

**Section I**  
**Notices of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**STATE BOARD OF ADMINISTRATION**

**RULE NO.:** 19-8.010  
**RULE TITLE:** Reimbursement Contract  
**PURPOSE AND EFFECT:** The State Board of Administration of Florida, Florida Hurricane Catastrophe Fund (FHCF), seeks to amend the rule listed above to implement Section 215.555, F.S., as amended by the 2011 Legislature.

**SUBJECT AREA TO BE ADDRESSED:** Implementation of 2011 legislative changes to Section 215.555, F.S., in CS/CS/CS/SB 408, which became law on May 17, 2011. This law necessitates changes to the 2011/2012 Reimbursement Contract to redefine losses reimbursable by the FHCF and to clarify exclusions from coverage. The only change to the rule is the revision date for the Reimbursement Contract. The legislative changes are implemented through an Addendum Number Four to the 2011/2012 Reimbursement Contract. The proposed changes to the rule and a draft of the Addendum are available on the FHCF website at www.sbafla.com/fhcf under FHCF Rules.

**RULEMAKING AUTHORITY:** 215.555(3) FS.  
**LAW IMPLEMENTED:** 215.555 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: Tracy Allen, 1801 Hermitage Blvd, Tallahassee, FL 32308, (850)413-1341, tracy.allen@sbafla.com

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

**DEPARTMENT OF CORRECTIONS**

**RULE NO.:** 33-210.101  
**RULE TITLE:** Routine Mail  
**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to clarify mailing and possession limits associated with enclosures in routine incoming mail.

**SUBJECT AREA TO BE ADDRESSED:** Routine inmate mail.

**RULEMAKING AUTHORITY:** 944.09 FS.  
**LAW IMPLEMENTED:** 20.315, 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kendra Lee Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-210.101 Routine Mail.

- (1) No change.
- (2) Inmates will be permitted to receive only the following types of materials through routine mail:

- (a) through (c) No change.

- ~~(d) Self-addressed stamped envelopes. These items do not count toward the 15 page limitation for additional materials, but cannot exceed the equivalent of 20 (1 oz.) first class stamps.~~

- ~~(d)~~(e) Up to ten each of the following: unused ~~Unused~~ greeting cards (no larger than 8" x 10") with matching envelopes, stationery or other blank writing paper (lined or unlined), or envelopes (stamped or unstamped). These items do not count toward the 15 page limitation for additional materials, but cannot exceed 10 each in number. Card stock, sketch paper, and other types of craft paper may not be included.

- ~~(e)~~(f) U.S. postage stamps. The value of the stamps cannot exceed the equivalent of 20 (1 oz.) first class stamps. These items do not count toward the 15 page limitation for additional materials. Inmates shall not possess more than the maximum number of stamps permitted by Rule 33-602.201, F.A.C. Due care shall be exercised in processing mail; however, the department shall not be responsible for any postage stamps sent through the mail.

- (3) through (22) No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 10-8-76, Amended 10-11-77, 4-19-79, 11-19-81, 3-12-84, 10-15-84, Formerly 33-3.04, Amended 7-8-86, 9-4-88, 3-9-89, 9-1-93, 9-30-96, 5-25-97, 6-1-97, 10-7-97, 5-10-98, Formerly 33-3.004, Amended 12-20-99, Formerly 33-602.401, Amended 12-4-02, 8-5-03, 10-27-03, 9-20-04, 3-23-08, 7-2-09, 5-9-10, \_\_\_\_\_.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**RULE NO.:** 62-210.200  
**RULE TITLE:** Definitions  
**PURPOSE AND EFFECT:** The proposed rule development (OGC No. 11-0614) involves amendments to Chapter 62-210, F.A.C., to amend two definitions in the department's air permitting rules to exclude ethanol fuel production facilities

from the definition of “chemical process plant,” thereby raising the emission threshold for applicability of the state’s major source permitting rules for such facilities from 100 tons per year (TPY) of any regulated air pollutant to 250 TPY. The proposed rule amendments are consistent with U.S. Environmental Protection Agency (EPA) regulations amended May 1, 2007. The department announces that a workshop will be held at the date, time and place given below. This workshop will also serve as a State Implementation Plan (SIP) public hearing pursuant to the requirements of 40 CFR 51.102. Anyone who wishes to submit written comments on the department’s proposal to submit the proposed rule amendments, if ultimately adopted, to EPA as proposed SIP revision should do so prior to July 27, 2011, by letter or e-mail to Ms. Lynn Searce, Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, Florida 32399-2400 or lynn.searce@dep.state.fl.us.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule amendments involve the department’s EPA-approved air permitting program.

**RULEMAKING AUTHORITY:** 403.061 FS.

**LAW IMPLEMENTED:** 403.031, 403.061, 403.087, 403.0872, 403.814 FS.

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

**DATE AND TIME:** Wednesday, July 27, 2011, 10:00 a.m.

**PLACE:** Florida Department of Environmental Protection, Division of Air Resource Management, 111 South Magnolia Drive, Suite 23, Director’s Conference Room, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Lynn Searce at (850)717-9025 or lynn.searce@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Ms. Lynn Searce at (850)717-9025 or lynn.searce@dep.state.fl.us

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

62-210.200 Definitions.

The following words and phrases when used in this chapter and in Chapters 62-212, 62-213, 62-214, 62-296, and 62-297, F.A.C., shall, unless the context clearly indicates otherwise, have the following meanings:

(1) through (187) No change.

(188) “Major Source of Air Pollution” or “Title V Source” – A facility containing an emissions unit, or any group of emissions units, which is or includes any of the following:

(a) No change.

(b) An emissions unit or group of emissions units, all belonging to the same two-digit Major Group as described in the Standard Industrial Classification Manual, 1987, that directly emits or has the potential to emit, 100 tons per year or more of any regulated air pollutant. The fugitive emissions of an emissions unit or group of emissions units shall not be considered in determining whether it is a Title V source for purposes of this paragraph unless the emissions unit or group of emissions units belongs to one of the following categories:

1. through 19. No change.

20. Chemical process plants (the term “chemical process plants” shall not include ethanol production facilities that produce ethanol by natural fermentation included in North American Industry Classification System (NAICS) codes 325193 or 312140);

21. through 27. No change.

(c) through (h) No change.

(189) “Major Stationary Source” –

(a) A major stationary source is:

1. Any of the following stationary sources of air pollutants which emits, or has the potential to emit, 100 tons per year or more of any PSD pollutant: Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input, coal cleaning plants (with thermal dryers), kraft pulp mills, portland cement plants, primary zinc smelters, iron and steel mill plants, primary aluminum ore reduction plants, primary copper smelters, municipal incinerators capable of charging more than 250 tons of refuse per day, hydrofluoric, sulfuric, and nitric acid plants, petroleum refineries, lime plants, phosphate rock processing plants, coke oven batteries, sulfur recovery plants, carbon black plants (furnace process), primary lead smelters, fuel conversion plants, sintering plants, secondary metal production plants, chemical process plants (the term “chemical process plants” shall not include ethanol production facilities that produce ethanol by natural fermentation included in North American Industry Classification System (NAICS) codes 325193 or 312140), fossil fuel boilers (or combinations thereof) totaling more than 250 million British thermal units per hour heat input, petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels, taconite ore processing plants, glass fiber processing plants, and charcoal production plants;

2. through 3. No change.

(b) No change.

(c) The fugitive emissions of a stationary source shall not be included in determining for any of the purposes of this definition whether it is a major stationary source, unless the source belongs to one of the following categories of stationary sources:

1. through 19. No change.

20. Chemical process plants (the term “chemical process plants” shall not include ethanol production facilities that produce ethanol by natural fermentation included in North American Industry Classification System (NAICS) codes 325193 or 312140);

21. through 27. No change.

(d) No change.

(190) through (331) No change.

Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872, 403.8055 FS. History—Formerly 17-2.100, Amended 2-9-93, 11-28-93, Formerly 17-210.200, Amended 11-23-94, 4-18-95, 1-2-96, 3-13-96, 3-21-96, 8-15-96, 10-7-96, 10-15-96, 5-20-97, 11-13-97, 2-5-98, 2-11-99, 4-16-01, 2-19-03, 4-1-05, 7-6-05, 2-2-06, 4-1-06, 9-4-06, 9-6-06, 1-10-07, 5-9-07, 7-16-07, 3-16-08, 10-12-08, 6-29-09, 3-11-10, 6-29-11, \_\_\_\_\_.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-212.400	Prevention of Significant Deterioration (PSD)

PURPOSE AND EFFECT: The proposed rule development (OGC No. 11-0786) involves an amendment to Chapter 62-212, F.A.C., to exclude some facilities that produce ethanol by natural fermentation, including some ethanol fuel production facilities, from being considered a “chemical process plant” for purposes of qualifying for an exemption from the state’s “prevention of significant deterioration” air permitting rules. The proposed rule amendment is consistent with U.S. Environmental Protection Agency (EPA) regulations amended May 1, 2007. The department announces that a workshop will be held at the date, time and place given below. This workshop will also serve as a State Implementation Plan (SIP) public hearing pursuant to the requirements of 40 CFR 51.102. Anyone who wishes to submit written comments on the department’s proposal to submit the proposed rule amendments, if ultimately adopted, to EPA as proposed SIP revision should do so prior to July 27, 2011, by letter or e-mail to Ms. Lynn Scarce, Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Mail Station 5500, Tallahassee, Florida 32399-2400 or lynn.scarce@dep.state.fl.us.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments involve the department’s EPA-approved air permitting program.

RULEMAKING AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.0872, 403.814 FS.

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

DATE AND TIME: Wednesday, July 27, 2011, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Division of Air Resource Management, 111 South Magnolia Drive, Suite 23, Director’s Conference Room, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Lynn Scarce at (850)717-9025 or lynn.scarce@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Ms. Lynn Scarce at (850)717-9025 or lynn.scarce@dep.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62-212.400 Prevention of Significant Deterioration (PSD).

The provisions of this rule generally apply to the construction or modification of air pollutant emitting facilities in those parts of the state in which the state ambient air quality standards are being met. The provisions of this rule also establish various requirements for existing emissions units and facilities in such areas, including specific construction/operation permit requirements.

(1) through (2) No change.

(3) Exemptions.

(a) No change.

(b) The requirements of subsections 62-212.400(4) through (12), F.A.C., shall not apply to a major stationary source or major modification if the source or modification would be a major stationary source or major modification only if fugitive emissions, to the extent quantifiable, are considered in calculating the potential to emit of the stationary source or modification and the source does not belong to any of the following categories:

1. through 19. No change.

20. Chemical process plants (the term “chemical process plants” shall not include ethanol production facilities that produce ethanol by natural fermentation included in North American Industry Classification System (NAICS) codes 325193 or 312140);

21. through 27. No change.

(c) through (e) No change.

(4) through (13) No change.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History--Formerly 17-2.500, Amended 2-2-93, Formerly 17-212.400, Amended 11-23-94, 1-1-96, 3-13-96, 2-5-98, 8-15-99, 2-2-06, 7-16-07, 10-6-08,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NOS.:                   RULE TITLES:  
64B19-12.005                Biennial Active Renewal Fee  
64B19-12.007                Biennial Inactive Renewal Fee

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address reduction in the active and inactive renewal fees.

SUBJECT AREA TO BE ADDRESSED: Reduction of the active and inactive renewal fees from \$400 to \$340.

RULEMAKING AUTHORITY: 456.015(1),(4), 456.025(1), 456.036(3), 490.004(4), 490.007(1) FS.

LAW IMPLEMENTED: 456.015, 456.025(1), (4), 456.036(3), 490.007(1) 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: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

RULE NO.:                   RULE TITLE:  
65-29.001                   Financial Penalties for a Provider’s Failure to Comply With a Requirement for Corrective Action (Contracts Not Subject to Rule 65-29.002, F.A.C.)  
  
65-29.002                   Financial Penalties for a Provider’s Failure to Comply With a Requirement for Corrective Action (Contracts Executed or amended after\_\_\_\_\_, 2011)

PURPOSE AND EFFECT: The purpose of this rulemaking is to revise the Department’s rule provisions for including incremental penalty provisions in Department contracts to simplify and streamline the process and to expressly provide for Chapter 120, F.S., remedies.

SUBJECT AREA TO BE ADDRESSED: Financial Penalties for a Provider’s Failure to Comply With a Requirement for Corrective Action.

RULEMAKING AUTHORITY: 402.73(1) FS.

LAW IMPLEMENTED: 402.73(1) 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: Paul Sexton, Deputy General Counsel, Office of General Counsel, 1314 Winewood Boulevard, Building 2, Suite 204K, Tallahassee, Florida 32399, paul\_sexton@dcf.state.fl.us, (850)922-5216

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65-29.001 Financial Penalties for a Provider’s Failure to Comply With a Requirement for Corrective Action (Contracts Not Subject to Rule 65-29.002, F.A.C.).

(1) through (10) “No change.”

(11) This rule shall not be applicable to any contract to which Rule 65-29.002, F.A.C., applies.

Rulemaking Specific Authority 402.73(1) FS. Law Implemented 402.73(1) FS. History--New 4-14-02, Amended\_\_\_\_\_.

65-29.002 Financial Penalties for a Provider’s Failure to Comply With a Requirement for Corrective Action (Contracts Executed or amended after \_\_\_\_\_, 2011).

(1) The Department may impose incremental penalties on a provider for any failure to comply with a requirement for corrective action associated with a Department contract.

(a) The Department may issue a written Notice of Requirement for Corrective Action to a Provider, which will advise the Provider of its noncompliance with the contract terms, identify the specific terms affected, the acts or omissions that constitute noncompliance, the nature of the corrective action required, the time limit by which the provider shall accomplish the corrective action, and state that failure to comply with a requirement for corrective action may result in a penalty being imposed pursuant to this Rule.

(b) Upon the Provider’s failure to comply with the requirement for corrective action, the Department may issue a written Notice of Penalty for Failure to Comply with a Requirement for Corrective Action (Notice of Penalty), which will advise the Provider that it has failed to comply with a requirement for corrective action and state that the Department intends to impose a penalty pursuant to this Rule, and state the incremental penalty to be imposed on the amount that otherwise would be due to the provider for the period of noncompliance. The Notice of Penalty shall provide notice in

accordance with the Uniform Rules of Procedure. The penalty shall become due under the terms of the Notice of Penalty or a Final Order issued pursuant to the Uniform Rules of Procedure, whichever applies.

1. A failure to comply that is determined to have a direct effect on client health, welfare or safety shall result in the imposition of an incremental penalty of ten percent (10%) of the total contract payments otherwise due to the provider during the period of noncompliance.

2. A failure to comply involving the provision of service not having a direct effect on client health, welfare or safety shall result in the imposition of an incremental penalty of five percent (5%) of the total contract payments otherwise due to the provider during the period of noncompliance.

3. A failure to comply involving performance of administrative tasks shall result in the imposition of an incremental penalty of two percent (2%) of the total contract payments otherwise due to the provider during the period of noncompliance.

(c) The imposition of a penalty pursuant to this Rule is in addition to other relief that may be available to the Department to address a provider's failure to provide satisfactory performance and shall not, in any way, prevent the Department from seeking or applying other remedies available to it through law or equity.

(2) All contracts entered into by the Department on and after \_\_\_\_\_, 2011, (the effective date of this rule) and all amendments to Department contracts executed on and after \_\_\_\_\_, 2011, (the effective date of this rule) shall contain the following provision:

Financial Penalties for Failure to Comply With a Requirement for Corrective Action.

Section 402.73(1), Florida Statutes, requires Department contracts to include provisions for incremental penalties to be imposed by its contract managers on a service provider due to the provider's failure to comply with a requirement for corrective action. The Department has adopted Rule 65-29.002, F.A.C., entitled "Financial Penalties for a Provider's Failure to Comply With a Requirement for Corrective Action," which rule is incorporated herein by reference and made a part hereof as if fully recited herein. Additional terms governing the imposition and collection of the penalty are set forth in Section 402.73, Florida Statutes. The remedies identified in Section 402.73, Florida Statutes, do not limit or restrict the Department's application of any other remedy available to it in this contract or under law.

(3) The Department will deduct the financial penalty from funds that would otherwise be due to the provider, not to exceed 10 percent of the amount that otherwise would be due to the provider for the period of noncompliance. For purposes of this Rule, the funds that would otherwise be due to the provider shall be those payments that would be due to the provider for full performance of all services in compliance

with all contract terms. Termination or expiration of the contract shall not end the provider's obligation to pay the penalty nor the Department's authority to obtain payment.

Rulemaking Authority 402.73(1) FS. Law Implemented 402.73(1) FS. History--New \_\_\_\_\_.

## Section II Proposed Rules

### DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-43.001  
RULE TITLE: Regulation of Overhanging Encroachments

PURPOSE AND EFFECT: Rule 14-43.001, F.A.C., is being amended to define the term "official markers," establish requirements for official markers and overhanging encroachments, and incorporate a new application form and updated horizontal clear zone requirements.

SUMMARY: Official markers and overhanging encroachments are addressed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. 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: 334.044(2), 337.407 FS.

LAW IMPLEMENTED: 337.406, 337.407, 479.01, 479.16 FS.  
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Friday, July 15, 2011, 10:30 a.m.

PLACE: Department of Transportation, Haydon Burns Building, Room 479, 605 Suwannee Street, Tallahassee, Florida 32399-0458

Pursuant to the provisions of 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: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458. If

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

14-43.001 Regulation of Overhanging Encroachments.

(1) Definitions.

(a) "Applicant" means any person or entity, including a local governmental entity, seeking permission for an overhanging encroachment.

(b) "Banner" means a length or sheet of cloth, fabric, plastic, or other flexible material bearing a message which may be either of the following:

1. "Pole Banner," which is located adjacent to the travel lanes of the roadway and is attached to a single existing permanent support.

2. "Street Banner," which extends over the travel lanes of the roadway and is attached to two or more existing permanent supports.

(c) "Canopy" means a permanent or semi-permanent, on-premise roof-like projection partially extending over the right of way.

(d) "Department" means the State of Florida Department of Transportation.

(e) "Local Governmental Entity" means as provided in Section 334.03(14) F.S.

(f) "Official Marker" means a Pole Banner identifying specific areas, such as historic, banking, or entertainment districts.

(g)(f) "Overhanging Encroachment" means a sign, canopy, or banner, or official marker, as these terms are herein defined, which is placed along and over any state roads which are within municipalities, or which are of curb and gutter construction outside municipalities.

(h)(g) "Sign" means as provided in Section 479.01(17), F.S.

(2) Overhanging encroachments are prohibited on limited access facilities, including the Interstate System. Overhanging encroachments are subject to the following conditions on non limited access facilities:

(a) No new supports may be located within state right of way.

(b) Must be allowed by the local governmental entity within whose jurisdictional boundaries the banners are to be placed.

(c) Must be adjusted or removed at the owner's expense if the overhanging encroachment interferes with Department construction.

(d) ~~Shall~~ ~~May~~ not obstruct the view of any traffic signal, traffic device, or official sign, nor in any way interfere with motorists' ability to safely operate vehicles.

(e) Must comply with the setback or clearance requirements set forth in paragraphs ~~(3)(a) and (3)(b)~~ ~~(2)(h) and (2)(i)~~ below. Overhanging encroachment must be adjusted within 36 hours of notification to meet setback or clearance requirements, and, upon failure of the owner to make such adjustment, it will be removed by the Department. ~~If the overhanging encroachment presents a safety hazard, the Department will remove it and notify the owner of the removal.~~

(f) May not be erected or maintained in a manner which interferes with the Department's maintenance, operation, or other use of a transportation facility.

(g) Upon removal by the Department, the owner may reclaim it within 30 calendar days from the date of removal, upon payment of any costs incurred by the Department in removing the overhanging encroachment.

(h) Shall not contain changeable message technology.

(i) Shall be maintained in like new condition. Failure to properly maintain the encroachment shall cause the permit to be revoked after a ten (10) day notice from the Department.

(j) If the overhanging encroachment presents a safety hazard, the Department will remove it and notify the owner of the removal.

~~(3)(h) Signs and canopies which meet the criteria of Section 479.16(1), F.S. Florida Statutes, may only be placed along and over any roads within corporate limits of a municipality, or outside municipalities where curb and gutter construction exists in compliance with the following conditions:~~

(a) Where curb and gutter construction exists, the entire structure, including attachments and supports, must clear the sidewalk vertically by at least nine feet; the outside edge of the structure must be at least two feet behind a vertical line extending upward from the face of the curb; and the entire structure must comply with the Department's horizontal clearance requirements set forth in the Roadside Offsets Standards, Index 700, of the 2010 Department Design Standards, incorporated herein by reference, and available at: [www.dot.state.fl.us/officeofdesign](http://www.dot.state.fl.us/officeofdesign) clear zone requirements set forth in Table 2-11.9 Clear Zone Widths and Table 2-11.10 Clear Zone Widths for Curved Alignments on Highways With Flush Shoulders (January 2000, Revised 1/01), incorporated herein by reference. Copies of these tables are available from the Department's Maintenance Office, 605 Suwannee Street, MS 52, Tallahassee, Florida 32399-0450.

~~(b)2-~~ Within municipalities where there is not curb and gutter construction, the entire structure, including attachments and supports, may not extend more than six feet over the right of way; may not extend closer than 12 feet from the edge of the driving lane; must have a vertical clearance of at least 10 feet; and the entire structure must comply with the Department's horizontal clearance requirements set forth in the Roadside Offsets standard of the Department's Design Standards clear zone requirements as set forth in Table 2.11.9 Clear Zone Widths and Table 2.11.10 Clear Zone Widths for Curved Alignments on Highways with Flush Shoulders (January 2000, Revised 1/01), incorporated herein by reference. Copies of these tables are available from the Department's Maintenance Office, 605 Suwannee Street, MS 52, Tallahassee, Florida 32399 0450.

~~(c)3-~~ The design of canopies or signs, as to bracing and attachments to buildings, shall be approved for safety features by the appropriate official of the local governmental entity within whose jurisdictional boundaries the banners are placed.

~~(d)4-~~ No canopy or sign shall be erected away from the site of the business which it promotes.

~~(e)5-~~ Lighting of signs and canopies shall conform to the requirements of Section 479.11(5), F.S. Florida Statutes.

~~(4)(f)~~ Banners may be placed along and over any non limited access state roads which are within municipalities, or which are of curb and gutter construction outside municipalities subject to the following conditions:

~~(a)1-~~ There must be written authorization for the placement of banners from the local governmental entity within whose jurisdictional boundaries the banners are to be placed.

~~(b)2-~~ Banners may be displayed for a period not to exceed 30 consecutive calendar days and may not be within 180 days of the last day of its most recent display period, except as otherwise provided herein.

~~(c)3-~~ Placement of banners on frangible light standards or other frangible devices will require a load rating analysis, signed and sealed by a registered professional engineer, certifying that the specific light standards or devices used to support the banners will handle the additional load placed on the structures by the banner and attachments, and will not exceed the wind loading design requirements of the structure. Copies of load rating analyses previously submitted are acceptable for subsequent applications when specifications are the same.

~~(d)4-~~ Banners ~~shall may~~ not be placed within 500 feet of a limited access interchange.

~~(e)5-~~ Banners are not permitted where a Department construction project is planned or ongoing during the requested display period.

~~(f)6-~~ Street banners may be displayed for routinely recurring events, e.g., events occurring monthly or quarterly, unless otherwise provided in this rule, provided the banner is displayed for no more than three consecutive days per month, for 12 months.

~~(g)7-~~ Street banners must be:

~~1.a-~~ Placed a minimum of 1,000 feet apart on the right of way of non limited access roadways; and

~~2.b-~~ At its lowest point vertically clear the pavement by at least 18 feet.

~~(h)8-~~ Pole banners must be:

~~1.a-~~ Placed a minimum of 1,000 feet apart on the same side of the travel lane on non limited access facilities outside the corporate limits of a municipality;

~~2.b-~~ At its lowest point at least 14 1/2 feet above the pavement elevation;

~~3.e-~~ Attached to a light standard or other such device which is permanently located in the right of way.

~~(i)9-~~ Pole banners may not be attached to any utility pole.

~~(j)10-~~ Any object or device other than a banner, whether characterized as an ornament, decoration, display, or by other descriptive term, which is to be attached to a single existing permanent support must meet the requirements of this rule for pole banners.

(k) Official markers shall not be used to advertise an individual off-site business or shopping center.

(5) Official markers shall comply with all pole banner requirements except for sub-subparagraph (2)(i)8.a. Additionally, the following shall apply:

(a) Official markers must be identical and may only be displayed within the identified area, with no more than one official marker per city block.

(b) All official markers shall display the same legend or lettering identifying the area, however, individual sponsorship may be displayed beneath the legend provided the name or business logo of the sponsor is no greater than 25% of the total display.

(c) The sponsorship portion of the official marker may only contain the name and/or logo of the sponsor. No additional information may be displayed, including:

1. Telephone number

2. Address

3. Distance to a business

4. Direction to a business

(d) Official markers must be made of flexible material.

(e) Permits are issued for up to 12 months, and may be renewed at the end of the permit term.

(f) The applicant shall be responsible for all costs, including installation and removal, of the official markers.

~~(6)(3)~~ Applications for a sign or canopy must be made in writing to the appropriate District Maintenance Office and shall include:

- (a) The name and address of the applicant.
- (b) A drawing of the sign or canopy, drawn to scale, including any message, logo, or emblem.
- (c) A sketch of the specific location of the sign or canopy, including height, location of supports, proximity to utility poles, and the identification of the state highway where the sign or canopy will be located.
- (d) Sketches or specific descriptions of the method to be used to affix the sign or canopy to the support structure(s).
- (e) Proof of compliance with resolutions of the local governmental entity within whose jurisdictional boundaries the banners are to be placed.

~~(7)(4) Applications for banners shall be made no later than 30 days and no earlier than 365 days prior to the requested installation date.~~ The application for banners shall be on Application to Place Banners on Non Limited Access State Right of Way, DOT Form 575-070-18, Rev. 08/08, incorporated herein by reference. Copies of DOT Form 575-070-18 are available from the State Maintenance Engineer or any District Maintenance Engineer.

(8) The application for official markers shall be on Application to Place Official Markers on Non-Limited Access State Right of Way, FDOT Form 575-070-21, Rev. 10/10, incorporated herein by reference. Copies of DOT Form 575-070-21 are available from the State Maintenance Engineer or any District Maintenance Engineer.

~~Rulemaking Specific Authority 334.044(2), 337.407 FS. Law Implemented 337.406, 337.407, 479.01, 479.16, 768.28 FS. History—Amended 3-21-64, 5-9-70, 7-9-75, Formerly 14-43.01, Amended 8-3-99, 8-2-01, 5-30-05, 2-18-09,\_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
John Garner, Director, Office of Right of Way  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ananth Prasad, P.E., Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 14, 2011  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2010

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.314  
RULE TITLE: Rules of Prohibited Conduct and Penalties for Infractions

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to create disciplinary charges associated with the use, possession, introduction, and trafficking of tobacco and tobacco products.

SUMMARY: The proposed rule creates disciplinary charges associated with the use, possession, introduction, and trafficking of tobacco and tobacco products.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. 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: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.14, 944.279, 944.28 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kendra Lee Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.314 Rules of Prohibited Conduct and Penalties for Infractions.

The following table shows established maximum penalties for the indicated offenses. As used in the table, “DC” means the maximum number of days of disciplinary confinement that may be imposed and “GT” means the maximum number of days of gain time that may be taken. Any portion of either penalty may be applied. The effective date of this rule is October 1, 2011.

Maximum Disciplinary Actions

SECTIONS 1. through 2. No change.

SECTION 3. CONTRABAND – ANY ARTICLE NOT SOLD IN THE CANTEEN, OR ISSUED BY THE INSTITUTION, OR FOR WHICH YOU DO NOT HAVE A SPECIFIC PERMIT AUTHORIZED BY THE INSTITUTION WHERE PRESENTLY HOUSED



3-1	Possession of or manufacture of weapons, ammunition, or explosives	60 DC + All GT
3-2	Possession of escape paraphernalia	60 DC + All GT
3-3	Possession of narcotics, unauthorized drugs and drug paraphernalia	60 DC + 180 GT
3-4	Trafficking in drugs or unauthorized beverages	60 DC + All GT
3-5	Manufacture of drugs or unauthorized beverages	60 DC + 180 GT
3-6	Possession of unauthorized beverages	30 DC + 90 GT
3-7	Possession of aromatic stimulants or depressants, such as paint thinner, glue, toluene, etc.	60 DC + 180 GT
3-8	Possession of negotiables – unauthorized amounts of cash where cash is permitted, cash where cash is not permitted, other inmate’s canteen coupons, other inmate’s cashless canteen or identification cards or gift certificates, checks, credit cards or any other negotiable item which is not authorized	15 DC + 30 GT
3-9	Possession of unauthorized or altered identification – driver’s license, Social security card, cashless canteen identification card, etc.	15 DC + 30 GT
3-10	Possession of unauthorized clothing or linen – State or personal	15 DC + 30 GT
3-11	Possession of stolen property – State or personal	15 DC + 30 GT
3-12	Possession of any other contraband or transfer of item to another inmate resulting in item becoming contraband	15 DC + 30 GT
3-13	Introduction of any contraband	60 DC + All GT
3-14	Possession or use of a cellular telephone or any other type of wireless communication device, or any components or peripherals to such devices, including but not limited to SIM cards, Bluetooth items, batteries, and charging devices; any other technology that is found to be in furtherance of possessing or using a communication device prohibited under Section 944.47(1)(a)6., F.S.	60 DC + All GT
3-15	Possession of gang related paraphernalia or related material, gang symbols, logos, gang colors, drawings, hand signs, or gang related documents	30 DC + 30 GT
3-16	<u>Non-death row inmates – possession, introduction, or trafficking of tobacco or tobacco-related products such as lighters or cigarette papers.</u>	<u>30 DC + 60 GT</u>
3-17	<u>Death row inmates – Possession of tobacco, other than authorized smokeless tobacco, or possession of tobacco-related products intended for use with smoking tobacco such as lighters or cigarette papers; introduction of tobacco or tobacco-related products to non-death row housing or trafficking in such products.</u>	<u>30 DC + 60 GT</u>

SECTIONS 4. through 11. No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.14, 944.279, 944.28 FS. History–New 3-12-84, Amended 1-10-85, Formerly 33-22.12, Amended 12-30-86, 9-7-89, 11-22-90, 6-2-94, 10-1-95, 3-24-97, 7-9-98, 8-13-98, Formerly 33-22.012, Amended 9-30-99, 6-7-00, 4-18-02, 10-10-04, 1-9-05, 4-17-05, 6-5-05, 10-27-05, 10-12-06, 11-8-07, 5-18-08, 11-9-08, 5-11-09, 12-12-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Russell Hosford, Assistant Secretary of Institutions  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Edwin G. Buss, Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 20, 2011  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 27, 2011

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.721  
 RULE TITLE: Visiting Operations  
 PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to remove reference to smoking.  
 SUMMARY: The proposed rule is amended to remove reference to smoking.  
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. 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: 944.09 FS.

