

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NOS.:	RULE TITLES:
59G-13.081	Developmental Disabilities Waiver Provider Rate Table
59G-13.082	Developmental Disabilities Waiver Services Procedure Codes
59G-13.084	Developmental Disabilities Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table
59G-13.091	Family and Supported Living Waiver Provider Rate Table
59G-13.092	Family and Supported Living Waiver Services Procedure Codes

PURPOSE AND EFFECT: The purpose of Rule 59G-13.081, F.A.C., is to establish provider reimbursement rates for the Developmental Disabilities Home and Community Based Services Program. The purpose of Rule 59G-13.082, F.A.C., is to establish procedure codes and maximum units of service for the Developmental Disabilities Home and Community Based Services Program. The purpose of Rule 59G-13.084, F.A.C., is to establish provider reimbursement rates for the Developmental Disabilities Waiver Residential Habilitation Services in a Licensed Facility. The purpose of Rule 59G-13.091, F.A.C., is to establish provider reimbursement rates for the Family and Supported Living Waiver Program. The purpose of Rule 59G-13.092, F.A.C., is to establish procedure codes and maximum units of service for the Family and Supported Living Home and Community-Based Services Program. These rules will establish rates and procedure codes consistent with Legislative Appropriations for FY 2011-2012.

SUBJECT AREA TO BE ADDRESSED: These rules will address provider rates, procedure codes and maximum units of service for the Developmental Disabilities Waiver Program.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 393.0661, 409.906, 409.908 FS.

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

DATE AND TIME: Tuesday, May 3, 2011, 2:00 p.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee, Florida 32399. A conference call number will be published on the APD website prior to the workshop for those wishing to attend by telephone.

Pursuant to the provisions of 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: Leigh Meadows at the Bureau of Medicaid Services, (850)412-4258. If you are 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: Leigh Meadows, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4258, e-mail: leigh.meadows@ahca.myflorida.com
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NOS.:	RULE TITLES:
61-35.0171	Landscape Architecture: Application for Individual Licensure – Examination or Re-examination
61-35.0172	Landscape Architecture: Application for Licensure of a Business Entity – Certification of Authorization
61-35.0173	Landscape Architecture: Application for Licensure – Endorsement
61-35.0174	Landscape Architecture: Application for Licensure – Certificate of Temporary Authorization or Registration
61-35.0175	Landscape Architecture: Application for Individual Licensure – Reinstatement Null and Void License Based on Illness or Undue Hardship
61-35.0176	Landscape Architecture: Application for Individual Licensure – Examination or Re-Examination – Practical Experience Form
61-35.0177	Landscape Architecture: Application for Continuing Education Provider Approval
61-35.0178	Landscape Architecture: Application for Continuing Education Course Approval

PURPOSE AND EFFECT: To ease the burden on business by providing revised licensure application forms which have fewer pages and require less information than the prior application forms.

SUBJECT AREA TO BE ADDRESSED: Application Forms for Landscape Architecture.

RULEMAKING AUTHORITY: 455.203(5), 455.2179(4) FS.

LAW IMPLEMENTED: 455.213, 455.2179, 455.271(6)(b), 481.309, 481.310, 481.311, 481.317, 481.319 FS.

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

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.: 61G7-5.0033
 RULE TITLE: Consolidated and Combined Financial Statements

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify which entities may file consolidated or combined financial statements.

SUBJECT AREA TO BE ADDRESSED: Clarification for which entities may file consolidated or combined financial statements.

RULEMAKING AUTHORITY: 468.522, 468.525(3)(e) FS.

LAW IMPLEMENTED: 468.525(3)(e) 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G7-5.0033 Consolidated and Combined Financial Statements.

~~(1) All reviewed or audited financial statements submitted to the Department by Florida licensed employee leasing companies shall be presented in accordance with Generally Accepted Accounting Principles (GAAP), as defined by Rule 61H1-20.007, F.A.C. An employee leasing company or an employee leasing group may submit consolidated audited or reviewed financial statements to meet the requirements of Section 468.525(3)(e), F.S., as applicable, so long as the entity exercising control over the entities that are reporting on a consolidated basis is a member of the employee leasing~~

~~company group, or in the case of an ELC license, as long as the entity exercising control is a properly licensed employee leasing company and there are cross guarantees for all entities licensed under Chapter 468, Part XI, Florida Statutes. Consolidation principles provided in Generally Accepted Accounting Principles (GAAP) Rule 61H1-22.003, F.A.C., shall be followed when electing to submit consolidated financial statements. Non-licensed entities may be included in the consolidated statements so long as the foregoing requirements are met.~~

~~(2) An employee leasing company or an employee leasing company group that is a subsidiary or a member of another entity that may otherwise be included in the consolidated financial statements of a parent or a controlling entity, may submit individual reviewed or audited financial statements to satisfy the filing requirements of Section 468.525(3)(e), F.S. An employee leasing company group may submit combined audited or reviewed financial statements to meet the requirements of Section 468.525(3)(e), F.S., as applicable, so long as all entities covered in the combined financial statement reports are members of the Florida licensed employee leasing company group. Other entities may not be included in combined financial statements.~~

~~(3) An employee leasing company or an employee leasing company group may be included in the consolidated financial statements of a licensed or non-licensed parent or controlling entity to meet the requirements of Section 468.525(3)(e), F.S., as applicable, so long as there are Board-approved cross guarantees between the parent or controlling entity and all Florida-licensed employee leasing companies included in such statements.~~

~~(4) A Florida-licensed employee leasing company, employee leasing company group, employee leasing company groups, or any combination thereof, may submit combined audited or reviewed financial statements to meet the requirements of Section 468.525(3)(e), F.S., as applicable, so long as there are Board-approved cross-guarantees between all employee leasing companies and all entities covered in the combined financial statement are Florida-licensed employee leasing companies. Other entities may not be included in combined financial statements.~~

Rulemaking Specific Authority 468.522, 468.525(3)(e) FS. Law Implemented 468.525(3)(e) FS. History—New 5-26-96, Amended 9-5-04, 11-9-06, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.: 61G7-10.0012
 RULE TITLE: Workers' Compensation Liability Statement

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove duplicate information from the rule text which is already in the associated form.

SUBJECT AREA TO BE ADDRESSED: Duplicate information that is already in the associated form will be removed.

RULEMAKING AUTHORITY: 468.522, 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 FS.

LAW IMPLEMENTED: 468.525(3)(e), 468.529 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G7-10.0012 Workers' Compensation Liability Statement.

Each audited or reviewed financial statement submitted to the Board pursuant to Section 468.525(3)(e), F.S., and Rules 61G7-5.0031 and 61G7-5.0032, F.A.C., shall include a statement, signed by the chief executive officer (CEO) and chief financial officer (CFO) of the employee leasing company as well as the independent certified public accountant (CPA) auditing or reviewing the financial statement, in substantially one of the following forms:

(1) For the period(s) represented in the attached financial statements, we had a guaranteed cost policy for workers' compensation provided by an admitted insurance carrier licensed to do business in the State of Florida. This policy does not have a deductible feature or other retention and is not subject to additional premium or assessment on the basis of claims and loss experience. We have no financial exposure to workers' compensation insurers with respect to policies covering prior periods. Thus, we have no additional liability for workers' compensation that must be presented on our financial statements.

Year End: _____
Signed: _____
CEO CFO
Date: _____ Date: _____

~~Acknowledgment by independent accountants:
We have examined the above assertion made by management of (employee leasing company) in connection with workers' compensation liability as of _____. Our examination was made in accordance with standards established by the American Institute of Certified Public Accountants and, accordingly, included such procedures as we considered necessary in the circumstances.~~

~~In our opinion, the assertion represented by management referred to above fairly presents, in all material respects, the workers' compensation liability as of _____ in accordance with generally accepted accounting principles.~~

CPA Date
Or,

(2) Workers' compensation constitutes a very significant cost in the operation of an employee leasing company. Many employee leasing companies choose to provide workers' compensation coverage through insurance arrangements that may involve certain retention of risks.

The determination of an appropriate accrual that adequately reflects the cost retained by the employee leasing company is essential to the fair representation of the employee leasing company's financial position and results of operation for the reporting period, in accordance with generally accepted accounting principles.

Ultimate costs for workers' compensation must include a reserve for loss development and a provision for incurred but not reported claims, as determined through the utilization of a variety of generally acceptable actuarial methodologies.

We hereby represent that our financial statements' accrual for workers' compensation is based upon a methodology that accounts for loss development and incurred but not reported claims for the period covered by the attached financial statements, and for all prior periods for which we may have continued financial exposure, as follows:

- (a) through (c) No change.
- (d) Through other methodologies described in detail on Exhibit A hereto, resulting in a loss development factor of _____, which our independent accountants consider adequate to enable them to express an opinion on the financial statements as required by Section 468.525(3)(e), F.S. and Rules 61G7-5.0031 and 61G7-5.0032, F.A.C.

Signed: _____ Year End: _____
CEO CFO
Date: _____ Date: _____

~~Acknowledgment by independent accountants:
We have examined the above assertion made by management of (employee leasing company) in connection with the methodology used in determining workers' compensation liability as of _____. Our examination was made in accordance with standards established by the American Institute of Certified Public Accountants and, accordingly, included such procedures as we considered necessary in the circumstances.
In our opinion, the assertion represented by management referred to above presents the methodology used in determining workers' compensation liability as of _____~~

~~_____~~, which fairly presents, in all material respects, the workers' compensation liability in accordance with generally accepted accounting principles.

_____	_____
CPA	Date
Rulemaking Specific Authority 468.522, 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 FS. Law Implemented 468.525(3)(e), 468.529 FS. History--New 1-17-99, Amended _____.	

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-27.0031	Marine Endangered and Threatened Species

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to address the concerns raised by the Joint Administrative Procedures Committee upon review of Rules 68A-27.001, 68A-27.0011, 68A-27.0012, and 68A-27.007, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Marine Endangered and Threatened Species.

RULEMAKING AUTHORITY: 379.1025 FS.

LAW IMPLEMENTED: 379.2291 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: Bud Vielhauer, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Treasury

RULE NOS.:	RULE TITLES:
69C-4.001	Purpose
69C-4.002	Scope
69C-4.003	Definitions
69C-4.0035	Procedures for Requesting Approval to Accept Credit Cards, Charge Cards, and Debit Cards
69C-4.004	Standard Contracts with Credit Card Service Providers
69C-4.0045	Convenience Fees
69C-4.009	Annual Reporting to the Chief Financial Officer

PURPOSE AND EFFECT: The proposed rule amendments update the rules to include the acceptance of electronic funds transfers by state agencies and the judicial branch and to incorporate the three standard service provider contracts by reference.

SUBJECT AREA TO BE ADDRESSED: Acceptance of electronic funds transfers by state agencies and the judicial branch.

RULEMAKING AUTHORITY: 215.322(3) FS.

LAW IMPLEMENTED: 215.322 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: May 6, 2011, 1:00 p.m.

PLACE: 1801 Hermitage Blvd., Room 440-C, Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Miriam Gray at (850)413-2783 or Miriam.Gray@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Miriam Gray, Financial Administrator, Bureau of Funds Management, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-2783. The text of the proposed rules is also available on the Department's website: <http://www.MyFloridaCFO.com/LegalServices/ruleHearing>.

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

**Section II
Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NOS.:	RULE TITLES:
5M-3.001	Purpose
5M-3.002	Definitions
5M-3.003	Approved Best Management Practices
5M-3.004	Notice of Intent to Implement
5M-3.005	Presumption of Compliance
5M-3.006	Land Application of Animal Wastes
5M-3.007	Record Keeping

5M-3.008 Land Use Changes
 5M-3.009 Preservation of Authority

PURPOSE AND EFFECT: The purpose of this proposed rule is to adopt agricultural Best Management Practices for agricultural operations in the Northern Everglades and to provide a mechanism for producers to enroll in the program by submitting Notices of Intent to Implement.

SUMMARY: The proposed rule provides requirements for agricultural operations located in the Northern Everglades as defined in Section 373.4595, Florida Statutes, to conduct Best Management Practices or monitor their water quality.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An 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: 373.4595(3)(c)1.a., (4)(a), (4)(b), 403.067(7)(c)2., 570.07(10), (23) FS.

LAW IMPLEMENTED: 373.4595(3)(c)1.a., (4)(a), (4)(b), 403.067(7)(c)2. 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: 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 FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewording of Rule 5M-3.001 follows. See Florida Administrative Code for present text.)

5M-3.001 Purpose.

The purpose of this rule is to effect pollutant reduction through the implementation of agricultural Best Management Practices (BMPs) that may be determined to have minimal individual or cumulative adverse impacts to the water resources of the state, including requirements for agricultural operations that land-apply animal manure.

Rulemaking Specific Authority 373.4595(3)(c)1.a., (3)(c)8., (4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2., 570.07(10), (23) FS. Law Implemented 373.4595(3)(c)1.a., (3)(c)8., 373.4595(4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2. FS. History--New 10-23-03, Amended 6-28-06, _____.

(Substantial rewording of Rule 5M-3.002 follows. See Florida Administrative Code for present text.)

5M-3.002 Definitions.

(1) “Animal manure” is animal excrement or animal waste and any mixed materials, including bedding, compost, yard waste, or other raw materials.

(2) “Northern Everglades” means the Lake Okeechobee Watershed, the Caloosahatchee River Watershed, and the St. Lucie River Watershed, as defined in Section 373.4595(2), F.S.

(3) “Notice of Intent (NOI)” means a form provided by the Florida Department of Agriculture and Consumer Services (FDACS) to be submitted by the producer to enroll in BMPs.

(4) “Nutrient management plan” is the documentation of an agricultural operation’s planned actions, developed in accordance with Section IV, Code 590 of United States Department of Agriculture-Natural Resources Conservation Service (NRCS) Field Office Technical Guide, FL, 2007, hereby incorporated by reference. Nutrient Management Plans specify the amount, placement, form, and timing of the application of nutrients, including manure, animal by-products, biosolids, and soil amendments. The plan must be approved by NRCS or a technical service provider. Code 590, Nutrient Management, may be viewed at DOS web portal placeholder or obtained from NRCS, P. O. Box 141510, 2614 N.W. 43rd St., Gainesville, FL 32614-1510.

(5) “Technical Service Provider” is an individual or entity certified by the NRCS to provide technical services for conservation planning.

Rulemaking Specific Authority 373.4595(3)(c)1.a., (3)(c)8., (4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2., 570.07(10), (23) FS. Law Implemented 373.4595(3)(c)1.a., (3)(c)8., 373.4595(4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2. FS. History--New 10-23-03, Amended 6-28-06, _____.

(Substantial rewording of Rule 5M-3.003 follows. See Florida Administrative Code for present text.)

5M-3.003 Required ~~Approved~~ Best Management Practices.

(1) Agricultural operations located within the Northern Everglades shall:

(a) Implement BMPs in the manual(s) adopted by FDACS under Title 5M, F.A.C., relevant to their operations, in accordance with the applicable rule(s); or

(b) As eligible under Rule 5M-12.003, F.A.C., develop and implement a conservation plan in accordance with the provisions of Rule Chapter 5M-12, F.A.C.; or

(c) Conduct water quality monitoring prescribed by the Florida Department of Environmental Protection (FDEP) or the relevant water management district in accordance with Section 403.067(7)(b)2.g., F.S., to demonstrate compliance with state water quality standards.

(2) Agricultural operations within the Northern Everglades that land-apply animal manure shall also comply with the provisions of Rule 5M-3.004, F.A.C.

(3) Plans and NOIs submitted to FDACS under Rule Chapter 5M-3, F.A.C., prior to the effective date of this rule revision are grandfathered and deemed to meet the requirements of this section. However, previously submitted conservation plans must be reviewed and updated pursuant to subsection 5M-12.004(3), F.A.C., except for those operations that have conservation plans but choose instead to implement BMPs pursuant to paragraph (1)(a).

Rulemaking Specific Authority 373.4595(3)(c)1.a., (3)(c)8., (4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2., 570.07(10), (23) FS. Law Implemented 373.4595(3)(c)1.a., (3)(c)8., 373.4595(4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2. FS. History–New 10-23-03, Amended 6-28-06,_____.

(Substantial rewording of Rule 5M-3.004 follows. See Florida Administrative Code for present text.)

5M-3.004 Land Application of Animal Wastes Notice of Intent to Implement.

(1) Animal feeding operations or concentrated animal feeding operations subject to the permitting requirements in Rule Chapter 62-670, F.A.C., are not affected by this section.

(2) Except as provided in subsection (1), agricultural operations that land-apply animal manure within the Northern Everglades shall:

(a) Apply manure uniformly at a phosphorous-based rate, as determined by soil and/or plant tissue test results;

(b) Not apply manure when the soil is saturated or inundated with water;

(c) Not apply manure within 30 feet of any wetland, lake, stream, or estuary; and

(d) Not apply manure within 100 feet of an existing drinking water well.

(3) In addition to meeting the requirements in subsection (2), agricultural operations that land-apply animal manure at a rate that exceeds one ton per acre per year shall:

(a) Develop and implement a nutrient management plan as defined in Rule 5M-3.002, F.A.C. The nutrient management plan may be included as part of a conservation plan developed or grandfathered pursuant to Rule 5M-3.003, F.A.C. The nutrient management plan shall be reviewed and updated at least every five years; and

(b) Not apply manure within 50 feet of any wetland, lake, stream, or estuary.

(4) All agricultural operations affected by this section must document the dates of animal-manure applications and the annual application amounts, calculated on a pounds-per-acre basis for nitrogen and phosphorus, and maintain such records for a minimum of five years and make them available for inspection upon request.

(5) Nutrient management plans for the land application of animal wastes submitted to FDACS under Rule Chapter 5M-3, F.A.C., prior to this rule revision are grandfathered and deemed to meet the requirements of this section. However, such plans shall be reviewed and updated pursuant to paragraph 5M-3.004(3)(a), F.A.C.

Rulemaking Specific Authority 373.4595(3)(c)1.a., (3)(c)8., (4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2., 570.07(10), (23) FS. Law Implemented 373.4595(3)(c)1.a., (3)(c)8., 373.4595(4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2. FS. History–New 10-23-03, Amended 6-28-06,_____.

(Substantial rewording of Rule 5M-3.005 follows. See Florida Administrative Code for present text.)

5M-3.005 BMP Record Keeping Presumption of Compliance.

Producers must comply with the record-keeping requirements contained in the specific rules under which they submit their NOIs. All record-keeping documentation must be maintained for a minimum of five years and be made available for inspection upon request.

Rulemaking Specific Authority 373.4595(3)(c)1.a., (3)(c)8., (4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2., 570.07(10), (23) FS. Law Implemented 373.4595(3)(c)1.a., (3)(c)8., 373.4595(4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2. FS. History–New 10-23-03, Amended 6-28-06,_____.

5M-3.006 Access to Properties Land Application of Animal Wastes.

Producers who implement BMPs under this rule shall allow FDACS, or FDACS in conjunction with FDEP, the applicable water management district and/or NRCS representatives, access to their property to confirm implementation, operation, and maintenance of BMPs. Advance notice of inspections shall be provided to the landowner.

Rulemaking Specific Authority 373.4595(3)(c)1.a., (3)(c)8., (4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2., 570.07(10), (23) FS. Law Implemented 373.4595(3)(c)1.a., (3)(c)8., 373.4595(4)(a)2.a., g., (4)(b)2.a., g., 403.067(7)(c)2. FS. History–New 10-23-03, Amended 6-28-06,_____.

5M-3.007 Record Keeping.

Rulemaking Specific Authority 373.4595(3)(c)1.a., 403.067(7)(c)2. FS. Law Implemented 373.4595(3)(c)1.a., 403.067(7)(c)2. FS. History–New 10-23-03, Amended 6-28-06, Repealed _____.

5M-3.008 Land Use Changes.

Rulemaking Specific Authority 373.4595(3)(c)1.a., 403.067(7)(c)2. FS. Law Implemented 373.4595(3)(c)1.a., 403.067(7)(c)2. FS. History–New 10-23-03, Repromulgated 6-28-06, Repealed.

5M-3.009 Preservation of Authority.

Rulemaking Specific Authority 373.4595(3)(c)1.a., 403.067(7)(c)2. FS. Law Implemented 373.4595(3)(c)1.a., 403.067(7)(c)2. FS. History–New 10-23-03, Repromulgated 6-28-06, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard J. Budell, Director, Office of Agricultural Water Policy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Adam H. Putnam, Commissioner, Department of Agriculture and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 8, 2011

DEPARTMENT OF EDUCATION

State Board of Education

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

PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to adopt the new/revised Course Descriptions and the updates/edits for the “2011-2012” school-year. Courses for the Arts, Social Studies, English Language Arts, World Languages, Mathematics, Science, Health Education, Physical Education, and Research and Critical Thinking are updated to align to the Next Generation Sunshine State Standards approved by the State Board of Education for these content areas.

SUMMARY: Florida Course Descriptions for the Arts, Social Studies, English Language Arts, World Languages, Mathematics, Science, Health Education, and Physical Education are updated to include the Next Generation Sunshine State Standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An 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: 1001.03(1), 1011.62(1)(u) FS. LAW IMPLEMENTED: 1001.42(9), 1003.42, 1011.62(1)(u) FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Deputy Chancellor for Curriculum, Instruction, and Student Services, Department of Education, 325 West Gaines Street, Suite 1502, Tallahassee, Florida 32399-0400, (850)245-0509

THE FULL TEXT OF THE PROPOSED RULE IS:

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

A course description directs district personnel by providing the essential content and course requirements for each course in grades K-12 contained in the “Course Code Directory and Instructional Personnel Assignments” adopted by Rule 6A-1.09441, F.A.C. Course requirements approved by the State Board of Education are contained in the publication “~~2011-2012~~ ~~2010-2011~~ Florida Course Descriptions for Grades K-12/Adult, Basic Education”, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00222>) which is hereby incorporated by reference and made a part of this rule. District school boards of education are authorized, through local rules, to approve a variance of up to ten (10) percent of the course requirements of each course description. Copies of approved course descriptions may be obtained from K-12 Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399 or online at <http://www.florididastandards.org>.

Rulemaking Authority 1001.03(1), 1011.62(1)(u) FS. Law Implemented 1001.42(7), 1003.42, 1011.62(1)(u) FS. History–New 2-21-85, Formerly 6A-1.9412, Amended 1-29-86, 1-1-87, 9-6-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 6-6-93, 10-18-94, 8-28-95, 5-14-96, 9-15-97, 10-13-98, 5-3-99, 5-3-01, 10-15-01, 12-17-02, 7-26-05, 11-21-05, 7-27-06, 1-18-07, 3-24-08, 10-21-09, 5-3-10, _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 28, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 7, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09441
RULE TITLE: Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation

PURPOSE AND EFFECT: The purpose of this rule amendment is to update the “Course Code Directory and Instructional Personnel Assignments” by which school districts receive FEFP (Florida Education Finance Program) funding. The effect will be an updated directory of courses for students to take to earn credit toward high school graduation.

SUMMARY: This rule amendment will add new courses approved by the Commissioner of Education, remove outdated/deleted courses, and incorporate legislative policy changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An 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: 1001.02(1), 1009.53(3), 1011.62(1)(u) FS.

LAW IMPLEMENTED: 1009.531, 1009.535, 1009.536, 1011.62(1) FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.
PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Matthew Bouck, Interim Director, Office of K-20 Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09441 Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation.
 For student membership in a program or course to generate funding through the Florida Education Finance Program and for the student to receive elective or required credit toward high school graduation for such a program or course, the following conditions shall be met:

(1) The program in which the student is in membership shall be one of the programs listed in Section 1011.62(1)(c), F.S.

(2) The course or program in which the student is in membership shall be an educational activity which constitutes a part of the instructional program approved by the district school board.

(3) The student shall be under the supervision of an instructional staff member as defined in Section 1012.01(2), F.S.

(4) The course or program shall be listed in the “Course Code Directory and Instructional Personnel Assignments” for the year in which the student is in membership.

(5) The “Course Code Directory and Instructional Personnel Assignments 2011-2012 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00218>) ~~2010-2011~~,” is hereby incorporated by reference and made a part of this rule. The Commissioner may publish the document in appropriate and useful formats such as printed copy, electronic database access, or electronic disc. The directory may be obtained from the Office of Articulation, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The Commissioner of Education may approve additional courses and course descriptions for which funding could be generated through the Florida Education Finance Program. Such additional course listings will be made available as approved.

Rulemaking Authority 1001.02(1), 1009.53(3), 1011.62(1)(u) FS. Law Implemented 1009.531, 1009.534, 1009.535, 1009.536, 1011.62(1) FS. History—New 12-20-83, Formerly 6A-1.9441, Amended 2-6-86, 12-28-86, 4-4-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 7-13-93, 10-18-94, 8-28-95, 4-18-96, 7-17-97, 8-12-98, 5-3-99, 5-3-01, 10-15-01, 7-30-02, 4-21-05, 11-21-05, 7-27-06, 1-18-07, 5-19-08, 1-5-09, 6-22-09, 5-3-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Matthew Bouck, Interim Director, Office of K-20 Articulation
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2011

DEPARTMENT OF EDUCATION

State Board of Education

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

PURPOSE AND EFFECT: The purpose of the rule amendment is to modify the sections of rule pertaining to the calculation of school grades and to eliminate obsolete requirements related to school improvement that have been supplanted by Differentiated Accountability.

