08, 7-1-10,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 10, 2010

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.:
68B-14.0045

RULE TITLE:
Commercial Harvest Requirements;
Licenses, Season Closures, Bag and Trip Limits

PURPOSE, EFFECT AND SUMMARY: The purpose of this draft rule amendment is to achieve consistency between the Commission’s Reef Fish Rule on the licensing requirements for the commercial harvest and sale of groupers and tilefish in the Gulf of Mexico and rules that were implemented by NOAA Fisheries Service in January 2010 as part of the individual fishing quota (IFQ) program. Originally, red snapper was the only species in the Gulf of Mexico that was included in the IFQ program. In January of 2010 sixteen species of grouper and tilefish were added to the IFQ program. The additional species are: red grouper, gag grouper, black grouper, scamp, yellowfin grouper, red hind, rock hind, yellowmouth grouper, yellowedge grouper, snowy grouper, misty grouper, goldface tilefish, blackline tilefish, anchor tilefish, blueline tilefish, and golden tilefish. Since January of 2010, harvesters have been required to possess a federal Gulf of Mexico IFQ vessel account to harvest these species in federal waters of the Gulf of Mexico. Reef fish are managed in Gulf federal waters adjacent to Florida by the Gulf of Mexico Fisheries Management Council,

of which Florida is a voting member. The effect of this rule amendment is to specify which permits are needed in order to commercially harvest the above species and prevent people without IFQ shares from harvesting them off Florida. With this rule amendment, federal and state regulations will be consistently applied. Where practicable, this minimizes public confusion, aids enforceability, and contributes to the overall health and status of grouper and tilefish in the Gulf of Mexico. SUMMARY: Rule 68B-14.0045, F.A.C., (Commercial Harvest Requirements; Licenses, Season Closures, Bag and Trip Limits) would be amended to add 16 additional grouper and tilefish species to the requirement for commercial harvesters fishing in state waters of the Gulf of Mexico to hold a federal Gulf IFQ vessel account when fishing for reef fish species included in the federal Gulf of Mexico IFQ program. It would also remove the grouper vessel limit in Gulf waters, clarify which federal permits and licenses the State of Florida requires by adding the specific citation to the Federal Code, and clarify that the licenses and permits must be issued to and possessed aboard the vessel while harvesting reef fish for commercial purposes in state waters.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: Bud Vielhauer, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

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:

68B-14.0045 Commercial Harvest Requirements; Licenses, Season Closures, Bag and Trip Limits.

(1) Licenses.

(a) Each person harvesting any of the species listed in subsection 68B-14.001(2), F.A.C., for commercial purposes in state waters shall possess a valid saltwater products license with a restricted species endorsement and:

1. If fishing in state waters of the Atlantic Ocean, either a valid transferable commercial permit or a trip-limited commercial permit for South Atlantic snapper-grouper pursuant to 50 C.F.R. § 622.18 issued to and possessed aboard the vessel.

2. If fishing in state waters of the Gulf of Mexico, a valid commercial reef fish permit pursuant to 50 C.F.R. § 622.4(a)(2)(v) issued to and possessed aboard the vessel, except as provided in subparagraph 3.

3. For a person aboard a vessel, for which a commercial vessel permit for Gulf reef fish has been issued, to fish for, possess, or land red snapper, red grouper, gag grouper, black grouper, scamp, yellowfin grouper, red hind, rock hind, yellowmouth grouper, yellowedge grouper, snowy grouper, misty grouper, goldface tilefish, blackline tilefish, anchor tilefish, blueline tilefish, and golden tilefish regardless where harvested or possessed, a Gulf red snapper IFQ vessel account, as defined in 50 C.F.R. § 622.4(a)(2)(ix), for the applicable species must be established as defined in 50 C.F.R. § 622.16(c)(1)(i) or 622.20(c)(1)(i) endorsement issued to and possessed aboard the vessel.

(b) through (d) No change.

(2) No change.

(3) Bag and Trip Limits.

(a) No change.

(b) Grouper.

1. through 2. No change.

~~3. Vessels harvesting commercially in the state waters of the Gulf of Mexico as specified in subparagraph 68B-14.0045(1)(a)2., F.A.C., are subject to a grouper vessel trip limit. Groupers are all species listed in paragraph 68B-14.001(2)(b), F.A.C., except bank sea bass and black sea bass. The grouper vessel trip limit shall be 6,000 pounds from January 1 until such time as the state waters are closed to harvest of any species pursuant to paragraph 68B-14.0045(2)(b), F.A.C., at which time the grouper vessel trip limit for that species is reduced to zero. The grouper vessel limit shall be restored to 6,000 pounds on January 1 of the following year.~~

(c) through (e) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 2-1-90, Amended 12-31-92, 10-18-93, 3-1-94, 6-15-95, 1-1-96, 11-27-96, 12-31-98, 3-1-99, Formerly 46-14.0045, Amended 1-1-00, 3-6-00, 1-1-01, 3-1-01, 6-1-01, 1-1-03, 7-15-04, 5-20-05, 9-16-05, 3-10-06, 7-1-07, 4-1-08, 8-27-09, 1-19-10,_____.

Section III
Notices of Changes, Corrections and
Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NOS.:	RULE TITLES:
18-14.001	Definitions
18-14.002	Determination of Fines
18-14.003	Violations
18-14.004	Applicability
18-14.005	Imposition and Collection of Fines

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 47, November 24, 2010 issue of the Florida Administrative Weekly.

The Department of Environmental Protection publishes this notice of correction to the Notice of Proposed Rule for Chapter 18-14, F.A.C., OGC No. 08-0631, for which the following was omitted regarding the rule amendments' impact on the rules that incorporate Chapter 18-14, F.A.C., by reference. If more information is needed, please contact Ryan Osborne at (850)245-2197 or ryan.osborne@dep.state.fl.us.

STATEMENT REGARDING EFFECT ON RULES INCORPORATING PROPOSED RULE BY SPECIFIC REFERENCE: Pursuant to Section 120.54(1)(i)2., F.S., this shall serve as the Board of Trustees' statement regarding the effect on all rules incorporating Chapter 18-14, F.A.C., by specific reference. Chapter 18-14, F.A.C., is incorporated by specific reference in paragraph 18-21.004(7)(c), subparagraph 18-21.008(1)(b)3., subparagraph 18-21.008(1)(b)4., sub-subparagraph 18-21.008(1)(b)5.a., sub-subparagraph 18-21.008(1)(b)5.b., and paragraphs 18-21.021(2)(c), 18-21.021(4)(b), and 18-21.021(6)(f), F.A.C., the amendments to Chapter 18-14, F.A.C., have no effect whatsoever on these referencing rules.

DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-601.713	Inmate Visiting – Definitions
33-601.714	Inmate Visiting – General
33-601.715	Visiting Application Initiation Process
33-601.716	Visiting Record Management

33-601.717	Visiting Denial
33-601.718	Review of Request for Visiting Privileges
33-601.725	Permissible Items for Visitors
33-601.731	Revocation or Suspension of Visiting Privileges
33-601.732	Reinstatement of Revoked or Suspended Visiting Privileges
33-601.733	Visiting – Special Status Inmates
33-601.735	Non-Contact Visiting
33-601.737	Visiting – Forms

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 34, August 27, 2010 issue of the Florida Administrative Weekly has been withdrawn.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.:	RULE TITLES
40C-400.211	Processing Procedures for Noticed General Permits

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 39, October 1, 2010 issue of the Florida Administrative Weekly.

The previously published notice of proposed rule included amendments to Rule 40C-400.211, F.A.C.; however, that rule was transferred and renumbered to Rule 40C-1.1013, F.A.C. The published amendments will be made to Rule 40C-1.1013, F.A.C., rather than Rule 40C-400.211, F.A.C.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

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

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 44, November 5, 2010 issue of the Florida Administrative Weekly.

The Title XIX Long-Term Care Reimbursement Plan, Version XXXVIII, has been amended as follows:

1. Page 32, new sub-subparagraph b. will read as follows: Effective July 1, 2010 a minimum weekly average of certified nursing assistant and licensed nursing staffing combined of 3.9 hours of direct care per resident per day will be in effect.

2. Page 35 Section C The MTA is applied to all components of the prospective per diem determined in V.B.17. Below are all the recurring and non recurring cut that are included in the Medicaid Trend Adjustment.

3. Page 35 Section C – a correction to the spelling of the word Medicaid.

4. Page 55 The previous Section H has been corrected as new Section I.

DEPARTMENT OF MANAGEMENT SERVICES

Technology Program

RULE NOS.:	RULE TITLES:
60FF-6.003	Request for Certification of Compliance
60FF-6.004	Florida Emergency Communications Number E911 State Plan Administration Rule
60FF-6.005	Florida Emergency Communications Number E911 State Plan Technical and Operations Rule

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. 49, December 10, 2010 issue of the Florida Administrative Weekly.

60FF-6.003 Request for Certification of Compliance.

(1) ~~A~~ Certification inspection will determine ~~if that~~ the E911 systems operated or planned to be operated by entities of local government meet the minimum technical and operational standards in subsection 60FF-6.002(1) and Rule 60FF-6.005, F.A.C., so that an established minimum standard of service is available to citizens within any given E911 serving area. Entities of local government shall coordinate closely with Department of Management Services’ personnel in the development of their respective E911 systems per Rule 60FF-6.002, F.A.C.

(2) through (4) No change.

Rulemaking Authority 365.171(4) FS. Law Implemented 365.171(4), (10) FS. History–New_____.

60FF-6.004 Florida Emergency Communications Number E911 State Plan Administration Rule.

(1) through (2) No change.

(3) No change.

(a) through (b) No change.

(c) The county 911 coordinator must implement countywide systems and standards that meet or exceed technical and operational standards in Rule 60FF-6.005, F.A.C. This individual shall coordinate E911 infrastructure-related activities among all emergency service agencies and equipment/service providers to ensure that the system performs smoothly, reliably, and efficiently in concert with statewide emergency communication objectives. This position must ensure the maintenance and functionality of the county’s E911 system on a 24 hours per day, * 7 days per week basis. The county 911 coordinator is responsible for database and Master Street Addressing Guide management, maintenance and error

resolution. County 911 Coordinators must determine the best procedures to accommodate changing technological environments and provide the best 911 service that can be provided, on a 24 hours per day, * 7 days per week basis.

(d) No change.

Rulemaking Authority 365.171(4) FS. Law Implemented 365.171(4), (10) FS. History–New_____.

60FF-6.005 Florida Emergency Communications Number E911 State Plan Technical and Operations Rule.

(1) through (g) No change.

(2) No change

(a) through (d) No change.

(e) Logging recording equipment to ~~will~~ record the conversation, incoming trunk, identification of the position handling the call, and date and time of each 911 call.

(f) Instant play back capability; each call taker shall be equipped with access to instant playback recording capability.

(g) through (h) No change.

(i) Grounding integrity; the 911 system and generator shall be installed using appropriate grounding engineering.

(j) No change.

(k) No change.

(l) 911 consoles, ~~or~~ furniture, ~~etc.~~

(3) No change.

(a) through (e) No change.

(4) No change.

(a) through (c) No change.

(5) No change.

(a) through (b) No change.

1. through 3. No change.

(c) Each call taker shall complete a Trouble Report/Inquiry Form for every 911 call that experienced problems (ANI failures, database errors, etc.). These trouble reports shall be routed to the county 911 coordinator. Enhanced 911 systems shall include a proactive program to identify database errors, which shall continuously monitor and maintain a record of database accuracy. Call takers shall provide information about erroneous location information provided on the ALI screen and any corrections provided by the caller. County 911 coordinators shall establish a standard trouble reporting form and ensure that 911 trouble reports are consistently completed and shall submit these reports to the appropriate service provider(s) for resolution. In counties where the county is maintaining the database ~~With a Type 5 E911 system~~, the county 911 coordinator shall perform both functions.

(d) No change.

(6) No change.

(a) through (e) No change.

(7) No change.

- (a) through (b) No change.
- (8) No change.
- (a) through (d) No change.
- (9) Training and Standard Operating Procedures;
 - (a) Counties shall include specified training standards in their standard operating procedures. These SOPs shall include classroom and on-the-job instruction and training course content required for 911 public safety telecommunicators.