LAW IMPLEMENTED: 944.09, 944.23, 944.8031 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kendra Lee Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.721 Visiting Operations.

(1) through (6) No change.

~~(7) Smoking shall be permitted only in an outdoor smoking area designated by the warden.~~

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

(11) The effective date of this rule is October 1, 2011.

Rulemaking Specific Authority 944.09, ~~944.23~~ FS. Law Implemented 944.09, 944.23, 944.8031 FS. History—New 11-18-01, Amended 5-27-02, 9-16-03, 7-17-07, 10-1-11.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:

Russell Hosford, Assistant Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Edwin Buss, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 20, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 27, 2011

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.: RULE TITLE:

59A-7.034 Alternate-Site Testing

PURPOSE AND EFFECT: The agency is proposing to amend the rule that specifies the elements required to operate an alternate-site within a hospital to broaden the laboratory director's discretion for site development and remove any requirement for Agency prior approval of alternate testing sites within hospitals licensed under Chapter 395, F.S.

SUMMARY: Revisions broaden parameters for alternate-site development giving laboratory directors more discretion in testing to be performed within certain parameters and allow site implementation without Agency pre-review and approval.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely

increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. 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: 483.051, 408.819 FS.

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

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

DATE AND TIME: July 21, 2011, 2:00 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Rivera, Laboratory Unit, 2727 Mahan Drive, Building 1, Mail Stop 32, Tallahassee, Florida 32308, (850)487-3109

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-7.034 Alternate-Site Testing.

(1) through (2)(b) No change.

(c) Alternate-site locations must be listed on any hospital clinical laboratory licensure application submitted to the Agency.

(3) No change.

(4) Hospital Internal Needs Assessment:

(a) The laboratory director in consultation with the appropriate medical staff shall prepare an internal needs assessment for alternate-site testing. Each testing site assessment shall include an evaluation of patient benefits and criteria for such testing, location of alternate-site, population to be served, and an evaluation of proposed instruments or testing methodologies to determine if the requirements listed in subsections ~~(7)(8)~~ through ~~(9)(12)~~ are met.

(b) through (e) No change.

~~(5) Approval of Alternate-Site Testing:~~

~~(a) A request for approval of any new instrument or testing methodology not currently listed by the Agency's Internet site Clinical Laboratory Hospital Alternate-Site Testing, November 2010: [http://ahca.myflorida.com/mchq/health\\_facility\\_regulation/laboratory\\_licensure/altsiterule.shtml](http://ahca.myflorida.com/mchq/health_facility_regulation/laboratory_licensure/altsiterule.shtml) and incorporated herein by reference, as approved for alternate-site testing, must be submitted to the Agency for review and approval prior to implementation. If the instrument is listed as an unapproved test, then it cannot be performed at an alternative site. If a test~~

~~is listed as approved under specific circumstances, those circumstances must be met in order for the test to be performed.~~

~~(b) A request for approval of any new instrument or testing methodology must include the location of the alternate site, category of personnel who will perform the tests, name of the instrument or method to be used, instrument manufacturer and model number if applicable, and any other information necessary for the Agency to determine whether tests to be performed meet the criteria established in subsection (10).~~

~~(c) Requests must be sent to: Agency for Health Care Administration, Clinical Laboratory Unit, M.S. 32, 2727 Mahan Drive, Tallahassee, Florida 32308. The Agency will respond with either a request for additional information or approval within 30 days of receipt of the request.~~

~~(d) Instruments or testing methodologies previously approved and listed on the Agency's alternate-site testing website Clinical Laboratory Hospital Alternate Site Testing, November 2010: [http://ahea.myflorida.com/mehq/health\\_facility\\_regulation/laboratory\\_licensure/altsiterule.shtml](http://ahea.myflorida.com/mehq/health_facility_regulation/laboratory_licensure/altsiterule.shtml) do not require prior approval.~~

~~(e) A listing of all alternate-site testing locations and laboratory tests performed at each site must be included with each laboratory license renewal application.~~

~~(5)(6) Written Protocols and Quality Assurance Programs:~~

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

~~(6)(7) Recordkeeping Requirements:~~

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

~~(7)(8) Alternate-Site Testing Personnel Requirements:~~

Staff performing the testing at these alternate-sites, as authorized under this subsection, are not required to be licensed under Chapter 483, Part III, F.S., as clinical laboratory personnel.

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

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

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

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

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

~~4.5:~~ Is licensed as a physician assistant pursuant to Chapter 458 and 459, F.S.,

~~5.6:~~ Is a perfusionist certified by the American Board of Cardiovascular Perfusion, determined eligible for certification by the American Board of Cardiovascular Perfusion, or has two years of clinical experience in cardiovascular perfusion with 100 clinical perfusions conducted as of January 1, 1981.

~~6.7:~~ Is a cardiovascular technician certified by the Cardiovascular Credentialing International (CCI),

~~7.8:~~ Is licensed as a director, supervisor, technologist or technician under Chapter 483, Part III, F.S., or exempt from such licensure as provided in that chapter,

~~8.9:~~ Is a licensed Emergency Medical Technician (EMT) or Paramedic pursuant to Chapter 401, F.S., or

~~9.10:~~ Meets the staff training and education requirements set out in the alternate-site policy and procedure manual developed by the laboratory director for individuals performing tests categorized as waived. Individuals, such as phlebotomists, who meet such staff training and education requirements for performing tests categorized as waived, but who do not meet the requirements for performing moderate complexity tests as provided under this rule, are restricted to performing tests categorized as waived.

(b) The laboratory director will determine if the above listed personnel are suitable to perform testing at the alternate-site. The laboratory director shall:

1. Ensure that testing personnel are limited to those who meet the requirements of paragraph 59A-7.034(7)(a), F.A.C. and

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

a. Specimen collection, handling and storage including infection control procedures;

b. Skills required to perform the test method;

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

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

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

f. An awareness of factors that influence test results;

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

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

i. Demonstration of knowledge of infection control procedures; and

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

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

- ~~1. Specimen collection, handling and storage including infection control procedures.~~
- ~~2. Instrument procedures including skills required to perform preventive maintenance, calibration and troubleshooting.~~
- ~~3. Skills required to implement quality control procedures and evaluate quality control results.~~
- ~~4. Skills required to perform specific test procedures.~~
- ~~5. Result reporting and documentation techniques including knowledge of reporting procedures for life threatening results.~~
- ~~6. Awareness of the factors that influence test results including the skills required to assess and verify the validity of patient test results through the assessment and correlation of pre-analytical and post-analytical phases of testing with laboratory data generated during the analytical phase of testing as they relate to common physiological conditions and quality control, and~~
- ~~7. Monitoring of systems and results for errors including instruction on corrective action including whether or not results can be reported.~~

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

~~(8)(9) Responsibilities of the Laboratory Director Pertaining to the Alternate-Test Site:~~

- ~~(a) The laboratory director shall:
 
  - ~~1. ensure the Ensure that testing personnel are limited to those who meet the requirements of paragraph 59A-7.034(8)(a), F.A.C.; and~~
  - ~~2. Establish methods for the evaluation of competency to verify that alternate-site testing personnel perform procedures and report test results promptly and accurately. Evaluation of competency shall include:
 
    - ~~a. Sample handling skills;~~
    - ~~b. Skills required to perform the test method;~~
    - ~~c. Skills required to perform preventive maintenance, troubleshooting, and calibration procedures, applicable to the testing methodologies;~~
    - ~~d. Demonstration of knowledge of reagent stability and storage applicable to the test system in use;~~
    - ~~e. Skills required to implement quality control policies and procedures and evaluate quality control results;~~
    - ~~f. An awareness of the factors that influence test results;~~~~~~

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

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

~~i. Demonstration of knowledge of infection control procedures; and~~

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

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

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

~~(c)(d) Documentation of licensure or certification, as applicable, pursuant to subsection 59A-7.034(8), F.A.C., and competency evaluations must be maintained during the tenure of all testing personnel and for a minimum of two years thereafter and made available to the agency at the time of inspection.~~

~~(9)(10) Tests Performed: Only test procedures approved by the clinical laboratory director Agency and documented in the internal needs assessment in accordance with Rule 59A-7.034, F.A.C., shall be performed at the alternate-test site.~~

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

~~1. Employ whole blood specimens that require no manual specimen or reagent manipulation, treatment, extraction, centrifugation, separation or any other processing of any kind by the operator, as determined by the clinical laboratory director; and~~

~~2. No change.~~

~~(b) Alternate-test sites are also permitted to perform moderately complex testing on bodily fluids such as amniotic fluid, which require minimal preparation as determined by the laboratory director waived tests, activated clotting times, gastric occult blood, gastric pH and urine specific gravity by refractometer. Heparin concentration, heparin assay, heparin dose response and thrombelastograph tests are permitted to be performed only by perfusionists certified by the American Board of Cardiovascular Perfusion or laboratory personnel licensed as director, supervisor, or technologist under Chapter 483, Part III, F.S.~~

~~(c) through (d) No change.~~

~~(10)(11) The Agency shall take administrative action pursuant to Sections 483.201, 483.221, 408.806, 408.813, 408.814, 408.816 and 483.23, F.S., up to and including revocation of the approval for operation of any or all~~

~~alternate testing sites~~ where the agency determines that said sites have operated in violation of Chapter 483, Part I, F.S., Chapter 408, Part II, and the provisions of Chapter 59A-7, and Chapter 59A-35, F.A.C. In addition, pursuant to Sections 408.813, 408.814, 408.816, 483.201, 483.221, and 483.23, F.S., in the event of such a violation, the Agency shall take administrative action up to and including revocation of the laboratory license of the laboratory maintaining the alternate-testing site.

Rulemaking Authority 483.051, 408.819 FS. Law Implemented 408.806, 408.813, 408.814, 408.816, 483.051, 483.181, 483.201, 483.221, 483.23 FS. History—New 12-27-95, Amended 12-8-09, 12-29-10, \_\_\_\_\_

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Karen Rivera

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 2, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 25, 2011

#### AGENCY FOR HEALTH CARE ADMINISTRATION

##### Health Facility and Agency Licensing

RULE NO.:	RULE TITLE:
59A-8.0086	Denial, Suspension, Revocation of License and Imposition of Fines
59A-8.0185	Personnel Policies

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to repeal the Rules 59A-8.0086 and 59A-8.0185, F.A.C. Rule 59A-8.0086, F.A.C., is no longer needed since the requirements are now in state laws. The Agency does not have legal authority for rulemaking on personnel policies and therefore, Rule 59A-8.0185, F.A.C., is being repealed.

SUMMARY: Rule 59A-8.0086, F.A.C., on denial, suspension, revocation of license and imposition of fines is no longer needed. The requirements for denials, suspensions, revocations and fines are now in Sections 408.806(3), 400.474, 400.484, 408.813, 408.814, and 408.815, F.S. Rule 59A-8.0185, F.A.C., on personnel policies includes requirements for health statements, personnel files, job descriptions and orientation of health personnel. Since a review by the Joint Administrative Procedures Committee attorney found that the Agency did not have legal authority for rules on personnel policies, the rule is being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of

\$200,000 in the aggregate within one year after the implementation of the rule. 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: 400.497 FS.

LAW IMPLEMENTED: 400.474, 400.484 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: Anne Menard, Home Care Unit, Bureau of Long Term Care Services, AHCA, 2727 Mahan Drive, Mail Stop 34, Tallahassee, FL 32308, Anne.Menard@ahca.myflorida.com, (850)412-4385

THE FULL TEXT OF THE PROPOSED RULES IS:

59A-8.0086 Denial, Suspension, Revocation of License and Imposition of Fines.

Rulemaking Specific Authority 400.497 FS. Law Implemented 120.59, 400.474, 400.484 FS. History—New 10-27-94, Amended 1-17-00, 7-18-01, 9-22-05, 8-15-06, 3-29-07, Repealed \_\_\_\_\_.

59A-8.0185 Personnel Policies.

Rulemaking Specific Authority 400.497 FS. Law Implemented 400.471, 400.497 FS. History—New 10-27-94, Amended 1-17-00, 7-18-01, 9-22-05, 8-15-06, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Anne Menard

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 2, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 16, 2010

#### AGENCY FOR HEALTH CARE ADMINISTRATION

##### Medicaid

RULE NO.:	RULE TITLE:
59G-4.130	Home Health Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.130, F.A.C., is to incorporate by reference the Florida Medicaid Home Health Services Coverage and Limitations Handbook, September 2011. The handbook was revised to comply with changes to Section 409.905(4), F.S.

SUMMARY: Changes to the handbook include requiring prior authorization for all home health visits (skilled nursing and home health aide services), private duty nursing, and personal care. The ordering physician cannot be employed by or under contract with the home health service provider that is rendering

the services and must have provided an examination or medical consultation to the recipient within 30 days preceding the request for services. The ordering physician's National Provider Identifier, Medicaid Provider Number, or medical license number must be written on the order for services and the prior authorization request. In addition, the update includes numerous policy clarifications and the addition of mandatory forms to assist providers and recipients in their efforts to submit the required documentation.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. 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:** 409.919 FS.

**LAW IMPLEMENTED:** 409.902, 409.905, 409.907, 409.908, 409.9081, 409.912, 409.913 FS.

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

**DATE AND TIME:** Monday, July 18, 2011, 9:00 a.m. – 12:00 Noon

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Claire Anthony-Davis at the Bureau of Medicaid Services, (850)412-4266. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Claire Anthony-Davis, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, e-mail: claire.davis@ahca.myflorida.com

**THE FULL TEXT OF THE PROPOSED RULE IS:**

59G-4.130 Home Health Services.

(1) No change.

(2) All home health agency providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Home Health Services Coverage and Limitations Handbook, September 2011 ~~July 2008~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement

Handbook, CMS-1500, which is incorporated in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's Web site ~~Portal~~ at [www.mymedicaid-florida.com](http://www.mymedicaid-florida.com). ~~Select Click on~~ Public Information for Providers, then ~~on~~ Provider Support, and then ~~on~~ Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent at 1(800)289-7799 and selecting Option 7.

(3) through (4) No change.

~~Rulemaking Specific~~ Authority 409.919 FS. Law Implemented ~~409.902, 409.905, 409.907, 409.908, 409.9081, 409.912, 409.913~~ FS. History–New 1-1-77, Amended 4-1-78, 9-28-78, 1-24-79, 7-17-83, Formerly 10C-7.44, Amended 6-1-88, 4-9-89, 1-1-90, 5-26-93, Formerly 10C-7.044, Amended 3-14-95, 12-27-95, 5-7-96, 2-9-98, 5-30-00, 11-24-03, 10-30-07, 12-29-08, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Claire Anthony-Davis

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Elizabeth Dudek

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** June 3, 2011

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** March 26, 2010

**DEPARTMENT OF MANAGEMENT SERVICES**

**Agency for Workforce Innovation**

**RULE NO.:** 60BB-1.011  
**RULE TITLE:** Special Review of Final State Agency Decisions

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

**SUMMARY:** The rule identified above was implemented for the purpose of administering a program which no longer exists and is, therefore, no longer necessary. There are no other rules which incorporate the rule identified above.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. 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:** 20.50, 120.54(6), 445.004 FS.  
**LAW IMPLEMENTED:** 120.54(6), 445.023, 445.025, 445.028, 445.029, 445.030, 445.031, 445.032 FS.

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

DATE AND TIME: Monday, July 18, 2011, 3:00 p.m.

PLACE: Caldwell Building, 107 E. Madison Street, Room 110, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Audrey L. Gaten at (850)245-7160. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James E. Landsberg

THE FULL TEXT OF THE PROPOSED RULE IS:

60BB-1.011 Special Review of Final State Agency Decisions.

~~(1) This section applies only to the review of a complaint or grievance related to WtW activities and that involves: gender discrimination, as prescribed in 20 CFR 645.255(b); health and safety standards established under State and Federal law which are applicable to similarly employed employees, of the same employer, who are not participants in WtW programs, as prescribed at 20 CFR 645.260; and displacement of WtW participants or regular employees, as prescribed at 20 CFR 645.265.~~

~~(2) Rather than an immediate judicial review of a final agency order, a grievant or complainant may request a hearing before the Division of Administrative Hearings.~~

~~(3) A request for hearing under this provision shall be filed within twenty one (21) calendar days of receipt of final agency action and shall be filed with the Agency Clerk, Agency for Workforce Innovation, Office of General Counsel, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399 4128.~~

Rulemaking Specific Authority 20.50, 120.54(6), 445.004 FS. Law Implemented 120.54(6), 445.023, 445.025, 445.028, 445.029, 445.030, 445.031, 445.032 FS. History—New 4-3-02, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: James E. Landsberg

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Cynthia R. Lorenzo

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2011

## DEPARTMENT OF MANAGEMENT SERVICES

### Agency for Workforce Innovation

RULE NO.: RULE TITLE:

60BB-8.451 VPK Class Schedules

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: The requirements of this rule are restated in Rule 60BB-8.204, Florida Administrative Code. Subsection 60BB-8.100(11), Florida Administrative Code, incorporates this rule by reference. The repeal of this rule will result in a need to change the reference to this rule to a reference to Rule 60BB-8.204, Florida Administrative Code.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. 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: 1002.79(2) FS.

LAW IMPLEMENTED: 1002.53(1), (3), 1002.55(2), 1002.61(2), 1002.63(2), 1002.75(2)(c), (d), (f) FS.

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

DATE AND TIME: Monday, July 18, 2011, 3:00 p.m.

PLACE: Caldwell Building, 107 E. Madison Street, Room 110, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Audrey L. Gaten at (850)245-7160. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kristin R. Harden, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4120, (850)245-7150, Kristin.Harden@flaawi.com

THE FULL TEXT OF THE PROPOSED RULE IS:

60BB-8.451 VPK Class Schedules.

~~An early learning coalition may not pay a VPK provider for a VPK class unless the class schedule complies with the following:~~

~~(1) School Year Program.~~

~~(a) Except as provided in paragraph (b), a school year program may not begin instruction more than 14 days before Labor Day.~~

~~(b) If the uniform date fixed by a district school board under Section 1001.42(4)(f), F.S., for the opening of public schools for regular school programs occurs in a county more than 14 days before Labor Day, a school year program in the county may not begin instruction before the uniform date.~~

~~(c) A school year program must complete instruction by June 30.~~

~~(2) Summer Program. A summer program may not begin instruction before May 1 and must complete instruction before the uniform date fixed by the district school board under Section 1001.42(4)(f), F.S., for the opening of public schools for regular school programs in the county.~~

Rulemaking Specific Authority 1002.79(2) FS. Law Implemented 1002.53(1), (3), 1002.55(2), 1002.61(2), 1002.63(2), 1002.75(2)(c), (d), (f) FS. History–New 5-24-07, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kristin R. Harden

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Cynthia R. Lorenzo

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2011

**DEPARTMENT OF MANAGEMENT SERVICES**

**Agency for Workforce Innovation**

RULE NOS.:	RULE TITLES:
60BB-10.001	Purpose, Intent and General Principles
60BB-10.002	Definitions
60BB-10.003	Participant Eligibility Requirements
60BB-10.004	How to Participate
60BB-10.005	Support Services
60BB-10.006	Employer Participation
60BB-10.007	Position Requirements
60BB-10.008	Cost Sharing or Matching
60BB-10.009	Reapplying for Temporary Cash Assistance Due to an Unanticipated Emergency

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: The rules identified above were implemented for the purpose of administering a program which no longer exists and are, therefore, no longer necessary. There are no other rules which incorporate the rules identified above.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. 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: 445.004(5)(c) FS.

LAW IMPLEMENTED: 445.004, 445.024(1)(b) 445.024(1)(c) FS.

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

DATE AND TIME: Monday, July 18, 2011, 3:00 p.m.

PLACE: Caldwell Building, 107 E. Madison Street, Room 110, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Audrey L. Gaten at (850)245-7160. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James E. Landsberg, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4120, (850)245-7150, James.Landsberg@flaawi.com

THE FULL TEXT OF THE PROPOSED RULES IS:

60BB-10.001 Purpose, Intent, and General Principles.

~~Temporary Assistance for Needy Families (TANF) work activities are designed to assist the participant in obtaining employment to achieve economic self sufficiency. TANF participants who apply for or currently receive cash assistance, as well as other persons who meet TANF eligibility requirements and all other requirements of this rule may be eligible for subsidized employment. Participation will be contingent upon funding, the availability of jobs, and on the employers' ultimate selection.~~

Rulemaking Authority 445.004(5)(c) FS. Law Implemented 445.004, 445.024(1)(b), 445.024(1)(c) FS. History–New 5-26-10, Repealed \_\_\_\_\_.



## 60BB-10.002 Definitions.

The following words, phrases, or terms, as used in this rule, shall have the following meanings:

(1) ~~“Parent/Relative Caregiver” means the mother, legal father, natural or biological father, maternal relatives, relatives of the legal father, and relatives of the natural or biological father. The dependent child must be related within the fifth degree (no greater than the first cousin once removed) to the caretaker relative.~~

(2) ~~“Participating Employer” means a public agency, nonprofit private agency, or private employer that agrees to participate in a subsidized employment project.~~

(3) ~~“Eligible Individual” means a person who has been determined eligible to participate in a TANF funded subsidized employment project.~~

(4) ~~“Qualified Participant” means a TANF eligible individual who meets the requirements for participation in a TANF funded subsidized employment project and has the job skills required by the employer participating in the project. Referral of a Qualified Participant to an employer does not guarantee selection for subsidized employment.~~

(5) ~~“Subsidized Employment” means employment for which the employer receives a TANF subsidy to offset some or all the wages and costs of employing a TANF eligible participant. Public agencies, nonprofit private agencies, and private employers are eligible to participate.~~

(6) ~~“Diversion” means immediate assistance to secure or retain employment as an alternative to welfare (cash assistance), and includes linking a person to a job opportunity as a first option.~~

Rulemaking Authority 445.004(5)(c) FS. Law Implemented 445.004, 445.024(1)(b), 445.024(1)(c) FS. History—New 5-26-10, Repealed \_\_\_\_\_.

## 60BB-10.003 Participant Eligibility Requirements.

To be eligible for consideration for participation in the TANF subsidized employment project, the individual must:

(1) Be a TANF participant currently receiving temporary cash assistance who is available for immediate employment, or

(2) Be an applicant for temporary cash assistance who has been determined eligible for TANF funded cash assistance, or

(3) Be an individual who meets the following requirements:

(a) Have a gross family income at or below 200% of the Federal Poverty Guidelines, as established annually by the United States Department of Health and Human Services, for the 30 days preceding application to participate in the program;

(b) Be a United States citizen or qualified non-citizen defined in Section 414.095(3), F.S.;

(c) Be a legal resident of the State of Florida;

(d) Be a pregnant woman, or a parent or caretaker relative of an unmarried dependent child under age 18, or a full time student in a secondary school or equivalent level of career training who is under the age of 19 and who resides in the home; and

(e) Provide a social security number or proof of application for a social security number, or

(4) Be a minor child in the family of an individual determined eligible under one of the criteria specified above who is under age 18, or under age 19 if a full time student in a secondary school or equivalent level of career training, is of legal age to engage in work (at least 14 years of age), is not married or divorced, and resides in the home.

Rulemaking Authority 445.004(5)(c) FS. Law Implemented 445.004, 445.024(1)(b), 445.024(1)(c) FS. History—New 5-26-10, Repealed \_\_\_\_\_.

## 60BB-10.004 How to Participate.

(1) ~~Current TANF Participants. A regional workforce board may review its current TANF caseload to identify individuals who are currently receiving cash assistance who meet the job skill requirements of a job created by a subsidized employment project. Temporary cash assistance recipients participating in the Welfare Transition Program may also request to be considered for the subsidized employment program. The regional workforce board shall refer eligible, qualified participants who volunteer to participate to the participating employer for consideration for the subsidized employment position. A TANF participant or other eligible person who is currently receiving cash assistance who enters subsidized employment must sign Form AWI-SEP 0011, *TANF Subsidized Employment Program Agreement* (effective 12/09), incorporated herein by reference and available at: <http://www.floridajobs.org/workforce/backtowork/forms.html>.~~

(2) ~~An applicant for TANF temporary cash assistance. Individuals who have made application for temporary cash assistance and have been determined eligible for such assistance will be considered for participation in a subsidized employment project as a TANF diversion activity if that individual meets the job skill requirements of a job created by a subsidized employment project. The regional workforce board shall refer eligible, qualified individuals who wish to participate to the participating employer for consideration for the subsidized employment position. A TANF applicant who enters subsidized employment must sign Form AWI-SEP 0011, *TANF Subsidized Employment Program Agreement*.~~

(3) ~~A person who meets the eligibility standards listed under subsection 60BB-10.003(3), F.A.C., who is neither a temporary cash assistance applicant nor current recipient of temporary cash assistance may contact or be contacted by a regional workforce board, Florida career center or other designated entity. Program staff will collect the information necessary to determine if the individual is TANF eligible by~~

~~completing Form AWI-SEP-0005(e), Request for TANF Funds/Eligibility Determination 2009/2010 (effective 12/09), incorporated by reference and available at: <http://www.floridajobs.org/workforce/baekto/work/forms.html>. If the individual is determined TANF eligible, the program staff will determine if the individual meets the job skill requirements of a job created by a subsidized employment project. The program staff shall refer qualified individuals who are found eligible for the subsidized employment project to participating employers for consideration for the subsidized employment position. The TANF eligible individual who enters subsidized employment must sign Form AWI-SEP-0011, TANF Subsidized Employment Program Agreement.~~

Rulemaking Authority 445.004(5)(c) FS. Law Implemented 445.004, 445.024(1)(b), 445.024(1)(c) FS. History-New 5-26-10, Repealed \_\_\_\_\_.

60BB-10.005 Support Services.

~~Participation in a Subsidized Employment program does not exclude the participant from eligibility for support services such as transportation assistance and child care. The participant may obtain information about, and apply for support services through, the regional workforce board. Support services are provided based on program eligibility and funding availability. If resources do not permit the provision of needed support services, the regional workforce board may prioritize or otherwise limit provision of support services. This section does not constitute an entitlement to support services.~~

Rulemaking Authority 445.004(5)(c) FS. Law Implemented 445.004, 445.024(1)(b), 445.024(1)(c) FS. History-New 5-26-10, Repealed \_\_\_\_\_.

60BB-10.006 Employer Participation.

~~(1) Participation in the Subsidized Employment Program is contingent upon funding by the Florida Legislature and the receipt of grant funds from the United States Department of Health and Human Services. Public and Private Sector employers interested in the subsidized employment program must complete Form AWI-SEP-0012, Subsidized Employment Program Employer Information Sheet (effective 12/09), incorporated by reference and available at: <http://www.floridajobs.org/workforce/baekto/work/forms.html>, that provides contact information for the participating employer, the number of subsidized employment positions needed and a description of the job skills required for each subsidized employment position, an attached budget narrative that details the costs of the project, and a written commitment by the employer to contribute any required funding to support the project and agreement to provide all necessary supervision and training for the subsidized positions.~~

~~(2) The Regional Workforce Board will evaluate a proposed subsidized employment project using the following criteria:~~

~~(a) Verification that the employer is registered with the Florida Department of State, Division of Corporations, and is authorized to conduct business in Florida;~~

~~(b) The commitment from the employer to contribute the amount of cash and/or in-kind services needed to cover any costs not reimbursed from the TANF Contingency Fund;~~

~~(c) The commitment from the employer to provide all necessary supervision and training for the employees placed into subsidized positions;~~

~~(d) The capability of the participating employer to implement the project on its scheduled timetable;~~

~~(e) The financial capability of the participating employer to advance the payroll costs for the project; and~~

~~(f) With respect to private, for-profit employers, the commitment of the employer to retain participants in jobs after the period of subsidization ends.~~

~~(3) The Regional Workforce Board or its agent shall enter into a Subsidized Employment contract with each participating employer. The contract shall, at a minimum, include the following terms:-~~

~~(a) The beginning date of employment;~~

~~(b) The hourly wage to be paid to the qualified participant;~~

~~(c) The number of hours scheduled per week;~~

~~(d) The months for which the subsidy is available;~~

~~(e) The amount of the subsidy; and~~

~~(f) The time period for reimbursement.~~

Rulemaking Authority 445.004(5)(c) FS. Law Implemented 445.004, 445.024(1)(b), 445.024(1)(c) FS. History-New 5-26-10, Repealed \_\_\_\_\_.

60BB-10.007 Position Requirements.

~~(1) To qualify for the employment subsidy, the position must:~~

~~(a) Pay an hourly wage not less than the minimum wage in Florida;~~

~~(b) Meet the same health, safety, and nondiscrimination standards established under federal, state, or local laws that otherwise apply to other individuals engaged in similar activities who are not participants in the subsidized employment program;~~

~~(c) Comply with 45 C.F.R. Section 261.70. A subsidized employment position cannot be created if another individual is on layoff from the same or any substantially equivalent job, or if the employer has terminated the employment of any regular employee or caused an involuntary reduction in its work force in order to fill the vacancy with a subsidized worker; and~~

~~(d) Provide the same wages, benefits, and working conditions as are provided to other employees who are performing a substantially equivalent job.~~

~~(2) The Agency will subsidize a wage not to exceed \$40,579.00, which is the Florida annual average wage for 2008, as published by the Florida Agency for Workforce~~

Innovation, Labor Market Statistics Center, Quarterly Census of Employment and Wages Program, produced in cooperation with the U.S. Department of Labor, Bureau of Labor Statistics.

(3) In no case will a position be subsidized for more than 12 months.

Rulemaking Authority 445.004(5)(c) FS. Law Implemented 445.004, 445.024(1)(b), 445.024(1)(c) FS. History—New 5-26-10, Repealed \_\_\_\_\_.

#### 60BB-10.008 Cost Sharing or Matching.

~~Allowable costs incurred by the employer may be applied to the cost of employee wages, benefits, supervision, and training for TANF-eligible individuals participating in an approved subsidized employment project, provided that:~~

~~(1) Any cash or in-kind contributions meet the requirements of 2 C.F.R. Part 215.23;~~

~~(2) Any use of in-kind contributions is approved in advance by the Regional Workforce Board; and~~

~~(3) The cash and or in-kind costs have not already been used as a matching contribution for another federally funded program.~~

Rulemaking Authority 445.004(5)(c) FS. Law Implemented 445.004, 445.024(1)(b), 445.024(1)(c) FS. History—New 5-26-10, Repealed \_\_\_\_\_.