SUMMARY: This rule establishes procedures for implementing Florida's system of school improvement and accountability – specifically, Florida's school grading system as required by Section 1008.34, Florida Statutes. The amendments modify the proficiency criterion for the FCAT writing portion of school grades from 3.5 to 4.0 or higher. In addition, the amendments incorporate the 2009-10 Guide to Calculations for Florida's Public High School Graduation Rate in place of the 2008-09 version of the document. The amendments delete portions of the rule addressing differentiated accountability.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An 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: 1001.02, 1008.22, 1008.34, 1008.345 FS.

LAW IMPLEMENTED: 1008.34, 1008.345, 1008.36 FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edward Croft, Director, Evaluation and Reporting, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) through 3.a. No change.

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

~~If the minimum requirement for adequate progress in reading among the lowest twenty five (25) percent of students in the school is not met, the School Advisory Council shall amend its School Improvement Plan to include a component for improving learning gains of the lowest performing students. If a school otherwise designated as Performance Grade "B" or "C" does not make adequate progress, as defined above, in at~~

least one (1) of two (2) consecutive years, the final Performance Grade designation shall be reduced by one (1) letter grade. No school shall be designated as Performance Grade "A" unless the adequate progress criterion in reading is met each year.

4. through 7. No change.

~~8. Intensive assistance and intervention, including on-site assistance, preference for awarding grants, and priority for other discretionary funds as specified in subsections (9), (10), and (11) of this rule, shall be provided to schools designated School Performance Grade F and School Performance Grade D. Renegotiation of bargained contracts as specified in subsection (9) of this rule may be provided to schools designated School Performance Grade F.~~

(b) through (4) No change.

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

(a) Student achievement scores, aggregated for each school, which indicate the percent of eligible students who score at or above FCAT Achievement Level 3 in reading and math and the percent of students who score "4.0" ~~"3.5"~~ or higher on the FCAT writing assessment;

(b) through (c) No change.

(6) Procedures for Calculating School Performance Grades. The overall Performance Grade of A, B, C, D or F for school years 2001-2002 and thereafter, as designated in Section 1008.34(2), F.S., shall be based on the sum of the following six (6) school grade point elements:

(a) One (1) point for each percent of students who score at or above FCAT Achievement Level 3 in reading;

(b) One (1) point for each percent of students who score at or above FCAT Achievement Level 3 in mathematics;

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

(d) through (8)(b)1.a. No change.

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

~~If the minimum requirement for adequate progress in mathematics among the lowest twenty five (25) percent of students in the school is not met, the School Advisory Council shall amend its School Improvement Plan to include a component for improving learning gains of the lowest performing students. If a school otherwise designated as Performance Grade "B" or "C" does not meet the minimum~~

requirement for adequate progress by having at least fifty (50) percent of its lowest performing students making learning gains in reading and in math in at least one (1) of two (2) consecutive years, or demonstrate improvement as defined in sub-subparagraphs (8)(b)1.a. and b. of this rule, the final Performance Grade designation shall be reduced by one (1) letter grade. No school shall be designated as Performance Grade "A" unless the adequate progress criterion in mathematics is met each year.

2. through (d) No change.

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

1. Four-year high school graduation rate. For the 2009-10 and 2010-11 School Years, the graduation rate will be calculated using criteria for the modified No Child Left Behind (NCLB) graduation rate. The procedures used to calculate this rate can be found in the 2009-10 Guide to Calculations for Florida's Public High School Graduation Rate, November 2010, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00249>) which is hereby incorporated by reference in this rule and may be obtained at <http://www.fldoe.org/eias/eiaspubs/word/gradgde0910.doc> 2008-09 Guide to Calculations for the NCLB School Public Accountability Reports, April 2009, <http://www.fldoe.org/eias/eiaspubs/word/nclbguide.doc>. For this component, two (2) grade points shall be awarded for each percent of students counted as on-time graduates in the graduation rate. The total possible points awarded for this component is 200 points.

2. through (10) No change.

(11) Assistance and Intervention for Schools Designated School Performance Grade F or School Performance Grade D. Assistance and intervention plans shall be provided for each school designated School Performance Grade F and School Performance Grade D.

(a) Assistance for Schools Designated School Performance Grade F or School Performance Grade D. Each school designated School Performance Grade F or School Performance Grade D shall develop its school improvement plan in collaboration with the school advisory council, school board and the Department. The school improvement plan shall take into account the unique demographic characteristics of the school. The school board shall have final approval of the plan. Each school designated School Performance Grade F or School Performance Grade D shall receive specific assistance and interventions, including additional resources if needed, from the district school board as provided in Section 1001.42(16)(c), F.S. The district's two-year plan of increasing individualized

assistance and intervention for each school designated School Performance Grade F or School Performance Grade D shall be approved by the school board. Forms SIP-1, School Improvement Plan, and DIAIP-1, District Improvement, Assistance and Intervention Plan, and School Improvement Reporting Deadlines, are located on the Department's Bureau of School Improvement website at <http://www.flbsi.org/>, and are hereby incorporated by reference in this rule to become effective with the date of this rule. Assistance shall be provided to each designated school in the district at increasingly intensive levels as long as the school continues to be so designated. For the purpose of documenting compliance with Section 1001.42(16)(c), F.S., school boards shall provide to the Department annually a copy of the approved assistance and intervention plan for each school designated School Performance Grade F in the district.

(b) The Commissioner is authorized to give preference to schools designated School Performance Grade F and School Performance Grade D in awarding federal and state grants designed to improve student achievement. The Department shall give priority to School Performance Grade F and School Performance Grade D schools in providing school improvement assistance and resources. The Department shall identify demographically similar, but higher performing, schools in the state for possible assistance.

(c) The local school board is authorized to declare an emergency in order to negotiate special provisions of its contract with appropriate bargaining units to implement programs and strategies needed to improve student performance as specified in Section 1001.42(19), F.S.

(12) State Board of Education Action for Schools Designated Performance Grade F. A process for invoking State Board of Education action shall be implemented if, during any two (2) years out of a four (4) year period, a school is designated School Performance Grade F. The Commissioner shall coordinate the process and ensure that members of the State Board of Education are informed of recommendations for action regarding schools failing to make adequate progress. This process shall include the following steps:
STEP 1: Within thirty (30) days after the school has been notified by the Department that it has been designated School Performance Grade F for the second year in a four-year period, the district school board chair, the superintendent, the school advisory council chair, and the school principal shall submit a written report to the Commissioner. The report shall outline the steps taken to remedy the inadequate performance and identify causes for continued failure to make adequate progress. The Commissioner shall provide the report to the State Board of Education and may include recommendations.
STEP 2: The State Board of Education shall review the school's performance data, including data reported as required in subsection (3) of this rule and Rule 6A-1.09982, F.A.C. The State Board of Education shall, if necessary, collect additional

information on which to make a decision and may require the school district superintendent to provide additional written or verbal information.

~~STEP 3: Based on an analysis of all reports and data including a thorough consideration of the unique characteristics of the school, and after the district and school are given an opportunity to respond to any new information, the State Board of Education shall formally determine the degree of progress made by the school. Pursuant to this determination and recommendations of the Commissioner, the State Board of Education shall take action as authorized in Section 1008.33(2), F.S.~~

~~STEP 4: If the school board fails to comply with the actions recommended by the State Board of Education, within the time specified in said action, the school district's lottery funds shall be withheld unless the school board can justify its noncompliance to the State Board's satisfaction. If the State Board accepts a district's justification for noncompliance, the State Board may amend its recommended actions, or extend the time allowed for compliance.~~

~~(13) State Board of Education Review of Schools Designated Performance Grade D. A process for invoking State Board of Education review may be initiated by the Commissioner if, during any two (2) years out of a four (4) year period, a school is designated School Performance Grade D. The Commissioner is authorized to require the school and district to report to the State Board of Education for an instructional review and action as authorized in Section 1001.42(16)(d), F.S.~~

~~(14) Responsibilities of Schools Performing at School Performance Grade C and Above. Schools determined to be performing at School Performance Grade C and above shall continue identifying needs, developing school improvement plans, and defining goals for improved performance without required State Board of Education intervention and assistance. These schools shall continue to assess and report progress on the goals as required by Sections 1008.34(1) and 1001.42(16)(e), F.S., and Rule 6A 1.09982, F.A.C.~~

~~(15) Measures of Student Performance. The Department shall develop statewide assessments designed to measure student performance based on the following four standards to achieve the goal set forth in Section 1001.03(1), F.S., with special emphasis on reading, writing, and mathematics as defined in Rule 6A 1.09401, F.A.C., in the "Sunshine State Standards" as incorporated by reference.~~

~~(a) Florida students locate, comprehend, interpret, evaluate, maintain, and apply information, concepts, and ideas found in literature, the arts, symbols, recordings, video and other graphic displays, and computer files in order to perform tasks and/or for enjoyment.~~

~~(b) Florida students communicate in English and other languages using information, concepts, prose, symbols, audio and video recordings, speeches, graphic displays, and computer-based programs.~~

~~(c) Florida students use numeric operations and concepts to describe, analyze, disaggregate, communicate, and synthesize numeric data, and to identify and solve problems.~~

~~(d) Florida students use creative thinking skills to generate new ideas, make the best decisions, recognize and solve problems through reasoning, interpret symbolic data, and develop efficient techniques for lifelong learning.~~

~~Rulemaking Authority 1001.02, 1008.22, 1008.33, 1008.345 FS. Law Implemented 1000.03, 1001.42, 1003.63, 1008.33, 1008.34, 1008.345, 1008.36 FS. History--New 10-11-93, Amended 12-19-95, 3-3-97, 1-24-99, 2-2-00, 2-11-02, 12-23-03, 5-15-06, 6-19-08, 11-26-08, 11-12-09, _____.~~

~~NAME OF PERSON ORIGINATING PROPOSED RULE: Kris Ellington, Deputy Commissioner, Accountability, Research, and Measurement~~

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

~~DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 30, 2011~~

~~DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2011~~

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-2.0040	Sanitation Standards in K-12 Private Schools

PURPOSE AND EFFECT: The purpose and effect of this rule is to adopt sanitation standards for K-12 private schools pursuant to Section 381.006(16), Florida Statutes.

SUMMARY: The proposed rule prescribes the minimum standards of sanitation and safety for K-12 private schools. The standards include requirements for the school site, playground equipment, building construction and maintenance, lighting, ventilation, sanitary facilities, water supply, sewage disposal, solid waste, pest control, first aid kit, diaper changing station, animal health and safety, and dormitories. The proposed rule provides that if a requirement conflicts with the Florida Building Code or the Florida Fire Prevention Code, then that code shall prevail.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that the rule will not have an adverse impact on small business. Except for the portions of the rule under subsections (12)-(14), the proposed rule has simply been transferred from the Department of Health, Rule 64E-13.004, F.A.C. The portions of the rule under subsections (12)-(14) will have a minimal impact.

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: 381.006(16) FS.

LAW IMPLEMENTED: 381.006(6), (16) FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Kooi, Executive Director, Office of Independent Education and Parental Choice, 325 West Gaines Street, Room 522, Tallahassee, Florida 32399, (850)245-0502

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-2.0040 Sanitation Standards in K-12 Private Schools.

This rule prescribes minimum requirements and standards of sanitation and safety for K-12 private schools, as defined in Section 1002.01, Florida Statutes, located within the state regardless of the nature of the school, its ownership or organization. If a requirement in this rule conflicts with a specific requirement in the Florida Building Code adopted under Chapter 9N-1, F.A.C., or the Florida Fire Prevention Code under Chapter 69A-60, F.A.C., then that code shall prevail.

(1) School Site. The school site including areas used for playgrounds and that immediately adjacent to school buildings shall be provided with adequate facilities for surface drainage. A site should remain free from health threats from hazardous materials.

(2) Playgrounds and Athletic Equipment. Playgrounds shall be constructed and maintained to permit maximum utilization of sites with elimination of sanitary and health hazards including mudholes, fragments of glass, stone and similar obstructions.

(a) Fixed playground equipment shall be anchored with substantial foundations so maximum safety is obtained.

(b) Athletic and recreational equipment and facilities must be kept clean and in a safe condition. Fences and equipment shall be maintained so that no jagged or sharp projections exist.

(c) Cushioning materials such as mats, wood chips, or sand shall be used under climbing equipment, slides, and swings.

(3) Building Construction and Maintenance.

(a) School construction and remodeling shall conform to construction requirements of the Florida Building Code and the requirements of the local building authority. School buildings shall be maintained so that they are vermin-proofed.

(b) Buildings shall be kept clean and in good repair, free from hazardous conditions such as loose or broken floor tiles and boards; loose moldings; loose hanging fixtures, pipes, and electric wires; and broken plaster.

(c) Furnishings and equipment shall be kept clean and in good repair, free of missing parts and hazards such as sharp edges.

(4) Lighting Standards.

(a) Illumination in all instructional spaces shall be capable of providing a minimum of forty (40) foot-candles at normal task level.

(b) All required illumination shall be designed so that the failure of any single unit, such as the burning out of an electric bulb will not leave any occupied area or means of egress in darkness.

(5) Heating, Ventilation and Air Conditioning Standards.

(a) Permanent type school buildings and additions to school buildings shall be provided with heating facilities. Heating facilities shall be designed to heat to a temperature of not less than seventy (70) degrees fahrenheit, in instructional rooms, locker rooms and cafeterias; and sixty-five (65) degrees fahrenheit in toilets and activities rooms, such as gymnasiums and shops.

(b) No school plant or portion thereof shall be equipped with any type of equipment in which fumes of combustion or fuel may be discharged or can escape into the interior of buildings.

(c) Heat producing appliances and systems shall be installed in accordance with requirements of the local building and fire authority.

(d) Ventilation and air conditioning. All occupied rooms and other rooms where odors or contaminants are generated shall be vented to the outside. Ventilation rates shall comply with those specified in the local building code.

1. Natural ventilation.

a. When natural air flow is used in instructional spaces, it shall be designed and maintained to assure cross ventilation.

b. Gravity and wind operated ventilators shall not be used as an exhaust medium in instructional areas but may be in general storage rooms.

2. Mechanical ventilation.

a. All occupied spaces which do not meet the requirements for natural ventilation shall be mechanically ventilated by means of electrically operated exhausts. The ventilation system shall be maintained to insure air movement throughout the room at the level of the seated student. Fans and blowers shall be maintained to provide the required air movement without excessive or disturbing noise. Exhaust from dishwashing areas shall not be through the kitchen.

b. Mechanical ventilation systems shall be maintained in areas of high air contamination such as paint shops, auto repair shops and chemistry laboratories, art rooms where kilns are used, wood working and metal shops, and chemical storerooms.

(6) Sanitary Facilities. Every school plant shall be provided with toilet and hand washing facilities for all occupants. These facilities shall be located for convenient student access and faculty supervision and kept clean and in good repair.

(a) Toilet Facilities.

1. All group toilet rooms shall be provided with at least one (1) floor drain and (1) hose bib. The floor shall be sloped to the drain. Stall urinals do not serve for the required floor drains.

2. In group toilet rooms a partition shall be placed between each water closet. Each compartment shall have a privacy partition. Entrances to group toilet rooms shall be provided with a partition or other privacy shielding device to block the occupants from view. The toilet partitions and floors shall be finished with impervious materials.

3. Deodorizers shall not be used in toilet rooms. Air deodorizers are not to be confused with disinfectants.

(b) Handwashing facilities.

1. Handwashing facilities shall be located within or adjoining each toilet room.

2. Soap dispensers shall be provided at all wash basins and liquid or powdered soap shall be used.

3. Individual towels, preferably paper shall be used. Use of common or public towels is prohibited. Hot-air hand drying devices may be used.

(c) Showers.

1. When provided, shower rooms and stalls shall have floors and walls finished with dense non-absorbent and non-corrosive materials having a smooth impervious surface.

2. Water shall be heated and the temperature at the shower head shall not exceed one hundred ten (110) degrees fahrenheit nor be less than ninety-five (95) degrees fahrenheit.

3. Showers must be kept clean and free of mildew.

4. Foot baths shall not be provided.

(7) Water Supply.

(a) The water supply shall be operated and maintained in compliance with Chapters 62-550 and 62-555 or Chapter 64E-8, F.A.C.

(b) Drinking fountains of an approved, sanitary slant jet type shall be provided in the ratio specified in the local building code. In no case shall fountains be located in any toilet room.

(8) Sewage Disposal. Sewage shall be disposed of in accordance with Chapter 62-600 or 64E-6, F.A.C., whichever is applicable. Sewage treatment and disposal systems at schools shall be maintained in compliance with the applicable chapter.

(9) Solid Waste. Garbage, trash, and rubbish shall be collected, stored, and disposed of at a frequency and in a manner that prevents a sanitary nuisance. Wet garbage shall be collected and stored in impermeable, leak proof, fly tight containers pending disposal. Outdoor waste containers must be easily cleanable and serviceable. Waste containers and the storage area shall be cleaned at frequent intervals to prevent odors and breeding places for vermin. Waste water from the cleaning of garbage containers shall be disposed of as sewage. Removal and disposal of garbage shall comply with Chapter 62-701, F.A.C.

(10) Pest Control. Effective measures shall be used to prevent harborage, propagation, or infestations of rodents, flies, cockroaches, and other vermin on school premises. Brush, trash or other unnecessary material shall not be allowed to accumulate on school premises. Water must not be allowed to accumulate in any open containers, such as buckets and tires.

(11) First Aid Kit. Schools shall own and maintain a first aid kit available to pupils under supervision of an adult at all times while school is in session.

(12) Diaper Changing Station.

(a) A diaper changing station shall be located in or adjacent to any classroom where children wearing diapers are enrolled.

(b) A hand lavatory shall be provided within the changing station area. Access shall be provided to the lavatory without opening doors or touching handles.

(c) Diaper changing stations, when provided, must be equipped with an impermeable changing mat that is cleaned and sanitized after each use. The use of tape to cover rips or tears in the impervious mat covering is prohibited.

(d) Diaper changing tables must be maintained in a safe and secure condition at all times.

(e) A sanitizer that is approved by the Environmental Protection Agency (E.P.A.) shall be available at the changing station. The sanitizer shall be prepared according to the manufacturer's instructions and used as directed on the label.

(f) A garbage can equipped with a tight fitting lid and lined with an impermeable garbage bag must be located at the diaper changing station. The garbage can must be cleaned and sanitized at least daily.

(13) Animal Health and Safety. Animals living in or visiting an educational facility shall comply with the requirements of this subsection.

(a) Animals requiring rabies vaccination under Section 828.30, Florida Statutes, must be vaccinated for rabies and their vaccinations must be current at the time of inspection.

Proof of rabies vaccination or veterinary certification of vaccination exemption shall be kept on the school premises at all times and made available to the local county health department upon request.

(b) All animals must be kept free from disease and in good health or under treatment by a licensed veterinarian.

(c) Aggressive, venomous, or potentially dangerous animals must be restricted from access by the students at all times and kept in such a manner so as not to be able to become free roaming and cause or inflict harm to the students, visitors, or employees. These animals may not be housed in the students sleeping quarters or dormitory sleeping areas.

(d) Animal housing, cage, aquarium, barn or other housing arrangements shall be kept clean and in good repair. Food and clean water shall be adequately supplied and accessible to the animal.

(14) Dormitories and Residential School Facilities.

(a) Dormitories and residential school facilities shall be maintained in good condition, clean, free from pest infestations and noisome odors, and shall be free of health and safety hazards.

(b) Dormitories and residential school facilities, located on the premises of a school, shall not be part of the routine inspection of the school facility. Dormitories shall be inspected on a complaint basis.

Rulemaking Authority 381.006(16) FS. Law Implemented 381.006(6), (16) FS. History—New _____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 30, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 2010

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.0021
RULE TITLE: Florida Teacher Certification Examinations

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt changes to the competencies and skills for the Physical Education K-12 and Health K-12 examination, effective January 1, 2012 and update processes related to the test delivery format, as well as other obsolete terminology present within the rule. The effect of these changes will be updated competencies and skills for the Florida Teacher Certification Examinations (FTCE).

SUMMARY: The rule is proposed for amendment to adopt the new edition of the Competencies and Skills Required for Teacher Certification in Florida, Sixteenth Edition, revise the test delivery format and removal of obsolete language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An 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: 1012.56(9) FS.

LAW IMPLEMENTED: 1012.56 FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phil Canto, Chief, Bureau of Postsecondary Assessment, Office of Assessment, Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0021 Florida Teacher Certification Examinations.

(1) Scope. This rule governs the written examinations for teacher certification. Additional requirements for certification are specified in Chapter 6A-4, F.A.C.

(2) Description of the examinations and competencies to be demonstrated.

(a) The Florida Teacher Certification Examinations shall be developed by the Commissioner of Education.

(b) The written examinations shall include subtests of English language skills, reading, writing, mathematics, professional skills, and subject area specialty. These examinations may contain multiple-choice questions and questions requiring the examinee to write an answer or demonstrate a proficiency.

(c) The following competencies are to be demonstrated by means of the written examinations:

1. Before January 1, ~~2012~~ ~~2011~~, the general knowledge competencies and skills as contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, ~~Fifteenth~~ ~~Fourteenth~~ Edition." Beginning with the January 1, ~~2012~~ ~~2011~~, test administration, the general knowledge competencies and skills as contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, ~~Sixteenth~~ ~~Fifteenth~~ Edition." Copies of these publications may be obtained from the Department's web site at <http://www.fldoe.org/asp/ftce/>.

2. Before January 1, ~~2012~~ ~~2011~~, the professional education test competencies and skills contained in the publication, “Competencies and Skills Required for Teacher Certification in Florida, ~~Fifteenth~~ ~~Fourteenth~~,” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00248>) which is hereby incorporated by reference and made a part of this rule. Beginning January 1, ~~2012~~ ~~2011~~, the professional education test competencies and skills contained in the publication “Competencies and Skills Required for Teacher Certification in Florida, Sixteenth ~~Fifteenth~~ Edition,” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00247>) which is hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained as described in subparagraph (2)(c)1. of this rule, and

3. Before January 1, ~~2012~~ ~~2011~~, the subject area competencies and skills contained in the publication, “Competencies and Skills Required for Teacher Certification in Florida, ~~Fifteenth~~ ~~Fourteenth~~,” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00248>) which is hereby incorporated by reference and made a part of this rule. Beginning January 1, ~~2012~~ ~~2011~~, the subject area competencies and skills contained in the publication “Competencies and Skills Required for Teacher Certification in Florida, Sixteenth ~~Fifteenth~~ Edition,” (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00247>) which is hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained as described in subparagraph (2)(c)1. of this rule.

~~(d) Before July 1, 2002, the College Level Academic Skills Test or the Praxis I: Academic Skills Assessment as described in subsection (13) of this rule shall be used to demonstrate mastery of general knowledge for an individual who holds a bachelor’s or higher degree as specified in Rules 6A 4.004, 6A 4.050, and 6A 4.066, F.A.C.~~

(3) Administration of the examinations.

(a) The examinations shall be administered by a test administration agency or agencies under contract with the Florida Department of Education.

(b) The examinations shall be administered at least four (4) times each year. ~~The Commissioner of Education shall establish the examinations’ dates each year which may include supplemental test administrations.~~ The Commissioner of Education shall designate the registration deadlines, administration sites, and examinations dates available for the supplemental administrations.

(c) The examinations shall be administered at sites centers designated by the Commissioner of Education.

(d) An examinee may retake a failed examination provided at least thirty (30) days have elapsed since the previous administration of the failed examination.

(4) Registration, fees, ~~late registration~~ and refunds.

(a) Registration for the examinations shall be for the initial examinations or for one (1) or more examinations not previously passed. To register to take the examinations, an applicant shall submit a completed application to ~~which shall be received by~~ the test administration agency at least fifty (50) ~~days preceding the examination date.~~

1. A completed application shall consist of the following:

a. A completed application Form CG-20-04, Registration Application: Certification Examinations for Florida Educators, which includes the applicant’s signature. Form CG-20-04 is hereby incorporated by reference and made a part of this rule to become effective September 1, 2009. This form may be obtained without cost from the Bureau of Educator Certification, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399 or may be submitted online via the Florida Teacher Certification Examinations/Florida Educational Leadership Examination Program Web site at <http://www.fldoe.org/asp/ftce/> ~~http://www.fldoe.org/edeert/apply.asp.~~

~~b. Beginning January 1, 2009, a fifty (50) dollar fee for each first-time registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination, each first-time registration for the professional education test, and each first-time registration for the general knowledge test or any combination of subtests for the general knowledge test. A fee of one hundred (100) dollars for each retake registration for a subject area specialty examination, the professional education test, or the general knowledge test, effective January 1, 2009.~~

~~(b)e-~~ Beginning September 1, 2009, registration fees shall be as follows:

Examination	Fee
General Knowledge Test, First-Time Registration	\$130.00
General Knowledge Test, Retake Registration	\$150.00
Professional Education Test, First-Time Registration	\$150.00
Professional Education Test, Retake Registration	\$170.00
Subject Area Examination, First-Time Registration	\$200.00
Subject Area Examination, Retake Registration	\$220.00

~~d. A charge of one hundred (100) dollars in addition to the fees described in sub subparagraph 6A 4.0021(4)(a)1.b. or 6A 4.0021(4)(a)1.c., F.A.C., for certification applicants taking a supplemental examination.~~

~~2. An incomplete application shall be returned to the applicant. Applications which are completed and resubmitted to the test administration agency after the fifty (50) day deadline shall be acceptable only if the applicant complies with requirements specified in paragraph 6A 4.0021(4)(b), F.A.C.~~

~~(b) Late registration for the examinations shall be for the initial examinations or for one (1) or more examinations not previously passed. An applicant who did not submit a completed application to the test administration agency within the fifty (50) day deadline may register for the examinations by completing the requirements listed in subparagraph 6A 4.0021(4)(a)1., F.A.C., and submitting a fifteen (15) dollar late charge for each registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination; each registration for the professional education test; and each registration for the general knowledge examination or any combination of the general knowledge subtests. All items shall be received by the test administration agency at least thirty (30) days preceding the examination date. Late registrations shall be accepted on a space available basis.~~

(c) Refunds. Fees may ~~shall~~ be refunded provided written requests for refunds are received by the test administration agency at least twenty-four (24) hours ~~thirty (30) days~~ preceding the examination date. Failure to appear for or to complete an examination shall result in forfeiture of fees.