Rulemaking Authority 365.171(4) FS. Law Implemented 365.171 (10) FS. History--New _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-550.200	Definitions for Public Water Systems
62-550.514	Disinfectant Residuals and Disinfection Byproducts Monitoring Requirements
62-550.540	Monitoring of Consecutive Public Water Systems
62-550.550	Certified Laboratories and Analytical Methods for Public Water Systems
62-550.720	Recordkeeping
62-550.730	Reporting Requirements for Public Water Systems
62-550.821	Disinfectant Residuals, Disinfection Byproducts, and Disinfection Byproduct Precursors
62-550.822	Initial Distribution System Evaluations and Stage 2 Disinfection Byproducts Requirements
62-550.824	Consumer Confidence Reports

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 10, March 12, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-550.310	Primary Drinking Water Standards: Maximum Contaminant Levels and Maximum Residual Disinfectant Levels
62-550.500	General Monitoring and Compliance Measurement Requirements for Contaminants and Disinfectant Residuals

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 13, April 2, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-560.400	Scope of Drinking Water Public Notification Rules

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 10, March 12, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**Section V
Petitions and Dispositions Regarding Rule Variance or Waiver**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

NOTICE IS HEREBY GIVEN THAT on December 2, 2010, the Department of Agriculture and Consumer Services has issued an order.

The Order grants a permanent variance from application of subsection 5F-11.002(1), F.A.C., and Section 7.9.2.2, NFPA 54, National Fuel Gas Code, to the Petitioner, The Windsor at Bay Colony Condominium Association. Petitioner represents The Windsor Condominiums at Bay Colony, which was found not in compliance with Section 7.9.2.2, NFPA 54. Petitioner has successfully demonstrated that strict compliance with subsection 5F-11.002(1), F.A.C., would create a substantial hardship and that compliance can be met by other means. The Order requires completion of conditions.

A copy of the Order may be obtained by contacting: Lisa M. Bassett, Chief, Bureau of LP Gas Inspection, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650 or by calling: Lisa M. Bassett at (850)921-8001.

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on December 2, 2010, the Criminal Justice Standards and Training Commission, received a petition for permanent waiver of paragraph 11B-27.013(8)(b), F.A.C., by Robert J. Dudley. The rule requires canine team instructors who wish to become canine team evaluators to successfully train twelve patrol canine teams to FDLE standards and document the training by using form CJSTC-70. The Petitioner has successfully trained 29 patrol canine teams, but only seven of them have achieved certification through FDLE. Many teams trained by Petitioner were certified through the United States Police Canine Association, which is an accepted certification standard in Florida. The Petitioner would like the canine teams that he trained to certification through the United States Police Canine Association recognized as the equivalent of FDLE canine team certification in fulfillment of the rule, or, in the alternative, that the seven teams that he trained to FDLE canine team certification would suffice to fulfill the rule requirement of training twelve FDLE certified canine teams for the purposes of obtaining his Canine Team Evaluator status.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on December 3, 2010, the Criminal Justice Standards and Training Commission, received a petition for permanent waiver of paragraphs 11B-27.00213(4)(a), (b), F.A.C., by Tabitha Williams. The rule requires recruits employed by agencies on a temporary employment authorization (TEA) to have a four-year break in service before they may enter into another TEA if their TEA is terminated prior to the recruit becoming certified. Petitioner's employer terminated her employment for cause while she was on a TEA. Petitioner seeks a waiver of this rule so that she may seek another TEA immediately at another facility and, thereby, remain employed while she fulfills the requirements of Section 943.13, F.S., to become certified.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on November 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 Nordvind, filed September 7, 2010, and advertised in Vol. 36, No. 38, 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, that requires upgrading the elevators for firefighters' emergency operations until December 31, 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 2010-566).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 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 Coco Key Hotel and Water Resort, filed September 8, 2010, and advertised in Vol. 36, No. 38, 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, that requires upgrading the elevators for firefighters' emergency operations until September 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 2010-570).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 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 Bank of America Centre, filed September 8, 2010, and advertised in Vol. 36, No. 40, 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, that requires upgrading the elevators for firefighters' emergency operations until July 31, 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 2010-573).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 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 The Islander Condo Assoc., filed September 9, 2010, and advertised in Vol. 36, No. 40, 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)(1), 3.3.2, 3.10.3(a) and 3.9.1 ASME A17.3, 1996 edition, from Rule 207.3 ASME A17.1, 1996 edition, and from ANSI/NFPA 70, Article 620.22(A), NEC 2005 edition 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 with emergency signaling devices, platform guards, top-of-car continuous-pressure button switch, normal terminal stopping devices, elevator capacity and data plate and a separate car light branch circuit until October 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 2010-574).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 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 Marker "5" Condo Assoc., Inc., filed September 9, 2010, and advertised in Vol. 36, No. 40, of

the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 and 3.3.2 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations and platform guards 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 2010-585).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 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 emergency Variance from Jewett Orthopaedic Clinic, filed November 2, 2010, and advertised in Vol. 36, No. 45, 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, that requires a sump pump in the hoistway 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 2010-661).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 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 emergency Variance from Racquet Club C, filed November 2, 2010, and advertised in Vol. 36, No. 45, 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, that requires upgrading the elevators for firefighters' emergency operations, restricted door openings, in-car stop switch and platform guards until November 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 2010-662).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Sarasota Memorial Hospital – New Patient Tower. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.1, 2.20.9 and 2.24.2, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which would allow the installation of an Otis Gen2 elevator system. 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 2010-703).

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 November 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Sarasota Memorial Hospital – Medical Arts Elevator Addition. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.1, 2.20.9 and 2.24.2, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which would allow the installation of an Otis Gen2 elevator system. 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 2010-704).

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 November 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from St. Anthony's Hospital Emergency Center Tower Project. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.1, 2.20.9 and 2.24.2, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which would allow the installation of an Otis Gen2 elevator system. 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 2010-705).

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 November 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Pelican Bay. 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 2010-706).

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 November 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Tamiami Square Bldg. 200. Petitioner seeks a variance of the requirements of an unspecified Section of A17.1, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-707).

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 November 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from The Water Club. Petitioner seeks a variance of the requirements of Section 3003.3, Florida Building Code, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a permanent sign above each hall push station reading "In case of fire, do not use elevator. Use exit stairs.", 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 2010-708).

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 November 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Flamingo Bay Club Condo Assoc. 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 2010-710).

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 November 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from 56 E Pine Street. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.2.4.2, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a ladder in a pit extending more than 900 mm below the sill of the pit access door 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 2010-711).

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 November 15, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition for an Emergency Variance on October 25, 2010 for subsections 61C-4.010(6), (7), Florida Administrative Code, from Burrito Brothers, Jupiter, FL. The above referenced F.A.C. addresses the requirements that at

least one accessible bathroom be provided for use by customers. They are requesting to share bathrooms located within another business for use by customers only.

The Petition was published in Vol. 36, No. 45 on November 12, 2010, and after a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within Rosetta's Produce are maintained in a clean and sanitary manner, have cold running water under pressure, soap, approved hand drying devices and are available during all hours of operation and that directional signage is installed in the establishment clearly stating the location of the bathrooms. If the ownership of Rosetta's Produce changes, an updated signed agreement for use of the bathroom facilities is required immediately.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on November 30, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition for an Emergency Variance on November 2, 2010 for subsections 61C-4.010(6), (7), Florida Administrative Code, from Chef Dee's Catering, Panama City, FL. The above referenced F.A.C. addresses the requirements that at least one accessible bathroom be provided for use by customers. They are requesting to share bathrooms located within an adjacent licensed food service establishment under the same ownership.

The Petition was published in Vol. 36, No. 46 on 11/19/10 and after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within an adjacent business (Dee's Hangout, SEA1305191) are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the hours of operation or ownership of Dee's Hangout changes, an updated signed agreement for use of the bathroom facilities is required immediately.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on November 15, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Routine Variance petition on October 28, 2010 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 The Fish House, Ruskin, FL. 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 share bathroom facilities with another nearby business.

The Petition published Vol. 36, No. 45 on 11/12/10 and after a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within River Haven Mobile Home Park Municipal Building are maintained in a clean and sanitary manner, have hot and cold running water under pressure, soap, approved hand drying devices and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed in the establishment clearly stating the location of the bathrooms. If the ownership of River Haven Mobile Home Park Municipal Building changes, an updated signed agreement for use of the bathroom facilities is required immediately.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on November 24, 2010, the Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from McCoy's Bar & Grill, Orlando, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport water and to collect wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater.

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.

NOTICE IS HEREBY GIVEN THAT on November 30, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition for a Routine Variance on November 2, 2010 for paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code, Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Subway, Fort Myers, FL. The above referenced F.A.C. addresses the requirements that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water and that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to utilize a mopsink and dishwashing facility located within another establishment.

The initial petition was published in Vol. 36, No. 46 on 11/19/10. After a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the dishwashing facility and mop sink located within Gulf Coast Medical Center Kitchen are maintained in a clean and sanitary manner and provided with hot and cold running water under pressure and are available during all hours of operation. If the hours of operation or ownership of Gulf Coast Medical Center Kitchen changes, an updated signed agreement for use of the dishwashing facility and mop sink is required immediately.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on November 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition for an Emergency Variance on November 5, 2010 for subsection 61C-4.010(6), Florida Administrative Code and Section 6-201.18, 2001 FDA Food Code, Subparagraph 6-101.11 (A)(1) & (3), 2001 FDA Food Code, Paragraph 6-201.11, 2001 FDA Food Code from Zoinks Kidstation, Tallahassee, FL. The above referenced F.A.C. addresses that studs, joist and rafters may not be exposed in areas subject to moisture and that ceilings must be smooth, nonabsorbent and easily cleanable in areas subject to moisture.

They are requesting to operate with exposed studs, joists or rafters in the kitchen and utilize a ceiling that is not smooth and easily cleanable.

The Petition was published in Vol. 36, No. 47 on 11/24/10 and after a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring there is a cleaning regimen to preclude the accumulation of dust, dirt and other debris on the ceiling that could cross contaminate the food and food-contact surfaces. Also, that the current menu (consisting of drinks and precooked pizzas) does not change. If changes to the menu occur, the Petitioner shall notify the Division immediately.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

The Construction Industry Licensing Board hereby gives notice that it has received a petition, filed on November 24, 2010, by Jason Hickson, seeking a waiver or variance of Rule 61G4-16.005, F.A.C., dealing with duration of exam validity, a passing grade shall be valid only for a period of four (4) years from the date the list of successful candidates is approved by the Board.

Comments on this petition should be filed with: Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399, within 14 days of publication of this notice.

For a copy of the petition, contact: G. W. Harrell, Executive Director, Construction Industry Licensing Board, at above address or telephone (850)487-1395.

NOTICE IS HEREBY GIVEN THAT on November 23, 2010, the Board of Accountancy, received a petition for Kristen Lepisto, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on November 22, 2010, the Board of Accountancy, received a petition for Jody Michalec, seeking a variance or waiver of paragraph

61H1-27.0041(1)(b), Florida Administrative Code, which lists the requirements for work experience supervision as the subject of the applicant, during employment, to oversight, guidance and evaluation by a supervisor who had the right to control and direct the applicant as to the result to be accomplished by the work and also as to the means by which the result was to be accomplished. Petitioner is also seeking a variance of waiver of paragraph 61H1-27.0041(1)(c), F.A.C., which lists the requirements for a supervisor as one who is either a licensed certified public accountant in good standing with any regulating body or a charter accountant recognized by the International Qualifications Appraisal Board. Petitioner is also seeking a variance of waiver of subsection 61H1-27.0041(2), F.A.C., which requires that one year of work experience shall be held and understood to mean the rendition of services such as are customarily performed by full-time, regularly employed staff employees of a certified public accountant during the normal workweek as required by the employing certified public accountant, commencing after the completion of the educational requirements set forth in subsection 61H1-27.002(3), F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on December 7, 2010, the Department of Health has issued an order.