#### 60BB-10.009 Reapplying for Temporary Cash Assistance Due to an Unanticipated Emergency.

~~If an individual placed with an employer as a part of the subsidized employment program who agreed not to apply for temporary cash assistance within six months of receiving a short term non-recurring diversion service, unless an unanticipated emergency situation arises, applies for temporary cash assistance within that six month period, the participant must be referred to the regional workforce board at application for temporary cash assistance to complete the work registration process. Consistent with subsection 65A 4.212(3), F.A.C., the regional workforce board's subsidized employment program staff must determine if a demonstrated emergency exists by completing Form AWI SEP 0001(b), *Subsidized Employment Diversion Services Emergency Determination* (effective 12/09), incorporated by reference and available at: <http://www.floridajobs.org/workforce/backtowork/forms.html>. If the regional workforce board determines that an emergency exists the regional workforce board designee must so indicate on Form AWI SEP 0001(b). If a demonstrated emergency exists, the individual will not be required to repay the value of short-term non-recurring diversion services; however, the individual must complete the work registration process. If the regional workforce board determines that the family does not meet emergency criteria and the work registration process is completed, the Department of Children and Families will complete the eligibility determination process using information provided by the regional workforce board to calculate the repayment value of any short-term non-recurring~~

~~diversion services provided to the family. The repayment amount shall be deducted from any temporary cash assistance benefit for which the family is otherwise eligible and may be prorated over eight months.~~

Rulemaking Authority 445.004(5)(c) FS. Law Implemented 445.004, 445.024(1)(b), 445.024(1)(c) FS. History—New 5-26-10, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
James E. Landsberg

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Cynthia R. Lorenzo

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2011

## DEPARTMENT OF MANAGEMENT SERVICES

### E911 Board

RULE NO.: RULE TITLE:

60FF1-5.003 E911 State Grant Programs

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add new language to modify W Form 3A, "Application for the E911 State Grant Program"; to update the procedures for applying for the state grant program; and to renumber the rule accordingly.

SUMMARY: The rule amendment will delete unnecessary language and to add new language to modify W Form 3A, "Application for the E911 State Grant Program"; to update the procedures for applying for the state grant program; and to renumber the rule accordingly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost was prepared. The Board determined that small businesses would not be affected by this rule.

The following is a summary of the SERC:

- The proposed change would not have an adverse impact on economic growth, private-sector job creation or employment, or private-sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.
- The proposed change would not have an impact on business competitiveness.
- Costs are limited to the calculation and processing costs for returning any excess funds.
- No effect on state or local revenue is expected.
- The proposed change is not expected to impact small business, small counties or small cities.

Additionally, it has been determined that the rule does not meet the threshold for ratification by the Legislature.

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: 365.172(6)(a)11. FS.

LAW IMPLEMENTED: 365.172(6)(a)3.b., 365.173(2)(i), 365.172(9)(a), (b), (c) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ryan Butler, E911 Board, 4030 Esplanade Way, Suite 160Q, Tallahassee, Florida 32399-0950

THE FULL TEXT OF THE PROPOSED RULE IS:

60FF1-5.003 E911 State Grant Programs.

The E911 State Grant program is a grant program provided for the purpose of assisting State of Florida counties with the installation of Enhanced 911 (E911), Phase II and Next Generation 911 systems.

- (1) No change.
- (2) General conditions.

(a) Each county applying for E911 State Grant funds shall complete and submit W Form 3A, "Application for the E911 State Grant Program," effective ~~3/1/2011~~ ~~08/1/10~~, which is incorporated herein by reference and which may be obtained from the E911 Board office at the following address:

State of Florida E911 Board  
 ATTN: Administrative Assistant  
 4050 Esplanade Way  
 Building 4030 – Suite 160  
 Tallahassee, Florida 32399-0950

The applicant must provide one original of the pages for Application Form items 1 through ~~14~~ ~~10~~ and the associated quotes for the grant application postmarked or delivered on or before ~~June~~ ~~November~~ 1.

- (b) through (c) No change.

(d) Grant applications totaling ~~\$35,000.00~~ ~~25,000.00~~ or more must be accompanied by at least three written substantiated competitive quotes from different vendors, unless a sole source request is approved in compliance with (e). The E911 Board will compare the three quotes to any existing state contract in order to determine appropriate funding. Any county that has made a good faith effort to obtain at least three competitive quotes and has not been able to obtain the quotes can request E911 Board review based on substantiated proof of request for quotes or posting of the request with documentation of the limited responses. Sole source funding will be considered on a case-by-case basis. Justification and documentation for sole source funding should be provided with the grant this application. ~~Sole source funding will be approved if provided in accordance with Chapter 287, F.S., or with provision of a letter from the county's purchasing department that the project is a sole source procurement based on the county's purchasing requirements and it should be provided with this application.~~

(e) Sole source funding will be considered on a case-by-case basis. Justification for sole source funding shall be provided with the grant application. Sole source funding will be approved if provided in accordance with Chapter 287, F.S., or with provision of a letter from the county's purchasing department that the project is a sole source procurement based on the county's purchasing requirements, which should be provided with the grant application.

- (e) through (g) renumbered (f) through (h) No change.

~~(i)(h)~~ Grant funds shall be deposited in a bank account maintained by the grantee county, and each grant shall be assigned a unique accounting code designation for deposits, disbursements, and expenditures. All E911 State Grant funds in the account shall be accounted for separately from other grantee funds. Utilization of the earned interest funds shall be authorized through an approved Request for Change Form and expenditure documentation shall be included in the final report. Grant funds including accrued interest may be used only between the beginning and ending dates of the grant, unless an extension is requested and authorized by the E911 Board. Extension of time will not be granted unless the county has executed a contract for the grant equipment and/or services, or demonstrates good cause for failure to execute a contract within twelve months of award. Grant extensions shall be limited to a maximum of one additional year when approved by the Board.

~~(j)(i)~~ Grantee counties must submit quarterly reports to the E911 Board, summarizing the expenditures and activities of the grant funds. The reports are due 30 days after the end of the reporting period, which ends March 31, June 30, September 30, and December 31. In lieu of submitting a signed quarterly Grant Budget/Expenditure and Quarterly Report form, the updated form can be e-mailed to the Board's administrative/technical staff. The quarterly and final reports will be considered late if not received by the Board Staff prior to the next scheduled Board Meeting after the due date.

~~(k)(j)~~ At project completion, a final report shall be submitted based on the same reporting periods described above. The County shall determine the final completion date based on the final payment date or the initiation date of the warranty period. Final supporting documentation including copies of all expenditures and corresponding invoices shall be submitted within 90 days of the final report.

- (k) through (l) renumbered (l) through (m) No change.

~~(n)(m)~~ Grant awards will be withheld for any county that has a grant with a past-due quarterly report or past-due final documentation and closeout, of previous E911 ~~Board~~ ~~board~~ grant awards.

- (o)(n) No change.

~~(p)(o)~~ The amount and availability of funds in the Trust Fund for allocation each year is subject to an annual appropriation by the Legislature. The E911 Board will adjust the amount awarded to a county based upon the availability of

funds, eligibility of requested items, published quotes, increased effectiveness of grant funds, minimum system requirements for performing the needed E911 function as specified in the State E911 plan, or documented factors provided in the grant application submission.

(3)(a) No change.

(b) Schedule:

1. Counties submit applications: by ~~June November~~1;
2. E911 Board evaluates applications: ~~June November~~ – December;
3. Board votes on applications at regularly scheduled meetings: ~~June November~~ – December;
4. Board sends notification of award and issuance of checks to counties approved for funding before ~~December January~~ 30;
5. through 6. No change.

Rulemaking Authority 365.172(6)(a)11. FS. Law implemented 365.172(6)(a)3.b., 365.173(2)(i), 365.172(9)(a), (b), (c) FS. History–New 12-7-08, Amended 10-27-10, Formerly 60FF-5.003, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
E911 Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Department of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 29, 2011

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-11.005                      RULE TITLE: Supervised Experience Requirements

PURPOSE AND EFFECT: The proposed rule amendments are intended to clarify the rule and to address the supervisor’s responsibility in instances where there are multiple supervisors.

SUMMARY: The proposed rule amendments clarify the rule and also require the primary supervisor to provide the required information to the Board in instances where there are multiple supervisors.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The proposed rule amendments will not have an adverse impact on small business, nor will the proposed rule likely increase regulatory costs, including transactional costs, in excess of \$1 million in the aggregate within 5 years after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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: 490.004(4) FS.

LAW IMPLEMENTED: 490.005(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-11.005 Supervised Experience Requirements.

The law requires 4,000 hours of supervised experience for licensure. The Board recognizes that the applicant’s internship satisfies 2,000 of those hours. This rule concerns the remaining 2,000 hours.

(1) No change.

(2) Requirements and Prohibitions. All applicants for licensure must complete at least 2,000 hours of post doctoral experience under a supervisor whose supervision comports with subsection (3) of this rule.

(a) No change.

(b) A psychology resident or post-doctoral fellow may be supervised by more than one supervisor, at more than one location. If there is more than one supervisor, however, then one of the supervisors must be identified as the primary supervisor. The primary supervisor shall be the supervisor who enters into the agreement with the applicant for licensure, for supervision, and who integrates all of the applicant’s supervisory experiences.

(c) The post-doctoral training must be a cohesive and integrated training experience which includes ~~meets~~ the following criteria:

1. through 3. No change.

(3) Supervisors’ Responsibilities. The Board requires each primary supervisor to perform and to certify that the primary supervisor has:

(a) through (g) No change.

(h) When there is more than one supervisor, pursuant to paragraph (2)(b) above, the primary supervisor shall provide the Board with a written statement describing the manner in which the training and supervision comprised a cohesive and integrated experience.

(4) Until licensure, an individual who completes post doctoral training residency may continue to practice under supervision so long as the individual does so in the manner

prescribed by this rule and so long as the individual has applied for licensure and no final order of denial has been entered in the application case before the Board.

Rulemaking Authority 490.004(4) FS. Law Implemented 490.005(1) FS. History--New 11-18-92, Amended 7-14-93, Formerly 21U-11.007, Amended 6-14-94, Formerly 61F13-11.007, Amended 1-7-96, Formerly 59AA-11.005, Amended 12-4-97, 8-5-01, 7-27-04, 3-4-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Psychology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 21, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2010

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.:	RULE TITLE:
68A-9.004	Permits for Hunting or Other Recreational Use on Wildlife Management Areas

PURPOSE AND EFFECT: The Fort McCoy Wildlife Management Area (WMA) is privately owned. The landowner is removing the majority of the land, making it unsuitable for use as a WMA. The proposed rule change would remove reference to Ft. McCoy and allow the WMA to be dis-established.

SUMMARY: The proposed rule change would remove references to the Fort McCoy Wildlife Management Area.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. 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: Article IV, Section 9, Florida Constitution, 379.354 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.1025, 379.2223, 375.313, 375.591 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-9.004 Permits for Hunting or Other Recreational Use on Wildlife Management Areas.

(1) In addition to other licenses, permits and stamps required by law, stamp requirements for hunting, camping, fishing, or other recreational uses on lands owned, leased or managed by the Commission or the State of Florida for the use and benefit of the Commission shall be as provided by Section 379.354(8)(g) and (h), F.S.

(a) No change.

(b) The cost of recreational user permits as required for hunting on the following privately owned wildlife management areas as provided by Section 379.354(8)(h)1., F.S., shall be:

1. through 4. No change.

~~5. Ft. McCoy—\$350~~

6. through 7. renumbered 5. through 6. No change.

(c) The total number of permits available for each of the following privately owned wildlife management areas established pursuant to Section 379.354(8)(h)1., F.S., shall be:

1. through 4. No change.

~~5. Ft. McCoy—150~~

6. through 7. renumbered 5. through 6. No change.

(d) through (f) No change.

(2) No change.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.354 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.1025, 379.2223, 375.313, 375.591 FS. History--New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-9.04, Amended 6-2-86, 11-1-89, 7-16-98, 5-13-99, Formerly 39-9.004, Amended 7-1-00, 5-29-01, 7-22-01, 6-2-02, 7-28-02, 5-1-03, 7-7-03, 10-12-03, 5-12-04, 7-15-04, 6-1-05, 4-3-08, 4-1-09, 7-20-09, 7-1-10,\_\_\_\_\_.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2011  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2010

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-9.008  
 RULE TITLE: Permits for Physically Disabled

PURPOSE AND EFFECT: The Special Use Vehicle Permit allows vehicular access to certain closed roads on Wildlife Management Areas. Recent changes to federal regulations state that those individuals that qualify for a State-issued, permanent disability parking card should be given this accommodation. The proposed rule would comply with federal guidelines.

SUMMARY: The proposed rule change would expand the eligibility criteria for a Special Use Vehicle Permit to include those individuals that provide a copy of a valid, State-issued, permanent disability parking placard or card and the identification used to obtain the placard or card. This complies with recent changes to federal regulations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. 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: Article IV, Section 9, Florida Constitution.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-9.008 Permits for Physically Disabled.

The executive director or his designee may issue permits, to persons who are permanently physically disabled as described below, for activities which would otherwise be regulated or prohibited by these rules. Such permits shall be conditioned as necessary to protect natural resources and to regulate access in accordance with management plans and policies for the area. Individuals not meeting the criteria for a permit set forth in this rule may request accommodation through the process established by the agency:

(1) No change.

(2) Special use vehicle permits. Permits to operate vehicles otherwise permitted by rule, on roads not open to the public, will be issued based upon a determination that the applicant has submitted an original certificate from a licensed physician certifying that the individual is permanently disabled in a way which renders normal walking impossible; or a copy of a valid, State-issued, permanent disability parking placard or card and the identification used to obtain the placard or card.

(3) through (4) No change.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 5-10-04, Amended 5-1-05, 10-23-08,\_\_\_\_\_.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2010

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-15.065  
 RULE TITLE: Specific Regulations for Wildlife Management Areas – Northeast Region

PURPOSE AND EFFECT: The Fort McCoy Wildlife Management Area (WMA) is privately owned. The landowner is removing the majority of the land, making it unsuitable for use as a WMA. The proposed rule change will remove reference to Ft. McCoy and allow the WMA to be dis-established.

SUMMARY: The proposed rule change would remove reference to the Fort McCoy Wildlife Management Area.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.065 Specific Regulations for Wildlife Management Areas – Northeast Region.

- (1) No change.
- ~~(2) Fort McCoy Wildlife Management Area.~~
- ~~(a) Open season:~~
  - ~~1. General gun – November 5 through January 1.~~
  - ~~2. Small game – January 2-22.~~
  - ~~3. Archery – September 17 through October 16.~~
  - ~~4. Muzzleloading gun – October 22-30.~~
  - ~~5. Youth turkey hunt – March 10-11.~~
  - ~~6. Spring turkey – March 17 through April 22.~~

~~7. Fishing and frogging – Allowed during periods in which access is allowed.~~

~~(b) Legal to take: All legal game, fish, frogs and furbearers. Taking of wild hog with a shoulder height of less than 15 inches is prohibited. The take of wild hog is prohibited after the first nine days of the general gun season and during small game season. Wild hog – daily bag 1, possession limit 2.~~

~~(c) Camping: Prohibited.~~

~~(d) General regulations:~~

~~1. Vehicles may be operated only on named or numbered roads.~~

~~2. Persons operating vehicles shall enter and exit only at designated entrances.~~

~~3. Hunting with dogs is prohibited, except bird dogs may be used during the small game season.~~

~~4. Access to the area is allowed only from the Saturday two weeks prior to the archery season through one day after the last day of the spring turkey season.~~

~~5. Access is allowed only by individuals possessing a valid recreational use permit, except as provided by Section 379.354, F.S.~~

(3) through (37) renumbered (2) through (36) No change.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History–New 6-21-82, Amended 6-29-82, 7-1-83, 7-5-84, 10-1-84, 7-1-85, 5-7-86, 5-10-87, 5-1-88, 7-1-89, 12-19-89, 7-1-90, 7-1-91, 7-2-91, 7-2-92, 7-1-93, 7-1-94, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 8-11-98, 12-28-98, 7-1-99, Formerly 39-15.065, Amended 12-20-99, 7-1-00, 12-26-00, 7-1-01, 6-2-02, 7-28-02, 5-1-03, 7-1-03, 10-12-03, 7-1-04, 7-1-05, 1-4-06, 7-1-06, 8-22-06, 7-1-07, 7-1-08, 7-1-09, 7-1-10, 7-1-11, \_\_\_\_\_.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2010



**DEPARTMENT OF FINANCIAL SERVICES****Division of State Fire Marshal**

RULE NO.: 69A-3.012  
 RULE TITLE: Standards of the National Fire Protection Association and Other Standards Adopted

PURPOSE AND EFFECT: To update the Florida Fire Prevention Code to include the most recently adopted National Fire Protection Standards as directed by Section 633.0215, F.S.

SUMMARY: This rule addresses the rules and codes authorized by Section 633.022, F.S. The rule is amended to adopt the most recent editions of National Fire Protection Standards 1 and 101, the National Fire Protection Standards adopted within the most recent editions of National Fire Protection Standards 1 and 101, and to update National Fire Protection Standards adopted in the rule to the most recently adopted editions. New Florida specific amendments to NFPA 1 and 101 are also adopted, while some, but not all, others carry forward from the original and subsequent rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. An SERC has 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: 633.01(1), 633.022, 633.0215, 633.027 FS.

LAW IMPLEMENTED: 633.01, 633.022, 633.0214, 633.027 FS.

A HEARING WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATES AND TIMES: July 21, 2011, 10:00 a.m.; July 22, 2011, 10:00 a.m.

## PLACES:

July 21 – Tacachale Center, 1621 N.E. Waldo Road, Gainesville, Florida

July 22 – Sarasota Police Dept. Building, 2099 Adams Lane, Sarasota, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Belinda Chukes at (850)413-3619 or Belinda.Chukes@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 IS: Jim Goodloe, Chief, Bureau of Fire Prevention, 200 E. Gaines Street, Tallahassee, FL 32399-0342, (850)413-3620 or Jim.Goodloe@MyFloridaCFO.com

## THE FULL TEXT OF THE PROPOSED RULE IS:

69A-3.012 Standards of the National Fire Protection Association and Other Standards Adopted.

(1) Except as specifically modified by statute or by the State Fire Marshal's rules, the Florida specific edition of NFPA 101, the Life Safety Code®, 2009 ~~2006~~ edition and the Florida specific edition of NFPA 1, the ~~Uniform~~ Fire Code 2009 ~~2006~~ edition, as adopted within Rule Chapter 69A-60, F.A.C., entitled the "2010 ~~2007~~ edition of the Florida Fire Prevention Code," are hereby adopted and incorporated by reference and are applicable to those buildings and structures specified in paragraphs (a) and (b) of subsection (1) of Section 633.022, F.S. In addition, the following standards, except as specifically modified in the rule chapters in Rule Title 69A, are hereby adopted and incorporated by reference and shall take effect on the effective date of this rule, as a part of the uniform fire safety standards adopted by rule by the State Fire Marshal and are applicable to those buildings and structures specified in paragraphs (a) and (b) of subsection (1) of Section 633.022, F.S.:

NFPA 10-2007 ~~2002~~ edition, Standard for Portable Fire Extinguishers

NFPA 11-2005 edition, Standard for Low-, Medium-, and High- Expansion Foam

~~NFPA 11A-1999 edition, Standard for Medium and High Expansion Foam Systems~~

NFPA 12-2008 ~~2005~~ edition, Standard on Carbon Dioxide Extinguishing Systems

NFPA 12A-2009 ~~2004~~ edition, Standard on Halon 1301 Fire Extinguishing Systems

NFPA 13-2007 ~~2002~~ edition, Standard for the Installation of Sprinkler Systems

NFPA 13D-2007 ~~2002~~ edition, Standard for the Installation of Sprinkler Systems in One- and Two- Family Dwellings and Manufactured Homes

NFPA 13R-2007 ~~2002~~ edition, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and including Four Stories in Height

NFPA 14-2007 ~~2003~~ edition, Standard for the Installation of Standpipe and Hose Systems, ~~except 2-7 shall be omitted,~~

NFPA 15-2007 ~~2001~~ edition, Standard for Water Spray Fixed Systems for Fire Protection

NFPA 16-2007 ~~2003~~ edition, Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems

NFPA 17-2009 ~~2002~~ edition, Standard for Dry Chemical Extinguishing Systems

NFPA 17A-~~2009~~ ~~2002~~ edition, Standard on Wet Chemical Extinguishing Systems

NFPA 20-~~2007~~ ~~2003~~ edition, Standard for the Installation of Stationary Pumps for Fire Protection

NFPA 22-~~2008~~ ~~2003~~ edition, Standard for Water Tanks for Private Fire Protection

NFPA 24-~~2007~~ ~~2002~~ edition, Standards for the Installation of Private Fire Service Mains and Their Appurtenances

NFPA 25-~~2008~~ ~~2002~~ edition, Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, ~~except that quarterly flow tests shall be required for those systems supplied by a municipal water supply.~~

NFPA 30-~~2008~~ ~~2003~~ edition, Flammable and Combustible Liquids Code

NFPA 30A-~~2008~~ ~~2003~~ edition, Code for Motor Fuel Dispensing Facilities and Repair Garages

NFPA 30B-~~2007~~ ~~2002~~ edition, Code for the Manufacture and Storage of Aerosol Products

NFPA 31-~~2006~~ ~~2001~~ edition, Standard for the Installation of Oil Burning Equipment

NFPA 32-~~2007~~ ~~2004~~ edition, Standards for Drycleaning Plants

NFPA 33-~~2007~~ ~~2003~~ edition, Standard for Spray Application Using Flammable and Combustible Materials

NFPA 34-~~2007~~ ~~2003~~ edition, Standard for Dipping and Coating Processes Using Flammable or Combustible Liquids

NFPA 35-2005 edition, Standard for the Manufacture of Organic Coatings

NFPA 36-2004 edition, Standard for Solvent Extraction Plants

NFPA 37-~~2006~~ ~~2002~~ edition, Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines

NFPA 40-~~2007~~ ~~2001~~ edition, Standard for the Storage and Handling of Cellulose Nitrate Film

NFPA 45-2004 edition, Standard on Fire Protection for Laboratories Using Chemicals

~~NFPA 50-2001 edition, Standard for Bulk Oxygen Systems at Consumer Sites~~

~~NFPA 50B-1999 edition, Standard for Liquid Hydrogen Systems at Consumer Sites~~

NFPA 51-~~2007~~ ~~2002~~ edition, Standard for the Design and Installation of Oxygen-Fuel Gas Systems for Welding, Cutting and Allied Processes

NFPA 51A-~~2006~~ ~~2001~~ edition, Standard for Acetylene Cylinder Charging Plants

NFPA 51B-~~2009~~ ~~2003~~ edition, Standard for Fire Prevention During Welding, Cutting and Other Hot Work

NFPA 52-2006 edition, Vehicular Fuel Systems Code

NFPA 53-~~2011~~ ~~2004~~ edition, Recommended Practice on Materials, Equipment, and Systems Used in Oxygen-Enriched Atmospheres

NFPA 54-~~2009~~ ~~2006~~ edition, National Fuel Gas Code

NFPA 55-2005 edition, Standard for the Storage, Use, and Handling of Compressed Gases and Cryogenic Fluids in Portable and Stationary Containers, Cylinders and Tanks

~~NFPA 57-2002 edition, Liquefied Natural Gas Vehicular Fuel Systems Code~~

NFPA 58-~~2008~~ ~~2004~~ edition, Liquefied Petroleum Gas Code

NFPA 59-~~2008~~ ~~2004~~ edition, Utility LP-Gas Plant Code

NFPA 59A-~~2009~~ ~~2006~~ edition, Standard for the Production, Storage and Handling of Liquefied Natural Gas (LNG)

NFPA 61-~~2008~~ ~~2002~~ edition, Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Products Facilities

NFPA 68-2007 edition, Standard on Explosion Protection by Deflagration Venting

NFPA 69-~~2008~~ ~~2002~~ edition, Standard on Explosion Prevention Systems

NFPA 70-~~2008~~ ~~2005~~ edition, National Electrical Code®

NFPA 72-~~2007~~ ~~2002~~ edition, National Fire Alarm Code®

NFPA 75-~~2009~~ ~~2003~~ edition, Standard for the Protection of information Technology Equipment

NFPA 80-~~2007~~ ~~1999~~ edition, Standard for Fire Doors and Other Opening Protectives ~~Fire Windows~~

NFPA 80A-2007 edition, Recommended Practice for Protection of Buildings from Exterior Fire Exposures

NFPA 82-2004 edition, Standard on Incinerators and Waste and Linen Handling Systems and Equipment

NFPA 85-2007 edition, Boiler and Combustion Systems Hazards Code

NFPA 86-~~2007~~ ~~2003~~ edition, Standard for Ovens and Furnaces

~~NFPA 86C-1999 edition, Standard for Industrial Furnaces Using a Special Processing Atmosphere~~

~~NFPA 86D-1999 edition, Standard for Industrial Furnaces Using Vacuum as an Atmosphere~~

NFPA 88A-~~2007~~ ~~2002~~ edition, Standard for Parking Structures

NFPA 90A-~~2009~~ ~~2002~~ edition, Standard for the Installation of Air-Conditioning and Ventilating Systems

NFPA 90B-~~2009~~ ~~2006~~ edition, Standard for the Installation of Warm Air Heating and Air-Conditioning Systems

NFPA 91-2004 edition, Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids

NFPA 92A-~~2009~~ ~~2006~~ edition, Standard for Smoke-Control Systems Utilizing Barriers and Pressure Differences

NFPA 92B-~~2009~~ ~~2005~~ edition, Standard for Smoke Management Systems in Malls, Atria, and Large Spaces

NFPA 96-~~2008~~ ~~2004~~ edition, Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations. Section 10.2.3 ~~Subdivision 10-2.3~~ of NFPA 96 applies prospectively only. Existing installations are permitted to remain in place subject to the approval of the authority having jurisdiction.

NFPA 99-2005 edition, Standard for Health Care Facilities

- NFPA 99B-2010 ~~2005~~ edition, Standard for Hypobaric Facilities
- NFPA 101A-2007 ~~2004~~ edition, Guide on Alternative Approaches to Life Safety
- ~~NFPA 101B-2002 edition, Standard on Means of Egress for Buildings and Structures~~
- NFPA 102-2006 ~~1995~~ edition, Standard for Grandstands, Folding and Telescoping Seating, Tents and Membrane Structures
- NFPA 105-2007 ~~2003~~ edition, Standard Recommended Practice for the Installation of Smoke-Control Door Assemblies and Other Opening Protectives
- NFPA 110-2005 edition, Standard for Emergency and Standby Power Systems
- NFPA 111-2005 edition, Standard on Stored Electrical Energy Emergency and Standby Power Systems
- NFPA 115-2008 ~~2003~~ edition, Standard for Recommended Practice on Laser Fire Protection
- NFPA 120-2004 edition, Standard for Fire Prevention and Control in Coal Mines
- NFPA 122-2004 edition, Standard for Fire Prevention and Control in Metal/Nonmetal Mining and Metal Mineral Processing Facilities
- NFPA 130-2010 ~~2007~~ edition, Standard for Fixed Guideway Transit and Passenger Rail Systems
- NFPA 140-2008 ~~2004~~ edition, Standard on Motion Picture and Television Production Studio Soundstages, ~~and~~ Approved Production Facilities, and Production Locations
- NFPA 150-2007 edition, Standard on Fire and Life Safety in Animal Housing Facilities
- NFPA 160-2006 edition, Standard for Use of Flame Effects Before an Audience
- NFPA 170-2006 edition, Standard for Fire Safety and Emergency Symbols
- NFPA 204-2007 edition, Standard for Smoke and Heat Venting
- NFPA 211-2006 ~~2003~~ edition, Standard for Chimneys, Fireplaces, Vents, and Solid Fuel Burning Appliances
- NFPA 214-2011 ~~2005~~ edition, Standard on Water-Cooling Towers
- NFPA 221-2009 ~~2006~~ edition, Standard for High Challenge Fire Walls, Fire Walls, and Fire Barrier Walls
- NFPA 232-2007 ~~2000~~ edition, Standard for the Protection of Records
- ~~NFPA 232A-1995 edition, Guide for Fire Protection for Archives and Record Centers~~
- NFPA 241-2004 edition, Standard for Safeguarding Construction, Alteration and Demolition Operations
- NFPA 251-2006 edition, Standard Methods of Tests of Fire Resistance Endurance of Building Construction and Materials
- NFPA 252-2008 ~~2003~~ edition, Standard Methods of Fire Tests of Door Assemblies
- NFPA 253-2006 edition, Standard Method of Test for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source
- NFPA 255-2006 edition, Standard Method of Test of Surface Burning Characteristics of Building Materials
- NFPA 256-2003 edition, Standard Methods of Fire Tests of Roof Coverings
- NFPA 257-2007 ~~2000~~ edition, Standard on Fire Tests for Window and Glass Block Assemblies
- NFPA 259-2008 ~~2003~~ edition, Standard Test Method for Potential Heat of Building Materials
- NFPA 260-2009 ~~2003~~ edition, Standard Methods of Test and Classification System for Cigarette Ignition Resistance of Components of Upholstered Furniture
- NFPA 261-2009 ~~2003~~ edition, Standard Method of Test for Determining Resistance of Mock-Up Upholstered Furniture Material Assemblies to Ignition by Smoldering Cigarettes
- NFPA 265-2007 ~~2002~~ edition, Standard Methods of Fire Tests for Evaluating Room Fire Growth Contribution of Textile Coverings on full Height Panels and Walls
- ~~NFPA 267-1998 edition, Standard Method of Test for Fire Characteristics of Mattresses and Bedding Assemblies Exposed to Flaming Ignition Sources~~
- NFPA 271-2004 edition, Standard Method of Test for Heat and Visible Smoke Release Rates for Materials and Products Using an Oxygen Consumption Calorimeter
- NFPA 286-2006 edition, Standard Methods of Fire Test for Evaluating Contribution of Wall and Ceiling Interior Finish to Room Fire Growth
- NFPA 288-2007 edition, Standard Methods of Fire Tests of Floor Fire Door Assemblies Installed Horizontally in Fire Resistance-Rated Floor Systems
- NFPA 291-2007 edition, Recommended Practice for Fire Flow Testing and Marking of Hydrants
- NFPA 302-2004 edition, Fire Protection Standard for Pleasure and Commercial Motor Craft
- NFPA 303-2006 edition, Fire Protection Standards for Marinas and Boatyards
- NFPA 307-2006 edition, Standard for the Construction and Fire Protection of Marine Terminals, Piers, and Wharves
- NFPA 312-2006 edition, Standard for Fire Protection of Vessels During Construction, Conversion, Repair, and Lay-Up
- NFPA 318-2009 ~~2006~~ edition, Standard for the Protection of Semiconductor Fabrication Facilities
- NFPA 326-2005 edition, Standard for the Safeguarding of Tanks and Containers for Entry, Cleaning, or Repair
- NFPA 385-2007 ~~2000~~ edition, Standard for Tank Vehicles for Flammable and Combustible Liquids
- NFPA 407-2007 ~~2004~~ edition, Standard for Aircraft Fuel Servicing
- NFPA 409-2004 edition, Standard on Aircraft Hangars
- NFPA 410-2004 edition, Standard on Aircraft Maintenance