(5) Admission. The test administration agency shall provide each applicant with an admission ticket specifying the examination site, date, center and the time of the examination. The admission ticket and other identification are required for entrance into the examination site center. Additional ~~The other~~ identification shall be specified on the admission ticket. An applicant who arrives after the examination has begun shall not be admitted ~~until the start of the next examination or subtest~~. An applicant, who has registered for multiple examinations or subtests for the same day and arrives late, shall only be admitted at the start of the next examination or subtest.

(6) Examinee with a disability. An applicant who is unable to complete the examinations under standard testing conditions because of a disability may request special arrangements. Such a request shall be made when the examination application is submitted. Lack of proficiency in the English language alone shall not be acceptable as a justifiable reason for requesting a reader or extra time for an examinee. Special arrangements shall be provided for applicants with disabilities.

(a) through (b) No change.

(c) Special test arrangements may include but are not limited to the following:

1. Flexible scheduling. The person may be administered an examination during several brief sessions, as so long as that examination is completed on the test administration date. Up to ~~Double~~ time may be allowed.

2. Flexible setting. The person may be administered an examination individually or in a small group setting by a proctor rather than in a classroom or auditorium setting.

3. Recording of answers. The person may mark answers in a test booklet, type the answers by machine, or indicate selected answers to a test proctor. The proctor may then transcribe the person's responses onto a machine-scorable

answer sheet or onto a computer. In instances where the proctor is required to mark the responses on behalf of the examinee, there will be a tape recording of the examinee's selected responses. A large-block answer sheet may be provided. The person may use a word processor or typewriter to prepare any required essay or other written response. Technical support to operate the word processor or typewriter may ~~will~~ be provided.

4. Revised format. The person may use a large-print booklet, a Braille test booklet, or a magnifying device.

5. Auditory aids. A ~~tape~~ recorded version of the examination may be provided, the examination may be read by a narrator, or the examination may be provided via video ~~tape~~ with a narrator using oral language or sign language.

6. through (f) No change.

(g) This rule does not require the Department to provide individuals with disabilities with personal devices, such as wheelchairs; individually prescribed devices, such as prescription eyeglasses or hearing aids; readers for personal use for study; or services of a personal nature including assistance in eating, toiletry, or dressing.

(h) Appeals procedure. An examinee who is denied test accommodations may appeal the denial to the Commissioner of Education. Such appeal may necessitate a later test date.

(7) Scoring the general knowledge subtests. Effective January 2004, the passing scores for the general knowledge subtests listed below shall be a scaled score of at least two hundred (200) for multiple-choice sections. The passing score for the Essay subtest shall be a total raw score of at least six (6). ~~These~~ ~~This~~ scores shall be equivalent to the following raw scores on the July 2002 test administration:

(a) General Knowledge Reading Subtest: 25 correct items.

(b) General Knowledge English Language Skills Subtest: 29 correct items.

~~(c) General Knowledge English Essay Subtest: A total raw score of six (6).~~

~~(c)(d)~~ General Knowledge Mathematics Subtest: 26 correct items.

(d) General Knowledge English Essay Subtest: A total raw score of six (6).

(8) through (9)(a) No change.

(b) For subject area specialty examinations listed below, a score earned prior to May 1, 1990, shall be considered a passing score and shall be valid for certification in that subject area for a period of two (2) years from the test administration date. Effective August 1, 1990, a passing score for these subject area examinations will be a scaled score of at least two hundred (200). This scaled passing score will be equivalent to the following scores on the October, 1988 test administration:

SUBJECT	SCORE
Biology 6-12	70 correct items
Computer Science K-12	72 correct items
Earth-Space Science 6-12	70 correct items

Emotionally Handicapped K-12	87 correct items
Geography 6-12	105 correct items
Guidance and Counseling PK-12	83 correct items
History 6-12	89 correct items
Journalism 6-12	89 correct items
Mentally Handicapped K-12	63 correct items
Physical Education K-8	66 correct items
Physical Education 6-12	72 correct items
Physically Impaired K-12	79 correct items
Political Science 6-12	84 correct items
Reading K-12	69 correct items
School Psychologist PK-12	61 correct items
Specific Learning Disabilities K-12	78 correct items
Speech-Language Impaired K-12	79 correct items
Varying Exceptionalities K-12	80 correct items

(c) For subject area specialty examinations listed below, a score earned prior to October 1, 1990, shall be considered a passing score and shall be valid for certification in that subject area for a period of two (2) years from the test administration date. Effective October 1, 1990, a passing score for these subject area examinations will be a scaled score of at least two hundred (200). This scaled passing score will be equivalent to the following scores on the April, 1989 test administration:

SUBJECT	SCORE
Art K-12	63 correct items
Elementary Education 1-6	84 correct items
English 6-12	71 on a scale that weights the multiple choice section eighty (80) percent and the essay section twenty (20) percent
Hearing Impaired K-12	66 correct items
Mathematics 6-12	60 correct items
Music K-12	64 correct items
Primary Education K-3	88 correct items
Social Science 6-12	102 correct items

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

2. Computer Science K-12 Examination. An examination raw score that results in an examinee passing rate of eighty-three (83) percent, which was the passing rate of teacher candidates who took the Computer Science K-12 specialty examination for the first time during the 2002-2003 examination administration year. In the event that fewer than fifty (50) examinees are tested in the July 2004 administration, the passing score shall be sixty-three (63) percent of the items.

(p) through (r) No change.

~~(10) Scoring of the College Level Academic Skills Test before July 1, 2002.~~

~~(a) The scoring of the College Level Academic Skills Test is described in subsection 6A-10.0311(3), F.A.C.~~

~~(b) The passing standards for the College Level Academic Skills Test are described in Rule 6A-10.0312, F.A.C.~~

~~(c) The College Level Academic Skills Test scores shall be reported through a score report mailed to the examinee and through a report to the Department of Education.~~

~~(d) If an individual has met the passing standards for the College Level Academic Skills Test, the individual will not be required to retake this examination to meet the requirements of paragraph 6A-4.0021(2)(d), F.A.C.~~

~~(10)(H)~~ Score reports for the reading, writing, mathematics, professional skills, and subject area examinations.

(a) A properly authenticated score report is defined as the original score report issued directly by the test administration agency without any qualification, reservation, or irregularity.

(b) The examinee shall be sent ~~an two (2)~~ authenticated score reports as described in paragraph 6A-4.0021(10)(H)(a), F.A.C. In addition, a copy of the score report may be issued by the test administration agency without a fee to one (1) Florida college or university and to one (1) Florida school district provided the examinee identifies the recipient or recipients of the score report at the time of registration ~~on either the CG 20-03A, Registration Application: Certification Examinations for Florida Educators or the CG 20-04, Registration Application: Certification Examinations for Florida Educators.~~

(c) Official documentation of scores earned on each examination for a temporary or for a professional certificate shall be the original authenticated score report as described in paragraph 6A-4.0021(10)(H)(a), F.A.C., or a duplicate authenticated score report as described in paragraph 6A-4.0021(10)(H)(e), F.A.C.

(d) through (e) No change.

~~(11)(H2) Review.~~

~~(a) Requests for Manual Scoring and Verification. An examinee who fails one (1) or more examination(s) may file a written request with the test administration agency for manual scoring of the multiple choice sections of the examination(s) failed. A written request may also be made to verify the scores for computer based tests and performance components of failed examinations, including essays, short-answer sections, and verbal responses, to ensure that the examinations were scored ~~scores assigned were recorded~~ accurately. The request shall be filed within thirty (30) days of the date the score report was released ~~mailed~~ by the test administration agency. The fee for manual scoring, verification, or both, of one (1) or more examinations shall be twenty-five (25) dollars. The test administration agency shall notify the examinee of the results of the request within thirty (30) days of receipt of the request and fee.~~

(b) Score Verification Sessions. An examinee who fails one (1) or more examination(s) may review only those incorrect test items contained within each examination that was failed and bring to the Florida Department of Education's attention any scoring errors which may result in a passing score. The procedures for test review are listed below:

1. The examinee shall register for a score verification session within thirty (30) days of the date the score report was released ~~mailed~~ by the test administration agency. At least

thirty (30) days shall have elapsed from the administration of the failed examination before an examinee may attend a score verification session.

2. through 6. No change.

7. An examinee may retake a failed examination that was reviewed provided at least thirty (30) days have elapsed since the date of the review. If an examinee takes any an examination, including a computer-based examination, that was reviewed within thirty (30) days of the test date, the examination will be invalidated.

(13) ~~Administration of the Praxis Series: Professional Assessments for Beginning Teachers before July 1, 2002. These examinations shall be administered as described in the Praxis Series Registration Bulletin which may be obtained from Educational Testing Service, Post Office Box 6051, Princeton, New Jersey 08541-6051.~~

(14) ~~Scoring of the Praxis Series: Professional Assessments for Beginning Teachers.~~

(a) ~~The scores listed below shall be considered minimum passing scores for the following tests of the Praxis I: Academic Skills Assessments. Passing scores on the examinations may be used to satisfy the requirement of mastery of general knowledge, including the ability to read, write, and compute. Passing scores are required on one (1) subtest from each of the general knowledge areas of reading, writing, and mathematics. The list below shows the general knowledge areas, followed by the names of the subtests and the minimum passing scale scores. A passing score on either subtest for the area will meet the requirement.~~

Area/Subtest	Scale Score
Reading	
Praxis I Pre-Professional Skills: Reading #5710 or 10710	172
Praxis I Computer-Based Academic Skills: Reading #0711	321
Writing	
Praxis I Pre-Professional Skills: Writing #5720 or 20720	171
Praxis I Computer-Based Academic Skills: Writing #0721	318
Mathematics	
Praxis I Pre-Professional Skills: Mathematics #5730 or 10730	175
Praxis I Computer-Based Academic Skills: Mathematics #0731	317

(b) ~~The scale score listed below shall be considered the minimum passing score for the following examination of the Praxis II: NTE Programs Core Battery. A passing score on this examination may be used to satisfy the requirement of mastery of professional skills as referenced in Section 231.17(5), F.S.~~

Professional Education Professional Knowledge #0520	Scale Score
	657

(c) ~~The scale scores listed below shall be considered minimum passing scores for the following examinations of the Praxis II: Subject Assessments and NTE Specialty Area examinations. Passing scores on the examinations may be used to satisfy the requirement of mastery of the subject matter in the certification area as referenced in Section 231.17(4), F.S. The list shows the certification areas for which there are approved examinations, followed by the names of the examinations and the minimum passing scale scores. If there is more than one (1) examination listed for a certification area, a passing score on either examination will meet the requirement.~~

Certification Area/Examination	Scale Score
Elementary Education 1-6	
Education in the Elementary School #0010	
Elementary Education: Curriculum, Instruction and Assessment #0011	560
Emotionally Handicapped K-12 Teaching Students with Emotional Disturbance #0370	151
Guidance and Counseling PK-12 School Guidance and Counseling #0420	600
Mathematics 6-12 Mathematics #0060	
Mentally Handicapped K-12 Education of Students with Mental Retardation #0320	630
Middle Grades English 5-9 English Language, Literature, and Composition: Content Knowledge #0041	620
Middle Grades Mathematics 5-9 Mathematics #0060	
Physical Education K-8 Physical Education #0090	165
Prekindergarten/Primary PK-3 Early Childhood Education #0020	600
Primary Education K-3 Early Childhood Education #0020	610
School Social Worker School Social Worker #0210	600
Social Science 6-12 Social Studies #0080	
Social Studies: Content Knowledge #0081	600
Specific Learning Disabilities K-12 Teaching Students with Specific Learning Disabilities #0380	640
Varying Exceptionalities K-12 Special Education #0350	560
	158
	590
	590

(15) ~~Score reports for the National Teacher Examination Praxis examinations. A properly authenticated score report is defined as the original score report issued directly by the Educational Testing Service without any qualification, reservation, or irregularity.~~

Rulemaking Authority 1012.55(1), 1012.56, 1012.59 FS. Law Implemented 1012.56 FS. History—New 8-27-80, Amended 1-11-82, 1-6-83, 5-3-83, 10-5-83, 10-15-84, Formerly 6A-4.021, Amended 12-25-86, 4-26-89, 4-16-90, 7-10-90, 4-22-91, 10-3-91, 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99, 7-17-00, 7-16-01, 3-24-02, 7-16-02, 3-24-03, 7-21-03, 12-23-03, 7-13-04, 5-24-05, 5-23-06, 5-21-07, 5-19-08, 7-21-08, 7-9-09, 6-22-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kris Ellington, Deputy Commissioner, Accountability, Research, and Measurement

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 31, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 5, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.0243
RULE TITLE: Specialization Requirements for Certification in World Languages (Grades K-12) – Academic Class

PURPOSE AND EFFECT: The purpose of this rule amendment is to include certification in Turkish to the world languages for which Florida certification is offered. The effect will be a rule that is updated and offers appropriate certification in Turkish for the teachers of the Turkish courses taught in Florida schools.

SUMMARY: The rule amendment will offer certification in Turkish for the teachers of Turkish courses in Florida schools.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An 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: 1001.02, 1012.55, 1012.56 FS.

LAW IMPLEMENTED: 1001.02, 1012.54, 1012.55, 1012.56 FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathy Hebda, Deputy Chancellor for Educator Quality, Department of Education, 325 West Gaines Street, Room 1502, Tallahassee, Florida 32399-0400, (850)245-0509

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0243 Specialization Requirements for Certification in ~~World Foreign~~ Languages (Grades K-12) – Academic Class.

(1) Specialization requirements for the following world languages: Arabic, Chinese, Farsi, French, German, Greek, Haitian Creole, Hebrew, Hindi, Italian, Japanese, Portuguese, Russian, ~~and Spanish, and Turkish.~~

(a) through (2) No change.

Rulemaking Specific Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1001.02, 1012.54, 1012.55, 1012.56 FS. History—New 7-1-90, Amended 7-17-00, 4-17-02, 6-20-07, 3-24-08,_____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0571
RULE TITLE: Career and Technical Education and Adult General Education Standards and Industry-Driven Benchmarks

PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to adopt the secondary and postsecondary career education programs prescribed in Section 1011.80, Florida Statutes, and listed as follows: “Agriculture, Food & Natural Resources,” “Architecture & Construction,” “Arts, A/V Technology & Communication,” “Business, Management & Administration,” “Education & Training,” “Energy,” “Finance,” “Government & Public Administration,” “Health Science,” “Hospitality & Tourism,” “Human Services,” “Information Technology,” “Law, Public Safety & Security,” “Manufacturing,” “Marketing, Sales & Service,” “Science, Technology, Engineering & Mathematics (STEM),” “Transportation, Distribution & Logistics,” and “Additional CTE Programs/Courses,” all of which fall under the umbrella of the “Career and Technical Education Programs, Academic Year 2011/2012.” In addition, to adopt the “Adult General Education Standards and Curriculum Frameworks 2011-2012.”

SUMMARY: The Department is responsible for developing program standards and industry-driven benchmarks for career and technical education and adult general education programs. The criteria for qualification of individual courses for inclusion in secondary and postsecondary career education programs and adult general education programs prescribed in Workforce Education programs are annually adopted by the State Board

and are published by the Commissioner on the Department’s website. These criteria are hereby incorporated by this rule and made a part of the rules of the State Board.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An 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: 1004.92 FS.

LAW IMPLEMENTED: 1004.92 FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathleen Taylor, Senior Educational Program Director, Federal and State Initiatives, 325 West Gaines Street, Tallahassee, Florida 32399-0400; Kathleen.Taylor@fldoe.org, (850)245-9062

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0571 Career and Technical Education and Adult General Education Standards and Industry-Driven Benchmarks.

Section 1004.92, F.S., requires the Department of Education to develop program standards and industry-driven benchmarks for career and technical education and adult and community education programs. The criteria for qualification of individual courses for inclusion in the classification of secondary career education programs prescribed in Section 1011.80, F.S., or Workforce Development Education programs as prescribed in Section 1011.62, F.S., are annually adopted by the State Board and shall be published by the Commissioner in the ~~a~~ documents ~~titled; as follows:~~ “Agriculture, Food & Natural Resources (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00223>),” “Architecture & Construction (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00224>),” “Arts, A/V Technology & Communication (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00225>),” “Business, Management & Administration (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00226>),” “Education & Training (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00227>),” “Energy (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00228>),” “Finance (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00229>),” “Government & Public Administration (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00230>),” “Health Science (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00231>),”

“Hospitality & Tourism (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00232>),” “Human Services (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00233>),” “Information Technology (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00234>),” “Law, Public Safety & Security (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00235>),” “Manufacturing (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00236>),” “Marketing, Sales & Service (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00237>),” “Science, Technology, Engineering & Mathematics (STEM) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00238>),” “Transportation, Distribution & Logistics (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00239>),” and “Additional CTE Programs/Courses (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00240>),” all of which fall under the umbrella of the “Career and Technical Education Programs, Academic Year ~~2011/2012~~ ~~2010/2011~~ Curriculum Frameworks by Career Cluster,” or in the document “Adult General Education Standards and Curriculum Frameworks ~~2011/2012~~ ~~2010/2011~~ (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00241>).” These criteria are hereby incorporated by reference in this rule ~~and made a part of the rules of the State Board of Education to become effective with the effective date of this rule.~~ Copies of these publications may be obtained from the Division of Career and Adult Education, Department of Education, 325 West Gaines Street, Tallahassee, FL 32399 or from the Department’s website at <http://www.fldoe.org/workforce/dwdframe> and http://www.fldoe.org/workforce/dwdframe/ad_frame.asp.

(1) District school boards and community colleges boards of trustees variance authority. District school boards of education and community college boards of trustees are authorized, to vary up to ten (10) percent of the intended outcomes of each framework included in the documents titled as follows: “Agriculture, Food & Natural Resources,” “Architecture & Construction,” “Arts, A/V Technology & Communication,” “Business, Management & Administration,” “Education & Training,” “Energy,” “Finance,” “Government & Public Administration,” “Health Science,” “Hospitality & Tourism,” “Human Services,” “Information Technology,” “Law, Public Safety & Security,” “Manufacturing,” “Marketing, Sales & Service,” “Science, Technology, Engineering & Mathematics (STEM),” “Transportation, Distribution & Logistics,” and “Additional CTE Programs/Courses,” all of which fall under the umbrella of the “Career and Technical Education Programs, Academic Year ~~2011/2012~~ ~~2010-2011~~ Curriculum Frameworks by Career Cluster” and the document “Adult General Education Standards and Curriculum Frameworks ~~2011-2012~~ ~~2010-2011~~.” The variance does not apply to frameworks identifying occupations requiring state or federal licensure, certification or registration.

(2) Commissioner of Education waiver authority. The Commissioner of Education may approve a school’s waiver request submitted by a district school board to allow the school

to substitute locally approved intended outcomes for State Board approved outcomes included in the documents titled as follows: “Agriculture, Food & Natural Resources,” “Architecture & Construction,” “Arts, A/V Technology & Communication,” “Business, Management & Administration,” “Education & Training,” “Energy,” “Finance,” “Government & Public Administration,” “Health Science,” “Hospitality & Tourism,” “Human Services,” “Information Technology,” “Law, Public Safety & Security,” “Manufacturing,” “Marketing, Sales & Service,” “Science, Technology, Engineering & Mathematics (STEM),” “Transportation, Distribution & Logistics,” and “Additional CTE Programs/Courses,” all of which fall under the umbrella of the “Career and Technical Education Programs, Academic Year 2011/2012 ~~2010-2011~~ Curriculum Frameworks by Career Cluster” and “Adult General Education Standards and Curriculum Frameworks 2011-2012 ~~2010-2011~~,” provided that:

- (a) The framework does not identify occupations requiring state or federal licensure, certification or registration;
- (b) Locally approved outcomes specified for the state approved program adequately address the major concepts/content contained in the curriculum framework;
- (c) The waiver request fulfills the provisions of Section 1001.10, F.S.

Rulemaking Authority 1004.92(2)(b)3. FS. Law Implemented 1004.92(2)(b)4. FS. History—New 10-30-78, Amended 10-23-79, 5-29-80, 7-9-81, 7-6-82, 5-29-83, 6-14-84, 7-10-85, Formerly 6A-6.571, Amended 7-9-86, 7-22-87, 8-30-88, 7-31-90, 7-31-91, 7-31-92, 7-31-93, 7-31-94, 4-30-96, 1-23-00, 7-21-08, 4-21-09, 5-3-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Loretta Costin, Chancellor, Division of Career and Adult Education
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith, Commissioner, Department of Education
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0573 RULE TITLE: Industry Certification Process
 PURPOSE AND EFFECT: The purpose of the rule amendment is to adopt the 2010-11 Workforce Florida, Inc. Comprehensive Industry Certification List for the Career and Professional Education Act and the 2010-2011 Industry Certification Funding List, Updated. The effect is to add three new additional certifications as approved by the Workforce Florida, Inc. Board.

SUMMARY: The incorporated documents as noted above are submitted for State Board approval in order for the students to receive credit for these certifications.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An 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: 1003.492(2) FS.

LAW IMPLEMENTED: 1003.491, 1003.492, 1003.493 FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Loretta Costin, Chancellor, Division of Career and Adult Education, 325 West Gaines Street, Tallahassee, Florida 32399, (850)245-0446

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0573 Industry Certification Process.

(1) Pursuant to Section 1003.492(2), F.S., Workforce Florida, Inc.’s approved list of industry certifications, which has been named the “2010-11 Workforce Florida, Inc. Comprehensive Industry Certification List for the Career and Professional Education Act, ~~March 2010~~” (<http://www.flrules.com/Gateway/reference.asp?No=Ref-00221>) is adopted by the State Board of Education and incorporated by reference in this rule. The “2010-11 Workforce Florida, Inc. Comprehensive Industry Certification List for the Career and Professional Education Act” may be obtained from the Department of Education’s web site at <http://www.fldoe.org/workforce/fcpea/default.asp>.

(2) The “Comprehensive Industry Certification List” shall be published by March 1 of each calendar year.

(3) “Industry Certification Funding List.” The Department of Education shall review the approved “Comprehensive Industry Certification List” to identify certifications deemed sufficiently rigorous academically and, thus, eligible for additional full-time equivalent (FTE) membership funding, pursuant to Section 1011.62(1), F.S.

(a) This list will be known as the “2010-2011 Industry Certification Funding List, Updated” (<http://www.flrules.com/Gateway/reference.asp?No=Ref-00221>) to be published by the Department of Education and is incorporated by reference in this rule. The “2010-2011 Industry Certification Funding List, Updated” (<http://www.flrules.com/Gateway/reference.asp?No=>

Ref-00221) may be obtained from the Department of Education’s web site at <http://www.fldoe.org/workforce/fcpea/default.asp>.

(b) To be considered for additional full-time equivalent membership funding and included on the “2010-2011 Industry Certification Funding List, Updated” in this paragraph, a certification shall:

1. Be on the “Comprehensive Industry Certification List;”
2. Be achievable by students in a secondary level program;
3. Require a minimum of one hundred fifty (150) hours of instruction; and
4. Have been offered for at least one year in a school district.

(c) The Commissioner of Education may waive the one-year requirement when failure to do so would inhibit preparation of students for emerging workforce opportunities.

(4) through (8) No change.

Rulemaking Authority 1003.492(2) FS. Law Implemented 1003.491, 1003.492, 1003.493 FS. History—New 10-20-08, Amended 8-18-09, 6-22-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Loretta Costin, Chancellor, Division of Career and Adult Education

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 4, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-7.077	Access to State Funded Electronic Library Resources by Accelerated Secondary Students

PURPOSE AND EFFECT: The purpose of this new rule is to stipulate the mechanism by which secondary public school students enrolled in accelerated courses (dual-enrolled, early admission, Advanced Placement, International Baccalaureate and Advanced International Certificate of Education) shall gain access to state funded electronic library resources that are licensed for Florida colleges and state universities by the College Center for Library Automation and the Florida Center for Library Automation in accordance with Section 1007.27(1), Florida Statutes.

SUMMARY: Through the Florida Library Access-Pass for Accelerated Students (FLA-PASS) webpage, accelerated students will have access to state funded electronic library resources. In order to gain access, students will fill out the Student Eligibility Verification Form found at the above webpage, and designated secondary school staff (authorized

administrators) will input their information. Secondary school staff will create the policies and procedures necessary for the collection and retention of forms and the yearly updating of student information.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An 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: 1001.02(1), 1007.27(1) FS.

LAW IMPLEMENTED: 1007.27(1) FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Deputy Chancellor for Curriculum, Instruction, and Student Services, Department of Education, 325 West Gaines Street, Suite 1502, Tallahassee, Florida 32399-0400, (850)245-0509

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-7.077 Access to State Funded Electronic Library Resources by Accelerated Secondary Students.