The order granted a petition for permanent variance from the requirements of paragraphs 64E-15.005(2)(a) & (b), F.A.C., as filed by Plaza 3300, Inc., T/A Central and Harbour MHP was granted on December 7, 2010. The petition was filed with the Department on September 8, 2010, and noticed in the Florida Administrative Weekly on September 24, 2010, in Vol. 36, No. 38. The Department determined that Petitioner was able to demonstrate that the underlying statute has been achieved by other means and that application of the rules would create a substantial hardship.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Health, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703, (850)245-4005.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on November 23, 2010, the Department of Children and Families, received a petition for waiver of subsection 65C-14.055(4), Florida Administrative Code, from Florida Baptist Children's Home and Randy Harrison. Subsection 65C-14.055(4), F.A.C., requires staff responsible for the supervision, evaluation and monitoring of the direct child care staff shall have a bachelor's degree in social work, or related area of study from a college or university and at least 3 years of experience in working with children, or 2 years of college and 4 years of experience in working with 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.

NOTICE IS HEREBY GIVEN THAT on November 30, 2010, the Department of Children and Families, received a petition for waiver of subsection 65C-14.026(4), Florida Administrative Code, from Grandma's Place. Subsection 65C-14.016(4), F.A.C. states the agency shall have financial records audited annually.

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

Section VI**Notices of Meetings, Workshops and Public Hearings****DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The **Pesticide Registration Evaluation Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: January 6, 2011, 9:00 a.m.

PLACE: Bureau of Pesticides, Building 6, Room 606, Conference Room, 3125 Conner Boulevard, Tallahassee, Florida 32399, (850)617-7940

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the agenda may be obtained by contacting: The Pesticide Registration Section at (850)617-7940 or from the PREC Web Site at: http://www.flaes.org/pesticide/pesticide_registration.html.

For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida 32399-1650, (850)617-7940.

DEPARTMENT OF EDUCATION

The **Florida Rehabilitation Council (FRC)**, Evaluation Contract Discussion for Full Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 4, 2011, 1:30 p.m. – 3:30 p.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida Rehabilitation Council.

Any interested parties that need further information may contact: Paige Sharpton at (850)245-3397.

For appeal process see Section 286.0105, Florida Statutes.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at: www.rehabworks.org at least seven days before the meeting. Persons who want to be notified of such meetings may request to be put on a mailing list by writing to Paige Sharpton at the Council's address.

A copy of the agenda may be obtained by contacting: The FRC at (850)245-3397.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3-5 days before the workshop/meeting by contacting: The FRC at (850)245-3397. If you are 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 Education** announces a public meeting to which all persons are invited.

DATES AND TIME: January 19-20, 2011, 8:30 a.m.

PLACE: Turlington Building, Room 1721/25, 325 West Gaines Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Education Commissioner Dr. Eric J. Smith announces the 9-12C Science adoption meeting of the State Instructional Materials Committee. The Committee will evaluate instructional materials that were submitted for consideration by publishers in May of 2010 and will recommend titles to be placed on the state-adopted list of instructional materials for use by public schools beginning with the 2011-2012 school year.

A copy of the agenda may be obtained by contacting: Florida Department of Education, Office of Instructional Materials at (850)245-0425.

The **Commission for Independent Education** announces a public meeting to which all persons are invited.

DATES AND TIMES: January 6, 2011, Rules Committee Meeting, 1:00 p.m. – 4:00 p.m.; Health Science Committee, 5:00 p.m. – 6:00 p.m.; January 7, 2011, Commission Meeting, 9:00 a.m.

PLACE: Mission Inn Resort & Club, 10400 County Road 48, Howey-In-The-Hills, Florida 34737

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Rules Committee will conduct the business of the committee; The Health Science Committee will conduct the business of the Committee; The Commission Meeting, Commission for Independent Education will consider: All Degree Granting Institutions and Non-Degree granting institutions for the following: Disciplinary Matters, Informal Hearings, Institutions Ordered to Appear Back Before the Commission, New Applications for Licensure, Institutional Applications for Program Modifications and Additional Programs, Application for Annual License, Motions for Extension of License, Motions for Request for Extension of Time to Comply with Contingencies, Reports, Approved Applicant Letters Sent, Licenses Sent, Closed Schools, Agent Training Programs, Annual Renewals, Extension of Annual License, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Substantive Change Applications, Name Change Applications, Attorney and Executive Director Reports, Election of Officers, Applications for Exemption for Religious Colleges, and the General Business of the Commission.

A copy of the agenda may be obtained by contacting: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. If you are 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: Commission for Independent Education, 325 West Gaines, Street, Suite 1414, Tallahassee, Florida 32399-0400.

DEPARTMENT OF COMMUNITY AFFAIRS

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

DATE AND TIME: Thursday, January 6, 2011, 10:00 a.m. (EST)

PLACE: Conference Call: (712)451-6000, Access Code: 652471# (Long distance rates may apply)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Century Commission for a Sustainable Florida will convene a meeting of the full commission via conference call on Thursday, January 6, 2011 at 10:00 a.m. (EST).

The purpose of the meeting will be to adopt recommendations for the Fifth Annual Report to the Governor and Legislature. Additional conference call meetings will also be held on: January 24, 2011, February 7, 2011, February 21, 2011, March 7, 2011 and March 21, 2011, 10:00 a.m. (EST). The bi-weekly conference call meetings will focus on implementation of the Century Commission's proposed legislative package.

Members of the public are invited to listen to the call, but due to noise consideration are asked to dial-in from a land line and keep their phone lines muted until the public comment section of the agenda.

Meeting materials will be posted on line on the Century Commission's meetings page.

All information regarding this meeting and the Century Commission may be obtained at the Internet address: www.centurycommission.org.

A copy of the agenda may be obtained by calling: (850)219-0082 or by visiting the web site.

The Florida **Department of Community Affairs**, "the Department" announces a public meeting to which all persons are invited.

Building Energy Rating System (BERS) Steering Committee

DATE AND TIME: January 19, 2011, 9:30 a.m.

PLACE: RACCA Inc., 1920 East Sligh Avenue, Tampa, FL, 1(800)771-2607

GENERAL SUBJECT MATTER TO BE CONSIDERED: to review the current Building Energy Rating System and the rater survey results including public comments, hear presentation on RESNET Standard; and provide recommendations to Department for consideration.

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

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

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

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

The Training Task Force for the **State Emergency Response Commission (SERC) for Hazardous Materials** announces a public meeting to which all persons are invited.

DATE AND TIME: January 6, 2011, 9:30 a.m. (EDT)

PLACE: Crowne Plaza, Ballroom, 13051 Bell Tower Drive, Ft. Myers, Florida 33907

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the State Emergency Response Commission (SERC) Training Task Force and other hazardous materials training issues.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

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

The Local Emergency Planning Committee, Chairpersons and Staff Contacts for the **State Emergency Response Commission (SERC) for Hazardous Materials** announces a public meeting to which all persons are invited.

DATE AND TIME: January 6, 2011, 1:30 p.m. (EDT)

PLACE: Crowne Plaza, Ballroom, 13051 Bell Tower Drive, Ft. Myers, Florida 33907

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Local Emergency Planning Committee in implementing the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

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

The **State Emergency Response Commission (SERC) for Hazardous Materials** announces a public meeting to which all persons are invited.

DATE AND TIME: January 7, 2011, 10:00 a.m. (EDT)

PLACE: Crowne Plaza, Ballroom, 13051 Bell Tower Drive, Ft. Myers, Florida 33907

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the requirements of the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

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

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation**, District 3 announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 11, 2011, 5:30 p.m. – 6:30 p.m.

PLACE: County Agricultural Extension Office, 5479 Old Bethel Road, Crestview, FL 32536

GENERAL SUBJECT MATTER TO BE CONSIDERED: FDOT proposes to replace the structurally deficient and scour critical bridge over Yellow River. The project limits are from east of Old River Road/Ellis Road to Antioch Road, a distance of approximately one (1) mile. Construction is scheduled to begin summer 2014. This meeting is being held to present the project progress to date and to allow citizens an opportunity to preview the proposed design, ask questions, and/or submit comments concerning the upcoming project.

A copy of the agenda may be obtained by contacting: Jim Hagon, Consultant Public Involvement Director at (850)469-9077 or by email: jhagon@drmp.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: William Barber at (850)415-9612 or email: william.barber2@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: William Barber, P.E., District Three Project Manager at (850)415-9612 or email: william.barber2@dot.state.fl.us or Tommie Speights, District Three Public Information Director, Toll Free at 1(888)638-0250, ext. 208 or email: tommie.speights@dot.state.fl.us.

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

DATE AND TIMES: Thursday, January 20, 2011, 5:30 p.m. – 8:00 p.m.; Brief Presentation, 6:00 p.m.

PLACE: E. L. Puryear Building, 243 S. Lake Avenue, Groveland, Florida 34736

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting for S.R. 50 Project Development and Environment (PD&E) Study in Groveland, Florida, from C.R. 565 (Villa City Road) to C.R. 565A (Montevista Road).

A copy of the agenda may be obtained by contacting: Steve Olson, Florida Department of Transportation (FDOT) District Five Public Information Manager at (386)943-5479 or by email: steve.olson@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven (7) days before the workshop/meeting by contacting: Steve Olson, Florida Department of Transportation (FDOT), District Five, Public Information Manager at (386)943-5479 or by email: steve.olson@dot.state.fl.us. If you

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

For more information, you may contact: Steve Olson, Florida Department of Transportation (FDOT), District Five, Public Information Manager at (386)943-5479 or by email: steve.olson@dot.state.fl.us.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

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

DATE AND TIME: Monday, January 1, 2011, 1:30 p.m.

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: James Linn at (850)413-1166. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Office of Drug Control** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 12, 2011, 1:00 p.m. – 4:00 p.m.

PLACE: Conference Room 2103, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suicide Prevention Coordinating Council.

A copy of the agenda may be obtained by contacting: Senta Goudy at (850)413-0854.

Pursuant to the provisions of 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: Senta Goudy at (850)413-0854. If you are 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: Senta Goudy at (850)413-0854.

REGIONAL PLANNING COUNCILS

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

DATE AND TIMES: Thursday, January 6, 2011, Personnel, Budget & Finance Committee, 9:00 a.m.; Planning & Growth Management Committee, 9:00 a.m.; Strategic Regional Policy Planning Committee, 9:00 a.m.; Full Board of Directors, 10:00 a.m.; Legislative Policy Committee immediately following the Board Meeting

PLACE: 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meetings.

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

The **Tampa Bay Regional Planning Council**, Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2011, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Suzanne Cooper at (727)570-5151 or email: suzanne@tbrpc.org.

The **South Florida Regional Planning Council** announces a public meeting of The State Road 7/U.S. 441 Collaborative Steering Committee to which all persons are invited.

DATE AND TIME: Friday, December 17, 2010, 2:00 p.m. – 3:30 p.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021, (954)985-4416

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue deliberations regarding economic development, aesthetic improvement and increased intergovernmental cooperation along the corridor.

A copy of the agenda may be obtained online at: www.sfrpc.com/sr7/htm or by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Regional Planning Council at (954)985-4416. If you are hearing or speech impaired, please contact the agency at (954)967-4152, ext. 40 (TDD).

If any person decides to appeal any decision made by the State Road 7/U.S. 441 Collaborative Steering Committee 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: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

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

DATE AND TIME: Monday, January 3, 2011, 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. Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting. Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments for Plantation. Any Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting. Adopted Local Government Comprehensive Plan Amendments for Miami-Dade County. 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 calling: (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 calling: (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.

METROPOLITAN PLANNING ORGANIZATIONS

The **Charlotte County Transportation Disadvantaged, Local Coordinating Board (LCB)** announces a public meeting to which all persons are invited.

DATE AND TIME: January 20, 2011, 10:00 a.m.

PLACE: Charlotte County Transit Division Conference Room, 25490 Airport Road, Punta Gorda, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing welcoming public comments on the Transportation Disadvantaged Service Plan, which is also the Coordinated Public Transit-Human Services Transportation Plan (under the provisions of SAFETEA-LU).

A copy of the agenda may be obtained by contacting: Charlotte County-Punta Gorda MPO at (941)883-3535.

Pursuant to the provisions of 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: Florida Department of Transportation, District One, Title VI Coordinator Robin Parrish at (863)519-2675 or by writing: Post Office Box 1249, Bartow, FL 33831. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: Tuesday, January 11, 2011, 9:00 a.m.

PLACE: SWFWMD Tampa Service Office, 7601 Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Joint meeting of the Industrial and Public Supply Advisory Committees to discuss committee business.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar or the Planning Department at 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: The SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702, TDD (FL Only) 1(800)231-2106 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: Teri.Hudson@water matters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4402 (AD order #27871).