NFPA 415-~~2008~~ ~~2002~~ edition, Standard on Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways  
NFPA 418-~~2006~~ ~~2004~~ edition, Standard for Heliports  
NFPA 430-2004 edition, Code for the Storage of Liquid and Solid Oxidizers  
NFPA 432-2002 edition, Code for the Storage of Organic Peroxide Formulations  
NFPA 434-2002 edition, Code for the Storage of Pesticides  
NFPA 484-~~2009~~ ~~2006~~ edition, Standard for Combustible Metals  
NFPA 490-2002 edition, Code for the Storage of Ammonium Nitrate  
NFPA 495-2006 edition, Explosive Materials Code  
NFPA 498-2006 edition, Standard for Safe Havens and Interchange Lots for Vehicles Transporting Explosives  
NFPA 501-2005 edition, Standard on Manufactured Housing  
NFPA 501A-2005 edition, Standard for Firesafety Criteria for Manufactured Home Installations, Sites, and Communities  
NFPA 502-~~2011~~ ~~2008~~ edition, Standard for Road Tunnels, Bridges, and Other Limited Access Roadways  
NFPA 505-2006 edition, Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operation  
NFPA 560-2007 edition, Standard for the Storage, Handling, and Use of Ethylene Oxide for Sterilization and Fumigation  
NFPA 601-2005 edition, Standard for Security Services in Fire Loss Prevention  
NFPA 654-2006 edition, Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids  
NFPA 655-~~2007~~ ~~2004~~ edition, Standard for Prevention of Sulfur Fires and Explosions  
NFPA 664-~~2007~~ ~~2002~~ edition, Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities  
NFPA 701-2004 edition, Standard Methods of Fire Tests for Flame Propagation of Textiles and Films  
NFPA 703-~~2009~~ ~~2006~~ edition, Standard for Fire Retardant-Treated Wood and Fire- Retardant Coatings for Building Materials  
NFPA 704-~~2007~~ ~~2004~~ edition, Standard System for the Identification of the Fire Hazards of Materials for Emergency Response  
NFPA 750-2006 edition, Standard on Water Mist Fire Protection Systems  
NFPA 780-~~2011~~ ~~2004~~ edition, Standard for the Installation of Lightning Protection Systems  
NFPA 820-~~2008~~ ~~2003~~ edition, Standard for Fire Protection in Wastewater Treatment and Collection Facilities  
NFPA 850-~~2010~~ ~~2005~~ edition, Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations

NFPA 909-2005 edition, ~~Code Standard~~ for the Protection of Cultural Resources Properties – Museums, Libraries, and Places of Worship  
NFPA 914-2007 edition, Code for Fire Protection of Historic Structures  
NFPA 1122-~~2008~~ ~~2002~~ edition, Code for Model Rocketry  
NFPA 1123-2006 edition, Code for Fireworks Display  
NFPA 1124-2006 edition, Code for the Manufacture, Transportation, Storage, and Retail Sale of Fireworks and Pyrotechnic Articles  
NFPA 1125-~~2007~~ ~~2004~~ edition, Code for the Manufacture of Model Rocket and High Power Rocket Motors  
NFPA 1126-2006 edition, Standard for the Use of Pyrotechnics Before a Proximate Audience  
NFPA 1127-~~2008~~ ~~2002~~ edition, Code for High Power Rocketry  
NFPA 1142-~~2007~~ ~~2004~~ edition, Standard for Water Supplies ~~on for~~ Suburban and Rural Fire Fighting  
NFPA 1144-2008 edition, Standard for Reducing Structure Ignition Hazards from Wildland Fire  
NFPA 1192-2008 edition, Standard on Recreational Vehicles  
NFPA 1194-~~2008~~ ~~2005~~ edition, Standard for Recreational Vehicle Parks and Campgrounds  
NFPA 1221-~~2010~~ ~~2007~~ edition, Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems  
NFPA 1561-~~2008~~ ~~2005~~ edition, Standard on Emergency Services Incident Management System  
NFPA 1600-2007 edition, Standard on Disaster/Emergency Management and Business Continuity Programs  
NFPA 1962-~~2008~~ ~~2003~~ edition, Standard for the Inspection, Care, and Use of Fire Hose, ~~including~~ Couplings, and Nozzles; and the Service Testing of Fire Hose  
NFPA 1963-2003 edition, Standards for Fire Hose Connections  
NFPA 2001-~~2008~~ ~~2004~~ edition, Standard on Clean Agent Fire Extinguishing Systems  
The portions of 49 Code of Federal Regulations, Parts 100-177 which are referenced in Compressed Gas Association CGA C-1-1996, Methods for Hydrostatic Testing of Compressed Gas Cylinders, Compressed Gas Association CGA C-6-1993, Standards for Visual Inspection of Steel Compressed Gas Cylinders, Seventh Edition, Reaffirmed 1995, Compressed Gas Association CGA C-6.1-1995, Standards for Visual Inspection of High Pressure Aluminum Compressed Gas Cylinders, and Compressed Gas Association CGA C-6.3-1999 Guidelines for Visual Inspection and Requalification of Low Pressure Aluminum Compressed Gas Cylinders, Second Edition, and which pertain to low pressure and high pressure cylinders.  
The portions of 29 Code of Federal Regulations, Parts 1900-1910 which are referenced in Compressed Gas Association CGA C-1-1996, Methods for Hydrostatic Testing

of Compressed Gas Cylinders, Compressed Gas Association CGA C-6-1993, Standards for Visual Inspection of Steel Compressed Gas Cylinders, Seventh Edition, Reaffirmed 1995, Compressed Gas Association CGA C-6.1-1995, Standards for Visual Inspection of High Pressure Aluminum Compressed Gas Cylinders, and Compressed Gas Association CGA C-6.3-1999 Guidelines for Visual Inspection and Requalification of Low Pressure Aluminum Compressed Gas Cylinders, Second Edition, and which pertain to low pressure and high pressure cylinders.

Compressed Gas Association CGA C-1-1996, Methods for Hydrostatic Testing of Compressed Gas Cylinders.

Compressed Gas Association CGA C-6-1993, Standards for Visual Inspection of Steel Compressed Gas Cylinders, Seventh Edition, Reaffirmed 1995.

Compressed Gas Association CGA C-6.1-1995, Standards for Visual Inspection of High Pressure Aluminum Compressed Gas Cylinders.

Compressed Gas Association CGA C-6.3-1999, Guidelines for Visual Inspection and Requalification of Low Pressure Aluminum Compressed Gas Cylinders, Second Edition.

(2) through (3) No change.

(4) The codes and standards published by the National Fire Protection Association, including the Florida edition of NFPA 1 and NFPA 101 as adopted in Rule Chapter 69A-60, F.A.C., may be obtained by writing to BNi, 1612 S. Clementine Street, Anaheim, CA 92802. ANSI standards may be obtained from the American National Standards Institute, 25 West 43rd Street, 4th Floor, 1430 Broadway, New York, N.Y. 10036 10018. ANSI/ASME standards may be obtained from the American Society of Mechanical Engineers, Three Park Avenue 345 East 47th Street, New York, N.Y. 10016-5990 10017. ASTM standards may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken 1916 Race Street, Philadelphia, PA 19428-2959 19103. UL standards may be obtained from Underwriters Laboratories, Inc., 333 Pfingston Road, Northbrook, IL 60062. All standards incorporated by reference in this rule are also available for public inspection during regular business hours at the Division currently located on the Third Floor (Room 326) of the Atrium Building, 325 John Knox Road, Tallahassee, Florida.

(5) through (11) No change.

**PROPOSED EFFECTIVE DATE:** December 31, 2011.

Rulemaking Authority 633.01(1), 633.022, 633.0215, 633.027 FS. Law Implemented 633.01, 633.022, 633.0215, 633.027 FS. History—New 5-14-86, Amended 2-12-87, 4-8-90, 10-30-91, 4-3-95, 11-27-01, Formerly 4A-3.012, Amended 8-7-05, 5-18-08, 12-31-08, 12-13-09, 12-31-11.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jim Goodloe, Chief, Bureau of Fire Prevention

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer and State Fire Marshal

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 14, 2011

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NOS.:	RULE TITLES:
69A-60.002	Scope; Description of Florida Fire Prevention Code
69A-60.003	Standards of the National Fire Protection Association, NFPA 1, the Uniform Fire Code, Florida 2009 Edition, Adopted
69A-60.004	Standards of the National Fire Protection Association, NFPA 101, the Life Safety Code, Florida 2009 Edition, Adopted
69A-60.005	Publications Referenced in NFPA 1, the Florida 2009 Edition, and NFPA 101, the Florida 2009 Edition, Added to the Florida Fire Prevention Code
69A-60.006	Manufactured and Prototype Buildings

PURPOSE AND EFFECT: To update the Florida Fire Prevention Code to include the most recently adopted National Fire Protection Standards as directed by Section 633.0215, F.S.

SUMMARY: This rule addresses the rules and codes authorized by Section 633.0215, F.S. The rule is amended to adopt the most recent editions of National Fire Protection Standards 1 and 101, the National Fire Protection Standards adopted within the most recent editions of National Fire Protection Standards 1 and 101, and to update National Fire Protection Standards adopted in the rule to the most recently adopted editions. New Florida specific amendments to NFPA 1 and 101 are also adopted, while some, but not all, others carry forward from the original and subsequent rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. An SERC has 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: 633.01, 633.0215, 633.025 FS.

LAW IMPLEMENTED: 633.01, 633.0215, 633.025 FS.

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

DATES AND TIME: July 21, 2011, 10:00 a.m.; July 22, 2011, 10:00 a.m.

PLACE: July 21 – Tacachale Center, 1621 N.E. Waldo Road, Gainesville, Florida

July 22 – Sarasota Police Dept. Building, 2099 Adams Lane, Sarasota, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Belinda Chukes at (850)413-3619 or Belinda.Chukes@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 RULES IS: Jim Goodloe, Chief, Bureau of Fire Prevention, 200 E. Gaines Street, Tallahassee, FL 32399-0342 (850)413-3620 or Jim.Goodloe@MyFloridaCFO.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69A-60.002 Scope; Description of Florida Fire Prevention Code.

(1) through (2) No change.

(3)(a) The Florida Fire Prevention Code consists of:

1. National Fire Protection Association (NFPA) 1, the ~~Uniform~~ Fire Code, Florida 2009 ~~2006~~ edition, as adopted in Rule 69A-60.003, F.A.C.,

2. NFPA 101, the Life Safety Code, Florida 2009 ~~2006~~ edition, as adopted and incorporated in Rule 69A-60.004, F.A.C., and their additions, deletions, and other modifications to NFPA 1 and NFPA 101, Florida 2009 ~~2006~~ editions, as provided therein, and

3. All codes, standards, publications, and authorities adopted in Rule 69A-60.005, F.A.C.

(b) through (d) No change.

PROPOSED EFFECTIVE DATE: December 31, 2011.

Rulemaking Specific Authority 633.01, 633.0215, 633.025 FS. Law Implemented 633.01, 633.0215, 633.025 FS. History–New 11-15-01, Formerly 4A-60.002, Amended 11-28-04, 5-18-08, 12-31-08, 12-31-11.

69A-60.003 Standards of the National Fire Protection Association, NFPA 1, the ~~Uniform~~ Fire Code, Florida 2009 ~~2006~~ Edition, Adopted.

(1) NFPA 1, the ~~Uniform~~ Fire Code, Florida 2009 ~~2006~~ edition, is hereby adopted and incorporated herein by reference and shall take effect on the effective date of this rule as a part of the Florida Fire Prevention Code.

(2)(a) NFPA 1, Florida 2009 ~~2006~~ edition may be purchased by writing to the NFPA at 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

(b) No change.

(c) NFPA 1, Florida 2009 ~~2006~~ edition, may also be purchased at the Bureau of Fire Standards and Training, Division of State Fire Marshal, 11655 Northwest Gainesville Road, Ocala, Florida 34482.

PROPOSED EFFECTIVE DATE: December 31, 2011.

Rulemaking Specific Authority 633.01, 633.0215, 633.025 FS. Law Implemented 633.01, 633.0215, 633.025 FS. History–New 11-15-01, Formerly 4A-60.003, Amended 11-28-04, 5-18-08, 12-31-08, 12-31-11.

69A-60.004 Standards of the National Fire Protection Association, NFPA 101, the Life Safety Code, Florida 2009 ~~2006~~ Edition, Adopted.

(1) NFPA 101, the Life Safety Code, Florida 2009 ~~2006~~ edition, is hereby adopted and incorporated herein by reference and shall take effect on the effective date of this rule as a part of the Florida Fire Prevention Code.

(2)(a) NFPA 101, Florida 2009 ~~2006~~ edition may be purchased by writing to the NFPA at 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

(b) No change.

(c) NFPA 101, Florida 2009 ~~2006~~ edition, may also be purchased at the Bureau of Fire Standards and Training, Division of State Fire Marshal, 11655 Northwest Gainesville Road, Ocala, Florida 34482.

PROPOSED EFFECTIVE DATE: December 31, 2011.

Rulemaking Specific Authority 633.01, 633.0215, 633.025 FS. Law Implemented 633.01, 633.0215, 633.025 FS. History–New 11-15-01, Formerly 4A-60.004, Amended 11-28-04, 7-12-06, 5-18-08, 12-31-08, 12-31-11.

69A-60.005 Publications Referenced in NFPA 1, the Florida 2009 ~~2006~~ Edition, and NFPA 101, the Florida 2009 ~~2006~~ Edition, Added to the Florida Fire Prevention Code.

(1) No change.

(2) The following publications are hereby adopted and incorporated by reference herein and added to the Florida Fire Prevention Code and shall take effect on the effective date of this rule:

NFPA 10, <del>2007</del> 2002 edition,	Standard for Portable Fire Extinguishers
NFPA 11, 2005 edition,	Standard for Low, Medium- and High-Expansion Foam
<del>NFPA 11A, 1999 edition,</del>	<del>Standard for Medium- and High-Expansion Foam Systems</del>
NFPA 12, <del>2008</del> 2005 edition,	Standard on Carbon Dioxide Extinguishing Systems
NFPA 12A, <del>2009</del> 2004 edition,	Standard on Halon 1301 Fire Extinguishing Systems
NFPA 13, <del>2007</del> 2002 edition,	Standard for the Installation of Sprinkler Systems
NFPA 13D, <del>2007</del> 2002 edition,	Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes
NFPA 13R, <del>2007</del> 2002 edition,	Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height
NFPA 14, <del>2007</del> 2003 edition,	Standard for the Installation of Standpipe, Private Hydrants, and Hose Systems
NFPA 15, <del>2007</del> 2004 edition,	Standard for Water Spray Fixed Systems for Fire Protection
NFPA 16, <del>2007</del> 2003 edition,	Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems
NFPA 17, <del>2009</del> 2002 edition,	Standard for Dry Chemical Extinguishing Systems
NFPA 17A, <del>2009</del> 2002 edition,	Standard for Wet Chemical Extinguishing Systems
NFPA 20, <del>2007</del> 2003 edition,	Standard for the Installation of Stationary Pumps for Fire Protection
NFPA 22, <del>2008</del> 2003 edition,	Standard for Water Tanks for Private Fire Protection
NFPA 24, <del>2007</del> 2002 edition,	Standard for the Installation of Private Fire Service Mains and Their Appurtenances
NFPA 25, <del>2008</del> 2002 edition,	Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems
NFPA 30, <del>2008</del> 2003 edition,	Flammable and Combustible Liquids Code
NFPA 30A, <del>2008</del> 2003 edition,	Code for Motor Fuel Dispensing Facilities and Repair Charges
NFPA 30B, <del>2007</del> 2002 edition,	Code for the Manufacture and Storage of Aerosol Products
NFPA 31, <del>2006</del> 2004 edition,	Standard for the Installation of Oil-Burning Equipment
NFPA 32, <del>2007</del> 2004 edition,	Standard for <del>Drycleaning</del> Dry-Cleaning Plants
NFPA 33, <del>2007</del> 2003 edition,	Standard for Spray Application Using Flammable and Combustible Materials
NFPA 34, <del>2007</del> 2003 edition,	Standard for Dipping and Coating Processes Using Flammable or Combustible Liquids
NFPA 35, 2005 edition,	Standard for the Manufacture of Organic Coatings
NFPA 36, 2004 edition,	Standard for Solvent Extraction Plants
NFPA 37, <del>2006</del> 2002 edition,	<del>Standard for the Installation and Use of Stationary</del> Combustion Engines and Gas Turbines
NFPA 40, <del>2007</del> 2004 edition,	Standard for the Storage and Handling of Cellulose Nitrate <del>Motion Picture</del> Film
NFPA 45, 2004 edition,	Standard on Fire Protection for Laboratories Using Chemicals
<del>NFPA 50, 2001 edition,</del>	<del>Standard for Bulk Oxygen Systems at Consumer Sites</del>
<del>NFPA 50B, 1999 edition,</del>	<del>Standard for Liquefied Hydrogen Systems at Consumer Sites</del>
NFPA 51, <del>2007</del> 2002 edition,	Standard for the Design and Installation of Oxygen-Fuel Gas Systems for Welding, Cutting and Allied Processes
NFPA 51A, <del>2006</del> 2004 edition,	Standard for Acetylene Cylinder Charging Plants
NFPA 51B, <del>2009</del> 2003 edition,	Standard for Fire Prevention During Welding, Cutting and Other Hot Work
NFPA 52, 2006 edition,	Vehicle Fuel Systems Code
NFPA 53, <del>2011</del> 2004 edition,	Recommended Practice on Materials, Equipment, and Systems Used in Oxygen-Enriched Atmospheres
NFPA 54, <del>2009</del> 2006 edition,	National Fuel Gas Code
NFPA 55, 2005 edition,	Standard for the Storage, Use, and Handling of Compressed Gases and Cryogenic Fluids in Portable and Stationary Containers, Cylinders, and Tanks
<del>NFPA 57, 2002 edition,</del>	<del>Liquefied Natural Gas (LNG) Vehicle Fuel Systems Code</del>
NFPA 58, <del>2008</del> 2004 edition,	Liquefied Petroleum Gas Code
NFPA 59, <del>2008</del> 2004 edition,	Utility LP-Gas Plant Code
NFPA 59A, <del>2009</del> 2006 edition,	Standard for the Production, Storage, and Handling of Liquefied Natural Gas (LNG)
NFPA 61, <del>2008</del> 2002 edition,	Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities
<del>NFPA 68, 2007 edition,</del>	<del>Standard on Explosion Protection by Deflagration Venting</del>
NFPA 69, <del>2008</del> 2002 edition,	Standard on Explosion Prevention Systems
NFPA 70, <del>2008</del> 2005 edition,	National Electrical Code®
NFPA 72, <del>2007</del> 2002 edition,	National Fire Alarm Code®
NFPA 75, <del>2009</del> 2003 edition,	Protection of Information Technology Equipment
NFPA 80, <del>2007</del> 1999 edition,	Standard for Fire Doors and <del>Other Opening Protectives</del> Fire Windows
NFPA 80A, 2007 edition,	Recommended Practice for Protection of Buildings from Exterior Fire Exposures
NFPA 82, 2004 edition,	Standard on Incinerators and Waste and Linen Handling Systems and Equipment
<del>NFPA 85, 2007 edition,</del>	<del>Boiler and Combustion Systems Hazards Code</del>
NFPA 86, <del>2007</del> 2003 edition,	Standard for Ovens and Furnaces
<del>NFPA 86C, 1999 edition,</del>	<del>Standard for Industrial Furnaces Using a Special Processing Atmosphere</del>

NFPA 86D, 1999 edition,	<del>Standard for Industrial Furnaces Using Vacuum as an Atmosphere</del>
NFPA 88A, 2007 <del>2002</del> edition,	Standard for Parking Structures
NFPA 90A, 2009 <del>2002</del> edition,	Standard for the Installation of Air-Conditioning and Ventilating Systems
NFPA 90B, 2009 <del>2006</del> edition,	Standard for the Installation of Warm Air Heating and Air-Conditioning Systems
NFPA 91, 2004 edition,	Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists, and Noncombustible Particulate Solids
NFPA 92A, 2009 <del>2006</del> edition,	Standard for Smoke-Control Systems Utilizing Barriers and Pressure Differences
NFPA 92B, 2009 <del>2005</del> edition,	Standard for Smoke Management Systems in Malls, Atria, and Large Spaces
NFPA 96, 2008 <del>2004</del> edition,	Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations. <u>Section 10.2.3</u> <del>Subdivision 10-2.3</del> of NFPA 96 applies prospectively only. Existing installations are permitted to remain in place subject to the approval of the authority having jurisdiction.
NFPA 99, 2005 edition,	Standard for Health Care Facilities
NFPA 99B, 2010 <del>2005</del> edition,	Standard for Hypobaric Facilities
NFPA 101A, 2007 <del>2004</del> edition,	Guide on Alternative Approaches to Life Safety
<del>NFPA 101B, 2002 edition,</del>	<del>Standard on Means of Egress for Buildings and Structures</del>
NFPA 102, 2006 <del>1995</del> edition,	Standard for Grandstands, Folding and Telescoping Seating, Tents and Membrane Structures
NFPA 105, 2007 <del>2003</del> edition,	Standard for the Installation of Smoke-Control Door Assemblies <u>and Other Opening Protectives</u>
NFPA 110, 2005 edition,	Standard for Emergency and Standby Power Systems
NFPA 111, 2005 edition,	Standard on Stored Electrical Energy Emergency and Standby Power Systems
NFPA 115, 2008 <del>2003</del> edition,	Standard for Laser Fire Protection
NFPA 120, 2004 edition,	Standard for Fire Prevention and Control in Coal Mines
<u>NFPA 122, 2004 edition.</u>	<u>Standard for Fire Prevention and Control in Metal/Nonmetal Mining and Metal Mineral Processing Facilities</u>
NFPA 130, 2010 <del>2007</del> edition,	Standard for Fixed Guideway Transit and Passenger Rail Systems
NFPA 140, 2008 <del>2004</del> edition,	Standard on Motion Picture and Television Production Studio Soundstages, <del>and</del> Approved Production Facilities, <u>and Production Locations</u>
NFPA 150, 2007 edition,	Standard on Fire and Life Safety in Animal Housing Facilities
NFPA 160, 2006 edition,	Standard for Use of Flame Effects Before an Audience
<u>NFPA 170, 2006 edition.</u>	<u>Standard for Fire Safety and Emergency Symbols</u>
<u>NFPA 204, 2007 edition.</u>	<u>Standard for Smoke and Heat Venting</u>
NFPA 211, 2006 <del>2003</del> edition,	Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances
NFPA 214, 2011 <del>2005</del> edition,	Standard on Water Cooling Towers
NFPA 221, 2009 <del>2006</del> edition,	Standard for High Challenge Fire Walls, Fire Walls, and Fire Barrier Walls
NFPA 232, 2007 <del>2000</del> edition,	Standard for the Protection of Records
<del>NFPA 232A-1995 edition;</del>	<del>Guide for Fire Protection for Archives and Record Centers</del>
NFPA 241, 2004 edition,	Standard for Safeguarding Construction, Alteration, and Demolition Operations
NFPA 251, 2006 edition,	Standard Methods of Tests of Fire Resistance of Building Construction and Materials
NFPA 252, 2008 <del>2003</del> edition,	Standard Methods of Fire Tests of Door Assemblies
NFPA 253, 2006 edition,	Standard Method of Test for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source
NFPA 255, 2006 edition,	Standard Method of Test of Surface Burning Characteristics of Building Materials
NFPA 256, 2003 edition,	Standard Methods of Fire Tests of Roof Coverings
NFPA 257, 2007 <del>2000</del> edition,	Standard on Fire Test for Window and Glass Block Assemblies
NFPA 259, 2008 <del>2003</del> edition,	Standard Test Method for Potential Heat of Building Materials
NFPA 260, 2009 <del>2003</del> edition,	Standard Methods of Tests and Classification System for Cigarette Ignition Resistance of Components of Upholstered Furniture
NFPA 261, 2009 <del>2003</del> edition,	Standard Method of Test for Determining Resistance of Mock-Up Upholstered Furniture Material Assemblies to Ignition by Smoldering Cigarettes
NFPA 265, 2007 <del>2002</del> edition,	Standard Methods of Fire Tests for Evaluating Room Fire Growth Contribution of Textile Coverings on Full Height Panels and Walls
<del>NFPA 267, 1998 edition,</del>	<del>Standard Method of Test for Fire Characteristics of Mattresses and Bedding Assemblies Exposed to Flaming Ignition Source</del>
<u>NFPA 271, 2004 edition.</u>	<u>Standard Method of Test for Heat and Visible Smoke Release Rates for Materials and Products Using an Oxygen Consumption Calorimeter</u>
NFPA 286, 2006 edition,	Standard Methods of Fire Tests for Evaluating Contribution of Wall and Ceiling Interior Finish to Room Fire Growth
<u>NFPA 288, 2007 edition.</u>	<u>Standard Methods of Fire Tests of Floor Fire Door Assemblies Installed Horizontally in Fire Resistance-Rated Floor Systems</u>



NFPA 291, 2007 edition, <u>NFPA 302, 2004 edition,</u> NFPA 303, 2006 edition, NFPA 307, 2006 edition, NFPA 312, 2006 edition,	Recommended Practice for Fire Flow Testing and Marking of Hydrants <u>Fire Protection Standard for Pleasure and Commercial Motor Craft</u> Fire Protection Standard for Marinas and Boatyards Standard for the Construction and Fire Protection of Marine Terminals, Piers, and Wharves Standard for Fire Protection of Vessels During Construction, <u>Conversion</u> , Repair, and Lay-Up
NFPA 318, <u>2009 2006</u> edition, <u>NFPA 326, 2005 edition,</u> NFPA 385, <u>2007 2000</u> edition, NFPA 407, <u>2007 2004</u> edition, NFPA 409, 2004 edition, NFPA 410, 2004 edition, NFPA 415, <u>2008 2002</u> edition, NFPA 418, <u>2006 2004</u> edition, NFPA 430, 2004 edition, NFPA 432, 2002 edition, NFPA 434, 2002 edition, NFPA 484, <u>2009 2006</u> edition, NFPA 490, 2002 edition, NFPA 495, 2006 edition, NFPA 498, 2006 edition, NFPA 501, 2005 edition, NFPA 501A, 2005 edition,	Standard for the Protection of Semiconductor Fabrication Facilities <u>Standard for the Safeguarding of Tanks and Containers for Entry, Cleaning, or Repair</u> Standard for Tank Vehicles for Flammable and Combustible Liquids Standard for Aircraft Fuel Servicing Standard on Aircraft Hangars Standard on Aircraft Maintenance Standard on Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways Standard for Heliports Code for the Storage of Liquid and Solid Oxidizers Code for the Storage of Organic Peroxide Formulations Code for the Storage of Pesticides Standard for Combustible Metals Code for the Storage of Ammonium Nitrate Explosive Materials Code Standard for Safe Havens and Interchange Lots for Vehicles Transporting Explosives Standard on Manufactured Housing Standard for Fire Safety Criteria for Manufactured Home Installations, Sites, and Communities
NFPA 502, <u>2011 2008</u> edition, NFPA 505, 2006 edition,	Standard for Road Tunnels, Bridges, and Other Limited Access Roadways Fire Safety Standard for Powered Industrial Trucks Including Type Designations, Areas of Use, Conversions, Maintenance, and Operation
<u>NFPA 560, 2007 edition,</u>	<u>Standard for the Storage, Handling, and Use of Ethylene Oxide for Sterilization and Fumigation</u>
<u>NFPA 601, 2005 edition,</u> NFPA 654, 2006 edition,	<u>Standard for Security Services in Fire Loss Prevention</u> Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids
NFPA 655, <u>2007 2004</u> edition, NFPA 664, <u>2007 2002</u> edition,	Standard for Prevention of Sulfur Fires and Explosions Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities
NFPA 701, 2004 edition, NFPA 703, <u>2009 2006</u> edition,	Standard Methods of Fire Tests for Flame Propagation of Textiles and Films Standard for Fire Retardant-Treated Wood and Fire- Retardant Coatings for Building Materials
NFPA 704, <u>2007 2004</u> edition, NFPA 750, 2006 edition, NFPA 780, <u>2011 2004</u> edition, NFPA 820, <u>2008 2003</u> edition, NFPA 850, <u>2010 2005</u> edition,	Standard System for Identification of the Hazards of Materials for Emergency Response Standard on Water Mist Fire Protection Systems Standard for the Installation of Lightning Protection Systems Standard for Fire Protection in Wastewater Treatment and Collection Facilities Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations
NFPA 909, 2005 edition,	<u>Code Standard for the Protection of Cultural Resource Properties – Museums, Libraries, and Places of Worship</u>
<u>NFPA 914, 2007 edition,</u> NFPA 1122, <u>2008 2002</u> edition, NFPA 1123, 2006 edition, NFPA 1124, 2006 edition,	<u>Code for Fire Protection of Historic Structures</u> Code for Model Rocketry Code for Fireworks Display Code for the Manufacture, Transportation, Storage and Retail Sales of Fireworks, and Pyrotechnic Articles
NFPA 1125, <u>2007 2004</u> edition, NFPA 1126, 2006 edition, NFPA 1127, <u>2008 2002</u> edition, NFPA 1142, <u>2007 2004</u> edition, <u>NFPA 1144, 2008 edition,</u> <u>NFPA 1192, 2008 edition,</u>	Code for the Manufacture of Model Rocket and High Power Rocket Motors Standard for the Use of Pyrotechnics before a Proximate Audience Code for High Powered Rocketry Standard on Water Supplies for Suburban and Rural Fire Fighting <u>Standard for Reducing Structure Ignition Hazards from Wildland Fire</u> <u>Standard on Recreational Vehicles</u>
NFPA 1194, <u>2008 2005</u> edition, NFPA 1221, <u>2010 2007</u> edition,	Standard for Recreational Vehicle Parks and Campgrounds Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems
NFPA 1561, <u>2008 2005</u> edition,	Standard on Emergency Services Incident Management System

NFPA 1600, 2007 edition

NFPA 1962, ~~2008~~ 2003 edition,

NFPA 1963, 2003 edition,

NFPA 2001, ~~2008~~ 2004 edition,

Standard on Disaster/Emergency Management and Business Continuity

Standard for the Inspection, Care, and the Use of Fire Hose, Couplings, and Nozzles and the Service Testing of Fire Hose

Standard for Fire Hose Connections

Standard on Clean Agent Fire Extinguishing Systems

Such portions of “The United States Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings,” which pertain to meeting firesafety requirements without destroying the historical aspects of the building

SFPE Engineering Guide to Performance-Based Fire Protection Analysis and Design of Buildings, Society of Fire Protection Engineers, Bethesda, Maryland 2000 edition

The portions of ANSI A14.3-2002, Safety Code for Fixed Ladders, which pertain to fire escape ladders and which may be obtained at American National Standards Institute, 25 West 43rd Street, 4th Floor ~~41 West 42nd Street~~, New York, NY 10036

Chapter 4, Accessible Routes, ICC/ANSI A117.1-1998, which may be obtained at American National Standard for Accessible and Usable Buildings and Facilities, American National Standards Institute, 25 West 43rd Street, 4th Floor ~~41 West 42nd Street~~, New York, NY 10036

The portions of ANSI A1264.1-1995, Safety Requirements for Workplace Floor and Wall Openings, Stairs and Railing Systems, which pertain to fire escape ladders and which may be obtained at American National Standards Institute, 25 West 43rd Street, 4th Floor ~~41 West 42nd Street~~, New York, NY 10036

ANSI/UL 2079, 1998 edition, Test of Fire Resistance of Building Joint Systems, which may be obtained at Underwriters Laboratories Inc., 333 Pfingsten Rd., Northbrook, IL 60062

The portions of ASME/ANSI A17.1-2000, Safety Code for Elevators and Escalators, which may be obtained at American Society of Mechanical Engineers, Three Park Avenue, New York, NY 10016-5990

The portions of ASME/ANSI A17.3-2002, Safety Code for Existing Elevators and Escalators, which may be obtained at American Society of Mechanical Engineers, Three Park Avenue, New York, NY 10016-5990

ASTM D 2898,-94, (Reapproved 1999), Test Method for Accelerated Weathering of Fire Retardant-Treated Wood for Fire Testing, which may be obtained at American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959

ASTM E 136-1999, Standard Test Method for Behavior of Materials in a Vertical Tube Furnace at 750°C, which may be obtained at American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959

ASTM E 1537, 2001 edition, Standard Test Method for Fire Testing of Upholstered Furniture, which may be obtained at American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959

ASTM E 1590-01, Standard Test Method for Fire Testing of Mattresses, American Society for Testing and Materials, which may be obtained at 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959

ASTM E 1591-00, Standard Guide for Obtaining Data for Deterministic Fire Models, which may be obtained at American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959

ASTM F 851-1987 (Reapproved 1991), Standard Test Method for Self-Rising Seat Mechanisms, which may be obtained at American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, but only to the extent referenced in Subdivision 12.2.5.5.1 and 12.2.5.5.2 of NFPA 101, 2000 edition

ANSI/BHMA A-156.19-2002, American National Standard for Power Assist and Low Energy Power Operated Doors, which may be obtained at Buildings Hardware Manufacturers Association, 355 Lexington Avenue, 17th Floor, New York, NY 10017-6603

16 Code of Federal Regulations, Part 1632 which may be obtained by contacting the Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0342

UL 924, Standard for Safety Emergency Lighting and Power Equipment, Underwriters Laboratories, Inc., which may be obtained at 333 Pfingsten Rd., Northbrook, IL 60062

UL 1975, Standard for Fire Tests for Foamed Plastics Used for Decorative Purposes, Underwriters Laboratories, Inc., which may be obtained at 333 Pfingsten Rd., Northbrook, IL 60062

(3) through (5) No change.