(1) Students of Florida public secondary schools enrolled pursuant to Section 1007.27(1), Florida Statutes, shall have access to state funded electronic library resources that are licensed for Florida colleges and state universities by the College Center for Library Automation and the Florida Center for Library Automation.

(2) Each public secondary school shall designate a member of its staff to serve as the authorized administrator for purposes of providing access to state funded electronic resources. In order to access these electronic resources, students shall provide the information requested on Form EL-01, Eligibility Verification Form 2011, to the authorized administrators at their school. Form EL-01 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00219>) is hereby incorporated by reference in this rule. The form may be accessed at the Florida Library Access-Pass for Accelerated Secondary Students (“FLA-PASS”) webpage at <http://www.FLA-PASS.org>.

(3) The authorized administrators at each school shall collect Eligibility Verification Forms from students, input the required information into the FLA-PASS webpage, and retain the original physical forms pursuant to school district records retention policies.

(4) Schools shall collect and update student information every school year utilizing the form and FLA-PASS website.

Rulemaking Authority 1001.02(1), 1007.27(1) FS. Law Implemented 1007.27(1) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Frances Haithcock, Chancellor, Division of Public Schools
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith, Commissioner, Department of Education
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 28, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 24, 2010

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-14.0542 Tuition Waiver for Classroom Teachers

PURPOSE AND EFFECT: The purpose and effect of this new rule is to establish the applicable postsecondary courses that would meet the classroom teacher tuition waiver provision established in Section 1009.26(10), Florida Statutes, during the 2010 legislative session.

SUMMARY: This rule establishes the procedure the Department will follow to approve postsecondary courses eligible for the classroom teacher tuition waiver provision established in Section 1009.26(10), Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An 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: 1009.26(10) FS.

LAW IMPLEMENTED: 1009.26 FS.

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

DATE AND TIME: May 17, 2011, 8:30 a.m.

PLACE: St. Petersburg College, EpiCenter, Collaborative Labs, 13805 58th St. N., Largo, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Alexander, Director, Instruction and Student Services, 325 West Gaines Street, Room 1544, Tallahassee, Florida 32399, julie.alexander@fldoe.org, (850)245-9523

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-14.0542 Tuition Waiver for Classroom Teachers.

Pursuant to Section 1009.26(10), Florida Statutes, Florida colleges may waive tuition and associated matriculation fees for classroom teachers enrolled in courses approved by the Department of Education for up to six (6) college credit hours per term. The Department will implement the following approval process for the courses applicable to this waiver.

(1) The Department will identify course prefixes listed in the Statewide Course Numbering System established according to Section 1007.24, Florida Statutes, in the areas of special education, mathematics, and science. All undergraduate courses with levels 1 through 4 and designated by the identified prefixes will be eligible for the waiver.

(2) The Department will submit the proposed list of eligible prefixes and all requested updates to the Articulation Coordinating Committee established in Rule 6A-10.024, F.A.C. The initial list and all updates must be approved by the Articulation Coordinating Committee and the Department. A course prefix shall be approved if courses containing the prefix relate to special education, mathematics, or science at the undergraduate level.

(3) Upon approval of the list by the Articulation Coordinating Committee and the Department, the Department will publish the *Course Prefix Listing Approved for the Teacher Waiver*, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00246>) which is hereby incorporated by reference in this rule and may be obtained at <http://www.fldoe.org/articulation/>. All undergraduate courses with levels 1 through 4 and designated by the identified prefixes will be eligible for the waiver.

(4) Any interested person may submit a request for modification of the *Course Prefix Listing Approved for the Teacher Waiver* by submitting a request in writing to: articulation@fldoe.org or Office of Articulation, 325 West Gaines Street, Tallahassee, Florida 32399.

Rulemaking Authority 1009.26(10) FS. Law Implemented 1009.26 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Will Holcombe, Chancellor, Florida College System
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith, Commissioner, Department of Education
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 30, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 10, 2010

Section IV Emergency Rules

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NOS.:	RULE TITLES:
59GER11-1	Developmental Disabilities Waiver Provider Rate Table
59GER11-2	Developmental Disabilities Waiver Services Procedure Codes
59GER11-3	Developmental Disabilities Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table
59GER11-4	Family and Supported Living Waiver Provider Rate Table
59GER11-5	Family and Supported Living Waiver Services Procedure Codes

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Secretary of the Agency for Health Care Administration, after consultation with the Agency for Persons with Disabilities, hereby issues the following statement of facts and reasons, pursuant to Section 120.54(4)(a)3., Florida Statutes, in support of a finding that Emergency Rules 59GER11-1, 2, 3, 4, and 5 are justified by an immediate danger to the public health, safety, and welfare.

1. The Agency for Health Care Administration (“AHCA”) is the “single state agency” responsible for the administration of the Florida Medicaid program. Section 409.902, Fla. Stat.; 42 U.S.C. §1396a(a)(5). As the single state agency, AHCA has the authority to make rules, regulations, and policies that it follows in administering the state’s Medicaid program. §409.919, Fla. Stat; 42 U.S.C. §431.10(b)(2). No other state agency has the “authority to change or disapprove any administrative decision of [AHCA], or otherwise substitute its judgment for that of the Medicaid agency with respect to application of policies, rules, and regulations issued by the Medicaid agency.” 42 C.F.R. §431.10(e)(3).

2. The Agency for Persons with Disabilities (“APD”) is responsible for the administration of the Developmental Disabilities Home and Community Based Medicaid Waiver programs (the “waiver”). §393.0661, Fla. Stat. APD’s waiver serves over 30,000 people with developmental disabilities, which Florida law defines as persons diagnosed with intellectual disability (formerly known as mental retardation), cerebral palsy, autism, spinal bifida, or Prader-Willi syndrome. §393.063(9), Fla. Stat.

3. Section 393.062, Florida Statutes, provides that it is the intent of the Legislature that persons with developmental disabilities, when possible, remain in the community and out of institutions. APD’s waiver provides individuals with an opportunity to remain at home or in other non-institutional

community settings by funding a variety of home and community-based health-care and allied services, including but not limited to personal care assistance, nursing services, occupational therapy, physical therapy, speech therapy, in-home supports, adult day training, transportation, residential habilitation, and support coordination. Continued receipt of these services is necessary to ensure the health, safety, and welfare of persons enrolled in the waiver.

4. The developmentally disabled persons who receive waiver services are vulnerable, and in some cases, need the services because they pose a danger to themselves and/or others if left unserved and/or unattended.

5. APD has entered into voluntary contracts with service providers (“waiver providers”) to furnish health-care services and allied care to persons enrolled in the waiver. The contract that waiver providers enter into with APD includes the following clause:

The Provider agrees: ... [t]o accept payment for goods and services at rates periodically established by AHCA and APD. The most current rates are available on the APD website: www.apd.myflorida.com/providers. The signatories recognize that APD is limited by appropriation and acknowledge that Florida law requires AHCA and APD to make any adjustment necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, including but not limited to adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or limiting enrollment.

6. AHCA establishes the reimbursement rates paid to waiver providers by rule. Fla. Admin. Code R. 59G-13.081, 82, 84, 91 and 92.

7. The Legislature appropriated funding for the waiver totaling \$805,826,618 for the state fiscal year starting July 1, 2010. APD, however, has expended roughly \$77,500,000 per month during the state fiscal year, and at that pace is projected to expend \$980,000,000 during the fiscal year-for a total budget overrun of approximately \$174,000,000. Accordingly, APD is projected to exceed its appropriation on or about May 12, 2011. See Report of the Chief Inspector General, Executive Office of the Governor (March 31, 2011) (attached hereto as Ex. I).

APD has taken steps across several appropriations cycles to reduce expenditures in the waiver program. These include: revision of service-level tier caps by 2.5% (estimated to provide cost avoidance of \$70,731,120); cost-plan rebasing effective January 31, 2011 (estimated to avoid \$5,000,000 in current-year expenditures); consolidation of durable medical equipment services (projected to save \$932,093 in current-year expenditures). These actions, however, have not realized the savings that were originally anticipated, particularly because of (i) protracted litigation over the implementation of the tier caps and (ii) the automatic stay that issues upon a request for a hearing by a waiver client who alleges that he or she has been negatively affected by agency action. Moreover, projected

actual expenditures for this fiscal year exceed previous expected expenditures because the dollar amount of APD client cost plans increased between FY 09/10 and FY 10/11 at a rate greater than the rate of increase between FY 08/09 and FY 09/10 (due to findings of medical necessity for additional services for APD clients). From FY 08/09 to FY 09/10, client cost plans increased by \$28.819 million, or 2.7%. From FY 09/10 to FY 10/11 (to date), client cost plans increased by \$45.904 million, or 4.2%.

8. Florida law prohibits APD from authorizing expenditures in excess of its appropriation: “[n]o agency or branch of state government shall contract to spend, or enter into any agreement to spend, any monies in excess of the amount appropriated to such agency or branch unless specifically authorized by law, and any contract or agreement in violation of this chapter shall be null and void.” §216.311, Fla. Stat. See also art. VII, § 1(c), Fla. Const. (“No money shall be drawn from the treasury except in pursuance of appropriation made by law.”).

While APD has had projected appropriations overruns in past fiscal years, the FY 10/11 projected overrun is several orders of magnitude greater than any past projection. In past years, APD has been able to address projected overruns through various reallocations of resources and other temporary measures that did not require emergency action. As discussed below, this fiscal year APD is again utilizing some of these measures to help reduce the projected overrun. But given the magnitude of this year’s projected overrun, further steps – namely, these Emergency Rules – are necessary.

9. APD authorizes individual services for clients through the Allocation Budget and Control data system (the “ABC” data system”). Individual service authorizations in the ABC data system are used by waiver providers to bill Medicaid for services rendered to APD clients. Because APD’s expenditures will be in excess of its appropriation on or about May 12, 2011, APD will, as of that date, lack the authority, pursuant to Section 216.311, Florida Statutes, to authorize payment, through the ABC data system, for any services provided subsequent to that date.

10. If providers cannot receive payment for any services provided, it is likely they will cease providing those services. Cessation of services to APD clients will endanger their health, safety, and welfare, and may cause permanent and irreparable injury to these persons.

11. This emergency, if left unaddressed, will result in a grave situation: either the developmentally disabled will lose access to essential health care and allied services entirely, or they will be forced en masse to search for new providers when their prior providers refuse to continue providing services without compensation. This emergency will continue through June 30, 2011, after which the new state fiscal year begins and APD has an appropriation from the Legislature for the new fiscal year.

12. AHCA therefore deems APD’s impending budget overrun to pose an immediate danger to a vulnerable population of Florida citizens. This immediate danger justifies the issuance of emergency rules to address the situation.

13. Indeed, Section 393.0661 (7), Florida Statutes, states that: [n]othing in this section or in any administrative rule shall be construed to prevent or limit the Agency for Health Care Administration, in consultation with the Agency for Persons with Disabilities, from adjusting... reimbursement rates...or making any other adjustment necessary to comply with the availability of moneys and any limitations or directions provided in the General Appropriations Act.

§393.0661(7), Fla. Stat. The Legislature has directed that, “[i]f at any time an analysis by the [APD], in consultation with [AHCA], indicates that the cost of services is expected to exceed the amount appropriated, the [APD] shall submit a plan in accordance with subsection (7) to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee or its successor to remain with the amount appropriated. The [APD] shall work with [AHCA] to implement the plan so as to remain within the appropriation.” §393.0661(8), Fla. Stat.

14. APD, in consultation with AHCA, has now completed the analysis required by Section 393.0661(7), Florida Statutes. Furthermore, the Executive Office of the Governor took decisive action by ordering an audit of APD. The Office of the Chief Inspector General issued its report on the audit on March 31, 2011. See Ex. 1. This audit recognizes a far more serious budget shortfall than previously calculated, and confirms the need for immediate emergency action.

15. In determining how to resolve this emergency, AHCA concluded that it must maintain essential services to the developmentally disabled to protect their health, safety, and welfare, and to protect the public. Accordingly, AHCA has concluded that this emergency should not be addressed by a cut in the waiver service package available to developmentally disabled persons. AHCA has also concluded that it should address this emergency in a manner that minimizes the potential diminution of service providers due to the decrease in compensation.

16. To achieve these goals, AHCA therefore has concluded that it must reduce reimbursement rates to waiver providers by 15% across the board, and that this reduction should remain in effect through June 30, 2011, after which the new state fiscal year begins. AHCA has also concluded that the rate differential between solo and agency providers must be eliminated.

Elimination of the rate differential between independent and agency (usually large, for-profit or 501 (c) corporations) providers will result in cost savings of approximately \$3 million for the three remaining months of the fiscal year. AHCA and APD believe that paying a single, uniform rate for a single defined service is fairer than paying disparate rates for the same service based upon the corporate structure of the

provider. This change will not negatively impact the smallest “Mom & Pop” providers, who have the least financial capacity to absorb a rate reduction. Moreover, synergies in operating a large agency should provide economies of scale to reduce the cost of service to larger providers, making the differential unnecessary.

17. Section 120.54(4)(a)3., Florida Statutes, requires that an agency, in addressing an immediate danger through emergency rulemaking, “take only that action necessary to protect the public interest.” These emergency rules are so tailored.

18. First, the emergency rules are only one element of a larger plan to reduce expenditures for the remainder of this fiscal year.

No changes to cost plans for additional services through Prior Service Authorizations or annual reviews will be made without review and approval of the Agency Director. In the case of an emergency affecting an individual’s health and safety, APD will review a request for additional services using the criteria applied to crisis determinations. Additionally, APD is preparing a budget amendment to file with the Legislative Budget Committee to transfer certain monies in the APD’s appropriation to waiver funds.

19. Second, the rate changes are specifically tailored to keep APD within its budgetary appropriation for the state fiscal year, and will not result in a budgetary surplus for APD. In other words, AHCA is not reducing reimbursement rates by an amount greater than necessary to bring the projected appropriation overrun to within a reasonable probability of achieving budget neutrality.

20. Third, the emergency rate cut is temporary and only affects three months of this fiscal year, meaning that, on an annualized basis, it amounts to less than a 4% rate cut for FY 10/11. Moreover, the waiver providers can – and – many of them do – provide services to non-waiver clients, and this means that the providers have other payers contributing to their revenue stream.

Take, for example, a waiver provider who only earns 25% of its revenue from services rendered via the waiver, with the rest of the provider’s revenue coming from private-insurance patients, Medicare patients, or non-waiver Medicaid patients. Because these Emergency Rules do not affect the reimbursement rate offered by any of these other revenue sources, this provider will experience less than a 1% rate cut on an annualized basis as a result of these Emergency Rules.

21. Fourth, these Emergency Rules – in conjunction with other actions taken by APD to address the projected budget overrun – ensure that no individual will be removed from the waiver program, nor will any services be suspended, terminated, or reduced. Instead, in accordance with the Legislature’s objective of ensuring continued service to a vulnerable population of Florida citizens, the Emergency Rules make it possible for all individuals on the waiver to continue receiving their authorized services through the end of FY 10/11. Absent

adoption of these Emergency Rules and the other elements of APD’s plan, all waiver services will cease on or about May 12, 2011 – an imminent emergency that AHCA and APD cannot permit.

(The Executive Office of the Governor Office of the Chief Inspector General Review of the Home and Community-Based Care Waiver Program, March 31, 2011 and all materials incorporated by reference including rate tables, procedures codes, and maximum units of services are on file with the Department of State, Administrative Code and Weekly Section. Copies of all materials may be obtained directly from the Agency for Health Care Administration contact identified in this notice)

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:

1. The Emergency Rules take only the actions necessary to ensure that essential services will be continuously provided for the remainder of the fiscal year to protect the vulnerable individuals with developmental disabilities served by the Agency for Persons with Disabilities (“APD”), as mandated by the Legislature.

2. The Emergency Rules include only those actions necessary to bring APD’s costs down to accommodate its current appropriation.

3. No individual will be removed from the waiver program, nor will any services be suspended, terminated, or reduced, as a result of the Emergency Rules. Instead, in accordance with the Legislature’s objective, the Emergency Rules will be used to ensure all individuals on the waiver can continue to receive their current authorized services through the end of FY 2010/11.

4. Every waiver provider has entered into a contract with APD. Waiver-service providers supply services to clients according to this contract.

5. Every contract between a waiver service provider and APD contains the following clause:

The Provider agrees: ... [t]o accept payment for goods and services at rates periodically established by [the Agency for Healthcare Administration “AHCA”] and APD. The most current rates are available on APD web site: www.apd.myflorida.com/providers. The signatories recognize that APD is limited by appropriation and acknowledge that Florida law requires AHCA and APD to make any adjustment necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, including but not limited to adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or limiting enrollment.

6. Waiver providers voluntarily entered into their contracts with APD and have acknowledged in each contract that the Agency for Health Care Administration and APD may make adjustments to rates to comply with the availability of monies.

7. AHCA and APD have acted expeditiously to address the emergency described in the Statement of Specific Facts and Reasons for Finding an Immediate Danger to Public Health, Safety, or Welfare, and have afforded fair notice and process to interested parties.

8. Prior to February 2011, APD reported a projected deficit for FY 2010/11 to be between \$30 and \$40 million. A fiscal year deficit in the \$30 to \$40 million range could have been addressed by APD without the need for emergency action, and had been so addressed in previous fiscal years.

9. A subsequent audit of APD's financial position revealed that APD was facing a much larger deficit than had been previously reported. On February 22, 2011, Governor Scott announced in a press conference that APD's projected deficit was at least \$100 million and called on the Office of the Chief Inspector General (the "CIG") to conduct a comprehensive investigation of the agency's finances to determine the true extent of the projected deficit. The CIG report, released on March 31, 2011 ultimately concluded that APD's FY 2010/11 deficit is greater than \$170 million.

10. Subsequent to the Governor's public announcement of APD's current-year fiscal crisis, APD and the Governor's staff have met with provider groups, family members, and advocates for the disability community to discuss the seriousness of APD's financial condition and the need to reduce spending on waiver services.

11. Several provider groups have provided APD and Governor's office personnel with recommendations to reduce waiver spending for FY 2010/11 and FY 2011/12.

12. On March 16, 2011, APD and AHCA received and considered a plan from the Florida Association of Rehabilitation Facilities ("FARF"), a trade organization that represents many waiver-service providers. This plan outlined FARF's recommendations on how to solve the problems created by the budget shortfall.

13. On March 24, 2011, APD conducted a meeting and conference call with the waiver service providers, including waiver-support coordinators who represent the interests of APD clients. During this meeting APD received input from the waiver-service providers, including waiver-support coordinators, on how best to solve the problems created by the budget shortfall. AHCA considered the input from the waiver-service providers and waiver-support coordinators in the promulgation of these Emergency Rules.

14. Except as required by Section 120.54, Florida Statutes, the Emergency Rules are not intended to remove, nor do they remove, any procedural rights required by the Due Process Clause of the United States Constitution, the United States Code, the Code of Federal Regulations, or Chapter 120, Florida Statutes.

15. The procedure used in the Emergency Rules is fair under the circumstances because each waiver-service provider acknowledged at the outset of its relationship with APD that

AHCA or APD may make adjustments to reimbursement rates to comply with availability of monies, because APD conducted a meeting to gather input from waiver service providers and waiver-support coordinators on the issue of the budget shortfall, because APD received and considered a plan submitted by a trade group that represents many of the waiver-service providers, and because the Emergency Rules do not remove any procedural safeguards otherwise available to waiver-service providers except as provided by Section 120.54, Florida Statutes.

16. The Emergency Rules as adopted will be effective only through June 30, 2011, and will not be renewed.

SUMMARY: Rule 59GER11-1, incorporates by reference the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table April 1, 2011; Rule 59GER11-2, incorporates by reference the Developmental Disabilities Home and Community-Based Services Waiver Procedure Codes and Maximum Units of Service, April 1, 2011; Rule 59GER11-3, incorporates by reference the Developmental Disabilities Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table, April 1, 2011; Rule 59GER11-4, incorporates by reference the Family and Supported Living Waiver Provider Rate Table, April 1, 2011; Rule 59GER11-5, incorporates by reference the Family and Supported Living Home and Community-Based Services Waiver Procedure Codes and Maximum Units of Service, April 1, 2011. These rules will protect the public health, safety, and welfare by making necessary reductions to Medicaid waiver service provider rates and thereby assuring that program expenditures remain within legislative appropriations for FY 2010/2011. The rules will allow waiver clients to continue receiving waiver services for the remainder of the FY 2010/2011, from April 1, 2011 – June 30, 2011, through continued implementation and administration of the Home and Community-Based Services Waiver, pursuant to Chapter 393, Florida Statutes.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULES IS: Leigh Meadows, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4258, e-mail: leigh.meadows@ahca.myflorida.com

THE FULL TEXT OF THE EMERGENCY RULES IS:

59GER11-1 Developmental Disabilities Waiver Provider Rate Table.

(1) This rule applies to all developmental disabilities waiver services providers enrolled in the Medicaid program. This rule is effective from April 1, 2011 through June 30, 2011.

(2) All developmental disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, April 1, 2011, which is incorporated by reference. The rate table is

available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies of the rate table may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 393.0661, 409.906, 409.908 FS. History—New 4-1-11.

59GER11-2 Developmental Disabilities Waiver Services Procedure Codes.

(1) This rule applies to all developmental disabilities waiver services providers enrolled in the Medicaid program. This rule is effective from April 1, 2011 through June 30, 2011.

(2) All developmental disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Home and Community-Based Services Waiver Procedure Codes and Maximum Units of Service, April 1, 2011, which is incorporated by reference. The Developmental Disabilities Home and Community-Based Services Waiver Procedure Codes and Maximum Units of Service is available from the Medicaid fiscal agent Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules.

Rulemaking Authority 409.919 FS. Law Implemented 393.0661, 409.906, 409.908 FS. History—New 4-1-11.

59GER11-3 Developmental Disabilities Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table.

(1) This rule applies to all developmental disabilities waiver services providers enrolled in the Medicaid program. This rule is effective from April 1, 2011 through June 30, 2011.

(2) All developmental disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table, April 1, 2011, which is incorporated by reference. The rate table is available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies of the rate table may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 393.0661, 409.906, 409.908 FS. History—New 4-1-11.

59GER11-4 Family and Supported Living Waiver Provider Rate Table.

(1) This rule applies to all family and supported living waiver services providers enrolled in the Medicaid program. This rule is effective from April 1, 2011 through June 30, 2011.

(2) All family and supported living waiver services providers enrolled in the Medicaid program must be in compliance with the Family and Supported Living Waiver Provider Rate Table, April 1, 2011, which is incorporated by reference. The rate table is available from the Medicaid fiscal agent's website at <http://mymedicaid-Florida.com>. Click on Provider Support, and then on Fee Schedules.

Rulemaking Authority 409.919 FS. Law Implemented 393.0661, 409.906, 409.908 FS. History—New 4-1-11.

59GER11-5 Family and Supported Living Waiver Services Procedure Codes.

(1) This rule applies to all family and supported living waiver services providers enrolled in the Medicaid program. This rule is effective from April 1, 2011 through June 30, 2011.

(2) All family and supported living waiver services providers enrolled in the Medicaid program must be in compliance with the Family and Supported Living Home and Community-Based Services Waiver Procedure Codes and Maximum Units of Service April 1, 2011, which is incorporated by reference. The Family and Supported Living Home and Community-Based Services Waiver Procedure Codes and Maximum Units of Service is available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on fees.

Rulemaking Authority 409.919 FS. Law Implemented 393.0661, 409.906, 409.908 FS. History—New 4-1-11.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: April 1, 2011

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on March 25, 2011, the South Florida Water Management District (District), received a petition for waiver, amending a previous petition filed on March 7, 2011, from Florida Department of Transportation, Application No. 11-0307-2, for utilization of Works or Lands of the District known as the C-2 Canal, for installation of a concrete shared use path, safety railing, retaining wall, light poles, signs, landscaping and bank stabilization/revetment

within the south right of way of C-2, located between S.W. 70th Avenue and SR-5/US-1; Section 35, Township 54 South, Range 40 East, Miami-Dade County. The petition seeks relief from paragraph 40E-6.221(2)(j) and subsections 40E-6.011(4), (6), F.A.C., which governs placement of permanent and semi-permanent above-ground structures within 40' of top of canal bank and within designated 100' long equipment staging areas within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail at jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN that on March 28, 2011, the South Florida Water Management District (District), received a petition for waiver from Southern Gardens Grove Corporation, Application No. 11-0328-1, for utilization of Works or Lands of the District known as the G-3W (also known as the Deer Fence Canal), to allow 3-48" CMP's, 2-12" above-ground blow-off pipes and parallel fencing; also, 4 non-functioning 42" CMP's to remain through the north right of way of the G-3W Canal; Sections 1, 2, & 3, Township 47 South, Range 32 East, Hendry County. The petition seeks relief from Rule 40E-6.601, F.A.C., which governs the payment of Application Processing Fees associated with the issuance of Right of Way Permits for use of Works and Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail at jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Russell, Office of Counsel.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN that on March 16, 2011, the Agency for Health Care Administration, received a petition for Variance or Waiver from of sub-subparagraph 59A-1.005(1)(a)2.g., 3., Florida Administrative Code, from ISOTIS ORTHOBIOLOGICS, INC. The petition requests a variance of rule provisions requiring the tissue bank's medical director to have medical licensure in the state in which the tissue bank is incorporated. The specific provision on which the waiver is sought is sub-subparagraph 59A-1.005(1)(a)2.g., 3., Florida Administrative Code. The Petitioner in its request seeks a permanent variance from the rule due to substantial hardship.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jamie L. Jackson, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

NOTICE IS HEREBY GIVEN that on March 22, 2011, the Agency for Health Care Administration, received a petition for Variance from or Waiver of subsection 59A-1.005(3), Florida Administrative Code, from the Wright Medical Technologies, Inc. The petition requests a variance or waiver of the rule requiring the medical Director of a tissue bank to be licensed to practice medicine and surgery in the state in which the tissue bank is incorporated. The specific provision on which the variance or waiver is sought is subsection 59A-1.005(3), Florida Administrative Code. The Petitioner seeks a variance or waiver on a permanent basis.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jamie L. Jackson, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on March 31, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from WPB Resource Recovery, filed March 2, 2011, and advertised in Vol. 37, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 5.7.12.2 ASME A17.1, 2000 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 special purpose personnel elevator's capacity not exceed 1000 lbs. and the inside clear area not exceed 13 square feet 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 2011-073).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on March 31, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from City Center, filed March 2, 2011, and advertised in Vol. 37, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 303.3d ASME A17.1a, 1982 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 supply line shutoff valve in the machine room 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 2011-074).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On March 31, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Alexander Building, filed March 2, 2011, and advertised in Vol. 37, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 303.3d ASME A17.1b, 1989 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 supply line shutoff valve in the machine room 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 2011-072).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on March 31, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Wells Fargo, filed March 15, 2011, and advertised in Vol. 37, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 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 March 15, 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 2011-087).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On March 31, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Beach Club Condo, filed March 3, 2011, and advertised in Vol. 37, No. 11, 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 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 2011-077).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on March 31, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Turlington, filed March 8, 2011, and advertised in Vol. 37, No. 11, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 61C-5.0051, Florida Administrative Code, that requires providing an in-car stop switch until June 30, 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 2011-075).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on March 31, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Sarasota Manatee Airport Authority, filed March 9, 2011, and advertised in Vol. 37, No. 11, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 6.1.3.15 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a permanent means to prevent water accumulation 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 2011-076).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on March 24, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Union 700, Inc. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.3.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-095).