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATES AND TIME: February 24, 2011; March 24, 2011; April 28, 2011*; May 26, 2011; June 23, 2011; July 28, 2011, 9:30 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, Building 3, Conference Room C, 2727 Mahan Drive, Tallahassee, FL 32308. *Please Note: April 28, 2011 call will be held in the Health Systems Development Conference Room (HSD 2215). Dial In: 1(888)808-6959, Conference Code: 8509227332#. Those not able to attend in person may call the conference phone number (listed above).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Technical and Operational Issues meetings. These issues are related to Health Plans.

A copy of the agenda may be obtained by contacting: Beth Kumar, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, FL 32308, (850)412-4004.

Pursuant to the provisions of 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: Beth Kumar at (850)412-4004. If you are 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 **DMS – Division of Telecommunications**, E911 Board announces the following meeting schedule information.

DATES AND TIME: January 12-13, 2011, 9:00 a.m. – until conclusion of business

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4149636#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general business.

DATE AND TIME: January 27, 2011, 2:00 p.m. – until conclusion of business

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4149636#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss business related to the 2010 Annual Report to the Governor and Legislature

DATE AND TIME: February 10, 2011, 2:00 p.m. – until conclusion of business

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4149636#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss business related to the 2010 Annual Report to the Governor and Legislature.

DATES AND TIME: February 16-17, 2011, 9:00 a.m. – until conclusion of business

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee, FL

DATES AND TIME: March 16-17, 2011, 9:00 a.m. – until conclusion of business

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4149636#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general business.

DATE AND TIME: April 12, 2011, 9:00 a.m. – until conclusion of business

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Grant Committee Meeting.

DATES AND TIME: April 13-14, 2011, 9:00 a.m. – until conclusion of business

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conclusion of business.

If accommodation due to disability is needed in order to participate, please notify the DMS – Division of Telecommunications Office, E911 Board in writing at least five (5) days in advance at: 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

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, January 4, 2011, 2:00 p.m. – 4:00 p.m.

PLACE: Caldwell Building, Conference Room B-49, 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).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, January 19, 2011, 10:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9226020#

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

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office at (850)487-1395. If you are

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

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

For more information, you may contact: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, March 16, 2011, 10:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9226020#

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

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, May 18, 2011, 10:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9226020#

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

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, June 15, 2011, 10:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9226020#

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

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATE AND TIME: January 12, 2011, 8:30 a.m. (EST)
PLACE: Florida Board of Professional Engineers, 2507 Callaway Rd., Ste. 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Educational Advisory Review Committee Meeting. Review applications for licensure and other general business of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at email: 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 email: 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 email: rsammons@fbpe.org.

The **Florida Engineers Management Corporation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 20, 2011, 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: to monitor the operations of the Florida Board of Professional Engineers and the Florida Engineers Management Corporation and other general business of the Committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at email: 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 email: 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 email: rsammons@fbpe.org.

The Florida **Board of Professional Engineers** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 21, 2011, 10:00 a.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: To act on the recommendations from the Educational Advisory Committee to approve or deny applications for licensure and any old or new business of the Board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at email: 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 email: 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 email: rsammons@fbpe.org.

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 5, 2011, 9:00 a.m. (Eastern Time)

PLACE: Division of Real Estate, Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5632. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The Florida **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 26, 2011, 9:00 a.m. – 4:15 p.m.

PLACE: Sheraton Fort Lauderdale Airport & Cruise Port Hotel, 1825 Griffin Road, Dania, FL 33004

DATE AND TIME: Thursday, January 27, 2011, 9:00 a.m. – 4:15 p.m.

PLACE: Okeehetee Nature Center, 7715 Forest Hill Boulevard, West Palm Beach, FL 33413

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Environmental Protection's Coral Reef Conservation Program and the Center for Watershed Protection are hosting two, one-day meetings across the four-county southeast Florida region, to bring knowledgeable agencies and organizations together to discuss key programs that reduce Land-Based Sources of Pollution (LBSP) in southeast Florida and recommendations for future action. These meetings are part of a Southeast Florida Coral Reef Initiative local action strategy to conserve and improve management of the northern third of the Florida Reef Tract.

A copy of the agenda may be obtained by contacting: Katharine Tzadik by e-mail: Katharine.Tzadik@dep.state.fl.us, by phone: (305)795-1223, mail: 1277 N. E. 79th Street/JFK Causeway, Miami, FL 33138-4206.

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

DEPARTMENT OF HEALTH

The **Board of Clinical Laboratory Personnel**, Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, January 10, 2011, 9:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9849329103#; Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Sherra W. Causey, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

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

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

The **Board of Chiropractic Medicine**, Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, January 11, 2010, 1:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9849329103#; Department of Health, 4052 Cypress Way, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Sherra W. Causey, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

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

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

The **Board of Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, January 21, 2011, 12:00 Noon

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 2454131#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss the Statements of Estimated Regulatory Costs (SERC) related to proposed Pain Management Clinic Registration and Standard of Care rules.

Please check the Board Web Site at: www.flhealthsource.com for cancellations or changes to meeting dates or call: The Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at email: crystal_sanford@doh.state.fl.us or call: (850)245-4132.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Crystal Sanford at crystal_sanford@doh.state.fl.us or call (850)245-4132. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, January 28, 2011, 12:00 Noon

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 2454131#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss the Statements of Estimated Regulatory Costs (SERC) related to proposed Pain Management Clinic Registration and Standard of Care rules.

Please check the Board Web Site at: www.flhealthsource.com for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at email: crystal_sanford@doh.state.fl.us or call: (850)245-4132.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Crystal Sanford at crystal_sanford@doh.state.fl.us or call (850)245-4132. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Department of Health, Board of Pharmacy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 27, 2010, 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 5642037#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by contacting: Board of Pharmacy at (850)245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Pharmacy, 4052 Bald Cypress Way, Bin C-04, Tallahassee, FL 32399-3254, (850)245-4292.

The **Department of Health, Board of Psychology** announces a public meeting to which all persons are invited.

DATE AND TIME: April 22, 2011, 9:00 a.m. or soon thereafter

PLACE: Embassy Suites, 9300 Baymeadows Rd., Jacksonville, FL 32256, (904)731-3555

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext. 3482 or by visiting our website: www.doh.state.fl.us/mqa.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office at (850)488-0595. If you are

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

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

The **Department of Health, Board of Psychology** announces a public meeting to which all persons are invited.

DATE AND TIME: July 22, 2011, 9:00 a.m. or soon thereafter

PLACE: Tampa Airport Marriott, 4200 George J. Bean Parkway, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext. 3482 or by visiting our website: www.doh.state.fl.us/mqa.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Department of Health, Board of Psychology** announces a public meeting to which all persons are invited.

DATE AND TIME: October 14, 2011, 9:00 a.m. or soon thereafter

PLACE: Embassy Suites, 1100 S. E. 17th Street, Ft. Lauderdale, FL 33316, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext. 3482 or by visiting our website: www.doh.state.fl.us/mqa.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by

contacting: The Board Office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Department of Health, Board of Respiratory Care Practice** announces a public meeting to which all persons are invited.

DATE AND TIME: April 8, 2011, 8:30 a.m. or soon thereafter

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Respiratory Care Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext 3476 or by visiting our website: www.doh.state.fl.us/mqa.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Department of Health, Board of Respiratory Care Practice** announces a public meeting to which all persons are invited.

DATE AND TIME: July 8, 2011, 8:30 a.m. or soon thereafter

PLACE: Tampa Airport Marriott, 4200 George J. Bean Parkway, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Respiratory Care Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext. 3476 or by visiting our website: www.doh.state.fl.us/mqa.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Department of Health, Board of Respiratory Care Practice announces a public meeting to which all persons are invited.

DATE AND TIME: October 7, 2011, 8:30 a.m. or soon thereafter

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Respiratory Care Practice, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext. 3476 or by visiting our website: www.doh.state.fl.us/mqa.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Florida Newborn Screening Program, Genetics and Newborn Screening Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 28, 2011, 10:00 a.m. – 3:00 p.m.

PLACE: Wilson T. Sowder Public Health Museum, 1217 Pearl Street, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Genetics and Newborn Screening Advisory Council will be meeting to discuss topics relevant to Florida genetics and newborn screening.

A copy of the agenda may be obtained by contacting: Laura Coleman, Department of Health at (850)245-4672, email: laura_coleman@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Laura Coleman, Department of Health at (850)245-4672, laura_coleman@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Laura Coleman, Department of Health at (850)245-4672, laura_coleman@doh.state.fl.us.

The Florida Department of Health, Division of Health Access and Tobacco announces a public meeting to which all persons are invited.

DATE AND TIME: December 21, 2010, 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6849116#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of an Advisory Council established by Section 381.84, Florida Statutes. The council meets to provide advice to the Department of Health relating to the Comprehensive Tobacco Education and Use Prevention Program. This telephone conference call will provide input into potential logos for Tobacco Free Florida and the Florida Quitline.

A copy of the agenda may be obtained by contacting: Ms. Jane Parker at (850)245-4444, ext. 2774, email: Jane_Parker@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ms. Jane Parker at (850)245-4444, ext. 2774, email: Jane_Parker@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Jane Parker at (850)245-4444, ext. 2774, email: Jane_Parker@doh.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Child Care Standards and Improvements Work Group** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, December 28, 2010, 9:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4884900#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The work group will meet, via conference call, to assess and make recommendations for legislative, administrative rule, process, or procedural enhancements to Florida's child care standards.

A copy of the agenda may be obtained by contacting: Cindy Bull, Department of Children and Families, Executive Staff, 1317 Winewood Boulevard, Building 1, Room 205, Tallahassee, FL 32399-0700, (850)488-4306.

Pursuant to the provisions of 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: Cindy Bull at (850)488-4306. If you are 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 Persons with Disabilities**, Area 14, Family Care Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 11, 2011, 12:00 Noon

PLACE: Faith Lutheran Church, 211 Easton Drive, Lakeland, FL 33803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: APD Area 14 at (863)413-3360.

Pursuant to the provisions of 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: APD Area 14 at (863)413-3360. If you are 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: APD Area 14 at (863)413-3360.

The **Agency for Persons with Disabilities**, Area 14, Family Care Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 14, 2011, 10:00 a.m.

PLACE: Children's Advocacy Center, 1000 S. Highlands Avenue, Sebring, Florida 33872

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: APD Area 14 at (863)413-3360.

Pursuant to the provisions of 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: APD Area 14 at (863)413-3360. If you are 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: APD Area 14 at (863)413-3360.

The **Council on Homelessness** announces a series of conference call meetings of its committees to which all interested parties are invited to participate. The committees are the Executive, Continuum of Care Capacity, Affordable Housing, Data Collection, Legal and Law Enforcement, and Children's.

Committee: Executive

DATES AND TIME: Monday, February 7, 2011; Monday, March 7, 2011, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

Committee: Legal and Law

DATES AND TIME: Friday, January 7, 2011; Friday, March 4, 2011, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

Committee: Children's

DATES AND TIMES: Thursday, March 17, 2011, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

Committee: Data Collection

DATES AND TIME: Wednesday, January 5, 2011; Wednesday, February 2, 2011; Wednesday, March 2, 2011, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

Committee: Continuum of Care Capacity

DATES AND TIMES: Wednesday, January 12, 2011; Wednesday, February 9, 2011; Wednesday, March 9, 2011, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

Committee: Affordable Housing

DATES AND TIME: Wednesday, January 19, 2011; Wednesday, February 16, 2011; Wednesday, March 16, 2011, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees' continued development of policy recommendations and work tasks to address the Council's Strategic Plan to reduce homelessness in Florida.

A copy of the agenda for any of the conference calls may be obtained by contacting: Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, (850)922-4691.

If you are 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: Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who may be in need of special assistance should contact: Office on Homelessness, (850)922-4691 at least 48 hours in advance of the meeting.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: December 21, 2010, 10:00 a.m. (Tallahassee Local Time)

PLACE: The Offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or

rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Murdock Circle Apartments, a 264-unit multifamily residential rental development located at 17800 Murdock Circle, Port Charlotte, Charlotte County, Florida 33948. The owner and operator of the development is Murdock Circle Partners, Ltd., 700 West Morse Boulevard, Suite 220, Winter Park, Florida 32789 or such successor in interest in which Atlantic Housing Partners, L.L.P. or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Concord Management, Ltd., 1551 Sandspur Road, Maitland, Florida 32751. The tax-exempt bond amount is not to exceed \$7,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), December 20, 2010, and should be addressed to the attention of Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting: Len Stirrat, Multifamily Bond Administrator, Florida Housing Finance Corporation at (850)488-4197.