PROPOSED EFFECTIVE DATE: December 31, 2011.

Rulemaking Specific Authority 633.01, 633.0215, 633.025 FS. Law Implemented 633.01, 633.0215, 633.025 FS. History—New 11-15-01, Formerly 4A-60.005, Amended 11-28-04, 5-18-08, 12-31-08, 12-31-11.

69A-60.006 Manufactured and Prototype Buildings.

(1) through (5) No change.

(6) A reliable power source for an electrically driven fire pump shall include, but not be limited to, a public utility supplying electrical power to a municipality, county, special district or portion thereof.

PROPOSED EFFECTIVE DATE: December 31, 2011.

Rulemaking Specific Authority 633.01, 633.0215, 633.025 FS. Law Implemented 633.01, 633.0215, 633.025 FS. History—New 11-15-01, Amended 9-8-02, Formerly 4A-60.006, Repromulgated 11-28-04, Amended 12-31-11.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jim Goodloe, Chief, Bureau of Fire Prevention  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Jeff Atwater, Chief Financial Officer and  
State Fire Marshal  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: June 14, 2011  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: August 20, 2010

## DEPARTMENT OF FINANCIAL SERVICES

### Division of Insurance Agents and Agency Services

RULE NO.: 69B-215.235  
RULE TITLE: Use of Designations

PURPOSE AND EFFECT: The purpose of the proposed rule development is to extend guidance and set forth standards in the use of professional designations or certifications by licensees engaged in the marketing and sale of insurance products. The proposed rule clarifies that lawful designations must be granted only by recognized organizations that maintain published standards and procedures that assure the ongoing competency and ethical conduct of members or conferees. The proposed rule prohibits any use of self-conferred or baseless designations by licensees engaged in the marketing of insurance products. The proposed rule is designed to protect consumers from deceptive trade practices by licensees who claim, or falsely imply, certain levels of expertise or credentials that could reasonably lead consumers to place unwarranted confidence in the quality, accuracy, or veracity of their statements.

SUMMARY: The proposed rule provides guidelines and standards regarding the use by licensees of recognized designations in the marketing and sale of insurance products. The proposed rule prohibits licensees from the use of baseless or self-conferred designations in order to protect consumers from deceptive trade practices.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. An SERC has 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: 626.9611(1) FS.

LAW IMPLEMENTED: 626.9541(1)(ff) FS.

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

DATE AND TIME: Tuesday, July 26, 2011, 11:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Richard Brinkley, (850)413-5654 or Richard.Brinkley@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 IS: Richard Brinkley, Government Analyst II, Bureau of Investigation, Division of Insurance Agent and Agency Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0319, (850)413-5654

THE FULL TEXT OF THE PROPOSED RULE IS:

#### 69B-215.235 Use of Designations.

(1) The purpose of this rule is to set forth standards to protect consumers from dishonest, deceptive, misleading, and fraudulent trade practices with respect to the use of certifications and professional designations in the marketing, solicitation, negotiation, sale or advice made in connection with an insurance transaction by any licensee.

(2) The department does NOT endorse any professional designation.

(3) For purposes of this rule:

(a) A designation is any combination of words (or an acronym standing for a combination of words) that indicates or implies that a licensee has special knowledge or training in advising or servicing consumers beyond the knowledge or training required for the license held.

(b) A certification is any designation that indicates, implies or recognizes that an individual or organization meets certain established criteria beyond the criteria required for the license held.

(4) A designation may not be lawfully used under the Insurance Code unless the designation is obtained from an organization that has published standards and procedures for assuring the competency of its certificants or designees on specific subject matters at the time of the designation's conferment, which standards and procedures are continually utilized by the organization and updated as appropriate.

(5) The organization or entity conferring the designation must specify the exact terminology, combination of words and/or acronym to be used by the designee.

(6) The prohibited use of any designation includes, but is not limited to, the following:

(a) Use of a designation by a person who has not actually earned or is otherwise ineligible to use such designation;

(b) Use of a nonexistent or self-conferred designation;

(c) Use of a designation that indicates or implies a level of occupational qualifications obtained through education, training, or experience that the person using the designation does not have, or

(d) Use of any designation not obtained in compliance with subsection (4), above.

Rulemaking Authority 626.9611(1) FS. Law Implemented 626.9541(1)(ff) FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Brinkley, Government Analyst II, Bureau of Investigation, Division of Insurance Agent & Agency Services, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief of Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 2, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 8, 2010

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Funeral, Cemetery, and Consumer Services**

RULE NO.: 69K-23.003                      RULE TITLE: Renewal of direct disposer licenses

PURPOSE AND EFFECT: To establish procedures, forms, and a schedule for biennial renewal of direct disposer licenses. This is mandatory rulemaking pursuant to changes made to Section 497.603(2), F.S., by s. 27 of Chapter 2010-125, Laws of Florida. This proposed rule was reviewed and approved by the Board of Funeral, Cemetery and Consumer Services at its meeting on January 6, 2011.

SUMMARY: Provides procedures, forms, and a schedule for biennial renewal of direct disposer licenses.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. An SERC has 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: 497.103(5); 497.603(2) FS. LAW IMPLEMENTED: 497.603(2) FS.

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

DATE AND TIME: July 13, 2011, 9:00 a.m.

PLACE: Room 332, Pepper Building, 111 W. Madison Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: LaTonya Bryant-Parker, at (850)413-4957 or by email at LaTonya.Bryant-Parker@MyFloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0361, (850)413-4984, shropshired@MyFloridaCFO.com. Direct any request for a hearing to Mr. Shropshire

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-23.003 Renewal of direct disposer licenses.

(1) Direct disposer licenses shall expire at 11:59 p.m. on August 31 of every odd-numbered calendar year.

(2) Renewal fees for direct disposers shall be as specified in Rule 69K-17.0030, F.A.C. In addition, the unlicensed activity fee in the amount of \$5.00, required under Section 497.140(6), Florida Statutes, shall be remitted by the licensee with each renewal fee.

(3) At least 90 days prior to the expiration date of the direct disposer license, the Division of Funeral, Cemetery, and Consumer Services shall mail each direct disposer holding a valid direct disposer license, a license renewal notice, to the licensee's preferred mailing address as shown in the Division's records. A direct disposer shall renew his/her license by returning the license renewal notice to the Division at the address stated on the invoice, with the applicable renewal and unlicensed activity fees, prior to the expiration date of the license.

Rulemaking Authority 497.103(5)(a), 497.603(2) FS. Law Implemented 497.603, 497.140(6) FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Douglas Shropshire, as Executive Director, Board of Funeral, Cemetery, and Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Funeral, Cemetery, and Consumer Services, under Section 497.101, F.S.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 6, 2011

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers' Compensation**

RULE NO.: 69L-6.021  
 RULE TITLE: Construction Industry Classification Codes, Descriptions, and Operations Scope of Exemption

PURPOSE AND EFFECT: The proposed rule deletes discontinued class codes, adds new class codes and revises descriptions of construction class codes, as published in the Florida exception pages in the National Council on Compensation Insurance, Inc. (NCCI), Basic Manual, 2001 edition. The proposed rule also adopts the corresponding definitions published in the NCCI, Scopes® of Basic Manual Classifications (February, 2011) and defines when an employer is engaged in the construction industry, for purposes of this rule. The aforementioned materials include updates through February 1, 2011. The effect of the proposed rule is to incorporate and maintain accurate construction class codes, descriptions and definitions for purposes of determining the necessary coverage requirements when obtaining workers' compensation insurance.

SUMMARY: Adopts the updated and revised descriptions of construction class codes as published in the Florida exception pages in the NCCI, Basic Manual; and the corresponding definitions published in the NCCI, Scopes® of Basic Manual Classifications; also defines when an employer is engaged in the construction industry.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No economic or non-economic impact will occur as a result of the proposed rule.

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

- (a) 0042 Landscape Gardening and Drivers
- (b) 0050 Farm Machinery Operation By Contractor and Drivers
- (c) 1322 Oil or Gas = Well = ÷ Cleaning or Swabbing of Old Wells – By Specialist Contractor – Having Previously Produced Gas or Oil By Contractor No Drilling & Drivers
- (d) 2799 Manufactured, Modular or Prefabricated Home Setup, Hookup, or Installation at Building Site
- (e)(d) 3365 Welding or Cutting NOC and Drivers
- (f)(e) 3719 Oil Still Erection or Repair
- (g)(f) 3724 Machinery or Equipment Erection or Repair NOC and Drivers
- (h)(g) 3726 Boiler Installation or Repair – Steam
- (i)(h) 5020 Ceiling Installation – Suspended Acoustical Grid Type
- (j)(i) 5022 Masonry NOC
- (k)(j) 5037 Painting: Metal Structures Over Two Stories in Height and Drivers

RULEMAKING AUTHORITY: 440.02(8), 440.591 FS.

LAW IMPLEMENTED: 440.02(8) FS.

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

DATE AND TIME: Tuesday, July 19, 2011, 1:30 p.m.

PLACE: 104J Hartman Building, 2012 Capital Circle Southeast, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robin Delaney, Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-4228, (850)-413-1775 or Robin.Delaney@myfloridacfo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-6.021 Construction Industry Classification Codes, Descriptions, and Operations Scope of Exemption.

(1) The Division adopts the classification codes and descriptions that are specified in the Florida Contracting Classification Premium Adjustment Program, and published in the Florida exception pages of the National Council on Compensation Insurance, Inc. (NCCI), Basic Manual (2001 ~~October 2005~~ ed.), including updates through January 1, 2011. For convenience, the Division lists here the classification codes and descriptions that are published in the Florida exception pages of the Basic Manual and adopted in this rule.

(2) For purposes of this rule, an employer is engaged in the construction industry when any portion of the employer's business operations is described in the construction industry classification codes that are adopted in this rule.

<del>(l)(k)</del>	5040	Iron or Steel: Erection -Frame Structures
<del>(m)(l)</del>	5057	Iron or Steel: Erection NOC
<del>(n)(m)</del>	5059	Iron or Steel: Erection -Frame Structures Not Over Two Stories in Height
<del>(o)(n)</del>	5069	Iron or Steel: Erection Construction of Dwellings Not Over Two Stories in Height
<del>(p)(o)</del>	5102	<u>Door, and Window Installation – All Types – Residential and Commercial Door Frame or Sash Erection – Metal or Metal Covered</u>
<del>(q)(p)</del>	5146	Furniture or Fixtures Installation – Portable – NOC
<del>(r)(q)</del>	5160	Elevator Erection or Repair
<del>(s)(r)</del>	5183	Plumbing NOC and Drivers
<del>(t)(s)</del>	5188	Automatic Sprinkler Installation and Drivers
<del>(u)(t)</del>	5190	Electrical Wiring Within Buildings and Drivers
<del>(v)(u)</del>	5213	Concrete Construction NOC
<del>(w)(v)</del>	5215	Concrete Work Incidental to the Construction of Private Residence
<del>(x)(w)</del>	5221	Concrete or Cement Work – Floors, Driveways, Yards, <del>and</del> <u>or Sidewalks</u> and Drivers (N/A MA)
<del>(y)(x)</del>	5222	Concrete Construction in Connection with Bridges or Culverts
<del>(z)(y)</del>	5223	Swimming Pool Construction, <u>Installation, or Repair</u> – Not Iron or Steel & Drivers
<del>(aa)(z)</del>	5348	<u>Ceramic Tile, Indoor Stone, Marble, or Mosaic Work</u> <del>Stone, Mosaic or Terrazzo or Ceramic Tile</del>
		<u>Work Inside</u>
<del>(bb)(aa)</del>	5402	Hothouse Erection All Operations
<del>(cc)(bb)</del>	5403	Carpentry – NOC
<del>(dd)(cc)</del>	5437	Carpentry – Installation of Cabinet Work or Interior Trim
<del>(ee)(dd)</del>	5443	Lathing and Drivers
<del>(ff)(ee)</del>	5445	Wallboard Installation Within Buildings and Drivers
<del>(gg)(ff)</del>	5462	Glazier Away From Shop and Drivers
<del>(hh)(gg)</del>	5472	<u>Asbestos Removal Operations: Contractor – Pipe and Boiler Work Exclusively &amp; Drivers</u>
		<del>Asbestos Contractor Pipe and Boiler Work Exclusively and Drivers</del>
<del>(ii)(hh)</del>	5473	<u>Asbestos Removal Operations: Contractor – NOC and Drivers</u> <del>Asbestos Contractor – NOC and Drivers</del>
<del>(jj)(ii)</del>	5474	Painting or <del>Paperhanging</del> <u>NOC &amp; and Shop Operations, Drivers</u>
<del>(kk)(jj)</del>	5478	<u>Floor Covering Installation – Resilient Flooring – Carpet and Laminate Flooring</u> <del>Carpet, Linoleum, Vinyl, Asphalt, or Rubber Floor Tile Installation</del>
<del>(ll)(kk)</del>	5479	Insulation Work NOC and Drivers
<del>(mm)(ll)</del>	5480	Plastering NOC and Drivers
<del>(nn)(mm)</del>	5491	Paperhanging and Drivers
<del>(oo)(nn)</del>	5506	Street or Road Construction: Paving or Repaving and Drivers
<del>(pp)(oo)</del>	5507	Street or Road Construction: Subsurface Work and Drivers
<del>(qq)(pp)</del>	5508	Street or Road Construction: Rock Excavation and Drivers
<del>(rr)(qq)</del>	5509	Street or Road Maintenance or Beautification & Drivers
<del>(ss)</del>	<u>5535</u>	<u>Sheet Metal Work – Installation &amp; Drivers</u>
<del>(tt)(rr)</del>	5537	Heating, Ventilation, Air-Conditioning and Refrigeration Systems Installations, Service and Repair, <del>Shop, Yard &amp; Drivers</del>
<del>(ss)</del>	5538	<del>Sheet Metal Work Shop and Outside – NOC and Drivers</del>
<del>(uu)(tt)</del>	5551	Roofing – All Kinds and <del>Yard Employees, Drivers</del>
<del>(vv)(uu)</del>	5606	<u>Contractor – Project Manager, Construction Executive, Construction Manager or Construction Superintendent</u> <del>Executive Supervisor or Construction Superintendent</del>
<del>(ww)(vv)</del>	5610	Cleaner – Debris Removal – <u>Construction Contractor</u>
<del>(xx)(ww)</del>	5613	Cleaner – Debris Removal –Temporary Labor Service
<del>(yy)(xx)</del>	5645	Carpentry – Detached One or Two Family Dwellings
<del>(zz)(yy)</del>	5651	Carpentry – Dwellings –Three Stories or Less
<del>(aaa)(zz)</del>	5703	Building Raising or Moving <del>and Drivers</del>
<del>(bbb)(aaa)</del>	5705	Salvage Operation – No Wrecking or Any Structural Operations
<del>(ccc)(bbb)</del>	6004	Land Pile Driving
<del>(ddd)(ccc)</del>	6006F	Marine Pile Driving, Dock & Seawall, Jetty or Breakwater, Dike or Revetment Construction – All Operations to Completion & Drivers
<del>(eee)(ddd)</del>	6017	Dam or Lock Construction: Concrete Work – All Operations
<del>(fff)(eee)</del>	6018	Dam or Lock Construction: Earth Moving or Placing – All Operations <u>and Drivers</u>
<del>(ggg)(fff)</del>	6045	Levee Construction – All Operations to Completion and Drivers
<del>(hhh)(ggg)</del>	6204	Drilling NOC and Drivers
<del>(iii)(hhh)</del>	6206	Oil or Gas Well: Cementing and Drivers
<del>(jjj)(iii)</del>	6213	Oil or Gas = Well= <u>Specialty Tool &amp; Equipment Leasing Operation</u> <del>Operation NOC –By Contractor – All Employees &amp; and Drivers</del>
<del>(kkk)(jjj)</del>	6214	Oil or Gas Well: Perforating of Casing – All Employees and Drivers
<del>(lll)(kkk)</del>	6216	Oil or Gas = Lease Work NOC – By <u>Specialist Contractor &amp; and Drivers</u>

<del>(mmm)(HH)</del>	6217	Excavation and Drivers <u>NOC</u>
<del>(nnn)(mmm)</del>	6229	Irrigation or Draining System Construction & Drivers
<del>(ooo)(nnn)</del>	6233	Oil or Gas Pipeline Construction & Drivers
<del>(ppp)(ooo)</del>	6235	Oil or Gas Well: Drilling or Redrilling & Drivers
<del>(qqq)(ppp)</del>	6236	Oil or Gas Well: Installation or Recovery of Casing & Drivers
<del>(rrr)(qqq)</del>	6237	Oil or Gas Well: Instrument Logging or Survey Work and Drivers
<del>(sss)(rrr)</del>	6251	Tunneling – Not Pneumatic -All Operations
<del>(ttt)(sss)</del>	6252	Shaft Sinking – All Operations
<del>(uuu)(ttt)</del>	6260	Tunneling – Pneumatic – All Operations
<del>(vvv)(uuu)</del>	6306	Sewer Construction – All Operations and Drivers
<del>(www)(vvv)</del>	6319	Gas Main or Connection Construction and Drivers
<del>(xxx)(www)</del>	6325	Conduit Construction – For Cable or Wires – & Drivers
<del>(yyy)(xxx)</del>	6400	Fence <u>Installation and Repair Erection</u> – Metal, Vinyl, Wood or Prefabricated Concrete Panel <u>Fence Installed By Hand</u>
<del>(zzz)(yyy)</del>	7538	Electric Light or Power Line Construction & Drivers
<del>(zzz)</del>	7601	<del>Telephone, Telegraph or Fire Alarm Line Construction and Drivers</del>
(aaa)	7605	Burglar and Fire Alarm Installation or Repair & Drivers
(bbb)	7611	<del>Telephone or Cable TV Line Installation – Contractors, Underground and Drivers</del>
(eee)	7612	<del>Telephone or Cable TV Line Installation – Contractors, Overhead and Drivers</del>
(ddd)	7613	<del>Telephone or Cable TV Line Installation – Contractors, Service Lines and Connections and Drivers</del>
(bbb)(eeee)	7855	Railroad Construction: Laying or Relaying of Tracks or Maintenance of Way by Contractor – No Work on Elevated Railroads – & Drivers
(ccc)(fff)	8227	Construction or Erection Permanent Yard
(ddd)(ggg)	9534	Mobile Crane and Hoisting Service Contractors – NOC – All Operations – Including Yard Employees and Drivers
(eee)(hhh)	9554	Sign Installation, Maintenance, Repair, Removal, or Replacement NOC & Drivers

(3) The Division adopts the definitions published by NCCI, SCOPES® of Basic Manual Classifications (February October, 2011 2005), including updates through February 1, 2011, that correspond to the classification codes and descriptions adopted in subsection (1) above. The definitions identify the workplace operations that satisfy the criteria of the term “construction industry” as used in the workers’ compensation law. The definitions are hereby incorporated by reference and can be obtained by writing to the Division of Workers’ Compensation, Bureau of Compliance, 200 East Gaines Street, Tallahassee, Florida 32399-4228.

Rulemaking Specific Authority 440.02(8), 440.591 FS. Law Implemented 440.02(8) FS. History–New 10-21-02, Formerly 4L-6.021, Amended 7-4-04, 3-15-06, 2-8-07,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Robin Delaney, Chief, Bureau of Compliance, Division of Workers’ Compensation, Department of Financial Services  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief of Financial Officer, Department of Financial Services  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 2, 2011  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 25, 2010

### Section III Notices of Changes, Corrections and Withdrawals

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

##### Division of Marketing and Development

RULE NOS.:	RULE TITLES:
5H-1.006	Definitions
5H-1.007	Content of Dealers Records
5H-1.008	Guidelines for Imposing Administrative Penalties
5H-1.009	Documents Incorporated by Reference

#### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 10, March 11, 2011 issue of the Florida Administrative Weekly.

#### 5H-1.006 Definitions.

For the purpose of this chapter, the definitions in Section 604.15, Florida Statutes, and the following shall apply.  
Tropical Foliage means any ~~kind of~~ herbaceous plant plants originally from tropical climates, that ~~is are~~ grown and sold as potted plants, cut foliage, or interiorscapes, interiorscape primarily for their indoor ~~the~~ decorative value ~~of their leaves~~. Excluded from this definition are woody temperate zone plants, such as trees, shrubs or woody vines.

Rulemaking Authority 604.27 FS. Law Implemented 604.15, 604.27 FS. History—New\_\_\_\_\_.

5H-1.007 Content of Dealers Records.

In accordance with Section 604.22, Florida Statutes, each licensed dealer shall preserve for at least twelve (12) months ~~eighteen (18) months~~ a record of each transaction involving agricultural products. The preserved record may take the form of an invoice, bill of sale, manifest, or other written document showing the date of sale, the name and address of the seller, and the kind or common name and quantity of each agricultural product included in the transaction.

Rulemaking Authority 604.27 FS. Law Implemented 604.22, 604.27 FS. History—New\_\_\_\_\_.

5H-1.008 Guidelines for Imposing Administrative Penalties.

(1) This rule sets forth the guidelines the Department will follow in imposing the penalties authorized under Section 604.30 Chapter 604, F.S. These guidelines list aggravating and mitigating factors that, if present, will reduce or increase penalties to be imposed. No aggravating factors will be applied to increase a fine imposed for a single violation above the statutory maximum of \$2,500 per violation. Multiple counts of the violated provision or a combination of the listed violations will be added together to determine an overall total penalty and will be grounds for enhancement of penalties.

(2) The Department will enforce compliance with Sections 604.15-604.34 Chapter 604, F.S., and this rule chapter by issuing an Administrative Complaint for violations.

(3) Aggravating and Mitigating Factors. The Department will consider aggravating and mitigating factors in determining the penalty to be imposed for violations of Sections 604.15-604.34 Chapter 604, F.S., and this rule chapter. The factors shall be applied against each single count of the listed violation.

(a) Aggravating Factors:

1. Whether a complaint(s) ~~has~~ has been filed against the Respondent by a producer (or their agent) of agricultural products in Florida.

2. The violation caused or has the potential to cause harm to a Florida agricultural producer and the degree or extent of such harm.

3. Previous violations for the same or a similar offense that resulted in enforcement action.

4. The length of time the business has been in operation and the violation history over the past three years.

5. The violation existed for a period of six (6) months or more ~~an extended period of time~~.

6. The violation was repeated within three years ~~a short period of time~~.

7. The violator impeded, or otherwise failed to cooperate with, the Department’s inspection and/or investigation.

8. Previous disciplinary action within the past three (3) years against the violator in this or any other jurisdiction and the deterrent effect of the penalty imposed.

9. Failure to initiate, complete, or take affirmative or corrective action within twenty-one (21) days of Undue delay in initiating or completing, or failure to take, affirmative or corrective action after receipt of the Administrative Complaint.

10. Whether the violation resulted from negligence or an intentional act.

11. The cost of enforcement action.

12. The number of other violations proven in the same proceeding.

13. The economic benefit to the violator.

(b) Mitigating Factors:

1. Any documented efforts by the violator at corrective action.

2. Whether intentional actions of another party prevented the violator from complying with the applicable laws or rules.

3. Financial hardship.

4. Acts of God or nature that impairs the ability of the violator to comply with Sections 604.15-604.34 Chapter 604, F.S., and this rule chapter.

5. The violation has a low risk of, or did not result in, harm to a Florida agricultural producer.

6. The violator expeditiously took affirmative or corrective action after it received written notification of the violation.

7. If there are no more than three (3) months of subject purchases in the violation period requiring the minimum surety bond or certificate of deposit. The number and seriousness of the counts in the Administrative Complaint.

8. If a repeat violation, whether three years has passed since the prior violation.

(4) Penalties.

(a) Minor Violations. A violation of Sections 604.15-604.34 Chapter 604, F.S., or this rule chapter is a minor violation if it does not result in economic or physical harm to a Florida producer or create a significant threat of such harm. Minor violations shall result in the issuance of an Administrative Complaint and imposition of an administrative fine of \$500.00 per violation, for first time offenders. Aggravating factors, as defined in paragraph (3)(a) of this rule, shall warrant the adjustment of the fine upward, but no fine shall exceed the statutory maximum as outlined in Section 604.30(3)(a), F.S. Mitigating factors, as defined in paragraph (3)(b) of this rule, shall warrant the adjustment of the fine downward. For the purposes of this rule, the following violations shall be considered minor violations:

1. Failure to have a license pursuant to Section 604.17, F.S., where the surety bond or certificate of deposit required under Section 604.20(1), F.S., is less than \$15,000.



2. Failure to provide delivery tickets after delivery of grain, Section 604.32, F.S.

3. Failure to submit monthly grain dealer reports by the 15th of each month, Section 604.33, F.S.

(b) Major Violations. A violation of ~~a Sections 604.15-604.34 Chapter 604~~, F.S., or this rule chapter is a major violation if it results in economic or physical harm to a Florida producer or creates a significant threat of such harm. Major violations shall result in the issuance of an Administrative Complaint and imposition of an administrative fine of \$1,000.00 per violation, for first time offenders, and \$2,500 per violation, for second-time or repeat offenders. Aggravating factors, as defined in paragraph (3)(a) of this rule, shall warrant the adjustment of the fine upward, but no fine shall be greater than \$2,500.00 per violation as provided by ~~exceed the statutory maxima as outlined in~~ Section 604.30(3)(a), F.S. Mitigating factors, as defined in paragraph (3)(b) of this rule, shall warrant the adjustment of the fine downward, but no fine shall be less than \$100.00. For the purposes of this rule, the following violations shall be considered major violations:

1. Failure to have a license pursuant to Section 604.17, F.S., where the surety bond or certificate of deposit required under Section 604.20(1), F.S., is equal to or greater than \$15,000.

2. Failure to have a license pursuant to Section 604.17, F.S., when a Florida producer has filed a claim against the Respondent under Section 604.21, F.S.

3. Failure to increase the amount of surety bond or certificate of deposit after receiving notice that such increase is required under Section 604.20(2), F.S.

4. Failure to produce records upon request pursuant to Sections 604.22 and 604.23, F.S.

5. Failure to maintain security requirements pursuant to Section 604.33, F.S.

6. Any violation of ~~Sections 604.15-604.34 Chapter 604~~, F.S., or this rule chapter occurring within three years of the issuance of an Administrative Complaint or Final Order, or the date of entry of a settlement agreement or Satisfaction of Final Order.

(c) Willful Violations.

1. Any willful and intentional violation of ~~Sections 604.15-604.34 Chapter 604~~, F.S., this rule chapter, a Final Order, or the conditions stipulated in a settlement agreement shall result in the imposition of an administrative fine of \$2,500 per violation.

(5) A violator who fails to pay an administrative fine imposed by a Final Order for violations of ~~Sections 604.15-604.34 Chapter 604~~, F.S., or this rule chapter within 15 days of the order's entry by the Department shall be subject to suspension or revocation of the dealer's license and an additional fine of not to exceed \$100.00 per day while in violation of such order.

(6) In addition to the penalties established in this rule, the Department reserves the right to seek to recover any other costs, penalties, attorney's fees, court costs, service fees, collection costs, and damages allowed by law. Additionally, the Department reserves the right to seek to recover any costs, penalties, attorney's fees, court costs, service fees, collection costs, and costs resulting from a payment that is returned for insufficient funds to the Department.

(7) Resolution of Violations, Settlement, and Additional Enforcement Remedies.

(a) Nothing in this rule shall limit the ability of the Department to informally dispose of administrative actions by settlement agreement, consent order, or other lawful means.

(b) The Department and person charged with a violation may agree to resolve violations prior to an administrative hearing, or enter into settlement pursuant to Section 120.57(4), F.S. The penalties addressed in this rule shall not be construed to limit the authority of the Department to resolve violations prior to or after initiation of any administrative action or to settle with any party. The Department shall utilize all available remedies to ensure compliance including administrative action, civil actions, settlements, and referrals for criminal prosecution. The Department shall enforce a failure to comply with an agreement to resolve violations or a settlement agreement with the penalties and remedies provided in the agreement and as authorized by ~~Section 120.69, F.S., or Sections 604.15-604.34 Chapter 604~~, F.S.

(c) Failure to respond to an Administrative Complaint shall result in the entry of a Final Order against the violator or entity responsible for the violation imposing an administrative fines of \$2,500.00, not to exceed the statutory maximum allowable under Section 604.30(3)(a), F.S.

(d) A failure to comply with a Final Order of the Department shall result in any applicable license revocation and an administrative fine equal to the maximum amount as allowable under Section 604.30(3), F.S.

(e) The provisions of this rule shall not be construed so as to prohibit or limit any other civil action for enforcement of additional penalties or criminal prosecution that may be brought.