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 March 24, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Patrician Arms II. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.18.5.1 and 2.20.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that governs the suspension, material and factor of safety for the elevator ropes which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-100).

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 March 28, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Edison College Allied Health. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.20.4, 2.18.5 and 8.11.2.1.3(cc)(1)&(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 that suspension and governor ropes be no less than 9.5mm 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 2011-101).

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 March 21, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Ybor City Business Condo Association. 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 with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-554).

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 March 28, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Embassy Suites. 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 with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-103).

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 April 5, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Air Traffic Control Tower – Albert Whitted Airport. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.2.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires the sump pit size be no less than 18 inches diameter by 24 inches deep which poses a significant economic/financial hardship. Any interested person may file comments within 5

days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-104).

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 April 5, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Hilton. Petitioner seeks an emergency 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 with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-105).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on April 5, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Holiday Inn Harbourside, filed November 12, 2010, and advertised in Vol 36, No 47, 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 August 1, 2013 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-681).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on April 4, 2011, the Electrical Contractors' Licensing Board, received a petition for William Glenn Doke, seeking a variance or waiver of Rule 61G6-6.017, Florida Administrative Code, which requires for the purpose of certification, a passing examination score on any part of the examination shall be valid only for a period of two (2) years from the date of the examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Electrical Contractors' Licensing Board within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on February 8, 2011, the Electrical Contractors' Licensing Board, received a petition for Rene Suarez, seeking a variance or waiver of Rule 61G6-6.017, Florida Administrative Code, which requires for the purpose of certification, a passing examination score on any part of the examination shall be valid only for a period of two (2) years from the date of the examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Electrical Contractors' Licensing Board within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 28, 2011, the Board of Accountancy, received a petition for Craig Charles Harrington, 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 subsection 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 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.

NOTICE IS HEREBY GIVEN that on March 23, 2011, the Board of Accountancy, received a petition for Anthony Perez, seeking a variance or waiver of subsection 61H1-33.003(6), Florida Administrative Code, which requires that each Florida certified public accountant, as a part of the biennial licensure renewal, on or before December 31 prior to his/her biennial

license renewal, report on forms prescribed by the Board, compliance with continuing professional education requirements completed during the applicable reestablishment period. Petitioner is also seeking a variance or waiver of subsection 61H1-31.001(4), F.A.C., that requires a fee of two hundred and fifty dollars (\$250.00) for reactivation of a delinquent status license to active.

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

NOTICE IS HEREBY GIVEN that on March 25, 2011, the Department of Environmental Protection, Northwest District, received a petition for a variance under Section 120.542, Florida Statutes, from the requirements of subsection 62-610.421(2), F.A.C. The petitioner, Joyce Estes, Chairperson, Eastpoint Water & Sewer District, Sewer Plant Road, Eastpoint, Florida 32328, seeks relief from the Part II, Slow-rate land application systems, restricted public access setback distance requirement of 100 feet from the edge of the wetted area to buildings that are not part of the treatment facility, utilities system, or municipal operation; or to the site property line required by subsection 62-610.421(2), F.A.C., for the Eastpoint Wastewater Treatment Plant Sprayfield. The petitioner is requesting a variance to reduce the setback from 100 feet to 20 feet for the existing 38.42 acres of sprayfields that were previously permitted by the Department in July 2000. The petition has been assigned OGC File No. 11-0543 and PA File No.: FLA010065-007-DWF/VO. Public comment must be received by the person below no later than 14 days from the date of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jonathan May, Department of Environmental Protection, Domestic Wastewater Section, Northwest District, 160 West Governmental Street, Suite 308, Pensacola, Florida 32502-5740; (jonathan.may@dep.state.fl.us), telephone (850)595-0609.

NOTICE IS HEREBY GIVEN that on March 23, 2011, the Department of Environmental Protection, received a petition for a variance from Hendry County under Section 120.542, Florida Statutes, requesting a variance from meeting the requirements of subsection 62-610.865(8), F.A.C., at their wastewater treatment plant. When blending of reclaimed water with demineralization concentrate, subsection 62-610.865(8), F.A.C., requires continuous monitoring for specific conductance and weekly monitoring of total suspended solids, fluoride, total dissolved solids, chlorides, pH, and sodium absorption ratio. Hendry County is requesting a variance to

reduce the monitoring of these parameters to quarterly. The petition has been assigned OGC File No. 11-0509. Public comment must be received by the person below no later than 14 days from the date of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Brandon Ivey, Department of Environmental Protection, South District, P. O. Box 2549, Fort Myers, Florida 33902-2549, (brandon.ivey@dep.state.fl.us), telephone (239)344-5600.

The Department of Environmental Protection, Bureau of Beaches and Coastal Systems hereby gives notice:

On April 27, 2010, the Department received a petition for variance or waiver under Section 120.542, F.S., from the U.S. Army Corps of Engineers, Jacksonville District. The Petition requested a variance from or waiver of certain provisions in Rule 62B-41.007, F.A.C., as those provisions apply to the maximum allowable amount of silt in the placement of sand associated with beach restoration and nourishment projects. Notice of receipt of this petition was published in the Florida Administrative Weekly on June 18, 2010. No public comment was received. On August 3, 2010, the Petitioner voluntarily withdrew its petition for variance or waiver, and an order closing file was issued on March 30, 2011.

A copy of the Order or additional information may be obtained by contacting: N. West Gregory, Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, west.gregory@dep.state.fl.us.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on April 4, 2011, the Board of Medicine, received a petition for waiver or variance filed by Quan Nguyen, M.D., from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joy Tootle, Executive Director, Board of Medicine, at the above address or telephone (850)245-4131.

Section VI Notices of Meetings, Workshops and Public Hearings

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

State Board of Administration
Financial Services Commission
Department of Veterans' Affairs
Department of Highway Safety and Motor Vehicles
Department of Law Enforcement
Department of Revenue
Department of Education
Administration Commission
Florida Land and Water Adjudicatory Commission
Board of Trustees of the Internal Improvement Trust Fund
Department of Environmental Protection
DATE AND TIME: May 3, 2011, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular scheduled meeting of the Governor and Cabinet

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

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

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

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

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

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

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

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

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor

and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF STATE

The **Division of Historical Resources**, Bureau of Historic Preservation, Florida Public Archaeology Network announces a public meeting to which all persons are invited.

DATE AND TIME: April 25, 2011, 4:00 p.m. – 6:00 p.m.

PLACE: Northwood Center, 1940 North Monroe Street, Suite 79, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To gather public input for updating of the Statewide Historic Preservation Comprehensive Plan.

A copy of the agenda may be obtained by contacting: Barbara E. Mattick, 1(800)847-7278 or email: bmattick@dos.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 48 hours before the workshop/meeting by contacting: Barbara E. Mattick, 1(800)847-7278 or email: bmattick@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Barbara E. Mattick, 1(800)847-7278 or email: bmattick@dos.state.fl.us.

The **Division of Historical Resources**, Bureau of Historic Preservation, Florida Public Archaeology Network announces a public meeting to which all persons are invited.

DATE AND TIME: April 26, 2011, 5:00 p.m. – 7:00 p.m.

PLACE: Florida Public Archaeology Network, 207 East Main Street, Upstairs Classroom, Pensacola, Florida 32502

GENERAL SUBJECT MATTER TO BE CONSIDERED: To gather public input for updating of the Statewide Historic Preservation Comprehensive Plan.

A copy of the agenda may be obtained by contacting: Cheryl Phelps, (850)595-0050.

Pursuant to the provisions of 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: Cheryl Phelps, (850)595-0050. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Cheryl Phelps, (850)595-0050.

The **Division of Historical Resources**, Bureau of Historic Preservation, Florida Public Archaeology Network announces a public meeting to which all persons are invited.

DATE AND TIME: May 2, 2011, 5:00 p.m. – 7:00 p.m.

PLACE: Flagler College, 74 King Street, St. Augustine, Florida 32084 (Meeting will be held in the Virginia Room of the Ringhaver Student Center at the corner of King and Sevilla Street)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To gather public input for updating of the Statewide Historic Preservation Comprehensive Plan.

A copy of the agenda may be obtained by contacting: Barbara E. Mattick, 1(800)847-7278 or email: bmattick@dos.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 48 hours before the workshop/meeting by contacting: Barbara E. Mattick, 1(800)847-7278 or email: bmattick@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Barbara E. Mattick, 1(800)847-7278 or email: bmattick@dos.state.fl.us.

The **Division of Historical Resources**, Bureau of Historic Preservation announces a public meeting to which all persons are invited.

DATE AND TIME: May 3, 2011, 5:00 p.m. – 7:00 p.m.

PLACE: Florida Historical Society, 435 Brevard Avenue, Cocoa, Florida 32922

GENERAL SUBJECT MATTER TO BE CONSIDERED: To gather public input for updating of the Statewide Historic Preservation Comprehensive Plan.

A copy of the agenda may be obtained by contacting: Barbara E. Mattick, 1(800)847-7278 or email: bmattick@dos.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 48 hours before the workshop/meeting by contacting: Barbara E. Mattick, 1(800)847-7278 or email: bmattick@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Barbara E. Mattick, 1(800)847-7278 or email: bmattick@dos.state.fl.us.

The Florida **Department of State, Division of Library and Information Services** announces a meeting of the State Library Council Governmental Affairs Subcommittee via conference call. All persons are invited.

DATE AND TIME: Monday, April 25, 2011, 8:15 a.m. – 8:30 a.m. (EDT)

PLACE: Archives Conference Room, Division of Library and Information Services, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Library Council Governmental Affairs Subcommittee will review and discuss matters and issues related to the programs and/or activities of the Division of Library and Information Services. Subject matter may include issues that have local or statewide impact on the Division and/or the services it provides to Florida's citizens, and strategies to promote the Division's values and work.

For additional information, contact: Judith Ring, Division Director at (850)245-6600.

Any person requiring special accommodations or assistance due to a disability or physical impairment should contact the agency at least five days prior to the meeting by calling (850)245-6600 or TDD (850)922-4085.

The **Division of Cultural Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: April 27, 2011, 9:00 a.m.

PLACE: Charlotte County Health Department, 1100 Loveland Boulevard, Port Charlotte, FL 33980

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Art Selection Committee for the new Charlotte County Health Department in Port Charlotte will meet to evaluate submissions and select artwork or artist finalists.

A copy of the agenda may be obtained by contacting: Lee Modica, ASB Administrator, 500 S. Bronough St., Tallahassee FL 32399-0250, (850)294-5445.

Pursuant to the provisions of 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: Laura Blischke, (850)245-6476. If you are 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 LEGAL AFFAIRS

The **Office of the Attorney General** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 10, 2011, 10:00 a.m.

PLACE: 107 West Gaines Street, Collins Building, Conference Room 163, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Victims of Crime Act (VOCA) funding for the 2011-2012 grant cycle.

A copy of the agenda may be obtained by contacting: Betsy Seidel, (850)414-3300.

Pursuant to the provisions of 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: Betsy Seidel at (850)414-3300. If you are 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 Betsy Seidel at the Bureau of Advocacy and Grants Management at (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture and Consumer Services** announces a workshop to which all persons are invited.

DATE AND TIME: April 27, 2011, 10:00 a.m. – 12:00 Noon

PLACE: Eyster Auditorium, The Conner Building, 3125 Conner Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to provide a public forum for discussion of the report on small farms entitled, “Small Farms: Recommendations to Minimize Costs While Ensuring Food Safety”, which was provided to the Senate President and Speaker of the House of Representatives of the Florida Legislature by the Commissioner of Agriculture in accordance with the implementing language in House Bill 5001 of the 2010 Legislature. The Department of Agriculture and Consumer Services (DACS) will take comment from small farmers and the public on this report and engage in discussion on how best to organize and apply the recommendations of this report with regards to rule language development and program implementation. This first of several anticipated public workshops will focus on the report recommendations and development of a organizational plan to proceed with review of the primary focus areas identified in the report. An electronic copy of the report may be obtained by accessing the DACS Division of Food Safety at www.freshfromflorida.com/fs/. A hard copy may be obtained by contacting: Daniel Hixson, Government Analyst, Division of Food Safety, 3125 Conner Building, Mail Stop #C-18, Tallahassee, Florida 32399-1650, Telephone: (850)245-5595.

A copy of the agenda may be obtained by contacting: Daniel Hixson, Government Analyst, Division of Food Safety, 3125 Conner Building, Mail Stop #C-18, Tallahassee, Florida 32399-1650; Telephone: (850)245-5595.

Pursuant to the provisions of 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: Daniel Hixson, Government Analyst, Division of Food Safety at (850)245-5595. If you are 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: Daniel Hixson, Government Analyst, Division of Food Safety, 3125 Conner Building, Mail Stop #C-18, Tallahassee, Florida 32399-1650, Telephone: (850)488-0295.

DEPARTMENT OF EDUCATION

The **Division of Blind Services**, Direct Support Organization announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 21, 2011, 1:30 p.m. – 3:30 p.m., Conference call number 1(877)347-0176 and pass code is 720674

PLACE: Blind Services Foundation, 4700 Millenia Boulevard, Suite 175, Orlando, Florida 32839, Telephone (850)345-9122

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting.

A copy of the agenda may be obtained by contacting: Blind Services Foundation, 4700 Millenia Boulevard, Suite 175, Orlando, Florida 32839, Telephone (850)345-9122.

The **Florida Education Foundation, Inc.** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 15, 2011, 1:30 p.m. – 3:30 p.m. (EDT) or upon adjournment

PLACE: Conference Call: 1(888)808-6959, Passcode: 2459671

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Foundation issues including, but not limited to, approval of minutes from January 21, 2011 meeting, Commissioners report, program updates, financial report, executive director’s report and general discussion of Foundation business.

A copy of the agenda may be obtained by contacting: Deb Schroeder at (850)245-9692.

Pursuant to the provisions of 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: Deb Schroeder at (850)245-9692. If you are 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: Deb Schroeder at (850)245-9692.

NOTICE OF CORRECTION – The **Florida Rehabilitation Council** and the **Division of Vocational Rehabilitation** announces a public meeting to which all persons are invited.

DATE AND TIMES: May 3, 2011, 10:00 a.m. – 12:00 Noon; 2:00 p.m. – 4:00 p.m.

PLACE: The Rhodes Building, 401 N.W. 2nd Avenue, North Tower, Conference Room North 1011, Miami, FL 33128

DATE AND TIMES: May 4, 2011, 10:00 a.m. – 12:00 Noon; 2:00 p.m. – 4:00 p.m.

PLACE: Edison State College, 8099 College Parkway S.W., Building S, Rooms S106/S107, Nursing Building, Room AA177, Fort Myers, FL 33919

DATE AND TIMES: May 9, 2011, 10:00 a.m. – 12:00 Noon; 2:00 p.m. – 4:00 p.m.

PLACE: Daytona Beach RSC, 210 North Palmetto Avenue, Conference Room 148 (1st Floor), Daytona Beach, FL 32114

DATE AND TIMES: May 17, 2011, 10:00 a.m. – 12:00 Noon; 2:00 p.m. – 4:00 p.m.

PLACE: Hilton Garden Inn, Pensacola Airport/Medical Center, 1144 Airport Boulevard, Pensacola, FL 32504

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida State Plan Public Review Meetings.

A copy of the agenda may be obtained by contacting: Paige Sharpton at (850)245-3397 or by writing: The Florida Rehabilitation Council, 2002 Old St. Augustine Road, Tallahassee, Florida 32301-4862.

Pursuant to the provisions of 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: Paige Sharpton 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).

If you would like any correspondence (e.g. agenda) or additional information on attending meetings and/or conference calls please contact: Paige Sharpton at (850)245-3397 or by writing The Florida Rehabilitation Council, 2002 Old St. Augustine Road, Tallahassee, Florida 32301-4862.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Division of Emergency Management** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 28, 2011, 9:00 a.m.

PLACE: Division of Emergency Management, Randall Kelley Training Center, Room 305, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a Hurricane Loss Mitigation Program Advisory Council meeting pursuant to Section 215.559, Florida Statutes.

A copy of the agenda may be obtained by contacting: Dexter Harrell, Community Assistance Consultant at (850)413-9820.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Shemeeka Hopkins, Planning Manager at (850)922-4079. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Shemeeka Hopkins, Planning Manager at (850)922-4079.

DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 10, 2011, 1:00 p.m.

PLACE: Saddlebrook, 5700 Saddlebrook Way, Wesley Chapel, Florida 33543, (813)973-1111

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medical Examiners Commission Meeting.

A copy of the agenda may be obtained by contacting: Bureau Chief, Glen Hopkins at (850)410-8600.

Pursuant to the provisions of 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: Medical Examiners Commission Staff at (850)410-8600. If you are 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: Medical Examiners Commission Staff, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8600.

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation (FDOT)**, District 5 announces a public meeting to which all persons are invited.

DATE AND TIMES: Wednesday, April 27, 2011, Open House: 6:00 p.m. – 8:00 p.m.; Presentations: 6:30 p.m. and 7:30 p.m.

PLACE: City Hall, Council Chambers, 900 E. Strawbridge Ave., Melbourne, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: FDOT Financial Id. No. 427225-1-52-01

Milling and Resurfacing US 1 (SR 5) From Roosevelt Ave. to South of Crane Creek Bridge; Milling and Resurfacing New Haven Ave. (SR 500) From US 1 (SR 5) to Strawbridge Ave.

Meeting regarding the proposed plans to improve safety and repave US 1 and New Haven Avenue in the City of Melbourne. The proposed project extends from south of Roosevelt Avenue to south of the Crane Creek Bridge along US 1, and from east of US 1 to US 192 along New Haven Avenue.

In addition to repaving, the existing signals at Line Street and US 1 are being replaced with mast arm poles. Other features, such as curb ramps and crosswalks, and signal equipment are being added to increase safety and to meet requirements of the Americans with Disabilities Act (ADA). Accommodations for bicyclists, by law, are included, and require removing on-street parking from the north side of New Haven Avenue between US 1 and US 192. Design is scheduled for completion spring 2012 and construction is scheduled in the fall 2012.

A copy of the agenda may be obtained by contacting: Please contact either Mr. Ashraf Elmaghraby, the FDOT Project Manager at (386)943-5645 or e-mail: ashraf.elmaghraby@dot.state.fl.us or Jodi Rano, C3TS, (407)823-8966 or e-mail: jodiR@c3ts.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: Jodi Rano, C3TS, 11315 Corporate Blvd., Suite 105, Orlando, FL 32817, Phone: (407)823-8966, email: jodir@c3ts.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Ashraf Elmaghraby, the FDOT Project Manager at (386)943-5645 or e-mail at ashraf.elmaghraby@dot.state.fl.us.

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

DATE AND TIME: Thursday, May 5, 2011, 6:00 p.m. – 8:00 p.m.

PLACE: Saint Louis Catholic Church, Assembly Room, 7270 S.W. 120 St., Pinecrest, FL 33156

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a public meeting for three roadway and intersection projects on State Road 5/US-1/S Dixie Highway from S.W. 168 Street to S.W. 102 Street to discuss the projects' design and scope of work. The projects' identification numbers are: 425348-1, 425513-1 and 425513-2. The public meeting will follow an informal, open house format allowing the public to

arrive at any time from 6:00 p.m. – 8:00 p.m. Graphic displays will be shown at the meeting, and FDOT representatives will be available to discuss the project and answer questions.

A copy of the agenda may be obtained by contacting: Public Information Specialist Marta Rodriguez at (305)470-5873, email: marta.rodriguez@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 7 days before the workshop/meeting by contacting: Brian Rick at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Avenue, Miami, FL 33172, email: brian.rick@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: Public Information Specialist Marta Rodriguez at (305)470-5873, email: marta.rodriguez@dot.state.fl.us.

The **Department of Transportation**, District Five announces a hearing to which all persons are invited.

DATE AND TIMES: Tuesday, May 10, 2011, 5:30 p.m. – Open House; 6:30 p.m., Presentation

PLACE: Kissimmee Civic Center, 201 East Dakin Avenue, Kissimmee, Florida 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing is being held to afford interested persons an opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID Number: 424135-1-22-01, otherwise known as the Orange Blossom Trail/US 441 Project Development and Environment (PD&E) Study in Osceola County, Florida. The project involves improving Orange Blossom Trail to a four-lane divided roadway from US 192 (Vine Street) to Donegan Avenue and to a six-lane divided roadway from Donegan Avenue to Country Boulevard, a total distance of approximately 2 miles. The proposed improvements also include changes in access at various locations along the 2 mile corridor.

This project is being developed in compliance with Title VI of the Civil Rights Act of 1964 and related statutes. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Mr. Bill Walsh at the address below or call (386)943-5411 at least seven days prior to the Public Hearing. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

A copy of the agenda may be obtained by contacting: Mr. Bill Walsh, Project Manager, Florida Department of Transportation District Five, 719 South Woodland Boulevard, DeLand, Florida 32720.

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

DATE AND TIMES: Thursday, May 12, 2011, 5:30 p.m. – 8:00 p.m.; Brief Presentation: 6:00 p.m.

PLACE: E.L. Puryear Building, 243 S. Lake Ave., Groveland, FL 34736

GENERAL SUBJECT MATTER TO BE CONSIDERED: Alternatives Public Meeting for SR 50 Project Development and Environment (PD&E) Study in Groveland, FL., from CR 565 (Villa City Road) to CR 565A (Montevista Road).

A copy of the agenda may be obtained by contacting: Mr. Steve Olson, Florida Department of Transportation, 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: Mr. Steve Olson, Florida Department of Transportation, 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: Mr. Steve Olson, Florida Department of Transportation, District Five Public Information Manager at (386)943-5479 or by email: steve.olson@dot.state.fl.us. Additional information is available at the project web site: www.sr50groveland.com.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 11, 2011, 8:30 a.m.

PLACE: Atlantic Beach City Hall, 800 Seminole Road, Atlantic Beach, FL 32233

DATE AND TIME: Wednesday, May 25, 2011, 8:30 a.m.

PLACE: South Regional Broward College Library, 7300 Pines Boulevard, Pembroke Pines, FL 33024-7227

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission at (850)488-1293.

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

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

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a public workshop to which all persons are invited.

DATE AND TIME: Wednesday, May 4, 2011, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2011 Hurricane Season Preparedness Workshop. The purpose of this workshop is to provide a forum for Florida's electric utilities as well as local exchange companies to brief the Commission on their 2011 hurricane season preparation. As has been well documented, the multiple hurricanes and tropical storms of 2004 and 2005 caused extensive electric utility restoration costs and outages in Florida. National hurricane experts again are calling for a more active than average hurricane season in 2011, which begins June 1.

The Commission has scheduled this workshop to ensure that all appropriate actions have been taken to protect the electric transmission and distribution facilities in the state from the impact of extreme weather events such as hurricanes. Each utility will address the status of preparation it has achieved in protecting its facilities to date. Such preparations may include the status of facility inspections; maintenance and repairs; coordination with other utilities, government, and community groups; and various storm-hardening measures. These presentations will also address work remaining to be done and specifically identify areas of concern or vulnerability.

Both the electric utilities and the local exchange companies are scheduled to make presentations. It is understood that while the electric utilities own the vast majority of the electric transmission and distribution infrastructure in the state, local exchange companies own many of the poles upon which electric utility infrastructure is placed.

EMERGENCY CANCELLATION OF WORKSHOP: If a named storm or other disaster requires cancellation of the workshop, Commission staff will attempt to give timely direct notice to all interested persons. Notice of cancellation of the workshop will also be provided on the Commission's website

(<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

A copy of the agenda may be obtained by contacting: Steve Garl at (850)413-6676.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, or at (850)413-6770.