Pursuant to the provisions of 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: Len Stirrat, Multifamily Bond Administrator, Florida Housing Finance Corporation at (850)488-4197. If you are 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 Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: December 21, 2010, 10:00 a.m. (Tallahassee Local Time)

PLACE: The Offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Riverside Apartments, a 304-unit multifamily residential rental development located at 1589 Starlight Cove, Tarpon Springs, Pasco County, Florida 34689. The owner and operator of the development is Riverside Partners, Ltd., 700 West Morse Boulevard, Suite 220, Winter Park, Florida 32789 or such successor in interest in which Atlantic Housing Partners, L.L.L.P. or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Concord Management, Ltd., 1551 Sandspur Road, Maitland, Florida 32751. The tax-exempt bond amount is not to exceed \$11,650,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), December 20, 2010, and should be addressed to the attention of Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting: Len Stirrat, Multifamily Bond Administrator, Florida Housing Finance Corporation at (850)488-4197.

Pursuant to the provisions of 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: Len Stirrat, Multifamily Bond Administrator, Florida Housing Finance Corporation at (850)488-4197. If you are 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 Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: December 21, 2010, 10:00 a.m. (Tallahassee Local Time)

PLACE: The Offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Sabal Palm Harbor Apartments, a 264-unit multifamily residential rental development located at 5385 30th Street, Bradenton, Manatee County, Florida 34203. The owner and operator of the development is Sabal Palm Harbor Partners, Ltd. Co., 700 West Morse Boulevard, Suite 220, Winter Park, Florida 32789 or such successor in interest in which Atlantic Housing Partners, L.L.L.P. or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Concord Management, Ltd., 1551 Sandspur Road, Maitland, Florida 32751. The tax-exempt bond amount is not to exceed \$10,400,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), December 20, 2010, and should be addressed to the attention of Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting: Len Stirrat, Multifamily Bond Administrator, Florida Housing Finance Corporation at (850)488-4197.

Pursuant to the provisions of 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: Len Stirrat, Multifamily Bond Administrator, Florida Housing Finance Corporation at (850)488-4197. If you are 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 Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: December 21, 2010, 10:00 a.m. (Tallahassee Local Time)

PLACE: The Offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Veranda Senior Apartments, a 99-unit multifamily residential rental development located on or about the east side of S. W. 152nd Avenue and the north side of S. W. 284th Street (just south of US Highway 1) in unincorporated Miami-Dade County, Florida 33033. The owner and operator of the development is HTG Veranda Senior, Ltd., 3225 Aviation Avenue, Suite 602, Miami, Florida 33133 or such successor in interest in which HTG TC Development L.L.C. or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Blue Rock Partners, L.L.C., 9260 Bay Plaza Boulevard, Suite 501, Tampa, Florida 33619. The tax-exempt bond amount is not to exceed \$8,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), December 20, 2010, and should be addressed to the attention of Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting: Len Stirrat, Multifamily Bond Administrator, Florida Housing Finance Corporation at (850)488-4197.

Pursuant to the provisions of 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: Len Stirrat, Multifamily Bond Administrator, Florida Housing Finance Corporation at (850)488-4197. If you are 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 FINANCIAL SERVICES

The **Fire and Emergency Incident Information System Technical Advisory Panel** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 20, 2011, 8:30 a.m.

PLACE: Ocean Center, Fire Rescue East, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

A copy of the agenda may be obtained by contacting: MaryAnn.Benson@myfloridacfo.com.

The **Firefighters Employment, Standards and Training Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 20, 2011, 10 minutes after adjournment of the 8:30 a.m. Fire & Emergency Incident Information System Technical Advisory Panel Meeting

PLACE: Ocean Center, Fire Rescue East, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

A copy of the agenda may be obtained by contacting: MaryAnn.Benson@myfloridacfo.com.

NORTHWOOD SHARED RESOURCE CENTER

The **NSRC Executive Director Hiring Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: December 20, 2010, 1:00 p.m.

PLACE: Department of Revenue, 2450 Shumard Oak Blvd., Bldg. 2, Room 2503, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Phone interviews for NSRC Executive Director position.

A copy of the agenda may be obtained by contacting: monicacash1@yahoo.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 24 hours before the workshop/meeting by contacting: Monica Cash at (850)921-4479. If you are 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 PORTS COUNCIL

The **Florida Ports Financing Commission** announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, January 13, 2011, 11:00 a.m.

PLACE: Florida Ports Council Offices, 502 E. Jefferson Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: TEFRA Public Hearing – Refunding Series 1996 Bonds.

AGENDA: Receive comments and hear discussion concerning a plan of financing relating to the issuance by the Commission of its Refunding Revenue Bonds (State Transportation Trust Fund) in one or more series (the “Refunding Bonds”). Proceeds of the Refunding Bonds will be used to refinance all or a portion of the Commission's outstanding Revenue Bonds (State Transportation Trust Fund), Series 1996, the proceeds of which were loaned to certain marine ports in the State of Florida and used by such ports to finance all or a portion of the costs of various marine facilities and intermodal capital projects (the “Projects”) located in or near the following ports: Canaveral Port Authority, Port Everglades, Port of Fernandina, Jacksonville Port Authority, Manatee County Port Authority, Port of Miami, Port of Palm Beach, Panama City Port Authority, and Tampa Port Authority (collectively the “Ports”). A more specific description of the Projects is available upon request from: The Commission at (850)222-8028.

The Owners of the Projects are the respective Ports where the Projects are located or the political subdivisions of the State of Florida which own and operate such Ports. The Commission is located at Florida Ports Financing Commission, c/o Florida Ports Council, 502 East Jefferson Street, Tallahassee, Florida 32301.

All affected taxpayers, property owners and citizens and all other interested persons are invited to attend said hearing and, either personally or through representatives, present comments and discussion, oral or written, concerning the proposed plan of financing and the Refunding Bonds.

Should any person decide to appeal any decision, he will need a record of the proceedings, and he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidenced upon which the appeal is to be based.

The public hearing is required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”). Subsequent to the public hearing, the Commission and Governor will consider whether to approve the Refunding Bonds as required by Section 147(f) of the Code. Any person interested in the proposed plan of financing, the Projects or the issuance of the Refunding Bonds may appear and be heard.

A copy of the agenda may be obtained by contacting: Nancy Leikauf at (850)222-8028.

Pursuant to the provisions of 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: Nancy Leikauf at (850)222-8028. If you are 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: Nancy Leikauf at (850)222-8028.

The **Florida Ports Financing Commission** announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, January 13, 2011, 11:00 a.m.

PLACE: Florida Ports Council Offices, 502 E. Jefferson Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: TEFRA Public Hearing – Refunding Series 1999 Bonds.

AGENDA: Receive comments and hear discussion concerning a plan of financing relating to the issuance by the Commission of its Refunding Revenue Bonds (State Transportation Trust Fund – Intermodal Program) in one or more series (the “Refunding Bonds”). Proceeds of the Refunding Bonds will be used to refinance all or a portion of the Commission's outstanding Revenue Bonds (State Transportation Trust Fund – Intermodal Program), Series 1999, the proceeds of which were loaned to certain marine ports in the State of Florida and used by such ports to finance all or a portion of the costs of various marine facilities and intermodal capital projects (the “Projects”) located in or near the following ports: Canaveral Port Authority, Port Everglades, Port of Fernandina, Jacksonville Port Authority, Manatee County Port Authority, Port of Miami, Port of Palm Beach, Panama City Port Authority, Port of Pensacola and Tampa Port Authority (collectively the “Ports”). A more specific description of the Projects is available upon request from the Commission at (850)222 8028.

The Owners of the Projects are the respective Ports where the Projects are located or the political subdivisions of the State of Florida which own and operate such Ports. The Commission is located at Florida Ports Financing Commission, c/o Florida Ports Council, 502 East Jefferson Street, Tallahassee, Florida 32301.

All affected taxpayers, property owners and citizens and all other interested persons are invited to attend said hearing and, either personally or through representatives, present comments

and discussion, oral or written, concerning the proposed plan of financing and the Refunding Bonds. Should any person decide to appeal any decision, he will need a record of the proceedings, and he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidenced upon which the appeal is to be based. The public hearing is required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"). Subsequent to the public hearing, the Commission and Governor will consider whether to approve the Refunding Bonds as required by Section 147(f) of the Code. Any person interested in the proposed plan of financing, the Projects or the issuance of the Refunding Bonds may appear and be heard.

A copy of the agenda may be obtained by contacting: Nancy Leikauf at (850)222-8028.

Pursuant to the provisions of 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: Nancy Leikauf at (850)222-8028. If you are 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: Nancy Leikauf at (850)222-8028.

The **Florida Ports Financing Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 13, 2011, 11:00 a.m.

PLACE: Florida Ports Council offices, 502 E. Jefferson Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: State TEFRA hearing for Series 1996 and Series 1999 Bond Program Refunding.

A copy of the agenda may be obtained by contacting: Nancy Leikauf at (850)222-8028.

Pursuant to the provisions of 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: Nancy Leikauf at (850)222-8028. If you are 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: Nancy Leikauf at (850)222-8028.

FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION

The **Florida Local Government Finance Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 21, 2010, 10:30 a.m.

PLACE: 2502 Rocky Point Drive, Suite 1060, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting of the Commission will be for the purposes of reviewing the statewide pooled commercial paper loan program for Florida governmental entities. The Commission is an unincorporated, nonprofit association whose members are comprised of Brevard County; Charlotte County; Collier County; Lee County; Osceola County and Sarasota County, Florida.

A copy of the agenda may be obtained by contacting: Elizabeth Newberry, Florida Association of Counties, Tallahassee, Florida, (850)922-4300.

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.

INDEPENDENT COLLEGES AND UNIVERSITIES OF FLORIDA

The **Higher Educational Facilities Financing Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 6, 2011, 12:00 Noon – 1:00 p.m.

PLACE: The Offices of the Independent Colleges and Universities of Florida, Inc., 542 East Park Avenue, Tallahassee, Florida 32301; Conference Call: 1(866)578-5716, Conference Code: 6813188#

GENERAL SUBJECT MATTER TO BE CONSIDERED: (a) Consider a resolution authorizing the issuance of not exceeding \$99,000,000 in principal amount of revenue bonds of the Authority in order to make a loan to Nova Southeastern University for the purpose of:

1. Refunding all or a portion of the outstanding Broward County Educational Facilities Authority Educational Facilities Revenue Bonds, Series 2000A (Nova Southeastern University Project), Broward County Educational Facilities Authority Educational Facilities

Authority Educational Facilities Revenue Bonds, Series 2000B (Nova Southeastern University Project), Broward County Educational Facilities Authority Educational Facilities Revenue Bonds, Series 2002A (Nova Southeastern University Project) and Broward County Educational Facilities Authority Educational Facilities Revenue Bonds, Series 2004C (Nova Southeastern University Project), the proceeds of which were used to finance various capital projects and equipment (the "Refinanced Projects"),

2. Financing and refinancing the acquisition, construction and equipping of an approximately 75,000-square foot student education center,
3. Funding necessary reserves, including a debt service reserve fund, and
4. Paying the costs of issuance of such bonds.
5. 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, FL 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).

For more information, you may contact: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

ENTERPRISE FLORIDA, INC.

The **Enterprise Florida, Inc.**, Finance and Compensation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 17, 2010, 3:30 p.m.

PLACE: Enterprise Florida Office – Orlando, 800 North Magnolia Ave., Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Pamela Murphy at (407)956-5644.

Pursuant to the provisions of 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: Pamela Murphy at (407)956-5644. If you are

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: Pamela Murphy at (407)956-5644.

The **Florida Opportunity Fund, Inc.**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 22, 2010, 10:00 a.m.

PLACE: Enterprise Florida Office – Orlando, 800 North Magnolia Ave., Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Jay Robinson at (407)956-5607.

Pursuant to the provisions of 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. If you are 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: Jay Robinson at (407)956-5607.

COLLIER AREA TRANSIT

The **Collier Area Transit** agency announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 13, 2011, 5:00 p.m. – 7:00 p.m.