Rulemaking Authority 604.27 FS. Law Implemented 604.27, 604.30 FS History--New\_\_\_\_\_.

#### 5H-1.009 Documents Incorporated By Reference.

The following documents are hereby incorporated by reference. Copies of these documents may be obtained from the Division of Marketing, Bureau of Agricultural Dealer's Licenses at 407 South Calhoun, M-38, Tallahassee, Florida 32399 or online as indicated.

(1) Assignment of Certificate of Deposit, DACS-06300 (Rev. ~~03/11 10/10~~), <http://www.flrules.org/Gateway/reference>.

(2) ~~Statement Affidavit~~ of Exemption, DACS-06301 (Rev. ~~04/11 10/10~~), <http://www.flrules.org/Gateway/reference>.

(3) Application for Agricultural Products Dealer License, DACS-06302 (Rev. ~~04/11~~ 4/10), <http://www.flrules.org/Gateway/reference>.

(4) Agricultural Products Dealer Bond, DACS-06303 (Rev. ~~03/11~~ 4/10), <http://www.flrules.org/Gateway/reference>.

~~(5) Public Sale of Thoroughbred Horses Bond, DACS-06304 (Rev. 10/10), <http://www.flrules.org/Gateway/reference>.~~

~~(6) Application for Livestock Market License, DACS-06305 (Rev. 10/10), <http://www.flrules.org/Gateway/reference>.~~

~~(7) Grain Dealers Monthly Report, DACS-06306 (Rev. 10/10), <http://www.flrules.org/Gateway/reference>.~~

~~(8) Answer of Respondent, DACS-06314 (Rev. 06/11 4/10), <http://www.flrules.org/Gateway/reference>.~~

~~(9) Request For Accounting, DACS-06325 (Rev. 04/11 4/10), <http://www.flrules.org/Gateway/reference>.~~

~~(10) Public Sale of Thoroughbred Horses Application, DACS-06326 (Rev. 10/10), <http://www.flrules.org/Gateway/reference>.~~

~~(11) Agricultural Products Dealer Claim Packet, DACS-06329 (Rev. 04/11 4/10), <http://www.flrules.org/Gateway/reference>.~~

Rulemaking Authority 534.48, 535.02, 604.27 FS. Law Implemented 534.48, 535.01, 604.16, 604.18, 604.20, 604.21, 604.23, 604.33 FS. History—New \_\_\_\_\_.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Water Policy**

RULE NO.: 5M-3.002  
 RULE TITLE: Definitions

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 15, April 15, 2011 issue of the Florida Administrative Weekly.

5M-3.002 Definitions.

(1) through (3) No change.

(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 that specify the amount, placement, form, and timing of the application of nutrients, including manure, animal by-products, biosolids, and soil amendments. The nutrient management plan must be approved by the Natural Resources Conservation Service (NRCS) or a technical service provider. ~~Code 590, Nutrient Management, may be viewed at <http://www.flrules.org/Gateway/reference.asp?No=Ref-00271> or obtained from NRCS, P. O. Box 141510, 2614 N.W. 43rd St., Gainesville, FL 32614-1510.~~

~~flrules.org/Gateway/reference.asp?No=Ref-00271 or obtained from NRCS, P. O. Box 141510, 2614 N.W. 43rd St., Gainesville, FL 32614-1510.~~

(5) No change.

**LAND AND WATER ADJUDICATORY COMMISSION**

**Rivers Edge Community Development District**

RULE NO.: 42FFF-1.002  
 RULE TITLE: Boundary of Surviving District  
**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 23, June 10, 2011 issue of the Florida Administrative Weekly.

The following portion of the metes and bounds description of the external boundaries of the CDD contained an error on page 1557 of the above issue of the FAW and is being reprinted to correct that error. The following portion of the description was not intended to be changed in the notice of proposed rulemaking.

42FFF-1.002 Boundary of Surviving District.

The boundaries of the Surviving District are as follows:

Course No. 1: South 88°11'16" East, a distance of 288.50 feet, to a point;

Course No. 2: North 54°15'52" East, a distance of 4,016.06 feet, to a point on the Northerly line of the HALLOWES TRACT (also being the Southerly line of the ST. ELMO TRACT, and the Southerly line of aforesaid BARTRAM PLANTATION PHASE TWO); run thence, South 89°20'59" East, along last said line, a distance of 883.58 feet, to a point; thence, departing from said Northerly line of the HALLOWES TRACT (also being the Southerly line of ST. ELMO TRACT) run the following thirteen Courses and Distances, along the Easterly boundary of the aforesaid plat of BARTRAM PLANTATION PHASE TWO:

Course No. 1: North 05°30'37" East, a distance of 227.90 feet, to a point;

Course No. 2: North 29°44'02" East, a distance of 230.63 feet, to a point;

Course No. 3: North 21°25'38" East, a distance of 43.96 feet, to a point;

Course No. 4: North 84°42'38" West, a distance of 65.01 feet, to a point;

Course No. 5: North 32°32'11" West, a distance of 98.40 feet, to a point;

Course No. 6: North 20°05'21" East, a distance of 79.61 feet, to a point;

Course No. 7: North 64°40'30" East, a distance of 36.01 feet, to a point;

Course No. 8: North 11°04'19" West, a distance of 167.86 feet, to a point;

Course No. 9: North 66°29'43" West, a distance of 51.93 feet, to a point;

Course No. 10: North 47°26'30" East, a distance of 103.39 feet, to a point;  
 Course No. 11: North 39°33'12" West, a distance of 99.33 feet, to a point;  
 Course No. 12: North 23°21'33" West, a distance of 92.86 feet, to a point;  
 Course No. 13: North 17°55'40" East, a distance of 203.96 feet, to a point, on the aforesaid Southerly Right of Way line of GREENBRIAR ROAD, and the POINT OF BEGINNING.  
 The rest of the proposed rule text remains as published.

Rulemaking Specific Authority 190.004, 190.005 FS. Law Implemented 190.004, 190.005, 190.046 FS. History–New 11-1-06, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Jerry McDaniel, Secretary, Administration Commission  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Administration Commission  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 3, 2011  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 13, 2011

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-16.006  
 RULE TITLE: Remediable Tasks Delegable to a Dental Hygienist

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 30, July 30, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-16.0075  
 RULE TITLE: Dental Charting by Dental Hygienists

NOTICE OF WITHDRAWAL

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

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

RULE NO.: 64B18-14.002  
 RULE TITLE: Disciplinary Guidelines

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 42, October 22, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE NOS.:	RULE TITLES:
65C-22.001	General Information
65C-22.005	Food and Nutrition
65C-22.008	School Age Child Care
65C-22.010	Enforcement

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 44, November 5, 2010 issue of the Florida Administrative Weekly.

65C-22.001 General Information.

(1) through (11) No change.

Rulemaking Authority 402.305, 402.308, 402.309 FS. Law Implemented 402.305, 402.309, 402.3055, 402.308, 402.310 FS. History–New 6-1-97, Amended 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10, \_\_\_\_\_.

65C-22.005 Food and Nutrition.

(1) through (2) No change.

(a) Application acknowledging food service. All child care facilities that store, prepare, and/or serve food to the children in care must identify annually the type of food services provided on CF-FSP Form 5017, October 2010, Application For A License to Operate a Child Care Facility, which is incorporated by reference. A copy of the application may be obtained from the Department’s website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

(b) Facilities must comply, within a period of 90 days after the effective date of this chapter, with the following rules from chapter 64E-11, F.A.C., which are incorporated by reference. A copy of this chapter may be obtained from the Department’s website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare):

1. 64E-11.001, Food Hygiene – General 8-28-96;
2. 64E-11.002, Definitions 4-1-09;
3. 64E-11.003, Food Supplies 7-14-03;
4. 64E-11.004, Food Protection 7-14-03;
5. 64E-11.005, Personnel 7-14-03;
6. 64E-11.006, Food Equipment and Utensils 7-14-03;
7. 64E-11.007, Sanitary Facilities and Controls 7-14-03;
8. 64E-11.008, Other Facilities and Operations 3-15-98;
9. 64E-11.009, Temporary Food Service Events 3-15-98;
10. 64E-11.010, Vending Machines 3-15-98;
11. 64E-11.011, Procedure When Infection is Suspected 2-21-91;

12. 64E-11.014, Mobile Food Units 7-14-03.

(c) Manager Certification and Training.

1. No change.

2. The designated food service manager shall have passed a written certification test from a provider that has been approved by the Department of Health in accordance with

subsections 64E-11.012(2)-(4), F.A.C. A list of test providers may be obtained from the Department of Health website at [www.doh.state.fl.us](http://www.doh.state.fl.us), one of the following providers: National Registry of Food Safety Professionals (800)446-0257, National Restaurant Association (800)765-2122, or Thomson Prometric (800)624-2736. The certified manager shall also maintain a copy of their active manager certification on site for review by the Department. The manager certification is active for five years from the date of issuance and must be renewed timely.

3. All additional food service employees or any employee who works in the kitchen and/or serves food shall complete the "Serving Safe Food in Child Care" course offered by the National Food Service Management Institute at The University of Mississippi. The course is a four-hour online course that can be accessed via the National Food Service Management Institute website at [www.nfsmi.org](http://www.nfsmi.org). A copy of the certificate indicating course completion must be available for review by the Department. This is a one-time training requirement that must be completed prior to preparing and/or serving food to the children in care. This training may be counted toward completion of the employee in-service training requirement only one time for each employee.

4. No change.

(d) Inspections, violations, and administrative action.

1. Facilities will be subject to inspections. ~~that must be documented on Department of Health form DH 4023, Jan. 2005, which is incorporated herein by reference.~~

2. through 3. No change.

4. A "stop sale action" means that a violation of food service standards has been observed that poses an immediate threat to the safety of food requiring the food item(s) in question be destroyed or otherwise rendered unusable at the time of inspection. ~~Violations resulting in a "stop sale action" must be documented on Department of Health DH form 4045, Feb. 1999, which is incorporated herein by reference. A copy of this form may be obtained from the Department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).~~ Re-occurring "stop sale actions" subject the facility to progressive sanctions in accordance with the schedule for Class II violations provided in Rule 65C-22.010, F.A.C.

5. No change.

6. In the event that the Department determines that a child care facility's regular food service operation fails to comply with the food hygiene standards established in this rule such that continued operation of regular food service presents an imminent danger to the health and safety of the children being served, the Department will require that the facility immediately cease regular food service. Closure of the regular food service operation will not otherwise affect the operation of the facility, provided that the facility makes alternative arrangements to provide food for the children as needed. The facility must notify parents that the regular food service has been closed and must inform them of the alternate

arrangements that have been made. ~~The Department will document the closure on Department of Health form DH 4023, Jan 2005 used for inspection purposes.~~ The facility must post the food service inspection report in a conspicuous place accessible to parents for the duration of the closure. Any food service operation closed under this rule shall remain closed until the standards violation that produced the closure has been remedied.

(e) Any organized food preparation activity in which children in care may participate as part of a planned curriculum must be under the direct supervision of a staff person who is knowledgeable in food hygiene safety and who has completed at minimum the "Serving Safe Food in Child Care" course required in paragraph (c) of this subsection.

(3) No change.

Rulemaking Authority 402.305, 402.308 FS. Law Implemented 402.305, 402.308 FS. History--New 6-1-97, Amended 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, 4-12-07, Re-promulgated 5-1-08, 1-13-10, \_\_\_\_\_.

65C-22.008 School Age Child Care.

(1) through (2)(e) No change.

(3) No change.

(a) through (d) No change.

(e) General Requirements.

1. All school-age child care program facilities must be clean, in good repair, and free from health and safety hazards and from vermin infestation. During the hours that the program is in operation, no portion of the building shall be used for any activity which endangers the health and safety of the children. It is the responsibility of the director/owner that all areas of the facility are free from fire hazards, such as burning candles (including birthday candles) and incense, lint and dust build up in heating and air vents, filters, exhaust fans, ceiling fans, and dryer vents.

2. through 8. No change.

(f) through (j) No change.

(k) Health and Sanitation.

1. No change.

2. Employees, volunteers, and children shall wash their hands with soap and running water, dry thoroughly and follow personal hygiene procedures for themselves, or while assisting others, prior to eating, serving food, and immediately after outdoor play.

3. through 4. No change.

(l) through (p) No change.

(q) No change.

1. All licensed school-age child care facilities that store, prepare, and/or serve food to the children in care must identify annually the type of food services provided on CF-FSP Form 5017, October 2010, Application For A License to Operate a

Child Care Facility, which is incorporated by reference. A copy of the application may be obtained from the Department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).

2. All school-age child care facilities that store, prepare, and/or serve food to the children in care must comply, within a period of 90 days after the effective date of this chapter, with the following rules from Chapter 64E-11, F.A.C., which are incorporated by reference. A copy of this chapter may be obtained from the Department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare):

~~a. Application acknowledging food service. All child care facilities that store, prepare, and/or serve food to the children in care must identify annually the type of food services provided on CF FSP Form 5017, Application For A License to Operate a Child Care Facility, which is incorporated by reference. A copy of the application may be obtained from the Department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare).~~

~~b. Facilities must comply with the following rules from chapter 64E-11, F.A.C., which are incorporated by reference:~~

~~a.I. 64E-11.001, Food Hygiene – General, 8-28-96;~~

~~b.II. 64E-11.002, Definitions, 4-1-09;~~

~~c.III. 64E-11.003, Food Supplies, 7-14-03;~~

~~d.IV. 64E-11.004, Food Protection, 7-14-03;~~

~~e.V. 64E-11.005, Personnel, 7-14-03;~~

~~f.VI. 64E-11.006, Food Equipment and Utensils, 7-14-03;~~

~~g.VII. 64E-11.007, Sanitary Facilities and Controls, 7-14-03;~~

~~h.VIII. 64E-11.008, Other Facilities and Operations, 3-15-98;~~

~~i.IX. 64E-11.009, Temporary Food Service Events, 3-15-98;~~

~~j.X. 64E-11.010, Vending Machines, 3-15-98;~~

~~k.XI. 64E-11.011, Procedure When Infection is Suspected, 2-21-91;~~

~~l.XII. 64E-11.014, Mobile Food Units, 7-14-03.~~

~~3.e. Manager Certification and Training.~~

~~a.f. All child care facilities that store, prepare, and/or serve food to the children in care shall designate in writing a food service manager.~~

~~b.h. The designated food service manager shall have passed a written certification test from a provider that has been approved by the Department of Health in accordance with subsections 64E-11.012(2)-(4), F.A.C. A list of test providers may be obtained from the Department of Health website at [www.doh.state.fl.us](http://www.doh.state.fl.us), one of the following providers: National Registry of Food Safety Professional (800)446-0257, National Restaurant Association (800)765-2122, or Thomson Prometric (800)624-2736. The certified manager shall also maintain a copy of their active manager certification on site for review by the Department. The manager certification is active for five years from the date of issuance and must be renewed timely.~~

~~c.iii. All additional food service employees or any employee who works in the kitchen and/or serves food shall complete the "Serving Safe Food in Child Care" course offered by the National Food Service Management Institute at The University of Mississippi. The course is a four-hour online course that can be accessed via the National Food Service Management Institute website at [www.nfsmi.org](http://www.nfsmi.org). A copy of the certificate indicating course completion must be available for review by the Department. This is a one-time training requirement that must be completed prior to preparing and/or serving food to the children in care. This training may be counted toward completion of the employee in-service training requirement only one time for each employee.~~

~~d.IV. The facility must, within 90 days of the date that the certified food service manager separates from employment at the facility or is relieved of food service management responsibilities, designate in writing a food service manager that who has passed a written certification test from one of the providers listed in sub-subparagraph 3.b. of this subsection paragraph (2)(c)2. of this rule.~~

~~4.d. Inspections, violations, and administrative action.~~

~~a.f. Facilities will be subject to inspections that must be documented on Department of Health form DH 4023, Jan. 2005, which is incorporated herein by reference.~~

~~b.h. The food service operations of the facility must close down immediately if there is a loss of power services, and/or water services, and/or sewage issues that affect the kitchen area. The operator must notify the Department within four hours as to their operational status in order for the Department to ensure health standards are being met for continued operation.~~

~~c.iii. In the event that a child or children at the facility are sickened as a result of a violation of the food hygiene standards established by this rule, the facility will be subject to progressive sanctions in accordance with the schedule for Class I violations provided in Rule 65C-22.010, F.A.C.~~

~~d.IV. A "stop sale action" means that a violation of food service standards has been observed that poses an immediate threat to the safety of food requiring the food item(s) in question be destroyed or otherwise rendered unusable at the time of inspection. Violations resulting in a "stop sale action" must be documented on Department of Health DH form 4045, Feb. 1999, which is incorporated herein by reference. Re-occurring "stop sale actions" subject the facility to progressive sanctions in accordance with the schedule for Class II violations provided in Rule 65C-22.010, F.A.C.~~

~~e.v. Other violations of food service standards that do not result in a "stop sale action" will subject the facility to progressive sanctions in accordance with the schedule for Class III violations provided in Rule 65C-22.010, F.A.C.~~

~~f.vi. In the event that the Department determines that a child care facility's regular food service operation fails to comply with the food hygiene standards established in this rule~~

such that continued operation of regular food service presents an imminent danger to the health and safety of the children being served, the Department will require that the facility immediately cease regular food service. Closure of the regular food service operation will not otherwise affect the operation of the facility, provided that the facility makes alternative arrangements to provide food for the children as needed. The facility must notify parents that the regular food service has been closed and must inform them of the alternate arrangements that have been made. ~~The Department will document the closure on Department of Health form DH-4023, Jan 2005 used for inspection purposes.~~ The facility must post the food service inspection report in a conspicuous place accessible to parents for the duration of the closure. Any food service operation closed under this rule shall remain closed until the standards violation that produced the closure has been remedied.

~~5.e.~~ Any organized food preparation activity in which children in care may participate as part of a planned curriculum must be under the direct supervision of a staff person who is knowledgeable in food hygiene safety and who has completed at minimum the "Serving Safe Food in Child Care" course required in sub-subparagraph 3. of this subsection paragraph (c) of this section.

- (r) No change.
- (s) Fire and Emergency Safety.
  1. through 4. No change.

5. ~~During the facility's licensure year, T~~the facility must conduct either an emergency preparedness or fire drill each month of operation during the facility's licensure year. Emergency preparedness drills include a minimum of one (1) lockdown and one (1) inclement weather drill conducted within each licensure year. A fire drills shall be conducted each remaining month of operation during the facility's licensure year using the following formula:

$$\text{Total \# of months the program operates} - 2 = \text{Total \# of fire drills that must be conducted.}$$

~~The drills must be conducted a minimum of 10 times annually and be conducted~~ at various dates and times when children are in care. A current attendance record must accompany staff out of the building during a drill or actual evacuation, and be used to account for all children. The fire drills conducted must include, at a minimum:

- a. through b. No change.
- 6. through 7. No change.
- 8. The operator shall develop a written emergency preparedness plan to include, at a minimum, procedures to be taken by the child care facility during a fire, lockdown, and inclement weather (tornadoes). The plan shall describe how the facility will meet the needs of all ~~the~~ children, including children with special needs, during and after an emergency event, including facilitating parent/guardian reunification.
- 9. through 12. No change.

- (t) No change.
- (u) Record Keeping.
  1. through 4. No change.
    - a. through e. No change.
    - (I) through (III) No change.
    - f. No change.
    - (I) through (III) No change.
    - (IV) No change.
    - g. through j. No change.
  5. No change.
  - (4) School-Age Child Care Personnel Training Requirements.

(a) Definitions.
 

1. through 4. No change.
5. "Director" means "operator" as defined in Section 402.302(12)(4), F.S., is the on-site administrator or individual who has the primary responsibility for the day-to-day operation, supervision and administration of a child care facility.

6. No change.

7. "Foster Grandparents" are directly supervised volunteers who participate in the federal program pursuant to 45 Code of Federal Regulations part 2552. Foster grandparents work with one or more children with special or exceptional needs in child care programs. Foster grandparents are not counted in the staff-to-child ratio. Foster grandparents shall be required to have 100% attendance in the following department's training courses: Child Care Facility Rules and Regulations; Health, Safety, and Nutrition; Identifying and Reporting Child Abuse and Neglect; and Special Needs Appropriate Practices. Foster grandparents must begin training within 30 days of employment in the child care industry in any licensed Florida child care home or facility. Training must be completed within six (6) months from the date of employment in the child care industry in any licensed Florida child care home or facility. Foster grandparents are not classified as child care personnel, and they may not be assigned the roles of teacher's aides, group leaders or other similar positions.

- 8. through 13. No change.
- (b) through (c) No change.
  1. Child Care Facility Rules and Regulation (6 hours);
  2. Health, Safety, and Nutrition (8 hours);
  3. Identifying and Reporting Child Abuse and Neglect (4 hours); ~~and~~
  4. Understanding Developmentally Appropriate Practice (5 hours);
  - ~~5.4.~~ School Age-Appropriate Practices; and
  - ~~6.5.~~ The remaining 12 hours must be met by completing ~~any combination~~ of training identified in either sub-subparagraphs a. or ~~and~~ b. below.

a. Successful completion of competency examinations offered by the department or its designated representative with a weighted score of 70 or better for ~~any~~ of the following courses:

(I) Standards for Quality Afterschool Programs (8 hours online).

(II) Quality Self-Assessment and Improvement for Afterschool Programs (4 hours online).

~~(I) Child Growth and Development (6 or 10 hours);~~

~~(II) Behavioral Observation and Screening (6 or 10 hours);~~

~~(III) Infant and Toddler Appropriate Practices (10 hours);~~

~~(IV) Preschool Appropriate Practices (10 hours);~~

~~(V) Special Needs Appropriate Practices (10 hours);~~

~~(VI) Basic Guidance and Discipline (5 hours online);~~

~~(VII) Early Literacy for Children Ages Birth Through Three (5 hours online);~~

~~(VIII) Early Childhood Computer Learning Centers (5 hours online);~~

~~(IX) Emergent Literacy for Voluntary Pre-Kindergarten (VPK) Instructors (5 hours online); or~~

b. Completion of specialized school-age training, provided by ~~the department~~, a national organization or affiliates of a national organization, that requires demonstration of competencies through passage of examination(s), or completion and assessment of a Professional Resource File (portfolio of materials that demonstrate competency).

c. School-age child care personnel who completed the department's 40 hour introductory training prior to January 2012 will remain in compliance with regards to the introductory training requirement.

6. No change.

7. In the event that cChild care personnel leaves who left the child care industry in compliance with the training requirements described in this section, upon and returning to the industry either at the same or a different child care facility, he or she shall be granted 90 days to comply with any new mandated training requirements that have been enacted in law during the gap in employment in the child care industry. Completion of such training may be counted toward the annual in-service training requirement.

8. In the event that cChild care personnel leaves who left the child care industry not in compliance with the training requirements described in this section, and returns to the industry either at the same or a different child care facility, he or she must comply with the training requirements described in this section, in addition to any new mandated training requirements that have been enacted in law during the gap in employment in the child care industry complete required training prior to re-employment.

9. Child care personnel employed at the same child care facility prior to October 1, 1992, with no break in employment with the same employer, are exempt from completing Part II of the child care training.

(d) through (g) No change.

(h) Annual In-Service Training.

1. Upon completion of Part I and Part II introductory training requirements child care personnel All child care facility personnel must complete a minimum of 10-clock-hours or one CEU of in-service training annually during the state's fiscal year beginning July 1 and ending June 30.

2. No change.

a. through v. No change.

w. Any of the online courses offered through the department's child care website.

3. No change.

4. ~~Mandated 40-clock-hour introductory child care training, Parts I and II, may be used to meet the annual in-service training requirement during the first fiscal year of employment.~~

4.5. All child care personnel employed in the industry beyond 15 months, who change employment from one child care program to another during the fiscal year continuously employed or hired between July 1 and June 1 of the state's fiscal year must complete the annual in-service training requirement. This includes any changes in employment from one program to another.

5.6. Child care personnel not in compliance with the annual in-service training requirement described in this section continuously employed or hired between July 1 and June 1 of the state's fiscal year who do not complete the required annual in-service training during any given year must complete the remaining in-service training requirement hours within 30 days of the noncompliance finding by the licensing authority. These hours cannot be used to meet the current year's in-service training requirements.

(i) No change.

Rulemaking Authority 402.305 FS. Law implemented 402.305 FS. History—New 9-12-04, Amended 4-12-07, 5-1-08, 1-13-10, Amended 7-29-10, \_\_\_\_\_.

65C-22.010 Enforcement.

(1) Definitions.

(a) through (d) No change.

1. "Class I Violation" is an incident of noncompliance with a Class I standard as described on CF-FSP Form 5316, March 2011 March 2009. Child Care Facility Standards Classification Summary, which is incorporated by reference. A copy of the CF-FSP Form 5316 may be obtained from the department's website at [www.myflorida.com/childcare](http://www.myflorida.com/childcare). Class I violations are the most serious in nature, pose an imminent

threat to a child including abuse or neglect and which could or does result in death or serious harm to the health, safety or well-being of a child.

- 2. through 4. No change.
- (2) No change.

Rulemaking Authority 402.305,402.310 FS. Law Implemented 402.305, 402.310 FS. History--New 5-1-08, Amended 1-13-10,\_\_\_\_\_.

## Section IV Emergency Rules

**NONE**

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

### DEPARTMENT OF LAW ENFORCEMENT

The Criminal Justice Standards and Training Commission hereby gives notice that on June 10, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On June 3, 2011, the Criminal Justice Standards and Training Commission, received a petition for an emergency permanent waiver of paragraph 11B-27.00213(4)(b), F.A.C., by the Florida Department of Corrections on behalf of 190 officers. paragraph 11B-27.00213(4)(b), F.A.C., requires officers on a Temporary Employment Authorization to have a four year break in service if they separate from employment while in good standing. Notice of receipt of the petition was published in the Sun Sentinel on June 9, 2011, and on the FDLE website.

On June 10, 2011, at an emergency meeting held telephonically, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's TEA officers had, in fact, complied with all aspects of paragraph 11B-27.00213(4)(b), F.A.C. and Section 943.131(1), F.S. The TEA officers were involuntarily separated from employment with the Petitioner while in good standing because of the Petitioner's budgetary issues. The Commission found that the purposes of the underlying statute, Section 943.131(1), F.S., to ensure that TEA officers do not voluntarily separate from TEA employment while in good standing merely to pursue a more attractive TEA elsewhere, will be met by granting this waiver request. The Commission granted the Petitioner's waiver permanently for the June 3, 2011, separation. The TEA officers may obtain another TEA without waiting four years from June 3, 2011.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

### WATER MANAGEMENT DISTRICTS

The South Florida Water Management District (District) Governing Board hereby gives notice on June 9, 2011, SFWMD Order No. 2011-081-DAO-ROW was issued to Comcast (Application No. 11-0131-1). The petition for waiver was received by the District on April 13, 2011. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 17, on April 29, 2011. No public comment was received. This Order provides a waiver of the District's criteria to allow an existing, self-supporting concrete pole encroaching 7.5 feet to remain within the south right of way of the North New River Canal located immediately upstream of District Water Control Struction G-53 to remain; Section 14, Township 50 South, Range 41 East, Broward County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of above-ground permanent and/or semi-permanent encroachments within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the existing pole will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, telephone: (561)682-6268 or by email at: jurussel@sfwmd.gov.

The South Florida Water Management District (District) hereby gives notice:

The District's Governing Board, on June 9, 2011, issued SFWMD Order No. 2011-082-DAO-ROW to Miami-Dade County Park and Recreation Dept. (Application No. 10-0106-1M). The petition for waiver was received by the District on July 1, 2010. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 36, No. 28, on July 17, 2011. An Amended Petition was received on April 26, 2011. Notice of receipt of an amended petition was published in the Florida Administrative Weekly, Vol. 37, No. 20, on May 20, 2011. No public comment was received. This Order provides a waiver of the District's criteria to allow for the installation signage and



access control features within the south right of way of C-1 Canal from US1 to SW 244th Street and the north right of way of C-1W Canal from US1 to north of Eureka Drive associated with the Black Creek Trail; Section (multiple), Township 56 South, Range 39 & 40 East, Miami-Dade County. Specifically, the Order grants a waiver from subsections 40E-6.011(4), (6) and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of above-ground permanent and/or semi-permanent encroachments within 40' of the top of the canal bank and within designated 100' long equipment staging areas within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the use will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the Petitioner from suffering a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, telephone: (561)682-6268 or by email at: jurussel@sfwmd.gov.

The South Florida Water Management District (District) hereby gives notice on June 9, 2011, the District's Governing Board issued SFWMD Order No. 2011-083-DAO-ROW to the City of Naples (Application No. 11-00425-1). The petition for waiver was received by the District on April 25, 2011. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 19, on May 13, 2011. No public comment was received. This Order provides a waiver of the District's criteria to allow for the installation of a pump station intake and transmission main within the north right of way of the Golden Gate Main Canal at the intersection of Airport Road bridge and Golden Gate Main Canal, Naples; Section 26, Township 49 South, Range 25 East, Collier County. Specifically, the Order grants a waiver from subsections 40E-6.011(4), (6) and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of above-ground permanent and/or semi-permanent encroachments within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the use will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the Petitioner from suffering a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, telephone: (561)682-6268 or by email at: jurussel@sfwmd.gov.

The South Florida Water Management District (District) hereby gives notice on June 9, 2011, the District's Governing Board issued SFWMD Order No. 2011-084-DAO-ROW to Big Cypress National Preserve (Application No. 10-0513-1). The petition for waiver was received by the District on April 27, 2011. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 19, on May 13, 2011. No public comment was received. This Order provides a waiver of the District's criteria to allow for the installation of access control features within the west right of way of the L-28 Interceptor Canal associated with recreational access facility located at I-75; Section 35 & 36, Township 49 South, Range 34 East, Collier County. Specifically, the Order grants a waiver from subsections 40E-6.011(4), (6) and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of above-ground permanent and/or semi-permanent encroachments within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the use will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the Petitioner from suffering a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, telephone: (561)682-6268 or by email at: jurussel@sfwmd.gov.

#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

NOTICE IS HEREBY GIVEN that on June 3, 2011, the Florida Agency for Health Care Administration, received a petition for Temporary Emergency Waiver of paragraph 59A-4.1295(7)(e), F.A.C., by Plantation Nursing and Rehabilitation Center. The facility is located at 4250 N.W. 5th Street, Plantation, Florida 33317. This rule limits the number of pediatric residents in a skilled nursing facility to no more than 60 residents. The Petitioner seeks to waive this rule on a temporary emergency basis to allow for more than 60 pediatric residents in its facility. The Agency will accept written comments relating to this Petition for 5 days from the date of publication in this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lorraine M. Novak, Assistant General Counsel, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, FL 32308, Lorraine.Novak@ahca.myflorida.com, (850)412-3630. Comments may be sent to this address as well.