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

TITLE: Petition for approval of Special Gas Transportation Service agreement with Florida City Gas by Miami-Dade County through Miami-Dade Water and Sewer Department. Docket Number: 090539-GU

PREHEARING CONFERENCE

DATE AND TIME: May 5, 2011, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

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

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

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

REGIONAL PLANNING COUNCILS

The **Bay Area Resource Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: Wednesday, April 27, 2010, Technical Advisory Committee: 12:00 Noon – 1:00 p.m.; General Board Meeting, 1:30 p.m. – 3:30 p.m.

PLACE: City of Pensacola Hagler-Mason Conference Room, 222 West Main Street, Pensacola, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of BARC and presentation on the Bayou Chico Basin Management Action Plan based on TMDL's for fecal coliform (during BARC Board Meeting).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Ms. Mary Gutierrez at mary.gutierrez@wfrpc.org or (850)332-7976, ext 226. If you are 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. Mary Gutierrez at mary.gutierrez@wfrpc.org or (850)332-7976, ext. 226.

The **West Florida Regional Planning Council**, Bay County Transportation Disadvantaged Local Coordinating Board announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 4, 2011, 1:00 p.m.

PLACE: Bay County Government Center, 840 West 11th Street, Room #1030, Panama City, FL 32401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing followed by Local Coordinating Quarterly Board Meeting. Action items include CTC Evaluation and approval of the annual Transportation Disadvantaged Service Plan (TDSP).

Agendas are available one week prior to the meeting at www.wfrpc.org/baytd.

Pursuant to the provisions of 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 Amy Brown, e-mail: amy.brown@wfrpc.org or 1(800)226-8914, ext 281. For language requirements other than English please contact Amy Brown at 1(800)226-8914,

ext 281 at least 48 hours in advance. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Julia Pearsall at julia.pearsall@wfrpc.org or 1(800)226-8914, ext 231.

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 28, 2011, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 28, 2011, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 28, 2011, 7:30 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 25, 2011, 10:00 a.m.

PLACE: Heartland Workforce, Large Conference Room, 5901 US Hwy. 27 South, Suite 1, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Heartland 2060 Consortium Partners Advisory Group of Heartland 2060 Regional Plan for Sustainable Development.

A copy of the agenda may be obtained by contacting: Helen Sears at (863)534-7130, ext. 124.

The Tampa Bay Regional Planning Council, Clearinghouse Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 25, 2011, 9:30 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 Clearinghouse Review Committee.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

For more information, you may contact: Avera Wynne, (727)570-5151, ext. 30 or avera@tbrpc.org.

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

DATE AND TIME: Wednesday, May 4, 2011, immediately following the public hearing

PLACE: Glades County Library, 201 Riverside Drive, Moore Haven, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Joint Glades/Hendry Local Coordinating Board for the Transportation Disadvantaged will have a meeting.

A copy of the agenda may be obtained by contacting: Mr. Brian Raimondo at (239)338-2550, ext. 211 or by e-mail: braimondo@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mr. Brian Raimondo at (239)338-2550, ext. 211 or by e-mail: braimondo@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: visit our website at: www.swfrpc.org.

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

DATE AND TIME: Monday, May 2, 2011, 10:30 a.m.

PLACE: Murray E. Nelson Government & Cultural Center, 10205 Overseas Highway, Key Largo, FL 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting. Any proposed Local Government Comprehensive Plan received prior to the meeting. Any adopted Local Government Comprehensive Plan received prior to the meeting. Any Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Proposed Local Government Comprehensive Plan Amendment for Broward County and Deerfield Beach. Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting. Any Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Adopted

Local Government Comprehensive Plan Amendment for Lauderdale-By-The-Sea; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting. Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location. Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices at (954)985-4416 (Broward).

A copy of the agenda may be obtained by contacting: (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: (954)985-4416.

The **District II Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 27, 2011, 10:00 a.m. (ET)

PLACE: Tallahassee Fire Department, Training Facility Classroom, 2964 Municipal Way, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular quarterly meeting of the District II Local Emergency Planning Committee (LEPC).

A copy of the agenda may be obtained by contacting: Chris Rietow, ARPC, (850)488-6211, ext. 102, email: Chris.Rietow@thearpc.com or 20776 Central Avenue East, Suite 1, Blountstown, FL 32424.

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.

REGIONAL TRANSPORTATION AUTHORITIES

The **Tampa Bay Area Regional Transportation Authority**, Board of Directors and its advisory committees will meet to discuss the implementation of regional transportation solutions for Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota Counties and announces a public meeting to which all persons are invited.

DATE AND TIME: TBARTA Board Meeting: Friday, May 6, 2011, 9:30 a.m.

PLACE: Florida Department of Transportation (FDOT), District Seven Office, 11201 N. McKinley Drive, Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss implementing a comprehensive Regional Transportation Master Plan for Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota Counties. Transit Management Committee (TMC).

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

PLACE: Pinellas Suncoast Transit Authority (PSTA), 3201 Scherer Drive, St. Petersburg, FL 33716

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consisting of representatives of the region's transit and transportation agencies, this group advises the Board on implementation of the Master Plan.

Citizens Advisory Committee (CAC)

DATE AND TIME: Wednesday, April 20, 2011, 1:30 p.m.

PLACE: USF Connect Bldg., Oak View Room, 3720 Spectrum Blvd., Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: This group of volunteers provides region-oriented advice to the Board from a citizen's perspective.

Additional Board subcommittee meetings will be noticed on the TBARTA website. All meetings of the TBARTA Board and its advisory committees are open to the public. These meetings are being conducted pursuant to Section 120.525, Florida Statutes, and Title VI and Title VIII of the United States Civil Rights Acts of 1964 and 1968.

Individuals requiring accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Michelle Greene at (813)282-8200 at least ten (10) days prior to the meeting. Public participation is solicited without regard to race, color, religion, sex, age, nation origin, disability, or family status.

A copy of the agenda may be obtained by contacting: <http://www.tbarta.com/meetings/calendar> approximately three to five days prior to each meeting. For more information, you may contact: Michelle Greene at (813)282-8200.

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: April 28, 2011, 1:00 p.m. (EDT)

PLACE: District Headquarters, 3 miles north of I-10 on Highway 90, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to consider District business.

OTHER MEETINGS HELD ON APRIL 28, 2011:

11:30 a.m. – 12:00 Noon – Administration, Finance and Budget Committee – to discuss Amendment to the 2010-2011 adopted fiscal year budget

12:00 Noon – 12:30 p.m. (EDT) – District Lands Committee – to discuss Land Acquisition Matters; 1:15 Public Hearing on Regulatory Matters.

A copy of the agenda may be obtained by contacting: Robin Tucker, Northwest Florida Water Management District, 81 Water Management Drive, Havana, FL 32333, (850)539-5999 (also available through the Internet at www.nwfwmd.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Ms. Jean Whitten. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: Tuesday, April 26, 2011, 9:00 a.m.

PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. Some Board members may participate in the meeting via communications media technology.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Luanne.Stout@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4605 (Ad Order EXE0131).

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

DATE AND TIME: April 19, 2011, 10:00 a.m.

PLACE: 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tentative quarterly meeting of the Everglades Technical Oversight Committee (TOC). If the meeting is needed, a notice will be posted on <http://www.sfwmd.gov/toc>.

A copy of the agenda may be obtained by contacting: (1) District Website (<http://www.sfwmd.gov/toc>) or (2) by writing: Kim Chuirazzi, South Florida Water Management District, Mail Stop 7282, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Dr. Garth Redfield, Restoration Sciences Department, (561)682-6611. If you are 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: Dr. Garth Redfield, Restoration Sciences Department, South Florida Water Management District, Mail Stop 7211, P. O. Box 24680, West Palm Beach, FL 33416-4680, (561)682-6611.

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

DATE AND TIME: April 25, 2011, 9:30 a.m. – 11:30 a.m.

PLACE: 3301 Gun Club Rd., Building B-1, 2B Bridge Conference Room, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Peer Review of East Coast Floridan Aquifer System Model Phase II.

A copy of the agenda may be obtained by contacting: Hope Radin at (561)682-2120 or at our website: <http://sfwmd.websitetoolbox.com/?forum=181740>.

Pursuant to the provisions of 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: Hope Radin, (561)682-2120. If you are 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: Hope Radin, (561)682-2120.

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

DATE AND TIME: April 28, 2011, 9:00 a.m. – 5:00 p.m.

PLACE: 3301 Gun Club Rd., Building B-1, 2B Bridge Conference Room, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Peer Review of East Coast Floridan Aquifer System Model Phase II.

A copy of the agenda may be obtained by contacting: Hope Radin at (561)682-2120 or at our website: <http://sfwmd.websitetoolbox.com/?forum=181740>.

Pursuant to the provisions of 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: Hope Radin at (561)682-2120 or at our website: <http://sfwmd.websitetoolbox.com/?forum=181740>. If you are 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: Hope Radin at (561)682-2120 or at our website: <http://sfwmd.websitetoolbox.com/?forum=181740>.

EXPRESSWAY AUTHORITIES

The **Miami-Dade Expressway Authority (MDX)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 4, 2011, 6:00 p.m. – 8:00 p.m.

PLACE: Sunset Congregational Church, Fellowship Hall, 9025 S.W. 72nd Street, Miami, FL 33173

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Miami-Dade Expressway Authority (MDX) has scheduled a Public Information Meeting to discuss the potential for a new partial interchange at SR 874/Don Shula Expressway and S.W. 72nd Street (Sunset Drive). Evaluation of the potential interchange at S.W. 72nd Street is being performed through a State Environmental Impact Report (SEIR), which evaluates environmental and engineering factors associated with the proposed project and requires public involvement and comment. The new interchange would improve access for area residents and businesses to and from SR 874 and the highway systems connected to SR 874.

The Public Information Meeting will give property owners, residents and interested parties an opportunity to discuss and comment on the evaluation of this new partial interchange with MDX representatives. Your participation and input is very important and will be appreciated.

A copy of the agenda may be obtained by contacting: Tere Garcia at (786)277-9292 or via e-mail: tgarcia@mdxway.com. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tere Garcia at (786)277-9292 or via e-mail: tgarcia@mdxway.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Tere Garcia, visit the MDX website: www.mdxway.com or write Mayra Diaz, MDX, 3790 N.W. 21st Street, Miami, FL 33142.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, May 10, 2011, 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 8509210813#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governor's Panel on Excellence in Long-Term Care will be meeting to review applications received for consideration for the Gold Seal Award designation. Other business as needed may also be discussed.

A copy of the agenda may be obtained by contacting: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308, (850)412-4437.

For more information, you may contact: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308, (850)412-4437.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATE AND TIME: May 2, 2011, 10:00 a.m.

PLACE: Hampton Inn, 1200 34th Street North, St. Petersburg, Florida 33713

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public.

The following cases are open to the public:

The Alexander Group 2010-047809

Louie F. Wise

Building Management Systems, Inc. 2010-056540

W. Doug Padgett

Erick Torres Ramos & Associates 2010-047299
Erick Torres

Luckner Exantus 2010-055811

Frontop Digital Computer Graphic Company 2011-015899
Sharon Zhang

Brett Hertzler 2010-050863

JPL Design, LLC 2010-047401
James P. Levato

Ana Paula Pironi-Ibarra 2010-007925
VIA Design Studio, LLC

Bruce Darrell Poland 2010-059483
BP Architectural & Contracting Services

Galloville K. Rao 2010-055817

RKR & Associates, LLC 2010-045629
Karen Rogers

The Sorbara Company 2010-010936
George J. Sorbara

Michael D. Tarvin 2010-039119

Varabyeu Partners, LLC 2010-007903
Arseni Varabyeu

Hugh S. Wright 2009-058257

Yerbastudio 2010-056189
Gustavo Dallmann

A copy of the agenda may be obtained by contacting: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, FL 32309, (850)402-1570.

The **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATES AND TIME: May 3-4, 2011, 9:00 a.m.

PLACE: Hampton Inn, 1200 34th Street North, St. Petersburg, Florida, Telephone (727)322-0770

GENERAL SUBJECT MATTER TO BE CONSIDERED:

May 3, 2011 – General Business including disciplinary cases, if time allows to be followed by general business discussion items: architecture profession, interior design profession, and reports.

May 4, 2011 – General Business discussion items continued: architecture profession, interior design profession, reports, and application reviews.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, Telephone (850)922-5012.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, Telephone: (850)922-5012. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, Telephone: (850)922-5012.

The **Board of Cosmetology** announces a telephone Conference Call to which all persons are invited.

DATE AND TIME: June 27, 2011, 3:30 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4878197#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)922-6096.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Cosmetology, 1940 N. Monroe Street,

Tallahassee, Florida 32399, (850)922-6096. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)922-6096.

The **Board of Landscape Architecture** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 13, 2011, 9:00 a.m.

PLACE: Access Phone: 1(888)808-6959, Conference Code: 9218690

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business Meeting.

A copy of the agenda may be obtained by contacting: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

The **Board of Veterinary Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 4, 2011, 9:00 a.m.

PLACE: Access Phone: 1(888)808-6959, Conference Code: 9226020#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting, portions which are closed to the public. Agenda available on request.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

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

DATES AND TIME: Probable Cause: Thursday, May 5, 2011; Board Meeting: Friday, May 6, 2011, 9:00 a.m. – until all business is concluded

PLACE: Sheraton Suites, 4400 West Cypress Street, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public; however, there may be cases where probable cause was previously found which are to be reconsidered. This is a public meeting. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports, rules, and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: June Carroll, Administrative Assistant II, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, FL 32607.

Pursuant to the provisions of 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: June Carroll. If you are 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: June Carroll.

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, May 2, 2011, 9:00 a.m. (Eastern Time)

PLACE: Division of Real Estate, Room N901, North Tower, 400 W. Robinson St., Orlando, FL 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 St., Suite N801, Orlando, FL 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

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

DATE AND TIME: April 21, 2011, 1:30 p.m. – 3:30 p.m.

PLACE: Deltona Library and Environmental Center, Auditorium, 2150 Eustace Avenue, Deltona, FL 32725

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a general public meeting of interested stakeholders to discuss issues related to the Lakes Harney/Monroe Basin Management Action Plan (BMAP). This meeting will provide an opportunity for stakeholders to provide their comments and recommendations to the Department of Environmental Protection regarding development of the Lakes Harney/Monroe BMAP. The BMAP is the means for implementation of the adopted Total Maximum Daily Loads (TMDLs). The primary topic of discussion during this meeting will be the ongoing process of BMAP development.

A copy of the agenda may be obtained by contacting: Ms. Samantha Budd, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, or by e-mail: samantha.budd@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Samantha Budd at (850)245-8418. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The Florida **Department of Health, Division of Medical Quality Assurance** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 14, 2011, 9:00 a.m. – 12:00 Noon

PLACE: Betty Easley Center, Capital Center Office Complex, Room 152, 4075 Esplanade Way, Tallahassee, FL 32399-3250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Healthcare Association Long-range Planning Meeting:

The purpose is to review with the healthcare associations the long-range policy planning and monitoring process to include recommendations specific to each profession.

A copy of the agenda may be obtained by contacting: Bill Parizek, Strategic Planning Services Unit, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Bill Parizek, Strategic Planning Services Unit, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Health, Division of Medical Quality Assurance** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 27, 2011, 9:00 a.m. – 4:30 p.m.

PLACE: Betty Easley Conference Center, Public Service Commission Hearing Room 152, 2075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-range planning board/council chairs meeting. The purpose is to review with the board/council chairs as required

by Section 456.005, F.S., the long-range policy planning and monitoring process to include recommendations specific to each profession.

A copy of the agenda may be obtained by contacting: Lisa Nickerson, Strategic Planning Services Unit, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lisa Nickerson, Strategic Planning Services Unit, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Board of Clinical Laboratory Personnel, Probable Cause Panel** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, April 26, 2011, 9:30 a.m.

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 9849329103#; Department of Health, 4051 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 by contacting: Sherra W. Causey, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. If you are 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 **Board of Osteopathic Medicine** announces a public meeting to which all persons are invited.

DATES AND TIMES: Friday, May 13, 2011, 4:00 p.m., or shortly thereafter; Saturday, May 14, 2011, 9:00 a.m. or shortly thereafter

PLACE: Holiday Inn and Suites, 2725 Graves Road, Tallahassee, FL 32303, (850)536-2005

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular business of the Board.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4161.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Christy Robinson, (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATES AND TIME: April 18-22, 2011, 9:00 a.m. (CST)

PLACE: Pensacola Service Center, 8190 Pensacola Boulevard, Pensacola, Florida 32534

GENERAL SUBJECT MATTER TO BE CONSIDERED: Negotiations with preferred candidates of the Invitation to Negotiate for Lease Space in Pensacola, Florida.

A copy of the agenda may be obtained by contacting: Ms. Darlene See, Florida Department of Children and Families, 2383 Phillips Road, Tallahassee, FL 32308, (850)487-2298, email: Darlene_See@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Darlene See at (850)487-2298. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: April 25, 2011, 4:05 p.m. (EDT)

PLACE: 2383 Phillips Road, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Invitation to Negotiate for Lease Space in Panama City, Florida, Reply Opening.

Pursuant to the provisions of 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 days before the workshop/meeting by contacting: Ms. Darlene See at (850)487-2298. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATES AND TIME: April 26-29, 2011, 10:00 a.m. (CDT)

PLACE: Panama City Service Center, 500 W. 11th Street, Panama City, Florida 32401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Site Visits and Reply Evaluation of the Invitation to Negotiate for Lease Space in Panama City, Florida.

A copy of the agenda may be obtained by contacting: Ms. Darlene See, Florida Department of Children and Families, 2383 Phillips Road, Tallahassee, FL 32308, (850)487-2298, email: Darlene_See@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Darlene See at (850)487-2298. If you are 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 Children and Families** announces a public meeting to which all persons are invited.

DATES AND TIME: April 27, 2011; May 18, 2011; June 15, 2011; July 20, 2011; August 17, 2011; November 2, 2011, 9:00 a.m. – 4:00 p.m.

PLACE: Crowne Plaza Hotel Airport, 5555 Hazeltine National Drive, Orlando, Florida 32812

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advisory Committee to the Florida Department of Children and Families for the deaf or hard-of-hearing will meet to commence its responsibilities as outlined in the Settlement Agreement between the Florida Department of Children and Families and the U.S. Department of Health and Human Services.

A copy of the agenda may be obtained by contacting: Yasmine Gilmore at (850)922-6829 or email: yasmine_gilmore@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Yasmine Gilmore at (850)922-6829, email

yasmine_gilmore@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Children and Families**, Council on Homelessness announces a conference call meeting to which all interested parties are invited to participate.

DATE AND TIME: Thursday, May 19, 2011, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Code: 9229760

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will receive reports and recommendations from its committees for proposals and recommendations to finalize its 2011 Annual Report to the Governor and Legislature.

A copy of the agenda for the meeting can be obtained from the Office on Homelessness by calling (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: The Office on Homelessness at (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: May 3, 2011, 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 in one or more tranches issued at one or more times pursuant to a plan of financing 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:

Solabella, a 92-unit multifamily residential rental development located on or about the southeast corner of N.W. 175th Street and N.W. 7th Avenue, Miami Gardens, Miami-Dade County, Florida 33169. The owner and operator of the development is Legacy Pointe Associates, Ltd., 2100 Hollywood Boulevard, Hollywood, Florida 33020 or such successor in interest in which CSG Development Services, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed

development is CSG Management Services, LLC, 2100 Hollywood Boulevard, Hollywood, Florida 33020. The tax-exempt bond amount is not to exceed \$7,800,000.

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), May 2, 2011, 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: Tuesday, May 24, 2011, 1:00 p.m. (ET)

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Review Committee meeting will be to discuss and evaluate the proposals submitted in response to Florida Housing Finance Corporation's Request for Qualifications #2011-01 from independent, licensed engineers and qualified professionals, who will calculate utility allowances for Housing Credit Program developments, to be approved to complete the energy consumption estimate. The Committee meeting will be to give the scores and to submit a recommendation to Florida Housing's Board of Directors.

A copy of the agenda may be obtained by contacting: Sherry Green, (850)488-4197 or sherry.green@floridahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sherry Green, (850)488-4197 or email: sherry.green@floridahousing.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF FINANCIAL SERVICES

The **Department of Financial Services, Division of State Fire Marshal** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, May 10, 2011, 10:00 a.m.

PLACE: State Fire Marshal Conference Room, Third Floor, Atrium, 325 John Knox Road, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Fire Safety Board. Anyone wishing to attend may attend in person or by telephone conference call. Those attending by telephone Conference Call should dial: (850)413-1591, (SC)293-1591. (Cisco VoIP Internal callers may reach the Conference Call by dialing 11591.) Once you have dialed the initial number you will be prompted to enter the Conference ID which is: 736. The connection will be available 5 to 10 minutes before 10:00 a.m.

A copy of the agenda may be obtained by contacting: Donald Rollins, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3628.

Pursuant to the provisions of 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 days before the workshop/meeting by contacting: Donald Rollins, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3628. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

The **Agency for Enterprise Information Technology**, Chief Information Officers Council announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 18, 2011, 10:00 a.m. – 12:00 Noon

PLACE: Betty Easley Conference Center, Room 166, 4075 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of all state agencies and assist in identifying critical statewide information technology issues.

A copy of the agenda may be obtained by contacting: Gail Kent, Florida Department of Revenue Information Services Program, (850)717-6944, kentv@dor.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Gail Kent. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

PASCO-PINELLAS AREA AGENCY ON AGING

The **Area Agency on Aging of Pasco-Pinellas Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 18, 2011, 9:30 a.m.

PLACE: 9887 4th Street North, Suite 100, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Brenda Black at (727)570-9696, ext. 233.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Brenda Black at (727)570-9696, ext. 233. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Brenda Black at (727)570-9696, ext. 233.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 26, 2011, 4:00 p.m.

PLACE: Hotel Duval, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Claims & Underwriting Committee will receive and consider reports from the Association's General Counsel, General Manager, Servicing Carrier, and such other business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 27, 2011, 9:00 a.m.
PLACE: Hotel Duval, Tallahassee, FL 32301
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Governors will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Claims Committee, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE

The **Moffitt Cancer Center (& Department of Health)** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 11, 2010, 10:00 a.m.
PLACE: Florida Department of Health, 4025 Esplanade Way, Room 120 H, Tallahassee, FL 32399-1744; Dial: 1(888)808-6959, Code: 508 866 1795 and then the # key
GENERAL SUBJECT MATTER TO BE CONSIDERED: Conference call to finalize the agenda for the June 9th meeting.

Other discussion points:
Recinda and Tara can add a lot to the discussion on how FCDS may or may not play a role with this project.
Susan and Megan can provide an update on the national ACS grant.
Travis can provide an update on the survey.

A copy of the agenda may be obtained by contacting: Kimberley.Buccini@Moffitt.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 1 day before the workshop/meeting by contacting: Kimberley.Buccini@Moffitt.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kimberley.Buccini@Moffitt.org.

CENTRAL FLORIDA BEHAVIORAL HEALTH NETWORK, INC.

The **Circuit 12 Regional Council** announces a public meeting to which all persons are invited.

DATE AND TIME: March 28, 2011, 3:30 p.m.
PLACE: McClure Center, 4215 Concept Court, Bradenton, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED: Regional Council Meeting.

A copy of the agenda may be obtained by contacting: Marcia Monroe at mmonroe@cfbhn.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Marcia Monroe at mmonroe@cfbhn.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Marcia Monroe at mmonroe@cfbhn.org.

FLORIDA ENERGY AND CLIMATE COMMISSION

The **Florida Energy and Climate Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 27, 2011, 1:00 p.m. – until completion

PLACE: The Cabinet Meeting Room, The Capitol, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Energy & Climate Commission (Commission) will hold a meeting to hear presentations on energy and climate change, discuss and consider mechanisms for implementing the American Recovery and Reinvestment Act Spending Plan, and other Commission business. Staff will conduct the meeting from the Cabinet Meeting Room, The Capitol, Tallahassee, FL 32399-0001, where members of the public are invited to attend. Members of the public are also 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. The dial-in number is: 1(866)233-5216, Conference Code: 5654699.

A copy of the agenda may be obtained by contacting: Jacqueline Warr at (850)487-3800.

Pursuant to the provisions of 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: Jacqueline Warr at (850)487-3800. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jacqueline Warr at (850)487-3800

ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS

The **Escambia County**, in conjunction with the Florida **Department of Transportation**, District 3 announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, May 10, 2011, 6:00 p.m. – 7:30 p.m.

PLACE: Escambia County Emergency Operations Center, 6575 North W Street, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This hearing is being held as part of a current Project Development and Environment (PD&E) Study that is being conducted to evaluate proposed transportation solutions for the proposed corridor. The proposed corridor begins at the west end of Longleaf Drive at the intersection of Pine Forest Road, and ends at the east end of Pinestead Road at the intersection of U.S. 29 (Pensacola Boulevard), a distance of approximately three miles. The purpose of the study is to reach a decision on the type, design, and location of a multi-lane road alignment to serve the Pinestead Road – Longleaf Drive Corridor.

The Escambia County Board of County Commissioners is required by Section 339.155(6), Florida Statutes, to give notice to those whose property lies, in whole or in part, within 300 feet on either side of the centerline of any alternative for the proposed facility (even though they may not be directly affected).