PLACE: Collier County Government Center, Training Center, 3303 Tamiami Trail East, Naples, Florida 34112

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Information Meeting for Collier Area Transit Transfer and Operations Center Environmental Impact Review (8300 Radio Road, Naples, Florida).

A copy of the project information handout and other materials will be available at the public information 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 7 days before the workshop/meeting by contacting: Ms. Brandy Otero, Associate Project Manager, Growth Management Division at (239)252-5859 or email: brandyotero@colliergov.net. If you are 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: Ms. Brandy Otero, Associate Project Manager, Growth Management Division at (239)252-5859 or email: brandyotero@colliergov.net.

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 declined to rule on the petition for declaratory statement filed by Wayne Holt, Unit Owner, In Re: Regency Towers Condominium Association, Inc., on October 6, 2010. The following is a summary of the agency's declination of the petition:

The division has declined to issue a Declaratory Statement because of pending litigation in circuit court regarding the issues raised, and the circuit court has jurisdiction over this matter.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Armand Passaretti, In Re: Somerset Condominium Coordinating Committee, Inc., Docket No. 2010059238, on November 19, 2010. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(d), Florida Statutes, as it applies to the petitioner.

Whether Somerset Condominium Coordinating Committee, Inc. may adopt alternate election procedures under Section 718.112(2)(d), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Robert Scarmazzo, Unit Owner/Vice President, In Re: The Resort at Singer Island, Residential Condominium Association, Inc., on October 21, 2010. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it cannot issue a statement concerning events that have already taken place; or because the division cannot determine rights of third parties who are not parties to the declaratory statement.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Devon B. Higginbotham on July 30, 2010. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 36, No. 42, of the October 22, 2010, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on September 10, 2010. The petition requested the Board's interpretation of Section 489.105(3)(c), Florida Statutes, and whether the Petitioner is properly licensed, according to construction industry licensing requirements pursuant to Section 489.105, Florida Statutes, to construct an accessory use structure on a lot that does not have, and will not have a residential structure on it. The Board's Order, filed on December 2, 2010, answers the Petition for

Declaratory Statement in the negative. Residential contractors may not construct an accessory use structure unless it is in connection with a residence as listed in Section 489.105(3)(c), Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: G. W. Harrell, Executive Director, Construction Industry Licensing Board, Post Office Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Board of Podiatric Medicine has received the petition for declaratory statement from Robert G. Smith, DPM. The petition seeks the agency's opinion as to the applicability of Section 461.003(5), F.S., as it applies to the petitioner.

Regarding whether a podiatric physician treating lower extremity wounds may administer tetanus booster shots.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32314-3256.

FISH AND WILDLIFE CONSERVATION COMMISSION

NOTICE IS HEREBY GIVEN THAT the Florida Fish and Wildlife Conservation Commission has received the petition for declaratory statement from Norman S. Cancellara, Sr. The petition seeks the agency's opinion as to the applicability of Rules 68B-4.018 and 68B-32.004, F.A.C., as it applies to the petitioner.

Petitioner seeks a declaration regarding the applicability of Rules 68B-32.004 and 68B-4.018, F.A.C., to his proposed method of fishing for tarpon within in the Boca Grande Pass.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Mark Henderson, Assistant General Counsel, Florida Fish and Wildlife Commission, 620 S. Meridian Street, Tallahassee, Florida, 32399-1600.

Please refer all comments to: Mark Henderson, Assistant General Counsel, Florida Fish and Wildlife Commission, 620 S. Meridian Street, Tallahassee, Florida 32399-1600.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT on December 6, 2010, the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Mark D. Boardman on September 7, 2010. The following is a summary of the agency's disposition of the petition:

Notice of the Petition for Declaratory Statement was published October 15, 2010 in Vol. 36, No. 41 of the Florida Administrative Weekly. The following is a summary of the agency's disposition of the petition: Petitioner, a licensed public adjuster, asks fifteen questions relating either generally or specifically to the adjusting of insurance claims. The Department declined to answer the majority of the questions as being inappropriate questions to be addressed in a declaratory statement, including questions concerning the conduct of others such as building contractors and insurance company employee adjusters, questions relating to the interpretation of a statute – the constitutionality of which is currently on appeal, and questions requesting the meaning of undefined words or phrases in statutes and rules that are not tied to the petitioner's particular set of circumstances. The declaratory statement does advise the petitioner that the words "licensed insurance representative" as used in Rule 69B-220.201, Florida Administrative Code, includes company employee adjusters, independent adjusters and public adjusters. The declaratory statement further advises petitioner that, as a licensed public adjuster, he is required by the rule to report to the Department violations of the rule or insurance code by any licensed insurance representative, but he is not required by the rule or the Florida Insurance Code to report the suspected violation of a contractor to another entity.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Heather Lewis, Division of Legal Services, Room 624.2, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0333.

**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:

Jesse Toca vs. Department of Revenue; Case No.: 10-9935RX; Rule No.: 12D-7.001(4)

Plantation Nursing and Rehabilitation Center vs. Agency for Health Care Administration; Case No.: 10-10313RX; Rule No.: 59A-4.1295(7)(e)

Eva Etienne vs. Department of Children and Family Services; Case No.: 10-10105RP; Rule No.: 65A-1.205(1)

Critical Intervention Services, Inc. vs. Department of Agriculture and Consumer Services; Case No.: 10-10005RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Conservancy of Southwest Florida and Ralf Brookes vs. South Florida Water Management District; Case No.: 10-8898RX; Rule No.: 40E-20.091; Voluntarily Dismissed

Isabella K. Sharpe, M.D. vs. Department of Health, Board of Medicine; Case No.: 10-1243RU; Dismissed

Roland Guidry, as Co-Trustee of the Guidry Living Trust, and Oceania Owner’s Association, Inc. vs. Department of Environmental Protection and Board of Trustees of the Internal Improvement Trust Fund; Case No.: 10-5348RU; Dismissed

David H. Sherry; Rebecca R. Sherry; and John S. Donovan vs. Department of Environmental Protection and Board of Trustees of the Internal Improvement Trust Fund; Case No.: 10-6205RU; Dismissed

Macla Ltd., II, Limited Partnership, H. Joseph Hughes, as Trustee of the Betty Price Hughes Qualified Vacation Residence Trust, and Kershaw Manufacturing Company, Inc. vs. Department of Environmental Protection and Board of Trustees of the Internal Improvement Trust Fund; Case No.: 10-8197RU; Dismissed

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the disciplines of engineering and architecture for Total Building Commissioning will be required for the project listed below:

Project: UF-365, Corry Village Commons Replacement (Gainesville, FL)

The project includes the deconstruction of two small buildings, the construction of a new 9,000 square foot, multi-purpose Commons facility, and associated sitework and landscaping at the Corry Village Graduate and Family housing complex. The scope of services shall include design phase peer review; completion and maintenance of the Owner’s Project Requirements (OPR) document; development of the Commissioning Plan, Commissioning Specifications, and Systems Manual; and construction phase pre-functional, functional, and performance testing for mechanical, electrical, building automation, and building envelope systems. The consultant shall also support project efforts to achieve higher-than-normal energy efficiency and attain LEED certification at the Gold level or higher.

Blanket professional liability insurance will be required for this project in the amount of \$1,000,000.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet for Commissioning Consultants, and other background information. The proposal shall be limited to 20 single-sided pages OR 10 double-sided, consecutively-numbered pages and shall include:

1. A Letter of Application that concisely illustrates the applicant’s understanding of the scope of services.
2. A completed, project-specific Commissioning proposal form with signed certification. Applications on any other form will not be considered.
3. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff (applicant and consultants).
4. Proof of the applicant’s corporate status in Florida (if applicable) and copies of current licenses for the applicant and its consultants from the appropriate governing board.

5. Proof of the applicant's ability to be insured for the level of professional liability coverage demanded for this project.

At the time of application, the applicant must possess current design Professional Registration Certificate(s) from the appropriate governing board; must be properly registered to practice its profession in the State of Florida; and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected applicant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

The Commissioning Services Proposal Form and Instructions, Project Fact Sheet, UF Design Services Guide, UF Design & Construction Standards, FP&C non-technical specifications, standard University of Florida Owner-Commissioning Consultant agreement, and other project and process information can be found on the Facilities Planning & Construction website. Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning & Construction office by 3:00 p.m. (Local Time), Thursday, January 13, 2011. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning & Construction

232 Stadium / P. O. Box 115050

Gainesville, FL 32611-5050

Telephone: (352)273-4000; Fax: (352)273-4034

Internet: www.facilities.ufl.edu

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida, Board of Trustees announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project: UF-372, McCarty 3rd Floor Renovations (Main Campus)

The project consists of the renovation of McCarty A, 3rd Floor, for laboratory, laboratory support, offices, and office support functions. It is approximately 14,300 square feet of space in need of a full HVAC and code compliance upgrade.

The estimated construction budget is approximately \$2,800,000.00. The project will be delivered using the Construction Manager At-Risk method (and construction shall

be "fast-tracked" to begin by 9/15/2011. LEED CI (Leadership in Energy and Environmental Design) certification by the U.S. Green Building Council is mandatory.

The selected firm will provide design, construction documents and construction administration services for the referenced project. Plans and specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Blanket design professional liability insurance will be required from the architect, mechanical, electrical, plumbing, fire protection and structural engineering subconsultants for this project and will be provided as a part of Basic Services.

Applicants will be evaluated on the basis of their past performance, experience, personnel, design ability, references, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant and its engineering consultants must possess current design licenses from the appropriate governing board and be properly registered to practice its profession in the State of Florida. If the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida.

Applicants desiring to provide professional services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be prepared as specified in the PQS Instructions and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, design intent, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. A completed, project-specific "Professional Qualifications Supplement" (PQS) proposal with signed certification. Applications on any other form will not be considered.
3. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff (applicant and consultants).
4. Proof of the applicant's corporate status in Florida (if applicable) and copies of current licenses for applicant and all engineering consultants from the appropriate governing board.
5. Proof of the applicant's and all engineering consultants' ability to be insured for the level of professional liability coverage demanded for this project.

As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected professional must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of

\$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

Additional information to assist the applicant in preparing a complete proposal – including the project-specific PQS forms, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Design and Construction Standards, standard University of Florida Owner-Professional agreement, and other project and process information – can be found on the Facilities Planning & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning & Construction office by 3:00 p.m. (Local Time), Tuesday, January 18, 2011. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning & Construction
232 Stadium / P. O. Box 115050
Gainesville, FL 32611-5050
Telephone: (352)273-4000; Fax: (352)273-4034
Internet: www.facilities.ufl.edu

NOTICE TO CONSTRUCTION MANAGERS:

The University of Florida Board of Trustees announces that CM-At-Risk services will be required for the project listed below:

Project: UF-372, McCarty 3rd Floor Renovations (Main Campus)

The project consists of the renovation of McCarty A 3rd Floor for laboratory, laboratory support, offices, and office support functions. It is approximately 14,300 square feet of space in need of a full HVAC and code compliance upgrade.

The total project budget is approximately \$3,400,000.00, including fees, surveys & tests, building commissioning, furnishings & equipment, and contingencies. Construction shall be “fast-tracked” to begin by 9/15/2011. LEED CI (Leadership in Energy and Environmental Design) certification by the U.S. Green Building Council is mandatory.

The contract for construction management services will consist of two phases, pre-construction and construction. Pre-construction services will begin at the Conceptual Schematic Design stage and will include production of cost studies and estimates; value engineering; analysis of the design documents for constructability, coordination, detailing, materials, and systems; development and maintenance of the construction schedule; production of detailed jobsite management plans; development of strategies for the procurement of trade contracts; and development of a Guaranteed Maximum Price (GMP) proposal based on 60%

Construction Documents. If the GMP proposal is accepted and executed, the construction phase will be implemented. In this phase, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract, or failure to arrive at an acceptable GMP budget within the time provided in the agreement, may result in the termination of the construction manager’s contract.

Applicants will be evaluated on the basis of their past performance, experience, personnel, references, bonding capacity, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant must be licensed to practice as a general contractor in the State of Florida and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida.