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The Agency for Health Care Administration hereby gives notice of Final Order on the petition for variance or waiver filed by Orlando Women's Center, LLC on March 15, 2011 as advertised in Vol. 37, No. 14, Florida Administrative Weekly on April 8, 2011 and on the petition for variance or waiver filed by Center of Orlando for Women, LLC d/b/a Orlando Women's Center on May 9, 2011 as advertised in Vol. 37, No. 20, Florida Administrative Weekly on May 20, 2011. The following is a summary of the agency's denial of the request for a waiver or variance from the rule:

The Agency for Health Care Administration has issued a Final Order denying a waiver from subsection 59A-35.100(2), F.A.C., upon a finding that each petition was legally and factually insufficient to justify granting the Petition. Each Petition failed to demonstrate that the purpose of the underlying statute has been or will be achieved by other means. A copy of the Order or additional information may be obtained by contacting: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, MS 3, Tallahassee, Florida 32308.

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#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on May 13, 2011, the Department received a Petition for an emergency variance for subsection 61C-4.010(7) Florida Administrative Code and subsection 61C-4.010(6), Florida Administrative Code from BLT Grill located in West Palm Beach. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within a vacant unit for use by customers only.

The Petition was published in Vol. 37, No. 21 on May 27, 2011. The Order for this Petition was signed in June 2, 2011 and after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within vacant Suite D are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the

establishment clearly stating the location of the bathrooms. If the ownership of Suite D changes, a signed agreement for use of the bathroom facilities is required immediately.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 8, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Pensacola Police Headquarters, filed May 16, 2011, and advertised in Vol. 37, No. 21, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1, 2.20.1 and 2.15.9 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 suspension be provided by steel wire ropes and that governor ropes be no less than 9.5 mm and from platform guards 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 2011-170).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 8, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Florida A&M University, filed May 11, 2011, and advertised in Vol. 37, No. 21, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 2.7.4, 3.10.4(u), 3.3.2, 3.11.1(a)(2) and 3.4.5(d) ASME A17.3, 1996 edition and from Rule 8.6.5.8 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators for firefighters' emergency operations, restricted door openings, emergency stop switch, platform guards, two-way communication, emergency lighting and a safety bulkhead on the bottom of the hydraulic jack until May 1, 2014 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-166).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 8, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Main Street Center, filed May 10, 2011, and advertised in Vol. 37, No. 20, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.1 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 emergency communication until May 1, 2013 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-150).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 10, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Kress Building, filed 5/18/2011, and advertised in Vol. 37, No. 22, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1, 2.20.1 and 2.15.9.2(a) 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 suspension be provided by steel wire ropes, that governor ropes be no less than 9.5 mm and the depth of the truck zone be no less than 48 inches 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 2011-172).

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.

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NOTICE IS HEREBY GIVEN that on June 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Pines of Boca Barwood II Condo Assoc. Petitioner seeks an emergency variance of the requirements of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph

61C-5.001(1)(a), Florida Administrative Code which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-197 & VW 2011-198).

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

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NOTICE IS HEREBY GIVEN that on June 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Crosswinds Colony One Condo. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 8.6.5.8, 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 safety bulkhead 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 2011-199).

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

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NOTICE IS HEREBY GIVEN that on June 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Mease Hospital & Clinic. 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 2011-200).

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

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NOTICE IS HEREBY GIVEN that on June 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Forestbrook I Assoc. 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 2011-201).

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

NOTICE IS HEREBY GIVEN that on June 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Rivergate Tower. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.8.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that provides conforming requirements for electrical equipment and wiring 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 2011-202).

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

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that on June 8, 2011, the Board of Hearing Aid Specialists, received a petition for waiver or variance filed by Susan Cuttler, seeking a waiver of the requirements of Rule 64B6-8.003, Florida Administrative Code. The Petitioner seeks a waiver of the requirement that the training program must be completed before the applicant may sit for the examination.

Comments on this petition should be filed with the Board of Hearing Aid Specialists/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3254, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Hearing Aid Specialists, at the above address or telephone (850)245-4460.

NOTICE IS HEREBY GIVEN that on June 14, 2011, the The Board of Massage Therapy, received a petition for variance or waiver, filed June 14, 2011, by Rhonda M. Goodall, seeking a waiver or variance of Rule 64B7-32.002, F.A.C. with respect to documentation of graduation from a Board approved massage school. Petitioner seeks a variance or waiver from the requirement of an official transcript documenting the applicant's training. Comments on this petition should be filed

with: Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Jusevitch, Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

NOTICE IS HEREBY GIVEN that on June 13, 2011, the Board of Massage Therapy, received a petition for variance or waiver, filed June 13, 2011, by Sharalee Hoelscher, seeking a waiver or variance of Rule 64B7-28.009, F.A.C. to allow substitution of continuing education courses required for licensure renewal. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Jusevitch, Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

NOTICE IS HEREBY GIVEN that on May 12, 2011, the Board of Medicine, received a petition for waiver or variance filed by Surender Kurapati, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirements for submission of documentation of medical education directly from Petitioner's medical school and Post-Graduate Training Evaluation Form from the hospital in which he did post-graduate training. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

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

NOTICE IS HEREBY GIVEN that on June 15, 2011, the Board of Optometry, received a petition for waiver or variance filed by Shirley R. Oga seeking a permanent waiver from Rule 64B13-4.004, F.A.C., with regard to the time frame for submission of the application for examination. Comments on this petition should be filed with the Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, within 14 days of publication of this notice.

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

NOTICE IS HEREBY GIVEN that on June 1, 2010, the Florida Department of Health, received a petition for Variance from subparagraph 64E-16.007(2)(a)2., paragraphs 64E-16.007(2)(e), and 64E-16.007(3)(d), Florida

Administrative Code, from Sanford A. Glazer, on behalf of Red Bag Solutions. These rules prescribe a startup procedure to be conducted on a biomedical waste treatment unit prior to placing the unit into service, a procedure for conducting routine efficacy testing, and the unit to be equipped to continuously monitor and record temperature and pressure during the entire length of each treatment cycle or use an indicator specific to temperature and pressure to ensure that the temperature and pressure have been reached. The Petitioner requests a variance from these rules to allow the Petitioner to place the biological indicators in an area different from that prescribed and to prove efficacy of sterilization without monitoring and recording pressure. Comments on this Petition should be filed with: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Gina Vallone-Hood, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4277, extension 4273.

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#### **DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

NOTICE IS HEREBY GIVEN that on May 31, 2011, the Department of Children and Families, received a petition for waiver of subparagraph 65C-13.030(5)(j)3., Florida Administrative Code, from Kids in Distress and Joshua Forman, assigned Case No. 11-021W. Subparagraph 65C-13.030(5)(j)3., F.A.C., which provides that a caregiver in a licensed foster home may not have a DUI-related driving offenses within the past five years.

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

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NOTICE IS HEREBY GIVEN that on May 31, 2011, the Department of Children and Families, received a petition for waiver of subsection 65C-14.055(4), Florida Administrative Code, from Manasota SOLVE maternity homes and Donna Vellenga, assigned Case No. 11-020W. Subsection 65C-14.055(4), F.A.C. requires staff of licensed child caring agencies responsible for supervision of direct care staff have a bachelor's degree in social work or a related field with two years of experience, or two years of college and four years of experience.

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

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#### **FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN that on June 10, 2011, the Florida Housing Finance Corporation, received a petition for Waiver of Rule 67-48.027, F.A.C., which prohibits submitting an Application for Housing Credits to Florida Housing, until after tax exempt bonds have been issued to the Development. The petition is seeking a waiver of this restriction.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Della Harrell, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at [floridahousing.org](http://floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

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The Florida Housing Finance Corporation hereby gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: WINCHESTER GARDENS PRESERVATION, LP

DATE PETITION WAS FILED: May 19, 2011

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 9I-40.100(2)(a) and subsection (3), F.A.C., which deals with the terms and conditions of loans for HOME rental developments.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, May 12, 2011, Vol. 37, No. 21

THE DATE THE WAIVER WAS GRANTED: June 10, 2011

A copy of the Order or additional information may be obtained by contacting: Della Harrell, Corporation Clerk, telephone (850)488-4197 or e-mail to [Della.Harrell@floridahousing.org](mailto:Della.Harrell@floridahousing.org). The Final Order is posted on Florida Housing's website at [floridahousing.org](http://floridahousing.org).

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

### DEPARTMENT OF STATE

The **Bureau of Historic Preservation, Florida Folklife Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 12, 2011, 10:00 a.m.

PLACE: R.A. Gray Building, Room 404, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct Council business and review applications of the 2011-2012 Apprenticeship Program.

A copy of the agenda may be obtained by contacting: Emily Douglas, 1(800)847-7278 or email: EADouglas@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: Emily Douglas, 1(800)847-7278 or email: EADouglas@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: Emily Douglas, 1(800)847-7278 or email: EADouglas@dos.state.fl.us.

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The **Bureau of Historic Preservation, Florida Historical Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 13, 2011, 9:00 a.m.

PLACE: R.A. Gray Building, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the business of the Florida Historical Commission.

A copy of the agenda may be obtained by contacting: Celeste Ivory @ 1(800)247-7278 or email: mcivory@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: Celeste Ivory @ 1(800)247-7278 or email: mcivory@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: Celeste Ivory, 1(800)247-7278 or email: mcivory@dos.state.fl.us.

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### DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys, announces the following telephone conference meetings for subcommittee planning which all persons are invited to attend:

#### COMBINED SUBCOMMITTEES

Criminal Justice/Gangs and Education Teleconference

DATE AND TIME: July 6, 2011, 9:00 a.m. – 10:30 a.m.

Toll Free Dial in Number: 1(888)808-6959, Conference Code: 1465889610

DATE AND TIME: November 30, 2011, 9:00 a.m. – 10:30 a.m.

Toll Free Dial in Number: 1(888)808-6959, Conference Code: 1465889610

Please be advised that meetings & meeting rooms may be subject to change. For updates please visit <http://www.cssbmb.com>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the meeting agenda may be obtained by visiting <http://www.cssbmb.com>.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours prior to the meeting by contacting the Bureau of Criminal Justice Programs 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, contact the Bureau of Criminal Justice Programs at (850)414-3300.

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The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys announces a telephone conference call to which all persons are invited.

DATE AND TIME: Criminal Justice & Gangs Teleconference

DATE AND TIME: August 17, 2011, 9:00 a.m. – 10:00 a.m.

Toll Free Dial in Number: 1(888)808-6959

Conference Code: 1465889610

DATE AND TIME: October 5, 2011, 9:00 a.m. – 10:00 a.m.  
 Toll Free Dial in Number: 1(888)808-6959  
 Conference Code: 1465889610  
 Education Teleconference

DATE AND TIME: August 3, 2011, 9:00 a.m. – 10:00 a.m.  
 Toll Free Dial in Number: 1(888)808-6959  
 Conference Code: 1465889610

DATE AND TIME: September 28, 2011, 9:00 a.m. – 10:00 a.m.  
 Toll Free Dial in Number: 1(888)808-6959  
 Conference Code: 1465889610  
 Employment & Economic Teleconference

DATE AND TIME: July 27, 2011, 9:00 a.m. – 10:00 a.m.  
 Toll Free Dial in Number: 1(888)808-6959  
 Conference Code: 1465889610

DATE AND TIME: September 14, 2011, 9:00 a.m. – 10:00 a.m.  
 Toll Free Dial in Number: 1(888)808-6959  
 Conference Code: 1465889610

DATE AND TIME: November 2, 2011, 9:00 a.m. – 10:00 a.m.  
 Toll Free Dial in Number: 1(888)808-6959  
 Conference Code: 1465889610  
 Health & Families Teleconference

DATE AND TIME: July 20, 2011, 9:00 a.m. – 10:00 a.m.  
 Toll Free Dial in Number: 1(888)808-6959  
 Conference Code: 1465889610

DATE AND TIME: August 31, 2011, 9:00 a.m. – 10:00 a.m.  
 Toll Free Dial in Number: 1(888)808-6959  
 Conference Code: 1465889610

DATE AND TIME: October 19, 2011, 9:00 a.m. – 10:00 a.m.  
 Toll Free Dial in Number: 1(888)808-6959  
 Conference Code: 1465889610

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

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#### DEPARTMENT OF EDUCATION

The Florida **Department of Education** conducted an Emergency Conference Call of the State Board of Education.

DATE AND TIME: June 8, 2011, 8:30 a.m.

PLACE: Turlington Building, Room 1505, 325 West Gaines Street, Tallahassee, Florida 32399. Conference Call: 1(866)394-6746, Conference Code: 73258814

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the emergency conference call was to appoint an interim Commissioner of Education as Commissioner Smith's resignation became effective June 10, 2011. This action was necessary as the Board voted on May 27, 2011, to extend the deadline for applications for this position until June 6, 2011. The Commissioner of Education is the chief educational officer of the state and is responsible for giving full assistance to the State Board of Education in enforcing compliance with the mission and goals of the K-20 education system except for the State University System.

The action of the Board was the appointment of John Winn as interim Commissioner of Education effective June 11, 2011.

A copy of the audio archive may be obtained by contacting: Department of Education's website at <http://www.fldoe.org/board/meetings/>.

For more information, you may contact: Lynn Abbott, Agency Clerk, Department of Education at (850)245-9661 or e-mail: [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org).

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The **Gulf Coast State College**, District Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: July 21, 2011, 10:00 a.m.

PLACE: William C. Cramer Jr. Seminar Room (Room 306), SUW, Gulf Coast State College, Panama City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Gulf Coast State College District Board of Trustees will hold its monthly meeting as follows: Contact person for this meeting is Dr. Jim Kerley, president. This will be a regular meeting and an election of officers.

A copy of the agenda may be obtained by contacting: Dr. Steve Nettles, District Board of Trustees Liaison, Director of Institutional Effectiveness, Gulf Coast State College.

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#### FLORIDA PAROLE COMMISSION

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

DATES AND TIME: Wednesday, July 13, 2011; July 20, 2011; July 27, 2011, 8:30 a.m.

PLACE: Florida Parole Commission, 4070 Esplanade Way, Tallahassee, FL 32399-2450

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

A copy of the agenda may be obtained by contacting: Florida Parole Commission (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](mailto: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.

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### **PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

**DATE AND TIME:** July 12, 2011, 9:30 a.m.

**PLACE:** Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To consider those matters ready for decision.

**LEGAL AUTHORITY AND JURISDICTION:** Chapters 120, 350, 364, 366, and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

The agenda and recommendations are accessible on the PSC Website, <http://www.floridapsc.com>, at no charge or can be purchased by contacting the Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at (850)413-6770 at a cost of 15 cents per single sided page or 20 cents per duplexed page. Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

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The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

**DATE AND TIME:** July 13, 2011, 9:30 a.m.

**PLACE:** Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

\*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at <http://www.psc.state.fl.us/agendas/internalaffairs/>.

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### **REGIONAL PLANNING COUNCILS**

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

**DATE AND TIME:** July 6, 2011, 1:30 p.m.

**PLACE:** Board of County Commissioners Meeting Room, County Courthouse, 207 Northeast 1st Street, Jasper, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the Hamilton County Transportation Disadvantaged Coordinating Board.

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

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

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

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### **WATER MANAGEMENT DISTRICTS**

The **Suwannee River Water Management District** (District) announces a public meeting to which all persons are invited.

**DATE AND TIME:** July 12, 2011, 9:00 a.m.

**PLACE:** District Headquarters, 9225 CR 49, Live Oak, FL 32060



GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board meeting to consider District business and conduct public hearings on regulatory and land acquisition matters. A workshop will follow the Board meeting.

A copy of the agenda may be obtained by contacting: Linda Welch at (386)362-1001 or 1(800)226-1066 (Florida only) or on the District's website at [www.mysuwanneeriver.com](http://www.mysuwanneeriver.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Linda Welch at (386)362-1001 or 1(800)226-1066 (Florida only). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **St. Johns River Water Management District**, Projects & Land Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 11, 2011, 5:00 p.m.

Projects and Land Committee Business Meeting

PLACE: District Headquarters, Room 162, Executive Building, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Projects and Land Committee will discuss agenda items, followed by committee recommendations to be approved by the full Governing Board.

NOTE: In the event a quorum of the Committee is not available for the business meeting at the date, time and place set forth above, the Committee shall meet on Tuesday, July 12, 2011, 8:00 a.m. at District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, or by phone at (386)329-4347, or by visiting the District's website at [www.sjrwmd.com](http://www.sjrwmd.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIMES: Tuesday, July 12, 2011, 8:15 a.m., Chair's Meeting; 9:00 a.m., Finance, Administration and Audit Committee; 10:00 a.m., Regulatory Committee followed by Governing Board Meeting, Public Hearing on Land Acquisition and discussion of budget information and consideration of a tentative millage rate and tentative budget for Fiscal Year October 1, 2011 through September 30, 2012. The agenda may identify a time certain for considering specific agenda items.

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Missy McDermont, 4049 Reid Street, Palatka, FL 32177 or by phone at (386)329-4101, or by visiting the District's website at [www.floridaswater.com](http://www.floridaswater.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: July 6, 2011, 9:00 a.m.

PLACE: Tampa Service Office, 7601 US Highway 301 North, Tampa, Florida 33537-6749

GENERAL SUBJECT MATTER TO BE CONSIDERED: Permit No. or Application No. and Project Name:

20000590.009 Mad Hatter Utilities, Inc./South Central Pasco County Service Area

43027744.028 Hillsborough County/Valencia Lakes Tract J1 and J2

649331 Island Walk at the West Villages – Phases 2B-2E

644632 Fairway Vistas and Myakka Pines Settlement

646676 Rosedale Addition

638405 Sarasota County – Dona Bay Watershed

A copy of the agenda may be obtained by contacting: Patty McLeod, Southwest Florida Water Management District, PMO, 2379 Broad Street, Brooksville, FL 34609-6749 or by visiting the Districts website: [www.watermatters.org](http://www.watermatters.org)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 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) or 1(800)231-6103 email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Big Cypress Basin** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 5, 2011, 10:00 a.m.

PLACE: Collier County Government Center, Commission Chamber, Bldg F, 3rd Floor, 3299 E. Tamiami Trail, Naples, FL 34112

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular Basin Board business, including preliminary review of the FY 2012 Basin Budget.

A copy of the agenda may be obtained by contacting: Kathleen Tetrault at (239)263-7615.

Pursuant to the provisions of 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: Kathleen Tetrault at (239)263-7615. If you are 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: Kathleen Tetrault at (239)263-7615.

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

DATE AND TIME: July 7, 2011, 9:00 a.m.

PLACE: SFWMD, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

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

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

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

#### 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: July 6, 2011, 1:30 p.m. – 2:30 p.m.

PLACE: Agency for Health Care Administration

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Discussion for Medicare Advantage Special Needs Plans (SNP).

A copy of the agenda may be obtained by contacting: Jennifer Barrett, (850)412-4137, [Jennifer\\_Barrett@ahca.myflorida.com](mailto:Jennifer_Barrett@ahca.myflorida.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jennifer Barrett, (850)412-4137, [Jennifer\\_Barrett@ahca.myflorida.com](mailto:Jennifer_Barrett@ahca.myflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Agency for Health Care Administration** and the Drug Utilization Review and Prescribing Pattern Review Board announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, July 30, 2011, 8:00 a.m. – 2:30 p.m.

PLACE: Tampa Airport Marriott, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will consist of: Review and approve drug use criteria and standards for both prospective and retrospective drug use reviews, apply these criteria and standards in the application of the DUR activities, review and report the results of drug use reviews, and recommend and evaluate educational intervention programs.

A copy of the agenda may be obtained by contacting: Vern.Hamilton@ahca.myflorida.com.

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#### DEPARTMENT OF MANAGEMENT SERVICES

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

DATE AND TIME: July 6, 2011, 9:00 a.m. – 10:00 a.m.

PLACE: 4050 Esplanade Way, Room 101, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a Pre-Bid Conference for the Department's soon to be released solicitation for Desktop and Laptop Computers, and Monitors, Invitation To Bid #04-250-040-D.

For further information regarding this solicitation and any future timeline or meeting notices, please refer to the state's electronic posting system at: [http://myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://myflorida.com/apps/vbs/vbs_www.main_menu).

A copy of the agenda may be obtained by contacting: Joel Atkinson, Purchasing Analyst, Department of Management Services, Division of State Purchasing, (850)487-4196.

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

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The **Agency for Workforce Innovation, Early Learning Information System**, Project Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 8, 2011, 1:00 p.m. – 2:30 p.m.

PLACE: Caldwell Building, Conference Room B-049, 107 E. Madison Street, Tallahassee, Florida 32399; Conference Call: 1(888)808-6959, Conference Code: 9997256#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular recurring meeting to review project status and act on any decisions required of the Committee.

A copy of the agenda may be obtained by contacting: <http://www.floridajobs.org/earlylearning/index.html>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Corbett at (850)245-7285. If you are

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

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The **Agency for Workforce Innovation, Unemployment Compensation Claims and Benefits Information System**, Executive Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 13, 2011, 10:30 a.m. – 12:00 Noon

PLACE: Caldwell Building, Conference Room B49, 107 E. Madison Street, Tallahassee, Florida 32399 or by conference call dial in number: 1(888)808-6959, Conference Code: 7532872126.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular recurring meeting to review project status and act on any decisions required of the Committee.

A copy of the agenda may be obtained by contacting: <http://www.floridajobs.org/Events/index.html>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Christina Murphy at (850)245-7114. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

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

DATE AND TIME: July 19, 2011, 9:00 a.m. – 1:00 p.m.

PLACE: Reedy Creek Improvement District, Building & Safety, 1900 Hotel Plaza Blvd., Lake Buena Vista, FL 32830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Elevator Safety Technical Advisory Council will meet to discuss issues pertaining to elevator safety within the State of Florida.

A copy of the agenda may be obtained by contacting: [doug.melvin@dbpr.state.fl.us](mailto:doug.melvin@dbpr.state.fl.us).

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The **Board of Architecture and Interior Design** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 7, 2011, 2:00 p.m.

PLACE: To participate in the telephone conference call contact: 1(888)808-6959, conference code: 4879597.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business

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)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751. Telephone (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751. Telephone (850)487-1395.

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The **Construction Industry Licensing Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, July 12, 2011, 10:00 a.m. or soon thereafter

PLACE: Via Telephone Conference Call. To connect, dial: 1(888)808-6959, Conference Code: 4879516

GENERAL SUBJECT MATTER TO BE CONSIDERED: CE/Exams/Public Awareness committee meeting.

A copy of the agenda may be obtained by contacting: Amanda Wynn, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Amanda Wynn, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Amanda Wynn, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

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The **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, July 13, 2011, 12:00 Noon; Thursday, July 14, 2011, 8:00 a.m.; Friday, July 15, 2011, 8:00 a.m. or soon thereafter

PLACE: Gaylord Palms Resort & Convention Center, 6000 West Osceola Parkway, Kissimmee, FL 34746

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business, disciplinary and committee meetings of the board.

A copy of the agenda may be obtained by contacting: Amanda Wynn, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Amanda Wynn, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Amanda Wynn, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

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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, July 13, 2011, 9:00 a.m.

PLACE: Division of Real Estate, Room N901, 400 W. Robinson St., Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a 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., Room 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).

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Florida **Department of Environmental Protection, Division of Recreation & Parks** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, July 5, 2011, 7:00 p.m. (ET)

PLACE: DeLeon Springs United Methodist Church, 265 Ponce DeLeon Boulevard, DeLeon Springs, Florida 32130

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of an amendment to the land management plan for De Leon Springs State Park.

A copy of the agenda may be obtained by contacting: Brian Polk, Park Manager, at (386)985-4212 or email Brian.Polk@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: Brian Polk, Park Manager, at (386)985-4212 or email Brian.Polk@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Brian Polk, Park Manager, at (386)985-4212 or email Brian.Polk@dep.state.fl.us.

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The Florida **Department of Environmental Protection, Division of Recreation & Parks** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, July 5, 2011, 7:00 p.m. (ET)

PLACE: Wakulla County Agriculture Extension Office, The Arena, 84 Cedar Avenue, Crawfordville, Florida 32327

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of an amendment to the land management plan for Edward Ball Wakulla Springs State Park.

A copy of the agenda may be obtained by contacting: Brian Fugate, Park Manager, at (850)926-0700 or email Brian.Fugate@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: Brian Fugate, Park Manager, at (850)926-0700 or email Brian.Fugate@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Brian Fugate, Park Manager, at (850)926-0700 or email Brian.Fugate@dep.state.fl.us.

The Florida **Department of Environmental Protection, Division of Recreation & Parks** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, July 5, 2011, 7:00 p.m. (ET)

PLACE: Dunedin Public Library, 223 Douglas Avenue, Dunedin, Florida 34698

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of an amendment to the land management plan for Honeymoon Island State Park.

A copy of the agenda may be obtained by contacting: Peter Krulder, Park Manager, at (727)469-5943 or email Peter.Krulder@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: Peter Krulder, Park Manager, at (727)469-5943 or email Peter.Krulder@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Peter Krulder, Park Manager, at (727)469-5943 or email Peter.Krulder@dep.state.fl.us.

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The Florida **Department of Environmental Protection, Division of Recreation & Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 6, 2011, 9:00 a.m. (ET)

PLACE: DeLeon Springs United Methodist Church, 265 Ponce DeLeon Boulevard, DeLeon Springs, Florida 32130

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of an amendment to the land management plan for De Leon Springs State Park.

A copy of the agenda may be obtained by contacting: Brian Polk, Park Manager, at (386)985-4212 or email Brian.Polk@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 days before the workshop/meeting by contacting: Brian Polk, Park Manager, at (386)985-4212 or email Brian.Polk@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Brian Polk, Park Manager, at (386)985-4212 or email Brian.Polk@dep.state.fl.us.

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The Florida **Department of Environmental Protection, Division of Recreation & Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 6, 2011, 9:00 a.m. (ET)  
PLACE: Edward Ball Wakulla Springs State Park, Dogwood Pavilion, 550 Wakulla Park Drive, Wakulla Springs, Florida 32327

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of an amendment to the land management plan for Edward Ball Wakulla Springs State Park. A copy of the agenda may be obtained by contacting: Brian Fugate, Park Manger, at (850)926-0700 or email Brian.Fugate@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: Brian Fugate, Park Manger, at (850)926-0700 or email Brian.Fugate@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Brian Fugate, Park Manger, at (850)926-0700 or email: Brian.Fugate@dep.state.fl.us.

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The Florida **Department of Environmental Protection, Division of Recreation & Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 6, 2011, 9:00 a.m. (ET)  
PLACE: Honeymoon Island State Park, Rotary Centennial Nature Center, 1 Causeway Boulevard, Dunedin, Florida 34698

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of an amendment to the land management plan for Honeymoon Island State Park.

A copy of the agenda may be obtained by contacting: Peter Krulder, Park Manger, at (727)469-5943 or email Peter.Krulder@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: Peter Krulder, Park Manger, at (727)469-5943 or email Peter.Krulder@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Peter Krulder, Park Manger, at (727)469-5943 or email Peter.Krulder@dep.state.fl.us.

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The Florida **Department of Environmental Protection, Division of Recreation & Parks** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, July 6, 2011, 6:30 p.m. (ET)  
PLACE: Fanning Springs City Hall, 17651 N.W. 90th Court, Fanning Springs, Florida 32693

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of an amendment to the land management plan for Fanning Springs State Park.

A copy of the agenda may be obtained by contacting: Sally Lieb, Park Manager, at (352)463-3420 or email Sally.Lieb@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: Sally Lieb, Park Manager, at (352)463-3420 or email Sally.Lieb@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sally Lieb, Park Manager, at (352)463-3420 or email Sally.Lieb@dep.state.fl.us.

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The Florida **Department of Environmental Protection, Division of Recreation & Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 7, 2011, 9:00 a.m. (ET)  
PLACE: Fanning Springs State Park, Conference Room, 18020 NW Highway 19, Fanning Springs, Florida 32693

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of an amendment to the land management plan for Fanning Springs State Park.

A copy of the agenda may be obtained by contacting: Sally Lieb, Park Manager, at (352)463-3420 or email Sally.Lieb@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: Sally Lieb, Park Manager, at (352)463-3420 or email Sally.Lieb@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sally Lieb, Park Manager, at (352)463-3420 or email Sally.Lieb@dep.state.fl.us.

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The **Department of Environmental Protection** announces a workshop to which all persons are invited.

DATE AND TIME: July 27, 2011, 10:00 a.m.  
PLACE: Room 611, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To present the Department's recommendations and to receive public comment on the Intended Use Plan (IUP) for Fiscal Year 2011 Federal and State Safe Drinking Water Act appropriations. Funds will be used to finance drinking water preconstruction and construction projects through the State Revolving Fund program Rule, Chapter 62-552, Florida Administrative Code. Workshop topics will include project eligibility, project prioritization, type of assistance available, objectives of the program, program requirements, use of set-aside funds, and the proposed project list. A copy of the proposed IUP will be available after July 13, 2011 on the Department's website.

A copy of the agenda may be obtained by contacting: Venkata Panchakarla, Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, or by phone at (850)245-8366 or by e-mail at Venkata.Panchakarla@dep.state.fl.us, after July 13, 2011.

Pursuant to the provisions of 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: Venkata Panchakarla. If you are 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: Venkata Panchakarla after July 13, 2011.

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The **Department of Environmental Protection** announces a hearing to which all persons are invited.

**DATE AND TIME:** July 27, 2011, 2:00 p.m.

**PLACE:** Room 611, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To receive testimony and public comment and to take final action on proposed adoption of the Fiscal Year 2011 Drinking Water State Revolving Fund priority list. Action will be taken under Chapter 62-552, F.A.C., to move projects on the contingency list to the fundable portion of the priority list. Also, new construction projects that submitted planning documents by March 1, 2011, submitted plans, specifications, and permits by April 15, 2011, and pre-construction projects that submitted a complete Request for Inclusion on the priority list by April 15, 2011, will be added to the contingency or fundable portion of the priority list based on availability of funds. Projects shall be subject to a segment cap limit. The draft priority list will be available after July 13, 2011 on the Department's website.

The Department may adopt, modify, or deny the proposed actions at the hearing. Prior to Department action at the hearing, all interested persons will have the opportunity to testify regarding any proposed actions. After the hearing, the Department will file the Notice of Final Agency Action. A copy of the Notice of Final Agency Action will be sent to local

governments sponsoring the projects at issue and to any person submitting a timely written request. Such written requests must be submitted at the hearing or filed with the Department's Bureau of Water Facilities Funding no later than 5:00 p.m. on the first working day after the public hearing.

A copy of the agenda may be obtained by contacting: Venkata Panchakarla, Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400 or by phone at (850)245-8366 or by e-mail at Venkata.Panchakarla@dep.state.fl.us, after July 13, 2011.

Pursuant to the provisions of 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: Venkata Panchakarla. If you are 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: Venkata Panchakarla after July 13, 2011.

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## DEPARTMENT OF HEALTH

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

**DATE AND TIME:** July 22, 2011, 9:00 a.m.

**PLACE:** Department of Health, 4052 Bald Cypress Way, Building 4042, Room #301, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review reconsideration cases.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258. If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474.

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The **Board of Medicine**, Probable Cause Panel South announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Friday, July 8, 2011, 2:00 p.m.