Maps, drawings, and other pertinent information developed by the County will be available for public inspection at Escambia County One Stop, 3363 West Park Place, Pensacola, Florida, weekdays from 8:00 a.m. through 4:00 p.m., beginning Monday, April 18, 2011, through Monday, May 9, 2011. Those who wish to submit written statements and other exhibits in place of, or in addition to oral statements, may do so at the hearing or by sending them to Mr. Jim Waite (address provided below), no later than May 23, 2011. All comments received by the County prior to May 23, 2011, will become a part of the public hearing record.

A copy of the agenda may be obtained by contacting: Jim Waite, Study Team Public Involvement Manager, (850)430-1716 or e-mail jwaite@baskervilledonovan.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 14 days before the workshop/meeting by contacting: Jim Waite, Study Team Public Involvement Manager, (850)430-1716 or e-mail jwaite@baskerville-donovan.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jim Waite, Study Team Public Involvement Manager, (850)430-1716 or e-mail jwaite@baskervilledonovan.com.

The **Escambia County Board of County Commissioners** announces a public meeting to which all persons are invited.

DATE AND TIME: May 17, 2011, 5:30 p.m. – 7:00 p.m.

PLACE: The University of West Florida (UWF) Conference Center, located in Building 22 on the UWF Pensacola Campus at 11000 University Parkway, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To update local government officials, affected property owners, tenants, and the public and to provide them an opportunity to express their views and comments concerning proposed designs for construction of Greenbrier Boulevard improvements that include extending Greenbrier Boulevard east to Campus Drive. A formal presentation will be delivered from 5:45 p.m. – 6:00 p.m., followed by a one-hour discussion period. Aerial maps will be on display and project representatives will be on hand during the meeting to discuss the project and to answer questions.

A copy of the agenda may be obtained by contacting: Gregory Allen, Atkins Project Manager, 2114 Airport Blvd., Suite 1450, Pensacola, FL 32504, phone (850)478-9844, Fax: (850)478-0620, email: gregory.allen@atkinsglobal.com, write: Eugene Harris, Escambia County Project Manager, 3363 West Park Place, Pensacola, FL 32505, phone: (850)595-3404, email: elharris@co.escambia.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 7 days before the workshop/meeting by contacting: Gregory Allen, Atkins Project Manager, 2114 Airport Blvd., Suite 1450, Pensacola, FL 32504, phone: (850)478-9844, Fax: (850)478-0620, email: gregory.allen@atkinsglobal.com, write: Eugene Harris, Escambia County Project Manager, 3363 West Park Place, Pensacola, FL 32505, phone: (850)595-3404, email: elharris@co.escambia.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).

BROWARD SOIL AND WATER CONSERVATION DISTRICT

The **Broward Soil and Water Conservation District (BSWCD)** announces a public meeting to which all persons are invited.

DATES AND TIME: May 11, 2011; June 8, 2011; July 13, 2011; August 10, 2011; September 14, 2011; October 12, 2011; November 9, 2011, 5:00 p.m.

PLACE: 6191 Orange Drive, Room 6181P, Davie, FL 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular Monthly Meeting.

A copy of the agenda may be obtained by contacting: Russell M. Setti, Room 6181P, Davie, FL 33314, (954)483-6402.

Pursuant to the provisions of 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: Russell M. Setti at (954)483-6402. If you are 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: Russell M. Setti at (954)483-6402.

FLORIDA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION ASSOCIATION

The **Florida Birth-Related Neurological Injury Compensation Association** announces a public meeting to which all persons are invited.

DATE AND TIME: May 3, 2011, 12:30 p.m.

PLACE: Governors Inn, 209 S. Adams St., Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Board Matters.

A copy of the agenda may be obtained by contacting: Minnie Patrick at (850)488-8191 or mpatrick@nica.com.

CITY OF ORMOND BEACH

The **City of Ormond Beach** announces a workshop to which all persons are invited.

DATE AND TIME: April 27, 2011, 6:00 p.m.

PLACE: City Commission Chambers, Ormond Beach City Hall, 22 South Beach Street, Ormond Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public workshop is being held to discuss the Wayfinding and Interpretation Assessment Plan for the Ormond Scenic Loop & Trail.

The public workshop will include innovative charette-style techniques, such as poster boards, renderings, conceptual drawings, gateway feature discussion, comment boards, and a brief Microsoft PowerPoint presentation. The critical outcome of this workshop will be to give the community the opportunity to voice their opinion about the future phases of the project, including input on signage design and installation.

A copy of the agenda may be obtained by contacting: Larry Rivera, Ormond Beach Engineering Department, (386)676-3269.

Pursuant to the provisions of 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: Larry Rivera, Ormond Beach Engineering Department, (386)676-3269. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Larry Rivera, Ormond Beach Engineering Department, at (386)676-3269.

ATKINS

The Florida **Department of Transportation (FDOT)**, District 3 announces a hearing to which all persons are invited.

DATE AND TIME: April 26, 2011, 5:30 p.m. – 7:00 p.m.

PLACE: Woodlawn United Methodist Church, 219 North Alf Coleman Road, Panama City Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing is being conducted to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of proposed improvements to CR 388 (West Bay Parkway, Segment 2) in Bay County, Florida, Financial Aid #424464-3-22-01. The proposed improvements involve the widening of CR 388 (West Bay Parkway, Segment 2) from SR 79 to SR 77, a distance of approximately 13 miles. The hearing is being held in accordance with Federal Executive Orders 11990 and 11988. The project consists of widening CR 388 (West Bay Parkway, Segment 2) from two lanes to a four-lane divided roadway with bicycle lanes and stormwater treatment facilities, and realigning the approaches of CR 388 (West Bay Parkway, Segment 2) at the intersections with SR 79 and SR 77. The improvements at the CR 388/SR 77 intersection would include a fly-over ramp for traffic traveling SR 77 northbound to CR 388 westbound. In addition, new bridges across Crooked Creek and Burnt Mill Creek would be provided. The draft project documents will be available for review until May 6, 2011 at the FDOT District 3 Office, 1074 Highway 90 East, Chipley, Florida 32428, and the Bay County Public Library at 898 West 11th Street, Panama City, Florida 32324.

A copy of the agenda may be obtained by contacting: Debbie McKee (Atkins), 2639 North Monroe Street, Building C, Tallahassee, FL 32303.

Pursuant to the provisions of 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: Debbie McKee Toll-Free at 1(866)940-7275, via

email debbie.mckee@atkinsglobal.com or in writing 2639 North Monroe Street, Building C, Tallahassee, FL 32303. If you are 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: FDOT Project Manager, Brandon Bruner (joseph.bruner@dot.state.fl.us) or FDOT, District 3, Public Information Director, Tommie Speights (tommie.speights@dot.state.fl.us). They can be reached Toll Free at 1(888)638-0250, ext. 625 and ext. 208, respectively. You may also visit the project website www.westbayparkway.com.

BABCOCK RANCH INC.

The **Babcock Ranch Inc.**, Board of Directors announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 18, 2011, 9:00 a.m.

PLACE: Teleconference Dial: (904)596-2362, Code: 63683903#

GENERAL SUBJECT MATTER TO BE CONSIDERED: will cover a varied range of topics regarding the management and operations of the Babcock Ranch and its associated agencies including but not limited to:

1. The status of the extension of the Management Agreement
2. Upcoming third party audit
3. Update from DEP state lands on the status of Board (re)appointments
4. Web page
5. Recreational Access

A copy of the agenda may be obtained by contacting: Debbie Upp at execassistant@archbold-station.org or (863)465-2571, ext. 251.

For more information, you may contact: Debbie Upp at execassistant@archbold-station.org or (863)465-2571, ext. 251.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, State of Florida has declined to rule on the petition for declaratory statement filed by Tipples Brews of Gainesville, Docket Number, DS 2011-014 on March 29, 2011. The following is a summary of the agency's declination of the petition:

The Division was advised by the Petitioner that he desired to withdraw the Petition for Declaratory Statement.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Michael Ross, Chief Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 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 Wayne Wheatley, Unit Owner, In Re: Regency Towers Condominium Association, Inc., Docket No. 2011002478 on January 14, 2011. The following is a summary of the agency's declination of the petition:

The Division has declined to issue a declaratory statement because it cannot issue a declaratory statement concerning events that have already taken place; or where there is no citation to an applicable statute, rule or order of the Division; or where a court has jurisdiction over the issue.

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 Edward J. Campbell, Unit Owner/Petitioner, In Re: The Moorings Condominium Association, Inc., Docket No. 2011017958 on March 31, 2011. The petition seeks the agency's opinion as to the applicability of Section 718.303(3), Florida Statutes, as it applies to the petitioner.

Whether The Moorings Condominium Association, Inc. may reassign a common element boat slip from a delinquent owner whose use has been suspended under Section 718.303(3), Florida Statutes, to another owner.

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 issued an order disposing of the petition for declaratory statement filed by Telese B. McKay, Esq., for Tidy Island Condominium Association, Inc., Docket No. 2011005109 on February 1, 2011. The following is a summary of the agency's disposition of the petition:

The Division finds that Tidy Island may not use voting interests in unbuilt units owned by the association to either cast votes or create a quorum under Section 718.112(2)(b)2., Florida Statutes.

A copy of the Order Disposing 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 Pari-Mutuel Wagering, Department of Business and Professional Regulation, has declined to rule on the petition for declaratory statement filed by West Flagler Associates, Ltd., as General Partner of Summer Jai Alai Partners, Petitioner, in DBPR Case No. 2010047493, Petition No. DS 2010-072, on September 10, 2010. The following is a summary of the agency's declination of the petition:

The Petition listed Chapter 550, and Sections 550.0745(2), 550.615(2) and 849.086, Florida Statutes, as the statutory provision(s) upon which a declaratory statement was being sought. The Petition requested the Division of Pari-Mutuel Wagering to state whether the Petitioner's plan to construct a pari-mutuel facility exclusively for cardroom operations and intertrack wagering while conducting the required live performances at another facility within 35 miles from the new facility complies with the Florida Statutes mentioned above as well as subsection 61D-11.007(4), Florida Administrative Code. Pursuant to Petitioner's Notice of Voluntary Withdrawal

of Petition for Declaratory Statement filed February 4, 2011, the Division has issued an Order on March 31, 2011, ruling the original Petition to be moot and therefore withdrawn without prejudice.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, phone: (850)921-0342.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on March 31, 2011, the Board of Clinical Laboratory Personnel has received the petition for declaratory statement from KWB Pathology Associates. The petition seeks the agency's opinion as to the applicability of Rule 64B3-10.005, F.A.C. as it applies to the petitioner.

The petition seeks the Board's interpretation of Rule 64B3-10.005, F.A.C., in reference to the gross examination of specimens under histology or any of the other specialties.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has declined to rule on the petition for declaratory statement filed by Marshal A. Seymour, Petitioner, Case #114886-11-FM on January 6, 2011. The following is a summary of the agency's declination of the petition:

The Department denied the petition because the purpose of a declaratory statement by an administrative agency is to allow a petitioner to select a proper course of action in advance of taking the action. In this case, the course of action is in the past, and the Department has commenced an administrative action against the Petitioner which is currently pending.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-3604, or (850)413-4238; Fax number (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises or by e-mailing your request to Lesley.Mendelson@myfloridacfo.com).

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

Invitation to Bid (ITB)

The Florida State University Facilities Purchasing will receive sealed bids until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Florida State University
 Facilities Maintenance, Purchasing
 102A Mendenhall Building A
 Tallahassee, Florida 32306

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the:

Bid Number: FAC83209-11
 Procurement Associate: Betty-Jean (BJ) Lewis, Facilities
 Mandatory Pre-Bid: May 11, 2011 @ 10:00 a.m. local time
 Location: Lobby of King Life Science Bldg,
 West Entrance, Stadium Drive
 Public Bid Opening: May 19, 2011 @ 2:00 p.m. local time
 FSU-Facilities Maintenance
 Facilities Maintenance Purchasing
 969 Learning Way
 101 Mendenhall, Building A
 Tallahassee, Florida 32306-4150

Bid Documents: The purpose of this Invitation to Bid (ITB) is to secure a qualified Contractor to lease appropriate water purification equipment, provide training, and full-service maintenance so as to guarantee both the quality and quantity of high purity water required at each Florida State University campus location, listed herein.

Contact Person: Betty-Jean (BJ) Lewis, Procurement Associate
 Email: blewis@admin.fsu.edu.

Request for Proposal (RFP)

The Florida State University Facilities Purchasing will receive sealed bids until the dates and times shown for the following projects. Proposal may be brought to the proposal opening or sent to:

Florida State University
 Facilities Maintenance, Purchasing
 102A Mendenhall Building A
 Tallahassee, Florida 32306

prior to proposal opening. Proposal must reference proposal number, opening date and time on outside of proposal package to insure proper acceptance. Proposals submitted by facsimile are NOT acceptable. For information relating to the Invitation(s) to proposal contact the:

Proposal Number: FAC82952-11
 Procurement Associate: Betty-Jean (BJ) Lewis, Facilities
 Mandatory Pre-proposal: May 2, 2011 @ 9:00 a.m.
 Location: FSU Facilities Maintenance
 969 Learning Way
 Room 101, Mendenhall Bldg A
 Tallahassee, Florida 32306-4150
 Receiving of Proposal: May 26, 2011 @ 2:00 p.m.
 Location: FSU-Facilities Maintenance
 Facilities Maintenance Purchasing
 969 Learning Way
 Room 101, Mendenhall, Building A
 Tallahassee, Florida 32306-4150

Bid Documents: Florida State University is accepting responsive proposals for continuous maintenance contract from fully qualified elevator maintenance companies. Specific

elevators (both electric traction and oil-hydraulic type) and vertical lifting systems owned and operated by Florida State University.

Contact Person: Betty-Jean (BJ) Lewis, Procurement Associate
Email: blewis@admin.fsu.edu.

NOTICE TO CONSTRUCTION MANAGEMENT FIRMS-OFFICE OF FACILITIES DESIGN AND CONSTRUCTION-Request for Qualifications (RFQ)-OFDC-RFQ-004-11-Construction Management Services-Date of Publication – April 8, 2011. The Office of Facilities Design and Construction announces that Construction Management services are required for the following project: Project Number/Title: Magnet School Upgrades at John E. Ford K-8 No. 154, 1137 Cleveland Street, Jacksonville, FL 32209, DCSB Project No. C-91470/OFDC-RFQ-004-11. RFQ RESPONSES ARE DUE ON OR BEFORE MAY 10, 2011 AND WILL BE ACCEPTED UNTIL 4:30 p.m. Scope of Work: The project at John E. Ford K-8 is for a new cafeteria addition, new locker rooms and renovation for a new clinic. The estimated construction budget is “Budgeted Not to Exceed” \$1,600,000. The selected Construction Manager’s services will include preconstruction services including value engineering, constructability analysis, development of a cost model, and estimating and development of a Guaranteed Maximum Price at the applicable Construction Document phase. Selection of firms will be made on the basis of construction manager qualifications in accordance with the criteria outlined in the DCPS manual for the Selection of the Construction Manager. The Construction Manager must have previous experience with projects of similar size and scope with emphasis on active campus construction projects. Proposal requirements and information for Award Selection may be obtained at http://www.duvalschools.org/static/aboutdcp/departments/facilities/selection_booklets.asp Selection of the Construction Manager.doc. The selected firm shall be required to execute the Duval County School Board standard form of agreement. All firms submitting proposals shall be required to be pre-qualified with Duval County Public Schools prior to the RFQ due date. Firms who are not approved as a pre-qualified bidder will not be considered for award. Prequalification forms and information may be obtained at www.duvalschools.org http://www.duvalschools.org/static/aboutdcp/departments/facilities/general_documents.asp “Contractor Prequalification Package for Educational Facilities Construction”. Applications are to be sent to: Facilities Design and Construction, 1701 Prudential Drive, 5th Floor, Jacksonville, FL 32207-8182.

PROJECT MANAGER: Tony Gimenez/**PHONE NO.:** (904)390-2945/**MBE GOALS:** 20% overall

REGIONAL PLANNING COUNCILS

Request for Qualifications in conducting target industry strategic planning

The Northeast Florida Regional Council and the Jacksonville Regional Chamber of Commerce have received an Economic Adjustment Assistance grant from the U.S. Economic Development Agency (EDA) and are requesting Statements of Qualifications from firms with experience in conducting target industry strategic planning for regional economic development organizations. Submittals must be received by no later than 5:00 p.m. Eastern Time on Thursday, April 28, 2011. The complete Request for Qualifications, including specifics regarding submittal procedures, can be found at www.nefrc.org, under Public Notices.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INVITATION TO BID

BID NO. BDC 30-10/11

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from certified or registered contractors licensed to work in the jurisdiction for the project listed below. Contractor must be certified by the Florida Department of Transportation.

PROJECT NAME: Florida Keys Overseas Heritage Trail-Spanish Harbor to Seven-Mile Bridge, MM30.0-MM40.0
SCOPE OF WORK: The Contractor will provide the necessary labor, materials, equipment, and supervision to construct a 4" to 12' varying width multi-use paved trail and boardwalk system on the ocean side and bay side of U.S. 1 from MM30.0 to MM40.0. Improvements also include storm water management facilities, utility adjustments, fencing, guardrail, landscaping, signage, striping, gravity wall, and handrails. All improvements shall be installed within the U.S. 1 right-of-way and a portion of Bahia Honda State Park.

PROJECT BUDGET: \$2,363,130

PARK LOCATION: Between MM30.0 and MM40.0 on Florida Keys Overseas Heritage Trail

PROJECT MANAGER: Todd McGee, Office of Greenways & Trails, 3900 Commonwealth Blvd., MS 795, Tallahassee, Florida 32399-2400, Telephone Number: (850)245-2070

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 April 15, 2011, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399, Attention: Todd McGee, Construction Projects Manager, Telephone: (850)245-2052, Fax: (850)245-2082.

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 with the Bureau of Design and Construction at (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).

E-VERIFY: Vendor/Contractor shall utilize the U.S. Department of Homeland Security's E-Verify system to confirm the employment eligibility of all persons employed by the Vendor/Contractor during the term of the Contract to perform employment duties within Florida and all persons, including subcontractors, assigned by the Vendor/Contractor to perform work pursuant to the contract with the Department.

BID SUBMITTAL DUE DATE: No later than 3:00 p.m. (ET), Tuesday, May 17, 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, May 31, 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 Rule 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

REQUEST FOR PROPOSALS (FDDC # 2011-CD-9002)

Let's Get Everyone to Work

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2011-CD-9002) is released to develop three videos that showcase existing transition and employment programs throughout Florida. These programs exemplify best practices in training and transitioning students with developmental disabilities to successful work experiences at minimum or above minimum wage jobs.

Individuals, not-for-profits, and for-profit agencies may submit proposals in response to this RFP. FDDC has set aside federal funds for a period not to exceed one year for fiscal support of this RFP. The anticipated award for this project will be up to \$150,000. The exact amount of the contract will be developed during contract negotiations.

Copies of this RFP can be downloaded from the FDDC website (www.fddc.org) or copies may be requested by writing: FDDC at 124 Marriott Drive, Suite 201, Tallahassee, FL 32301, or calling (850)488-4180 or Toll Free 1(800)580-7801 or TDD Toll Free (888)488-8633.

The deadline for submitting written questions and letters of intent for this RFP is May 2, 2011 by 4:00 p.m. EDT. Letters of intent are encouraged but not mandatory. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of May 9, 2011. The deadline for submitting proposals for this RFP to FDDC is June 2, 2011 by 2:00 p.m. EDT.

THE ABOVE ANNOUNCEMENT WILL APPEAR IN THE FLORIDA ADMINISTRATIVE WEEKLY AND ON THE FDDC WEB PAGE (fddc.org) ON April 15, 2011.

PLEASE FORWARD ALL REQUESTS FOR COPIES OF THIS RFP TO CAROLYN WILLIAMS.

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY. THIS IS A LEGAL PROCESS AND WE CANNOT ANSWER QUESTIONS VERBALLY.

REQUEST FOR PROPOSALS (FDDC #2011-CL-9003)

DD Wait List Strategic Plan Development

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2011-CL-9003) is released in order to fund the research and development of a comprehensive written strategic plan to address the DD Home & Community Based Services Waiver Wait List. It is anticipated that the completed strategic plan will be used to provide verifiable information and recommendations to key state decision makers such as the Governor and the Legislature on this issue.

Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP. FDDC has set aside federal funds for a period not to exceed one (1) year for fiscal support of this RFP. The anticipated award for this project is expected to range from \$30,000 to \$40,000. The exact amount of this contract will be developed during contract negotiations.

Copies of this RFP can be downloaded from the FDDC website or copies may be requested by writing: FDDC at 124 Marriott Drive, Suite 201, Tallahassee, FL 32301, or calling (850)488-4180 or Toll Free 1(800)580-7801 or TDD Toll Free 1(888)488-8633.

The deadline for submitting written questions and letters of intent for this RFP is April 29, 2011 by 4:00 p.m. (EDT). Letters of intent are encouraged but not mandatory. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of May 9, 2011. The deadline for submitting proposals for this RFP to FDDC is June 3, 2011 by 2:00 p.m. (EDT).

THE ABOVE ANNOUNCEMENT WILL APPEAR IN THE FLORIDA ADMINISTRATIVE WEEKLY AND ON THE FDDC WEB PAGE (fdcc.org) on April 15, 2011.

PLEASE FORWARD ALL REQUESTS FOR COPIES OF THIS RFP TO CAROLYN WILLIAMS.

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY. THIS IS A LEGAL PROCESS AND WE CANNOT ANSWER QUESTIONS VERBALLY.

REQUEST FOR PROPOSALS (FDDC # 2011-HC-9004)

Community Wellness Needs Assessment

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2011-HC-9004) is released in order to conduct an assessment to determine the needs of individuals with developmental

disabilities as it relates to pursuing health and wellness activities in their communities. Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP. FDDC has set aside federal funds for a period not to exceed one (1) year for fiscal support of this RFP. Funding for the contract period will not exceed \$55,000 of federal grants from FDDC. The exact amount of this contract will be developed during contract negotiations.

Copies of this RFP can be downloaded from the FDDC website (www.fddc.org) or copies may be requested by writing: FDDC at 124 Marriott Drive, Suite 201, Tallahassee, FL 32301, or calling (850)488-4180 or Toll Free 1(800)580-7801 or TDD Toll Free 1(888)488-8633.

The deadline for submitting written questions and letters of intent for this RFP is May 3, 2011 by 4:00 p.m. EDT. Letters of intent are encouraged but not mandatory. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of May 9, 2011. The deadline for submitting proposals for this RFP to FDDC is June 6, 2011 by 2:00 p.m. EDT.

THE ABOVE ANNOUNCEMENT WILL APPEAR IN THE FLORIDA ADMINISTRATIVE WEEKLY AND ON THE FDDC WEB PAGE (fdcc.org) ON APRIL 15, 2011.

PLEASE FORWARD ALL REQUESTS FOR COPIES OF THIS RFP TO CAROLYN WILLIAMS.

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY. THIS IS A LEGAL PROCESS AND WE CANNOT ANSWER QUESTIONS VERBALLY.

Section XII
Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA11-OR-052
In re: LAND DEVELOPMENT
REGULATIONS ADOPTED BY
CITY OF KEY WEST ORDINANCE
NO. 11-06

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., (2010), approving a land development regulation adopted by a local government within the City of Key West Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The City of Key West is a designated area of critical state concern.
2. On March 21, 2011 the Department received for review City of Key West Ordinance No. 11-06, which was adopted by the City of Key West City Commission on March 15, 2011, (“Ord. 11-06”).
3. The purpose of Ord. 11-06 is to amend Chapter 122 of the Code of Ordinances entitled Zoning by amending Section 122-138 and 122-1346 to clarify that transient units shall not be transferred, regardless of whether the unit will be used for transient or non-transient use, unless accompanied by a business tax receipt. Ord. 11-06 also clarifies that if a transient unit is transferred for non-transient use, the license will be extinguished and deletes a sunset provision.
4. Ord. 11-06 is consistent with the City’s Comprehensive Plan: Policy 1-2.3.4: Historic Planned Redeveloped and Development.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern based upon consistency with the Principles for Guiding Development applicable to that area of critical state concern. §§ 380.05(6) and 380.05(11), Fla. Stat., (2010).
6. The City of Key West is an Area of Critical State Concern. § 380.05, Fla. Stat. (2010) and Rule 28-36.001, Fla. Admin. Code.
7. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2010). The regulations adopted by Ord. 11-06 are land development regulations.
8. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for the particular area (the “Principles”). § 380.05(6), Fla. Stat.; see *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff’d.*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles for the City of Key West Area of Critical State Concern are set forth in subsection 28-36.003(1), Fla. Admin. Code.
9. The above identified portions of Ord. 11-06, are consistent the following Principles:
 - (a) Strengthen local government capabilities for managing land use and development.
 - (d) Protection of scenic resources of the City of Key West and promotion of the management of unique tropical vegetation.

(e) Protection of the historical heritage of Key West and the Key West Historical Preservation District.

10. WHEREFORE, IT IS ORDERED that Ord. 11-06 is found to be consistent with the Principles for Guiding Development of the City of Key West Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

Thomas Beck, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF

ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 4th day of April, 2011.