Applicants desiring to provide construction management services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be prepared as specified in the CMQS Instructions and shall include:

1. A Letter of Application that concisely illustrates the applicant’s understanding of the scope of services, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. Company information and signed certification.
3. A completed, project-specific “CM Qualifications Supplement” (CMQS) proposal. Applications on any other form will not be considered.
4. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff.
5. Proof of the applicant’s corporate status in Florida (if applicable) and a copy of the applicant’s current contracting license from the appropriate governing board.
6. Proof of applicant’s bonding capacity.

If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction manager must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

Additional information to assist the applicant in preparing a complete proposal – including the project-specific CMQS forms, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Design and Construction Standards, standard University of Florida Agreement for CM Services, and other project and process information – can be found on the Facilities Planning & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning & Construction office by 3:00 p.m. (Local Time), Tuesday, January 18, 2011. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning & Construction
232 Stadium / P. O. Box 115050
Gainesville, FL 32611-5050
Telephone: (352)273-4000; Fax: (352)273-4034
Internet: www.facilities.ufl.edu

NOTICE TO CONSTRUCTION MANAGERS

Florida A & M University (FAMU) announces that construction management services will be required for: Project No.: FM-321, FAMU/FSU College of Engineering, Phase III (PH-3), Tallahassee, Florida

This project consists of the constructing of approximately a 78,100 gsf facility. The project scope includes teaching labs, class rooms, offices, auditorium, reference and reading facility and food court. The estimated construction budget is \$28,560,000.

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 (which shall not exceed one percent of estimated construction cost). Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 75% 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. 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.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping /administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, staff and consultants; and ability to meet the minority business enterprise participation

requirements. Finalists will be provided with a copy of the building program, the latest documentation prepared by the project architect/engineer and a description of the final interview requirements. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed FAMU "Construction Manager Qualifications Supplement." Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The FAMU Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Samuel Houston, Director, Facilities Planning and Construction by e-mail: samuel.houston@famuedu and/or PH: (850)599-8001, Fax: (850)561-2289.

Eight (8) ring, comb or coil/spiral (no hard, solid or tack) bound copies of the required proposal data shall be submitted to: Samuel J. Houston, Director, Facilities Planning and Construction, Florida A & M University, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, FL 32307.

Submittals must be received in the Facilities Planning and Construction Office by 2:00 p.m. (Local Time), January 26, 2011. Facsimile (FAX) submittals are not acceptable and will not be considered.

NOTICE TO PROFESSIONAL ROOFING CONTRACTORS

The University of Central Florida, on behalf of the Board of Trustees, announces that continuing Professional services for minor projects are required for the following service: Roofing Contractor.

The Roofing Contractor will provide roofing repair services for educational (University) facilities, roofing replacement services for complete or partial roof replacement projects, and will work with University contracted Roofing Consultants, Architects, and University Facilities & Safety employees to conduct roof construction, replacement, and repair projects to ensure quality roofing systems are installed on University roofs.

Roofing systems included in the scope of this agreement will be single ply membrane, modified bitumen, asphalt shingle, architectural metal, tile and applied polymer built-up roofing systems that are listed in the University's Facilities Construction & Renovation Standards. Campus Service contracts for these projects provide that the Contractors will be available on an as-needed basis for the upcoming year. Upon completion of satisfactory performance, the contract may be renewed yearly for three (3) additional years. The Contractors receiving the award may not have an exclusive contract to perform services for these projects. The University may have additional Campus Service professionals under contract during the same time period.

Carefully review the Design Build Contract and General Conditions documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found with the advertisement on our website at: www.fp.ucf.edu. Please note that the University of Central Florida will not compensate for lodging, food, or travel associated with this project.

INSTRUCTIONS:

Contractors desiring to provide professional roofing services shall apply by letter and a completed University of Central Florida "Construction Managers Qualifications Supplement" specifying the roofing systems that they are currently qualified and certified by the manufacture to apply. Proposals must not exceed 40 pages.

Attach to each letter of application:

A written Letter of Certification from the Roofing Material Manufacturer for application of the roofing membrane products listed in Notice to Roofing Contractors.

A list of completed jobs over the last three (3) years with contract value, contact name and telephone number.

A copy of the applicant's current Professional Contractor's license from the State of Florida. An applicant must be properly licensed to practice at the time of submission of this application. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application materials will not be returned.

The plans and specifications for the Florida Board of Education projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a contractor 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 thirty six (36) months. The selected contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or contractor in excess of \$15,000.00 in connection with this project for a period of thirty six (36) months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement (PQS) forms, descriptive project information, and selection criteria may be obtained by contacting: Gina Seabrook, Office of Facilities Planning at (407)823-2166, Fax: (407)823-5141, email: gseabroo@mail.ucf.edu or on our website: www.fp.ucf.edu.

Five (5) bound copies of the required proposal data shall be submitted to: Mrs. Gina Seabrook, Facilities Planning, 4000 Central Florida Blvd., Post Office Box 163020, Orlando, FL 32816-3020. Submittals must be received by 4:30 p.m. (Local Time), January 18, 2011. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions or additional documentation will not be accepted.

Invitation to Bid

Exterior Door Replacement

Advertisement Number: ITB-12-1-10

Version Number: 000

The Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084 is soliciting bids for an Exterior Door Replacement project. Bid packages may be obtained at the MANDATORY Pre-Bid Conference which will be held at 9:00 a.m., January 7, 2011, in the Hogel Maintenance Building Conference Room. The Pre-Bid Conference is intended to provide all bidders the opportunity to receive clarification of the scope of work and specifications. A one-time walk-through of the site will be conducted immediately following the Conference. Sealed bids will be received in the Purchasing Office until 1:00 p.m., January 21, 2011, with a public opening to be conducted immediately following the bid close. For additional information, please contact: Mr. Steve Armstrong, Project Manager at (904)827-2363.

Bid Packages will be available at:
Pre-Bid Conference
Hogel Maintenance, Building #27
207 North San Marco Ave.
St. Augustine, FL 32084

Bids will be opened at the above address at 1:00 p.m. on January 21, 2011.

Please direct all questions to:
Mr. Steve Armstrong, Project Manager
Phone: (904)827-2363

Any person with a qualified disability requiring special accommodations at the Pre-Bid Conference and/or Bid Opening shall contact: The Purchasing Office, (904)827-2356 at least five (5) working days prior to the event. If you are hearing or speech impaired, please contact this office by using the Florida Relay Services at 1(800)955-8772 or TDD (904)827-2359.

The Florida School for the Deaf and the Blind reserves the right to reject any and all bids or accept minor irregularities in the best interest of the State of Florida.

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."

NOTICE OF INVITATION TO BID
BID NO.: BDC 23-10/11

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from Florida Department of Transportation prequalified bridge contractors (Minor Bridge Work Class). Only bids from Florida Department of Transportation prequalified bridge contractors (Minor Bridge Work Class) will be accepted. Contractors will need to have built a minimum of three projects in the past three years of the Minor Bridge Work Class. Documentation for experience evaluation will be included in bid specifications.

PROJECT NAME: Lake Kissimmee State Park-Cow Camp Bridge Replacement

SCOPE OF WORK: The Contractor shall provide the necessary labor, materials, equipment, and supervision required to construct erosion control mechanisms, remove existing bridge structure and construct new bridge with a three span concrete bridge, concrete flat slab construction founded on concrete pre-stressed piles according to the plans and specifications.

Pursuant to Executive Order 07-126 and Section 255.252(3), F.S. the Department requires the proposed project be designed and constructed in accordance with green building standards where applicable.

PROJECT BUDGET: \$250,000.00

PARK LOCATION: Lake Kissimmee State Park, off SR 60 15 miles N. E. of Lake Wales in Polk County, Florida.

PROJECT MANAGER: Michael W. Foster, Jr. P.E., Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, Telephone: (850)488-5372, Fax: (850)488-1141.

INSTRUCTIONS: Any firm desiring a Project Manual for this project may obtain a copy by writing to the address or calling the telephone number below. A Compact Disk (CD) containing the plans and specifications will be available on December 17, 2010, Lake Kissimmee State Park (Administration), 14248 Camp Mack Road, Lake Wales, Florida 33898, Attention: Joel (Andy) Noland, Park Manager, Telephone: (863)696-1112, Fax: (863)696-2656.

NOTICE TO ALL VENDORS: All bid solicitations are subject to change. It is the responsibility of the vendor to verify with the Department of Management Services, Vendor Bid System website for any future addendums, questions, revisions, etc., prior to the bid opening. Failure to do so will be the sole responsibility of the vendor. Addenda will be posted only on the Vendor Bid System website. Addenda will not be sent directly to plan holders, except in limited circumstances and at the discretion of the Department. When the Department determines that circumstances warrant sending addenda directly to plan holders, a notice will be posted on the website notifying vendors that addenda have been sent. Addenda must be acknowledged and included in each vendor's bid package. Failure to include acknowledged addenda in the bid package is grounds for disqualification of the vendor's bid.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the

full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489 or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1-June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact: Michael Renard, Bureau of Design and Construction, (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 4:00 p.m. (ET), Tuesday, January 18, 2011 to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Tuesday, January 25, 2011 unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Blvd., Tallahassee FL 32399-3000, (850)245-2242, Fax: (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110,

F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

FWCJUA Notice of Request for Proposals (RFP)

for Non-Discretionary Investment Management Services

The FWCJUA, a single-line insurer underwriting workers compensation and employers liability coverage in Florida, will issue an RFP for Non-Discretionary Investment Management Services on December 17, 2010. The primary role of the FWCJUA's Investment Manager will be to provide objective, third-party advice and counsel that will enable the FWCJUA to make well-informed and well-educated decisions regarding the investment of its assets. The FWCJUA is not a state agency; and thus, the RFP process is not governed by the contracting procedures applicable to state agencies set forth by Florida law. Interested parties may obtain a copy of the FWCJUA's RFP for Non-Discretionary Investment Management Services on or after December 17, 2010, from the FWCJUA's website: <http://www.fwcjua.com>. Responses to the RFP will be due no later than 4:00 p.m. (Eastern Time), January 14, 2011.

Section XII Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Motor Wholesale, Inc., intends to allow the establishment of Moto Import Distributors, LLC, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co., Ltd., (SHEN) at 12202 Hutchison Boulevard, Suite 72, Panama City Beach (Bay County), Florida 32407, on or after January 16, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Moto Import Distributors, LLC, are dealer operator(s): Wayne Wooten, 12202 Hutchison Boulevard, Suite 72, Panama City Beach, Florida 32407, principal investor(s): Wayne Wooten, 12202 Hutchison Boulevard, Suite 72, Panama City Beach, Florida 32407.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Sheng Ting Guan, Motor Wholesale, Inc., 6654-A Jimmy Carter Boulevard, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for the Relocation of a
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Kia Motors America, Inc., intends to allow the relocation of Semoran Auto Acquisitions, Inc., d/b/a Orlando Kia East, as a dealership for the sale of automobiles manufactured by Kia, (KIA) from its present location at 2000 State Road 436, Winter Park (Seminole County), Florida 32792, to a proposed location at 8623 and 8701 East Colonial Drive, Orlando (Orange County), Florida 32817, on or after January 16, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Semoran Auto Acquisitions Inc. d/b/a Orlando Kia East are dealer operator(s): Joseph Rossi, 12343 Preserve 3 Pt Drive, Winter Park, Florida 32789, principal

investor(s): Carl Atkinson, 1110 Southwest Ivanhoe Boulevard #10, Orlando, Florida 32804, Frank Rodriguez, 300 South Interlachen Avenue #301, Winter Park, Florida 32789.

The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lainy Campbell, Kia Motors America Inc., 100 Galleria Parkway, Suite 1550, Atlanta, Georgia 30339-5959.

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 Galaxy Powersports, LLC, d/b/a JCL International, LLC, intends to allow the establishment of Snack Attack, Corp., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co., Ltd. (ZHNG) at 4831 Pembroke Road, Hollywood (Broward County), Florida 33021, on or after January 16, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Snack Attack Corp, are dealer operator(s): Daniel Haspel, 2423 South State Road 7, West Park, Florida 33023; principal investor(s): Daniel Haspel, 2423 South State Road 7, West Park, Florida 33023.

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: Paul Shen, Galaxy Powersports, LLC, d/b/a JCL International, LLC, 2667 Northaven Road, Dallas, Texas 75229.