Paula Ford, Agency Clerk

By U.S. Mail:
The Honorable Craig Cates
Mayor, City of Key West
P. O. Box 1409
Key West, Florida 33041

Cheryl Smith
Clerk to the City Commission
P. O. Box 1409
Key West, Florida 33041

Don Craig
Interim Planning Director
City of Key West
P. O. Box 1409
Key West, Florida 33041

Larry Erskine
City Attorney
P. O. Box 1409
Key West, FL 33041

DCA Final Order No.: DCA11-OR-053
In re: LAND DEVELOPMENT
REGULATIONS ADOPTED BY
ISLAMORADA, VILLAGE OF
ISLANDS ORDINANCE NO. 11-06

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2010), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On February 15, 2011, the Department received for review Islamorada, Village of Islands Ordinance No. 11-06 ("Ord. No. 11-06") adopted by the Village on January 13, 2011.
3. Ord. No. 11-06 amends Chapter 30, Article V Schedule of District Use and Development Standards, Division 2 Zoning Districts by modifying the rear yard setback for certain accessory structures within residential zoning districts; Article VII Environmental Regulations, Division 2 Docks and Shoreline Uses; Section 30-1542 Shoreline Setback; and Division 8 Stormwater Management, Section 30-1724 Application for Approval of Stormwater Management Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2010).
5. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. §380.0552, Fla. Stat. (2010), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2010). The regulations adopted by Ord. 11-06 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Fla. Stat. (2010). See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 11-06 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
 - (e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.
 - (f) To enhance natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historical character of the Florida Keys.
9. Ord. 11-06 is not inconsistent with the remaining Principles. Ord. 11-06 is consistent with the Principles for Guiding Development as a whole.
10. Ord. 11-06 is consistent with the Village Comprehensive Plan Policy 1-1.1.2: Ensure Orderly Land Use Transition, Policy 1-4.5.4: Manage Stormwater Runoff and Policy 3-1.7.5: Ensure Compatibility of New Development.

WHEREFORE, IT IS ORDERED that Ord. 11-06 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND

YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

DONE AND ORDERED in Tallahassee, Florida.

Thomas Beck, AICP
Director, Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 5th day of April, 2011.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Michael Reckwerdt, Mayor
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Beverly Raddatz, Village Clerk
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Nina Boniske, Esq.
James White, Esq.
Weiss Serota Helfman Pastoriza
Guedes Cole & Boniske, P.A.
2525 Ponce De Leon Blvd., Suite 700
Coral Gables, Florida 33134-6045

DEPARTMENT OF REVENUE

Notice of Adoption of Communications Services Tax
Address/Jurisdiction Database
Section 202.22(2), F.S., requires the Department of Revenue to create and maintain an electronic situsing database that assigns service addresses to local taxing jurisdictions for purposes of

the communications services tax. The update to the Address/Jurisdiction Database, as posted on April 4, 2011, becomes effective on July 1, 2011. The database can be accessed at <http://geotax.state.fl.us>. The next update to the database will be effective January 1, 2012, and is required to be posted 90 days in advance of the effective date. Local governments are required to submit changes and additions for inclusion in the January 1, 2012, update no later than September 3, 2011. Additional information concerning procedures for requesting changes and additions to the database is available from the Department of Revenue Local Government Unit by telephone at 1(800)352-3671 or by e-mail at local-govt-unit@dor.state.fl.us. Persons with hearing or speech impairments may call the TDD line at 1(800)367-8331 or (850)922-1115.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Gorilla Motor Works, LLC, intends to allow the establishment of Andrew J. Biggar, d/b/a Orange City Cycle as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co., Ltd., (line-make ZHNG) at 2305 South Volusia Avenue, Orange City, (Volusia County), Florida 32763, on or after May 14, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Andrew J. Biggar, d/b/a Orange City Cycle are dealer operator(s): Andrew J. Biggar, 2305 South Volusia Avenue, Orange City, Florida 32763; principal investor(s): Andrew J. Biggar, 2305 South Volusia Avenue, Orange City, Florida 32763.

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 US Mail to: Diana Hammer, Gorilla Motor Works, LLC, 12485 44th Street North, Suite A, Clearwater, Florida 33762.

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 CFMoto Powersports, Inc., intends to allow the establishment of Cycle Exchange, LLC, as a dealership for the sale of motorcycles manufactured by Chunfeng Holding Group Co., Ltd., (line-make CFHG) at 14540 North Florida Avenue, Tampa, (Hillsborough County), Florida 33613, on or after May 14, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Cycle Exchange, LLC, are dealer operator(s): Patcharee Clark, 7005 Greenbriar Drive, Seminole, Florida 33777; principal investor(s): Patcharee Clark, 7005 Greenbriar Drive, Seminole, Florida 33777.

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 US Mail to: Eric Fan, CFMoto Powersports, Inc., 3555 Holly Lane North, # 30, Plymouth, Minnesota 55447.

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 Jonway Motorcycles USA Co., Ltd., intends to allow the establishment of Global Motors, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Jonway Motorcycle Manufacturing Co., Ltd., (line-make SHEN) at 801 Northwest 27th Avenue, Miami, (Miami-Dade County), Florida 33125, on or after May 14, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Global Motors, Inc., are dealer operator(s): Israel Ramos, 801 Northwest 27th Avenue, Miami, Florida 33125; principal investor(s): Israel Ramos, 801 Northwest 27th Avenue, Miami, Florida 33125.

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 US Mail to: Darrell Green, Jonway Motorcycles USA Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Garia, Inc., intends to allow the establishment of J & B Tradewind Ventures, LLC, d/b/a Ron's Golf Carts as a dealership for the sale of low-speed vehicles manufactured by Garia A/S, (line-make GARI) at 2629 Waverly Barn Road, Suite 135, Davenport, (Polk County), Florida 33897, on or after May 14, 2011.

The name and address of the dealer operator(s) and principal investor(s) of J & B Tradewind Ventures, LLC, d/b/a Ron's Golf Carts are dealer operator(s): Shawn Marlow, 2629 Waverly Barn Road, Suite 135 Davenport, Florida 33897; principal investor(s): Shawn Marlow, 2629 Waverly Barn Road, Suite 135 Davenport, Florida 33897.

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 US Mail to: Henrik Hansen, Garia, Inc., 18838 Stone Oak Parkway, Suite 201, San Antonio, Texas 78258.

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 Jonway Motorcycles USA Co., Ltd., intends to allow the establishment of Pro Cycle II Enterprises, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Jonway Motorcycle Manufacturing Co., Ltd.,

(line-make SHEN) at 110 South Federal Highway, Pompano Beach, (Broward County), Florida 33062, on or after May 14, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Pro Cycle II Enterprises, Inc., are dealer operator(s): Durval Hernandez, 110 South Federal Highway, Pompano Beach, Florida 33062; principal investor(s): Durval Hernandez, 110 South Federal Highway, Pompano Beach, Florida 33062.

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 US Mail to: Darrell Green, Jonway Motorcycles USA Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco LLC, intends to allow the establishment of Spitzer Autoworld Homestead, Inc., as a dealership for the sale of passenger cars and trucks manufactured by Chrysler, (line-make CHRY) at 30101 South Dixie Highway, Homestead, (Miami-Dade County), Florida 33030, on or after May 14, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Spitzer Autoworld Homestead, Inc., are dealer operator(s): Alan Spitzer, 30101 South Dixie Highway, Homestead, Florida 33030 and Mark Arnold, 30101 South Dixie Highway, Homestead, Florida 33030; principal investor(s): Alan Spitzer, 30101 South Dixie Highway, Homestead, Florida 33030.

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 US Mail to: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

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 Chrysler Group Carco, LLC, intends to allow the establishment of Spitzer Autoworld Homestead, Inc., as a dealership for the sale of passenger cars and trucks manufactured by Chrysler, (line-make DODG) at 30101 South Dixie Highway, Homestead, (Miami-Dade County), Florida 33030, on or after May 14, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Spitzer Autoworld Homestead, Inc., are dealer operator(s): Alan Spitzer, 30101 South Dixie Highway, Homestead, Florida 33030 and Mark Arnold, 30101 South Dixie Highway, Homestead, Florida 33030; principal investor(s): Alan Spitzer, 30101 South Dixie Highway, Homestead, Florida 33030.

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 US Mail to: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

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 Chrysler Group Carco, LLC, intends to allow the establishment of Spitzer Autoworld Homestead, Inc., as a dealership for the sale of passenger cars and trucks manufactured by Chrysler, (line-make JEEP) at 30101 South Dixie Highway, Homestead, (Miami-Dade County), Florida 33030, on or after May 14, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Spitzer Autoworld Homestead, Inc., are dealer operator(s): Alan Spitzer, 30101 South Dixie Highway, Homestead, Florida 33030 and Mark Arnold, 30101 South Dixie Highway, Homestead, Florida 33030; principal investor(s): Alan Spitzer, 30101 South Dixie Highway, Homestead, Florida 33030.

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 US Mail to: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

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 Gorilla Motor Works, LLC, intends to allow the establishment of Sunset Point Scooters, Inc., d/b/a Sunset Scooters as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co., Ltd., (line-make ZHNG) at 2300 Sunset Point Road, Clearwater, (Pinellas County), Florida 33765, on or after May 14, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Sunset Point Scooters, Inc., d/b/a Sunset Scooters are dealer operator(s): Douglas V. Vitello, 112 South Maywood Avenue, Clearwater, Florida 33765; principal investor(s): Douglas V. Vitello, 112 South Maywood Avenue, Clearwater, Florida 33765 and Gary D. Parr, 6481 27th Avenue North, St. Petersburg, Florida 33710.

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 US Mail to: Diana Hammer, Gorilla Motor Works, LLC, 12485 44th Street North, Suite A, Clearwater, Florida 33762.

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 Gorilla Motor Works, LLC, intends to allow the establishment of Superior Engineering Corporation of America, Inc., d/b/a Motor Toys as a dealership for the sale of

motorcycles manufactured by Taizhou Zhongneng Motorcycle Co., Ltd., (line-make ZHNG) at 830 Cassena Road, Naples, (Collier County), Florida 34108, on or after May 14, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Superior Engineering Corporation of America, Inc., d/b/a Motor Toys are dealer operator(s): George Burt, 830 Cassena Road, Naples, Florida 34108; principal investor(s): George Burt, 830 Cassena Road, Naples, Florida 34108.

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 US Mail to: Diana Hammer, Gorilla Motor Works, LLC, 12485 44th Street North, Suite A, Clearwater, Florida 33762.

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 Jonway Motorcycles USA Co., Ltd., intends to allow the establishment of Tropical Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Jonway Motorcycle Manufacturing Co., Ltd., (line-make SHEN) at 11610 Seminole Boulevard, Largo, (Pinellas County), Florida 33778, on or after May 14, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Tropical Scooters, LLC, are dealer operator(s): Mark W. Stanley, 11610 Seminole Boulevard, Largo, Florida 33778 and Michele R. Stanley, 11610 Seminole Boulevard, Largo, Florida 33778; principal investor(s): Mark

W. Stanley, 11610 Seminole Boulevard, Largo, Florida 33778 and Michele R. Stanley, 11610 Seminole Boulevard, Largo, Florida 33778.

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 US Mail to: Darrell Green, Jonway Motorcycles USA Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Jonway Motorcycles USA Co., Ltd., intends to allow the establishment of U.S. World Motors, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Jonway Motorcycle Manufacturing Co., Ltd., (line-make SHEN) at 17351 Southwest 290th Street, Homestead, (Miami-Dade County), Florida 33030, on or after May 14, 2011.

The name and address of the dealer operator(s) and principal investor(s) of U.S. World Motors, Inc., are dealer operator(s): Argello Cruz, 17351 Southwest 290th Street, Homestead, Florida 33030; principal investor(s): Argello Cruz, 17351 Southwest 290th Street, Homestead, Florida 33030.

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 US Mail to: Darrell Green, Jonway Motorcycles USA Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Unique Superbikes Co., as a dealership for the sale of motorcycles manufactured by Aprilia of Piaggio and C. SpA Company, (line-make APR1) at 2699 Biscayne Boulevard, Suite 5, Miami, (Miami-Dade County), Florida 33137, on or after May 14, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Unique Superbikes Co. are dealer operator(s): Leandro Souza, 2699 Biscayne Boulevard, Suite 5, Miami, Florida 33137; principal investor(s): Leandro Souza, 2699 Biscayne Boulevard, Suite 5, Miami, Florida 33137.

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 US Mail to: Michael J. Babich, Piaggio Group Americas, Inc., 257 Park Avenue South, 4th Floor, New York, New York 10010.

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 Piaggio Group Americas, Inc., intends to allow the establishment of Unique Superbikes Co., as a dealership for the sale of motorcycles manufactured by Moto Guzzi, (line-make MOGU) at 2699 Biscayne Boulevard, Suite 5, Miami, (Miami-Dade County), Florida 33137, on or after May 14, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Unique Superbikes Co., are dealer operator(s): Leandro Souza, 2699 Biscayne Boulevard, Suite 5, Miami, Florida 33137; principal investor(s): Leandro Souza, 2699 Biscayne Boulevard, Suite 5, Miami, Florida 33137.

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 US Mail to: Michael J. Babich, Piaggio Group Americas, Inc., 257 Park Avenue South, 4th Floor, New York, New York 10010.

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 Jonway Motorcycles USA Co., Ltd., intends to allow the establishment of Veruccino Motors, Inc., as a dealership for the sale of motorcycles manufactured by

Zhejiang Jonway Motorcycle Manufacturing Co., Ltd., (line-make SHEN) at 2801 North State Road 7, Hollywood, (Broward County), Florida 33021, on or after May 14, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Veruccino Motors, Inc., are dealer operator(s): Lianis B. Martinez, 2801 North State Road 7, Hollywood, Florida 33021 and Isidro Ley Acosta, 2801 North State Road 7, Hollywood, Florida 33021; principal investor(s): Isidro Ley Acosta, 2801 North State Road 7, Hollywood, Florida 33021.

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 US Mail to: Darrell Green, Jonway Motorcycles USA Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Intent to Grant a Variance Under Chapter 403, F.S.

The Department of Environmental Protection (Department) gives notice of its intent to grant a variance (No. 0284086-003 EV-VE, OGC No. 08-2200) to Mr. Franz Rosinus, Old Corkscrew Plantation, LLC, 26811 South Bay Drive, Suite 350, Bonita Springs, Florida 34134, under paragraph 403.201(1)(a), Florida Statutes (F.S.), from the provisions of subsection 62-302.530(30), Florida Administrative Code (F.A.C.), which provides minimum standards for dissolved oxygen levels in the surface waters of the state. This variance will apply to dissolved oxygen levels in

the hypolimnion (deeper portions) of manmade lakes proposed to be constructed at a new limestone mine in Lee County under Environmental Resource Permit application No. 0284086-001.

The project involves the construction of ten quarry pits located in sections 2, 3, 10, 11, 14, and 15, Township 46 South, Range 27 East, Section 35, Township 45 South, Range 27 East. The quarry pits will be constructed across property lines such that the pits will have more than one property owner. During the reclamation of the project area, uplands will be contoured to restore sheet flow from the manmade lakes to adjacent wetlands during storms less than the 25-year, 24-hour storm. The proposed manmade lakes will be subject to the water quality standards provided in Rule 62-302.530, F.A.C.

On August 21, 2008, Old Corkscrew Plantation applied to the Department for a variance from the minimum standards for dissolved oxygen authorized by subsection 63-302.530(30), F.A.C., which requires a minimum level of 5.0 mg/L dissolved oxygen in the surface waters of the state.

The dissolved oxygen levels in the hypolimnion of the manmade lakes are expected to drop below the mandatory minimum of 5.0 mg/L at times. Stratification and the associated reduction of dissolved oxygen in the hypolimnion are natural phenomena in deep-water bodies, especially during warmer parts of the year. This condition is well documented in the limnological literature and recognized in paragraph 373.414(6)(a), F.S., which states, "[t]he Legislature recognizes that some mining activities that may occur in waters of the state must leave a deep pit as part of the reclamation. Such deep pits may not meet the established water quality standard for dissolved oxygen below the surficial layers. Where such mining activities otherwise meet the permitting criteria contained in this section, such activities may be eligible for a variance from the established water quality standard for dissolved oxygen within the lower layers of the reclaimed pit."

A variance of the minimum standards provided in Rule 62-302.530, F.A.C., for dissolved oxygen, within the hypolimnion of the proposed manmade lakes is not expected to result in any on-site or off-site impacts. Oxygen levels in the upper layers of the manmade lakes are expected to meet the requirements of Rule 62-302.530, F.A.C., and be adequate to support healthy fish populations. There is no practicable means known or available to achieve the required dissolved oxygen levels within the manmade lake. Therefore, the Department intends to grant a permanent variance pursuant to paragraph 403.201(1)(a), F.S., for the dissolved oxygen within the hypolimnion layer of the proposed manmade lakes.

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Bureau of Mining and Minerals Regulation, 2051 East Paul Dirac Drive, Tallahassee, Florida 32310, Telephone: (850)488-8217.

Under this intent to grant, this variance is hereby granted subject to the applicant's compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with Section 50.051, F.S. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to grant automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the variance will be granted as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the variance has been executed and delivered. Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under subsection 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the

Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Section 403.201, F.S., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under subsection 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under subsection 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) the name and address of each agency affected and each agency's file or identification number, if known; (b) the name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) a statement of when and how the petitioner received notice of the agency decision; (d) a statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) a concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) a statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) a statement of the relief

sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under paragraphs 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to grant a variance constitutes an order of the Department. Subject to the provisions of paragraph 120.68(7)(a), F.S., which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

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

Notice of Emergency Action

On March 29, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Mladen Antolic, M.D. License #ME 49756. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon

General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On March 30, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Jorge Desiderio Hernandez, M.D. License #ME 36679. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On April 1, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Curtis Lieber, P.A. License #PA 1702. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On April 1, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Debra Lee Rabin Tillis, R.N., License #RN 1499032. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On March 29, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Melissa M. Hastie, C.N.A. License #CNA 194657. This Emergency Suspension Order was predicated upon the State

Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On March 30, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Kathleen Marie Boyter, R.N. License #RN 3027062. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On April 1, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Scott McGibbon, C.N.A., License #CNA 200321. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On April 1, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Brandi Lynn Schneider, R.N., License #RN 9255743. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On April 1, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Stanley s. Dyen. R.Ph. License #PS 13959. 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

IN RE: Administrative Proceeding
No: 1192-FR-2/11
STILLWELL & STONE, LLC

NOTICE OF CLAIMS AGAINST SURETY BOND

The State of Florida Office of Financial Regulation (“Office”) being authorized and directed to administer the Surety Bond (“the Bond”) pursuant to Section 559.546(2), Florida Statutes, enters this Notice of Claims against the Surety Bond arising from alleged violations of the provisions of Chapter 559, Florida Statutes, by Stillwell & Stone, LLC (“S&S”).

FINDINGS OF FACT

1. S&S have a surety bond of \$50,000 through Nova Casualty Company.
2. On or about January 31, 2011, Nova Casualty Company informed the Office that it had received claims against the bond that would exceed the amount of the \$50,000 bond.
3. The Office has to enter an order for a Notice of Intent to grant or deny payment 6 months after the date of receipt of the first claim against the bond.
4. The first proper claim against the Bond was on December 22, 2010.

CONCLUSIONS OF LAW

5. Section 559.546(2), Florida Statutes, provides in relevant part:
 - (2) The liability of the surety under any bond issued pursuant to the requirements of this part shall not exceed in the aggregate the amount of the bond, regardless of the number or amount of any claims filed or which might be asserted against the surety on such

bond. If multiple claims are filed against the surety on any such bond in excess of the amount of the bond, the surety may pay the full amount of the bond to the office and shall not be further liable under the bond. The office shall hold such funds for distribution to claimants and administratively determine and pay to each claimant the pro rata share of each valid claim made against the funds within 6 months after the date of the filing of the first claim against the surety.

- 6. Rule 69V-180.010, Florida Administrative Code, provides in relevant part:
 - (2)(a) In the event that the surety has received claims within a six (6) month period, whether or not reduced to judgment, which exceed the amount due by the surety on the bond, the surety may pay the amount due on the bond to the Office of Financial Regulation and shall not be further liable on the bond. At the time payment is made by the surety to the Office of Financial Regulation, the surety shall provide the Office of Financial Regulation with copies of all claims made on the bond. Only valid claims made against the bond within six (6) months after the date of receipt of the first claim against the bond shall be paid. Subsequent to the expiration of the six-month period, the Office of Financial Regulation shall notice its intent to approve or deny the claims on file with the Office of Financial Regulation. The entry of a valid final judgment against the commercial collection agency or the surety shall be conclusive evidence of a valid claim. In the event that the claimant has not reduced the claim to judgment, the claimant may provide evidence to the Office of Financial Regulation pursuant to Section 120.57, Florida Statutes. Should the amount of valid claims exceed the amount on deposit with the Office of Financial Regulation, payment shall be based on the ratio that the person's claim bears to the total claims filed.
- 7. The Office received the first proper claim against the bond on December 22, 2010. Accordingly, the 6 month period mandated by Section 559.546(2), Florida Statutes, and Rule 69V-180.010, Florida Administrative Code, began to run on said date and will expire on June 22, 2011.

- 8. Claimants shall have until June 22, 2011 to file their claims with the Office pursuant to Section 559.546, Florida Statutes, and Rule 69V-180.010, Florida Administrative Code at which point the Office will issue a notice of intent to approve or deny claims.

NOTICE OF RIGHTS

NOTICE IS HEREBY GIVEN that Respondent may request a hearing to be conducted in accordance with the provisions of Sections 120.569 and 120.57, Florida Statutes. Requests for such a hearing must comply with the provisions of subsection 28-106.104(2) and Rule 28-106.2015, Florida Administrative Code. Your request must be filed within twenty-one (21) days after the publication of this notice in Florida Administrative Weekly. Claims should be filed with:

Agency Clerk
 Office of Financial Regulation
 Legal Services Office
 P. O. Box 8050
 Tallahassee, Florida 32314-8050
 (850)410-9896
 Facsimile: (850)410-9645

Failure to respond within twenty-one (21) days of publication of this notice in Florida Administrative Weekly shall be deemed a waiver of all rights to a hearing, and Final Order will be entered without further notice. Should you request such a hearing, you will have the right to be represented by counsel or other qualified representative to offer testimony, either written or oral, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Pursuant to Section 120.573, Florida Statutes, you are advised that mediation is not available.

Monique Sanoguet, Esq.
 Assistant General Counsel
 Office of Financial Regulation
 P. O. Box 8050
 Tallahassee, FL 32399-8050
 Telephone: (850)410-9896
 Facsimile: (850)410-9645

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 25th of March, 2011, a true and correct copy of the foregoing Notice of Claims Against Surety Bond was sent by U.S. MAIL to the following:

Amy Cook
Bond Claim Department
The Hanover Insurance Group
440 Lincoln Street
Worcester, MA 01653

Marine Foods Express, LTD.
Attn: Julie Ong
5757 South Loop East
Houston, TX 77033

Stiwell & Stone, LLC
2600 K Ave., #251
Plano, TX 75074

Karl Stanley
3528 Camiro Trail
McKinley, TX 75074

Jeffrey Buono
7012 Amethyst Lane
Plano, TX 75025

Hightech Signs
Attn: Ben Foster
2165 Seminole Trail
Charlottesville, VA 22901

FJB Water Technology
Attn: Frank Baumann, P.E.
509 First Street, #303
Snohomish, WA 98290

Gypsum Floors of Ar/Ok, Inc.
Attn: Jeanneane Pinner
P. O. Box 1707
Muldrow, OK 74948

As well as submitted for publication in the Florida Administrative Weekly on March 25, 2011

Monique Sanoguet, Esq.
Assistant General Counsel
Office of Financial Regulation
P. O. Box 8050
Tallahassee, FL 32399-8050
Telephone: (850)410-9648

CITY OF PALM COAST

City of Palm Coast Notice of Granted Location and Design
Concept Acceptance

On November 16, 2010 the Federal Highway Administration granted location and design concept acceptance for the following Federal-Aid project:

Financial Project Number: 415963-1-32-01

Federal-Aid Project Number: SFTL 195 R

Project Description: This project entails the widening of approximately 1.23 miles of Palm Coast Parkway from Cypress Point Parkway/Boulder Rock Drive to Florida Park Drive. The widening of Palm Coast Parkway would consist of adding one lane in each direction to the outside of the existing four-lane divided roadway. The project will consist of bridge rail modification, paving, drainage, stormwater treatment ponds, streetscape and irrigation, signage and pavement markings, and signalization.

This project will now proceed to the next phase of development.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN March 28, 2011
 and April 1, 2011

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION

State Board of Education

6A-1.094221	4/1/11	4/21/11	37/7	
6A-1.094222	4/1/11	4/21/11	37/7	
6A-5.090	4/1/11	4/21/11	37/7	
6A-6.03312	4/1/11	4/21/11	37/2	
6A-6.0333	4/1/11	4/21/11	37/2	
6A-6.053	4/1/11	4/21/11	37/7	
6A-6.054	4/1/11	4/21/11	37/7	

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-400.550	3/28/11	4/17/11	36/52	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF FINANCIAL SERVICES
Division of Insurance Agents and Agency Services

69B-221.051	3/29/11	4/18/11	37/1	
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**LIST OF RULES AWAITING LEGISLATIVE
 APPROVAL PURSUANT TO (CHAPTER 2010-279,
 LAWS OF FLORIDA)**

DEPARTMENT OF HEALTH

Board of Medicine

64B8-9.0131	11/8/10	*****	36/16	36/33
64B8-9.0134	3/25/11	*****	37/7	

Board of Osteopathic Medicine

64B15-14.0054	3/25/11	*****	37/7	
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