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."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF REVISED DEADLINE FOR FILING OF ALTERNATE CORRIDORS

Pursuant to Section 403.5115(4)(g), Florida Statutes (F.S.), the Department of Environmental Protection announces a change in the deadline to file Alternate Corridors regarding the site certification of Florida Power and Light Company's, Turkey Point Nuclear Units 6 and 7, Power Plant Siting Application No.: PA03-45A3, OGC Case No.: 09-3107. Pursuant to

Sections 403.5064(1)(b) and 403.5271 F.S., any party may propose alternate transmission line corridor routes for consideration. The new deadline for a party to file alternate corridors is January 14, 2011.

NOTICE OF INTENT TO ISSUE PROPOSED MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Power Plant Site Certification and Conditions of Certification (COC) issued pursuant to the Florida Electrical Power Plant Siting Act, Chapter 403.501 et seq., Florida Statutes (F.S.), concerning: Levy Nuclear Project, Power Plant Siting Application No.: PA08-51, OGC Case No.: 10-1554. On April 30, 2010 the Department received a request to modify the Certification and COC for the Levy Nuclear Project from Progress Energy Florida (PEF) pursuant to Section 403.516(1)(c), F.S., to alter the certified corridor for the cooling water makeup pipelines, the wastewater/blowdown pipelines and the heavy haul road. On August 11, 2010 the Department received a request from the Florida Fish and Wildlife Conservation Commission (FWC) to modify certain COC including FWC monitoring and reporting requirements. The Department proposes to modify the COC to reflect the corridor alteration, make the recommended FWC changes, and to incorporate Department initiated updates to the COC. A copy of the proposed modification may be obtained by contacting: Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.516(1)(c)2., F.S., parties to the certification hearing have 45 days from issuance of notice to such party's last address of record in which to object to the proposed modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Pursuant to Section 403.516(1)(c)2., F.S., any person who is not already a party to the certification hearing and whose substantial interest is affected by the proposed modification has 30 days from the date of publication of this public notice to object in writing. Any written objection must be filed (received) in the: Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement cannot be subsequently reached, then pursuant to Section 403.516(1)(c)3., F.S., and Rule 62-17.211, Florida Administrative Code (F.A.C.), PEF or the Department

may file a request for a hearing with the Department and the Division of Administrative Hearings on those portions of the proposed modification to which written objections were timely filed. The request for hearing will be handled pursuant to Chapter 120, F.S., and in accordance with Section 403.516(1)(c)4., F.S., and subparagraph 62-17.211(1)(b)7., F.A.C. Mediation is not available in this proceeding.

**NOTICE OF AVAILABILITY
FLORIDA FINDING OF NO SIGNIFICANT IMPACT
CITY OF COCOA BEACH, FLORIDA**

The Department of Environmental Protection has determined that the City of Cocoa Beach's proposed Wastewater Treatment and Reclaimed Water Reuse Facilities (Nutrient Removal & ASR Well) will not have a significant adverse affect on the environment. The total project cost is estimated at \$15,770,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds. Public comment must be received at the address below within 30 days of this notice.

A full copy of the Florida Finding of No Significant Impact can be obtained by writing to: Pankaj Shah, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, (850)245-8358.

**NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTICE
PALM BAY, FLORIDA**

The Florida Department of Environmental Protection has determined that the City of Palm Bay's proposed project to construct the main line water transmission and distribution main extensions on Cogan Drive, DeGroodt Road, Babcock Street, and in Port Malabar Units 14, 17, 20 and 26 will not have a significant adverse impact on the environment. The total estimated construction cost of the project is \$7,886,484. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal and state matching funds. Public comment must be received at the address below within 30 days of this notice.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Gregg Caro, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, (850)245-8546.

**NOTICE OF PUBLIC OPPORTUNITY TO COMMENT
ON A NATURAL GAS DEVELOPMENT PLAN FOR
FEDERAL WATERS OF THE CENTRAL GULF OF
MEXICO PLANNING AREA**

Interested persons are hereby given notice that a U.S. Department of the Interior, Bureau of Ocean Energy Management, Regulation and Enforcement, Development Operations Coordination Document submitted by Anadarko Petroleum Corporation, for Lloyd Ridge Block 400, was received by the State of Florida. Proposed activities include developing and producing natural gas from two wells in approximately 9,200 feet of water located approximately 185 miles south-southwest of Florida.

The document is available for inspection at the Florida Department of Environmental Protection (FDEP), Office of Intergovernmental Programs, Room 953 DA, Douglas Building, 3900 Commonwealth Boulevard, MS 47, Tallahassee, Florida 32399-3000, (850)245-2163. Written comments regarding this activity and its consistency with the Florida Coastal Management Program should be submitted to: FDEP at the address listed above, by January 10, 2011. Contact: Shana Kinsey or Debby Tucker at (850)245-2163, email: Shana.Kinsey@dep.state.fl.us or Debby.Tucker@dep.state.fl.us.

This public notice fulfills the requirements of 15 CFR 930.

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 December 3, 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 Jessica Anne

Rhodes, PXA, License #PXA 395. 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.

DEPARTMENT OF FINANCIAL SERVICES

**LIST OF APPROVED SPARKLERS ADDED TO
FEBRUARY 1, 2011 TO JANUARY 31, 2012**

The Department of Financial Services, Division of State Fire Marshal, pursuant to Section 791.013(1), Florida Statutes, hereby approves the following sparklers for sale from February 1, 2011 to January 31, 2012. The products are listed by ITEM (the name of the product, and any major words or numbers on the product); BRAND (means by the name or logo of the manufacturer); and DESCRIPTION (a specific physical description of the product, size should be accurate to within one (1) inch). ALL ASSORTMENT PACKAGES OR CONTAINERS MUST CONTAIN APPROVED SPARKLERS.

PLEASE NOTE: This list contains only the sparklers which were provided to the Department on or after January 31, 2010 through September 1, 2010 and approved for use from February 1, 2011 through January 31, 2012.

A complete list of all approved sparklers which are approved for use from February 1, 2011 through January 31, 2012 are available at: www.myfloridacfo.com or to obtain a printed copy, please write or fax your request to: The Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0342, (850)410-2467 or email: www.myfloridacfo.com.

PRODUCT NAME BLAZING STARBURST
 BRAND TNT
 PHYSICAL DESCRIPTION 7" HIGH x 3" WIDE "CUBED" FOUNTAIN
 PRODUCT NAME BLOODY SCREECHER
 BRAND TNT
 PHYSICAL DESCRIPTION 3 3/4" HIGH x 6 1/2" WIDE SIX-SIDED FOUNTAIN
 PRODUCT NAME CAROUSEL
 BRAND TNT
 PHYSICAL DESCRIPTION 3 1/4" HIGH x 2" DIAMETER CYLINDRICAL FOUNTAIN
 PRODUCT NAME COLOR SHOCK
 BRAND TNT

PHYSICAL DESCRIPTION 6 7/8" HIGH x 2 3/4" DIAMETER CYLINDRICAL FOUNTAIN
 PRODUCT NAME COLORFUL BLOOMS
 BRAND TNT
 PHYSICAL DESCRIPTION 5" HIGH x 3" WIDE RECTANGULAR FOUNTAIN
 PRODUCT NAME COLORFUL LIGHTNING
 BRAND TNT
 PHYSICAL DESCRIPTION 8" HIGH x 3 1/8" WIDE TRIANGULAR FOUNTAIN
 PRODUCT NAME COLORFUL RAIN
 BRAND TNT
 PHYSICAL DESCRIPTION 5" HIGH x 2" DEEP x 5" WIDE RECTANGULAR FOUNTAIN
 PRODUCT NAME CONFETTI LIGHTS
 BRAND PHANTOM
 PHYSICAL DESCRIPTION 4" HIGH x 1 3/4" WIDE SQUARE COLUMN FOUNTAIN
 PRODUCT NAME DIGITAL IMAGING
 BRAND TNT
 PHYSICAL DESCRIPTION 4 1/2" HIGH x 4 1/2" WIDE KIDNEY-SHAPED FOUNTAIN
 PRODUCT NAME DIZZY TIZZY
 BRAND TNT
 PHYSICAL DESCRIPTION 9 1/2" HIGH x 5 1/2" DIAMETER CYLINDRICAL FOUNTAIN
 PRODUCT NAME FREAKAZOID FOUNTAIN
 BRAND TNT
 PHYSICAL DESCRIPTION 5" HIGH x 5 1/4" ACROSS THREE-PRONGED FOUNTAIN
 PRODUCT NAME GREEN STORM
 BRAND TNT
 PHYSICAL DESCRIPTION 4" HIGH x 1 3/4" DIAMETER CYLINDRICAL FOUNTAIN
 PRODUCT NAME HIT AND RUN
 BRAND TNT
 PHYSICAL DESCRIPTION 5" HIGH x 3" WIDE "CUBED" FOUNTAIN
 PRODUCT NAME MAGIC TORCH
 BRAND PHANTOM
 PHYSICAL DESCRIPTION 11" HIGH x 3/4" DIAMETER CYLINDRICAL FOUNTAIN
 PRODUCT NAME PLASMATICAL
 BRAND TNT
 PHYSICAL DESCRIPTION 5" HIGH x 3 1/2" WIDE JAR-SHAPED FOUNTAIN
 PRODUCT NAME PURPLE RAIN
 BRAND TNT
 PHYSICAL DESCRIPTION 4" HIGH x 1 3/4" DIAMETER CYLINDRICAL FOUNTAIN
 PRODUCT NAME PYRO COMBUSTION
 BRAND TNT
 PHYSICAL DESCRIPTION 5 3/4" HIGH x 6 1/4" WIDE THREE-CYLINDER FOUNTAIN
 PRODUCT NAME PYROGLASTIC
 BRAND TNT
 PHYSICAL DESCRIPTION 7 7/8" HIGH x 3 3/8" DIAMETER CYLINDRICAL FOUNTAIN

PRODUCT NAME RADIANT
BRAND TNT
PHYSICAL DESCRIPTION 7 3/4" HIGH x 5" WIDE x 3" DEEP
RECTANGULAR FOUNTAIN
PRODUCT NAME RED THUNDER
BRAND TNT
PHYSICAL DESCRIPTION 4" HIGH x 1 3/4" DIAMETER
CYLINDRICAL FOUNTAIN
PRODUCT NAME SHOW OFF
BRAND TNT
PHYSICAL DESCRIPTION 4" HIGH x 4" WIDE CUBED FOUNTAIN
PRODUCT NAME TRIPLE DELIGHT
BRAND TNT
PHYSICAL DESCRIPTION 10" LONG x 2" WIDE RECTANGLE
WITH THREE FOUNTAINS

PRODUCT NAME TRIPLE FOUNTAIN
BRAND TNT
PHYSICAL DESCRIPTION 10" LONG x 2" WIDE RECTANGLE
WITH THREE FOUNTAINS
PRODUCT NAME WHISTLE BLOWER
BRAND TNT
PHYSICAL DESCRIPTION 3 3/4" HIGH x 6 1/2" WIDE
SIX-SIDED FOUNTAIN
PRODUCT NAME YELLOW LIGHTNING
BRAND TNT
PHYSICAL DESCRIPTION 4" HIGH x 1 3/4" DIAMETER
CYLINDRICAL FOUNTAIN

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN November 29, 2010
 and December 3, 2010

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

15C-17.001	11/29/10	12/19/10	36/33	36/44
15C-17.002	11/29/10	12/19/10	36/33	36/44
15C-17.003	11/29/10	12/19/10	36/33	36/44

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

60BB-3.0251	11/29/10	12/19/10	36/35	
60BB-3.0252	11/29/10	12/19/10	36/35	36/40
60BB-3.0253	11/29/10	12/19/10	36/35	
60BB-3.0254	11/29/10	12/19/10	36/35	36/44
60BB-8.210	12/1/10	12/21/10	36/12	36/23

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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60BB-8.300	12/1/10	12/21/10	36/37	
60BB-8.301	12/1/10	12/21/10	36/37	

Personnel Management System

60L-34.0041	12/1/10	12/21/10	36/43	
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

61-36.001	11/29/10	12/19/10	36/34	
61-36.002	11/29/10	12/19/10	36/34	

DEPARTMENT OF JUVENILE JUSTICE

Division of Commitment

63E-7.002	11/30/10	12/20/10	36/39	
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DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

64J-2.019	12/2/10	12/22/10	36/38	
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