**PLACE:** To be held via Meet-Me Number 1(888)808-6959, Conference Code: 818 097 8700

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at Karen\_Miller2@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at Karen\_Miller2@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **Board of Medicine**, Probable Cause Panel North announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, July 22, 2011, 2:00 p.m.

PLACE: To be held via Meet-Me Number 1(888)808-6959, Conference Code: 818 097 8700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at susan\_chase@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at susan\_chase@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **Board of Medicine**, Probable Cause Panel South announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, August 19, 2011, 2:00 p.m.

PLACE: To be held via Meet-Me Number 1(888)808-6959, Conference Code: 818 097 8700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at Karen\_Miller2@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at Karen\_Miller2@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The **Board of Medicine**, Probable Cause Panel North announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, August 26, 2011, 2:00 p.m.

PLACE: To be held via Meet-Me Number 1(888)808-6959, Conference Code: 818 097 8700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at susan\_chase@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at susan\_chase@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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NOTICE OF CHANGE – The **Department of Health, Board of Occupational Therapy** hereby provides notice of change to meetings which the public may be invited to attend. Meetings or portions of Probable Cause Panel meetings are public if a case or cases are public by reason of reconsideration.



**DATES AND TIMES:** July 11, 2011 and October 10, 2011. New start time of 9:00 a.m. or soon thereafter – any public portions of probable cause panel meetings to begin at 3:00 p.m. or shortly thereafter – previously advertised in F.A.W., Vol. 36, No. 45, November 12, 2010.

**PLACE:** 4052 Bald Cypress Way, Room, 301, Tallahassee, FL 32399-3255

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Business Meeting and Probable Cause Panel Meeting.

A copy of the General Business meeting agenda may be obtained by contacting: Department of Health, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373, ext. 3482 or by visiting our website at [www.doh.state.fl.us/mqa](http://www.doh.state.fl.us/mqa). Probable Cause Panel meetings will only have a public agenda if there are reconsideration cases. When there are reconsideration cases, agenda information may be obtained by contacting: Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255, (850)245-4373, ext. 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the board office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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The Probable Cause Panel of the **Board of Osteopathic Medicine** announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Friday, July 29, 2011, 9:00 a.m. or soon thereafter.

**PLACE:** Conference Call Number: 1(888)808-6959; Conference Code: 6321783289

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review those cases on which a determination of existence of probable cause has already been made.

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 at (850)245-4161. If you are

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

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

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The **Board of Podiatric Medicine** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, July 29, 2011, 9:00 a.m.

**PLACE:** Tampa Airport Marriott, 4200 George J. Bean Parkway, Tampa, Florida 33607, (813)879-5151

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General board business.

A copy of the agenda may be obtained by contacting: Sherra W. Causey, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or accessing web site at: [www.doh.state.fl.us/mqa/chiro/index.html](http://www.doh.state.fl.us/mqa/chiro/index.html).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sherra W. Causey, (850)245-4355. If you are 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.

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The **Department of Health** announces changes in the schedule of meetings of the Variance Review and Advisory Committee for Onsite Sewage Treatment and Disposal Systems to examine variance applications received by the 15th of the previous month and to provide input regarding any rule issues requested by the Technical Review and Advisory Panel.. While the dates and times for the meetings remain unchanged, the locations for the August, September and November meetings have changed. The schedule for the remaining 2011 meetings is as follows:

**DATE AND TIME:** Thursday, July 7, 2011, 10:00 a.m.

**PLACE:** Citrus CHD Administrative Services Bldg., Suite 2, 3650 West Sovereign Path, Lecanto, Florida

**DATE AND TIME:** Thursday, August 4, 2011, 10:00 a.m.

**PLACE:** Citrus County Environmental Health Building, Room A, 3650 West Sovereign Path, Lecanto, Florida

**DATE AND TIME:** Thursday, September 1, 2011, 10:00 a.m.

PLACE: Alachua County Health Department, Conference Room, 224 Southeast 24th Street, Gainesville, Florida

DATE AND TIME: Thursday, October 6, 2011, 10:00 a.m.

PLACE: Alachua County Health Department, Conference Room, 224 Southeast 24th Street, Gainesville, Florida

DATE and TIME: Thursday, November 3, 2011, 10:00 a.m.

PLACE: Citrus County Environmental Health Building, Room A, 3650 West Sovereign Path, Lecanto, Florida

DATE and TIME: Thursday, December 1, 2011, 10:00 a.m.

PLACE: Citrus CHD Administrative Services Bldg., Suite 2, 3650 West Sovereign Path, Lecanto, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To examine applications for variance from the requirements of Chapter 64E-6, Florida Administrative Code, entitled "Standards for Onsite Sewage Treatment and Disposal Systems" pursuant to Section 381.0065(3)(d), Florida Statutes and to provide input on any rule issues requested by the Technical Review and Advisory Panel pursuant to Section 381.0068(2), Florida Statutes.

A copy of the agenda may be obtained seven days prior to each meeting date by writing to: Gerald R. Briggs, Chief, Bureau of Onsite Sewage Programs, Department of Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.

Pursuant to the provisions of 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 meeting by contacting: Shirley Kugler at (850)245-4070. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). Section 286.0105, Florida Statutes, provides that, if a person decides to appeal any decision made by the Department with respect to any matter considered at one of these meetings, they will need a record of the proceedings, and for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

The Florida **Department of Health** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, July 7, 2011, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call Number: 1(888)808-6959, Code: 2454144

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a Physician Workforce Advisory Council work-group meeting to discuss the medical education "pipeline."

A copy of the agenda may be obtained by contacting: Robert Clift at: (850)245-4444, (2471) or by email at: robert\_clift@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Robert Clift at (850)245-4444, (2471) or by email at: robert\_clift@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Robert Clift at (850)245-4444, (2471) or by email at: robert\_clift@doh.state.fl.us.

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#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Families**, Circuit 20 announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, June 28, 2011, 5:30 p.m. – 7:30 p.m. and Thursday, June 30, 2011, 3:00 p.m. – 5:00 p.m.

PLACE: Department of Children and Families, June 28 at 2295 Victoria Avenue, Room 165 ACD, Fort Myers FL; June 30 at 15000 Livingston Road, Naples, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Community Meeting to discuss child welfare: gaps in services, local priorities, service measures, continuum of care, and more.

A copy of the agenda may be obtained by contacting: V. Gail Cook at v\_gail\_cook@dcf.state.fl.us or (239)338-1146.

Pursuant to the provisions of 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: Gail Cook, DCF at (239)338-1146. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The Florida **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: July 6, 2011, 10:00 a.m. Central Time – 12:00 Noon Central Time

PLACE: Gulf Coast Children's Advocacy Center, 210 E. 11th Street, Panama City, FL 32401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Circuit 14 Community Alliance meeting.

A copy of the agenda may be obtained by contacting: Shirley Little at Shirley\_Little@dcf.state.fl.us, after July 4th.

Pursuant to the provisions of 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: Shirley Little at (850)872-7648 or via email at

Shirley\_Little@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).

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: Julia Ruschmann, Chairman at (850)872-4455.

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The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 11, 2011, 3:00 p.m.

PLACE: 11351 Ulmerton Road, Suite 418D, Largo, FL 33778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Pinellas Community Alliance business.

A copy of the agenda may be obtained by contacting: Stephanie Allen at (727)518-3242.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Stephanie Allen at (727)518-3242. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The State of Florida, **Department of Children & Families** announces a public meeting to which all persons are invited.

DATE AND TIME: July 11, 2011, 10:00 a.m. – 12:00 Noon

PLACE: Rhode Building, 401 N.W. 2nd Avenue, Suite N-1011, Miami, Florida 33128, (305)377-5029

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is seeking public input and information regarding the designation of the following facilities as a Baker Act receiving facility: Jackson North Medical Center; Kendal Regional Medical Center; Mercy Hospital.

The Department of Children & Families complies with state and federal non-discrimination laws and policies that prohibit discrimination based on age, color, disability, national origin, race, religion, sex, or political beliefs. It is unlawful to retaliate against individuals or groups on the basis of their participation in a complaint of discrimination or on the basis of their opposition to discrimination or on the basis of their opposition to discriminatory practices.

A copy of the agenda may be obtained by contacting: Joanna Cardwell at (305)377-5029.

Pursuant to the provisions of 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: Roosevelt Johnson, Civil Rights Officer, (305)377-5219. If you are 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: Joanna Cardwell (305)377-5029.

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The **Miami-Dade Refugee Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 8, 2011, 10:00 a.m. – 12:00 Noon

PLACE: Miami-Dade College, Wolfson Campus, 500 N.E. 2nd Ave., Bldg. 3208, Room # 9, Miami, FL 33132

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Miami-Dade Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Adria Dilme-Bejel at (305)377-7518 or Lourdes Dysna-Leconte at (305)376-1947.

Pursuant to the provisions of 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: Adria Dilme-Bejel at (305)377-7518 or Lourdes Dysna-Leconte at (305)376-1947. If you are 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: Adria Dilme-Bejel at (305)377-7518 or Lourdes Dysna-Leconte at (305)376-1947.

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The **Council on Homelessness** announces a series of conference call meetings of its committees to which all interested parties are invited to participate. The committees are the Executive, Continuum of Care Capacity, Affordable Housing, Data Collection, Legal and Law Enforcement, and Children's.

Committee: Executive

DATES AND TIME: Monday, August 1, 2011; Monday, September 12, 2011, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code 9229760

Committee: Legal and Law

DATE AND TIME: Friday, August 5, 2011, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760

Committee: Children's

DATE AND TIME: Thursday, September 15, 2011, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760  
 Committee: Data Collection  
 DATE AND TIME: Wednesday, August 3, 2011, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9229760  
 Committee: Continuum of Care Capacity  
 DATES AND TIME: Wednesday, July 13, 2011; Wednesday, August 10, 2011; Wednesday, Sept. 14, 2011, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760  
 Committee: Affordable Housing  
 DATES AND TIME: Wednesday, July 20, 2011; Wednesday, September 21, 2011, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code: 9229760  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 These conference calls will address the committees' continued development of policy recommendations and work tasks to address the Council's Strategic Plan to reduce homelessness in Florida.

A copy of the agenda for any of the conference calls may be obtained by contacting: Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: The 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: July 12, 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 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:

Kings Terrace, a 300-unit multifamily residential rental development located on or about 12801, 12601, 12501, and 12401 N.W. 27th Avenue, Miami, Miami-Dade County, Florida 33167. The owner and operator of the development is

Kings Terrace, LLC, 9400 S. Dadeland Blvd., Ste. 100, Miami, Florida 33156 or such successor in interest in which Pinnacle Housing Group, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Professional Management, Inc., 9095 S.W. 87th Avenue, Suite 777, Miami, Florida 33176. The tax-exempt bond amount is not to exceed \$24,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 PM (Tallahassee local time), July 11, 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: contact 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: July 12, 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 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:

Groves of Delray II, a 158-unit multifamily residential rental development located on or about 1301 S.W. 10th Avenue, Delray Beach, Palm Beach County, Florida 33444. The owner and operator of the development is Groves of Delray II, Ltd., 777 East Atlantic Avenue, Suite 200, Delray Beach, Florida 33483 or such successor in interest in which Auburn Development, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Auburn Management, Inc., 777 East Atlantic Avenue, Suite 200, Delray Beach, Florida 33483. The tax-exempt bond amount is not to exceed \$11,408,000.

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), July 11, 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.

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### **FISH AND WILDLIFE CONSERVATION COMMISSION**

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.  
DATES AND TIME: September 7-9, 2011, 8:30 a.m. each day  
PLACE: The Naples Grande, 475 Seagate Drive, Naples, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The final public hearing for the above rules, as noticed in Vol. 37, No. 17, April 29, 2011 Florida Administrative Weekly, has been continued until the Commission's next meeting the time and place of which is indicated above.

A copy of the agenda may be obtained by contacting: Stephanie French-Bergozza, Florida Fish and Wildlife Conservation Commission, (850)487-3796.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Bud Vielhauer, General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600 or (850)487-1764.

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The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: September 7-9, 2011, 8:30 a.m. each day

PLACE: The Naples Grande, 475 Seagate Drive, Naples, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The final public hearing for the above rules, as noticed in Vol. 37, No. 17, April 29, 2011 Florida Administrative Weekly, has been continued until the Commission's next meeting the time and place of which is indicated above.

A copy of the agenda may be obtained by contacting: Stephanie French-Bergozza, Florida Fish and Wildlife Conservation Commission, (850)487-3796.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Bud Vielhauer, General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600 or (850)487-1764.

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**DEPARTMENT OF FINANCIAL SERVICES**

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 9, 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 782830. 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, or by calling him at (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 hours before the workshop/meeting by contacting: Donald Rollins at (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).

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**FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY**

The **Florida Atlantic R & D Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 19, 2011, 3:30 p.m.

PLACE: 1501 FAU Research Park Blvd., Deerfield Beach, FL 33441

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance Committee Meeting.

A copy of the agenda may be obtained by contacting: Christine Cannon Burres, ccannon@edc-tech.org.

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**ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY**

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: July 14, 2011, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace, (407)282-3944.

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**DISABILITY RIGHTS FLORIDA**

The **Disability Rights Florida, Inc.** (formerly the Advocacy Center for Persons with Disabilities, Inc.) announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 8, 2011, 9:00 a.m. – 5:00 p.m.

PLACE: Embassy Suites Tampa Downtown Convention Center, 513 S. Florida Avenue, Tampa, Florida 33602, (813)769-8300

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disability Rights Florida, Inc., Florida's Protection & Advocacy Programs Quarterly Business Meeting of the Board of Directors & Members. Agenda to include proposed amendments to the Bylaws regarding Board Committees.

A copy of the agenda may be obtained by contacting: Paige Morgan (850)488-9071, ext 9721.

Pursuant to the provisions of 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: Disability Rights Florida, Inc., 2728 Centerview Drive, Suite 102, Tallahassee, FL 32301, telephone 1(800)342-0823, 1(800)346-4127 (TDD). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Paige Morgan, (850)488-9071, ext. 9721.

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**SOUTHWOOD SHARED RESOURCE CENTER**

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 12, 2011, 3:00 p.m.

PLACE: Caldwell Building, Executive Conference Room 114, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Operations and Finance Workgroup.

A copy of the agenda may be obtained by contacting: Judith Joseph, (850)245-7290, Judith.Joseph@awi.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: Judith Joseph, (850)245-7290,

Judith.Joseph@awi.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: Judith Joseph, (850)245-7290, Judith.Joseph@awi.state.fl.us.

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### **CITIZENS PROPERTY INSURANCE CORPORATION**

The **Citizens Property Insurance Corporation**, Board of Governors announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 29, 2011, 2:00 p.m. (EDT)

PLACE: Teleconference ONLY: 1(888)942-8686, Conference Code: 8419204389

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, Bond Pricing and the Core Insurance Software Procurement.

A copy of the agenda may be obtained by contacting: Barbara Walker at 1(800)807-7647 or visit our website [www.citizensfla.com](http://www.citizensfla.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: Barbara Walker at 1(800)807-7647 or visit our website [www.citizensfla.com](http://www.citizensfla.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).

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### **FIRST FLORIDA GOVERNMENTAL FINANCING COMMISSION**

The **First Florida Governmental Financing Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 29, 2011, 11:30 a.m.

PLACE: Bassford Room, Boca Raton Resort & Club, 501 East Camino Real, Boca Raton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special meeting of the member representatives of the Commission.

A copy of the agenda may be obtained by contacting: Richard C. Dowdy, executive director, at [ffgfc@embarqmail.com](mailto:ffgfc@embarqmail.com) or from the Commission's web site at [www.ffgfc.com](http://www.ffgfc.com).

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### **FLORIDA PORTS COUNCIL**

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

DATE AND TIME: Thursday, June 23, 2011, 12:00 Noon – 1:30 p.m.

PLACE: Renaissance Fort Lauderdale, 1617 S.E. 17th Street, Ft. Lauderdale, FL 33316, Room: Papagayo

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Toy Keller in the Florida Ports Council Offices at (850)222-8028.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Toy Keller in the Florida Ports Council Offices at (850)222-8028. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Toy Keller in the Florida Ports Council Offices at (850)222-8028.

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The **Florida Seaports Transportation & Economic Development Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 23, 2011, 1:30 p.m. – 4:30 p.m.

PLACE: Renaissance Fort Lauderdale, 1617 S.E. 17th Street, Ft. Lauderdale, FL 33316, Room: Papagayo

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Nancy J. Leikauf in the Florida Ports Council offices at (850)222-8028.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Nancy J. Leikauf in the Florida Ports Council offices at (850)222-8028. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Nancy J. Leikauf in the Florida Ports Council offices at (850)222-8028.

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### **SOUTH DADE SOIL AND WATER CONSERVATION DISTRICT**

The **South Dade Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 21, 2011, 9:30 a.m. – 1:00 p.m.

PLACE: USDA Florida City Service Center, 1450 N. Krome Ave, #102, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Agenda Items for presentation to the Board of Supervisors, Nursery BMP Lab, MIL Lab, CBO, and District Projects and Reports.

A copy of the agenda may be obtained by contacting: Norma Wilson, (305)242-1288.

For more information, you may contact: Mr. Morgan Levy, Administrator, (305)242-1288.

**BERMELLO AJAMIL & PARTNERS, INC.**

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

DATE AND TIME: Tuesday, July 12, 2011, 6:00 p.m. – 8:00 p.m.

PLACE: Dave and Mary Alper Jewish Community Center, 11155 S.W. 112 Ave., Rotunda (Building 3), Miami, FL 33176

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a public meeting for a roadway project on State Road (SR) 985/S.W. 107 Avenue from North of SR 990/Killian Parkway to South of SR 94/Kendall Drive to discuss the project’s design and scope of work. The project identification number is: 425913-1. 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)470-5349, 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 Ave., 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)470-5349, email: marta.rodriguez@dot.state.fl.us.

**KIMLEY-HORN AND ASSOCIATES, INC.**

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

DATE AND TIME: Thursday, July 21, 2011, 5:30 p.m. – 7:30 p.m. Open House: 5:30 p.m., Presentation: 6:00 p.m.

PLACE: Indian River State College, 3209 Virginia Avenue, Fort Pierce, Florida 34981

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Public Alternatives Meeting is being conducted to present the project progress to date and obtain comments from the general public on the roadway alternatives being considered for the Project Development and Environment Study. The proposed improvements consist of widening Kings Highway (SR 713) from Okeechobee Road (SR 70) north of Indrio Road (SR 614) from the existing two (2) lanes to four (4) lanes. Other improvements include adding bicycle lanes, a shared use path, and sidewalks as well as evaluating access along the corridor. The project corridor is approximately 10.2 miles and is located in St. Lucie County, Florida (Financial Project Identification Number 230256-5-22-01).

A copy of the agenda may be obtained by contacting: Ms. Bing Wang, Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, by telephone (954)777-4406 or toll free at 1(866)336-8435, ext. 4406 or by email at bing.wang@dot.state.fl.us. Public participation is solicited without regard to race, color, national origin, sex, religion, disability or family status.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Bing Wang at (954)777-4406 or toll free at (866)336-8435, ext. 4406 or by email at bing.wang@dot.state.fl.us Any persons who require translation services (free of charge) should also contact Ms. Bing Wang seven (7) days before the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Bing Wang, Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, by telephone (954)777-4406 or toll free at 1(866)336-8435, ext. 4406 or by email at bing.wang@dot.state.fl.us.

**Section VII**  
**Notices of Petitions and Dispositions**  
**Regarding Declaratory Statements**

**AGENCY FOR HEALTH CARE ADMINISTRATION**

NOTICE IS HEREBY GIVEN that the Agency for Health Care Administration has received the petition for declaratory statement from Nurse-on-Call, Inc. The petition seeks the agency’s opinion as to the applicability of Section 400.474(6), Florida Statutes, as it applies to the petitioner.

The Agency for Health Care Administration has received the petition for declaratory statement of Nurse on Call, Inc. on June 1, 2011. The petition seeks the Agency’s opinion as to the



applicability of Section 400.474(6), Florida Statutes, to conduct contemplated by the petitioner, owner and operator of licensed home health agencies.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Robert R. Smith, Petitioner, In Re: Seven Springs Villas Association, Inc., Docket No. 2011029873 on June 13, 2011. The petition seeks the agency's opinion as to the applicability of Sections 718.112(2)(d)1. and 718.112(2)(h)1., Florida Statutes, as it applies to the petitioner.

Whether Seven Springs Villas Association, Inc. validly amended its bylaws to allow board members to serve two-year staggered terms under Sections 718.112(2)(d)1. and 718.112(2)(h)1., Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection has received the petition for declaratory statement from the Clam Bayou Neighbors' Association and Mr. Ralph Clark on June 6, 2011. The petition has been assigned OGC Case No. 11-0850. The petition seeks the agency's opinion as to the applicability of Chapter 120 of the Florida Statutes to the City of Sanibel's administration of the Mangrove Trimming and Preservation Act codified at Sections 403.9321-403.9333, Florida Statutes, as it applies to the petitioner.

The Department delegated administration of the Mangrove Trimming and Preservation Act to the City of Sanibel in accordance with Section 403.9324, Florida Statutes, and an order of delegation dated November 21, 1995. The petitioners seek an opinion as to whether Chapter 120, Florida Statutes, applies to the City of Sanibel's administration of the Mangrove Trimming and Preservation Act under the order of delegation. The petition further requests that the Department revoke the delegation to the City of Sanibel if it does not conduct its mangrove program in accordance with Chapter 120, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Stacey Cowley, Florida Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Blvd., M.S. 35, Tallahassee, Florida 32399-3000, telephone (850)245-2219 or e-mail: stacey.cowley@dep.state.fl.us.

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**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that the Board of Dentistry has received the petition for declaratory statement from Michael J. Jumber, D.M.D. The petition seeks the agency's opinion as to the applicability of Section 466.024, Florida Statutes, as it applies to the petitioner.

The Notice of Petition for Declaratory Statement was published in Vol. 37, No. 17, of the April 29, 2011, Florida Administrative Weekly. The petition seeks the Board's interpretation of Section 466.024, Florida Statutes, and asks whether a dentist may perform HgA1C diabetes screening in the dental office by auxiliaries, under Chapter 466, Florida Statutes. The Board considered the petition at its meeting held on May 20, 2011, in Jacksonville, Florida. The Board's Order, filed on June 2, 2011, declined to issue a declaratory statement in response to this petition because the petition is not in substantial compliance with Section 120.565, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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NOTICE IS HEREBY GIVEN THAT on June 15, 2011, the Board of Medicine issued a Final Order on the petition for declaratory statement filed by Rogerio S. Faillace, M.D., on December 16, 2010. The Notice of the Petition was published in Vol. 36, No. 52, of the December 30, 2010 issue of the Florida Administrative Weekly. The Board reviewed the Petition at its meeting held on February 6, 2011. The Board's Final Order finds that under the facts set forth in the Petition a physician who terminates his practice and properly lets his patients know of the termination is not excused from complying with future requests for copies of medical records from that same patient. Additionally, the Board finds that after the physician who terminated his practice has already provided a copy of a patient's medical record to the patient himself, to that patient's legal guardian, or to the patient's parent (when patient is a minor), the physician's duties regarding disposition of that patient's records are not extinguished. Finally, the Board finds that the person or entity who obtains medical records from the Petitioner does become an owner of those records and must maintain them according to Florida law but that does not terminate the Petitioner's duty to maintain that patient's medical records or from continuing to comply with Sections 456.057 and 456.058, Florida Statutes, and Rule 64B8-10.002, Florida Administrative Code.

A copy of the Final Order may be obtained by contacting the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN that the Florida Department of Financial Services has received the petition for declaratory statement from the Bogen Law Group and Mark Bogen on June 2, 2011. The petition seeks the agency’s opinion as to the applicability of Section 626.9541(1)(h), F.S., as it applies to the petitioner.

The petition seeks the Department’s opinion as to whether or not an attorney at law licensed in the state of Florida may lawfully enter into a referral agreement with a Florida licensed resident insurance agent wherein the attorney will be paid an annual flat fee by the insurance agent for any and all legal clients referred to the agent for the potential purchase of insurance policies. Petitioner represents in the petition that the amount of the referral agreement will not be dependant in any sense on whether or not the referred legal client actually purchases insurance from the agent. Petitioner asks the Department to agree that such a referral agreement will not constitute an unlawful rebate or unlawful inducement under Section 626.9541(1)(h), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Heather Lewis at (850)413-4256 or email: heather.lewis@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:**

Bayfront Medical Center, Inc. vs. Department of Health; Case No.: 11-2602RX; Rule No.: 64J-2.010

Florida Health Sciences Center, Inc. d/b/a Tampa General Hospital vs. Department of Health; Case No.: 11-2603RX; Rule No.: 64J-2.010

St. Joseph’s Hospital, Inc. d/b/a St. Joseph’s Hospital vs. Department of Health; Case No.: 11-2746RX; Rule No.: 64J-2.010

Shands Jacksonville Medical Center, Inc. vs. Department of Health; Case No.: 11-2796RX; 64J-2.010

North Star Associates, LLC, A Florida Limited Liability Company and Philip J. Stoddard, as Managing Member vs. Department of Financial Services; Case No.: 11-2433RU

Medical Arts Pharmacy, Inc. vs. Department of Health, Drug, Device, and Cosmetic Program; Case No.: 11-2660RU

Noven Pharmaceuticals, Inc. vs. Department of Health, Drug, Devices, and Cosmetics Program; Case No.: 11-2790RU

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

Medical Arts Pharmacy, Inc. vs. Department of Health, Drug, Device, and Cosmetic Program; Case No.: 11-2660RU; Dismissed

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

**NOTICE TO ARCHITECT/ENGINEER**

The University of Central Florida on behalf of its Board of Trustees announces that Professional Services in the disciplines of architecture will be required for the project listed below:

Minor projects are specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$2,000,000 or less, or studies for which the fee for professional services is \$25,000 or less. Campus Service contracts for minor projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm. Firms will be evaluated in the following areas: experience of personnel; past performance; ability to meet time and budget requirements; location; recent, current, and projected workloads.

Attach to each letter of application:

1. Architectural firms desiring to apply for consideration must include a letter of application and should have attached:

The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form.

A copy of the firm's current Professional Registration Certificates from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Five (5) bound copies of the required proposal data shall be submitted to: Mrs. Gina Seabrook, Facilities Planning, 4000 Central Florida Blvd., Post Office Box 163020, Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m. local time on July 26, 2011. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

The selection committee members have elected not to meet with proposed firms. Please do not contact the selection committee. Application material will not be returned.

The plans and specifications for Florida Board of Education projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Carefully review the Architect/Engineer Contract and General Condition's documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at [www.fp.ucf.edu](http://www.fp.ucf.edu) with the advertisement. Please note that the University of Central Florida will not compensate for lodging, food, or travel associated with this project.

Project Fact Sheet contains the selection criteria, which is the primary basis for determining the shortlist. The Project Fact Sheet, Professional Qualifications Supplement forms, Construction Manager Qualifications Supplement forms, descriptive project information, and selection criteria may be

obtained by contacting: Ms. Gina Seabrook, University of Central Florida, Phone (407)823-2166, Fax (407)823-5141, Email: [gseabroo@mail.ucf.edu](mailto:gseabroo@mail.ucf.edu), or the Facilities Planning Web site: [www.fp.ucf.edu](http://www.fp.ucf.edu) under the heading advertisements.

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## VISIT FLORIDA

Brand Creative, Media Buying and Planning and Co-op Marketing – VISIT FLORIDA seeks a partner to collaborate in developing its domestic advertising efforts including, brand strategy, media planning and buying and planning the development and sales of co-op advertising programs.

The deadline for intention to submit is July 6, 2011.

The deadline for submissions is August 3, 2011.

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Digital Creative Shop, Media Buying and Planning, Co-op Creation and SEM Contractor – VISIT FLORIDA seeks a partner to collaborate in translating the VISIT FLORIDA brand into the digital universe; manage, report and optimize Search Engine Marketing (SEM); as well as negotiate and manage cooperative marketing programs.

The deadline for intention to submit is July 6, 2011.

The deadline for submissions is August 3, 2011.

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Website Design, Hosting and SEO – VISIT FLORIDA seeks a partner to collaborate in designing a compelling web presence across all VISIT FLORIDA web properties that engage consumers and visitors with relevant, up-to-date information and tools to make informed and timely decisions and plans for visiting the State of Florida.

The deadline for intention to submit is June 27, 2011.

The deadline for submissions is July 25, 2011.

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Back End Publishing – VISIT FLORIDA seeks a partner for database management and digital publishing solution for VISIT FLORIDA to easily distribute its content within a network of its owned and operated sites, to its partner's sites, to social media sites and other sites across the web, on mobile platforms, streaming TV and video sites.

The deadline for intention to submit is June 27, 2011.

The deadline for submissions is July 25, 2011.

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Digital Ad Operation, Hosting and Distribution – VISIT FLORIDA seeks a partner who can assist VISIT FLORIDA in the creation and implementation of VISIT FLORIDA owned and operated ad distribution and third party ad network strategy.

The deadline for intention to submit is June 27, 2011.

The deadline for submissions is July 25, 2011.

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Digital Media Sales – VISIT FLORIDA seeks a digital media sales team to take on a mature digital media sales business with the objective of increasing sales and reaching new consumer audiences.

The deadline for intention to submit is June 27, 2011.

The deadline for submissions is July 25, 2011.

Ecommerce – VISIT FLORIDA seeks creative ways to enhance VISIT FLORIDA’s mission and objectives while at the same time bolstering the offerings of its core membership (Convention and Visitor Bureau’s (CVBs), Destination Marketing Organizations (DMOs), attractions and airline partners, hotels and tour operators) to consumers and group travel planners.

The deadline for intention to submit is June 27, 2011.

The deadline for submissions is July 25, 2011.

Web, Social, Mobile, and Widget Application Development – VISIT FLORIDA seeks a partner to design, develop, support, maintain and integrate new social media, video sharing, web, widgets, and mobile applications. All aimed to generate and distribute VISIT FLORIDA’s current and future content including articles, photos, videos, partner listings, discount offers, ratings and user generated content, as well as create engagement with targeted VISIT FLORIDA demographic and psychographic groups through applications and widgets across the digital landscape including on external websites, social media and mobile platforms.

The deadline for intention to submit is June 27, 2011.

The deadline for submissions is July 25, 2011.

Social Media – VISIT FLORIDA seeks a Social Media partner to assist in providing clear objectives for the VISIT FLORIDA brand, consumer and business to business main web sites, micro-sites, and campaign-oriented domains, landing pages, destinations, attractions and all other content produced by VISIT FLORIDA.

The deadline for intention to submit is June 27, 2011.

The deadline for submissions is July 25, 2011.

## Section XII Miscellaneous

### DEPARTMENT OF EDUCATION

#### ANNOUNCING CALL FOR APPLICATIONS UNIVERSITY OF FLORIDA’S CONSTRUCTION MENTORING INITIATIVE

The University of Florida Small Business Enterprise Construction Contracting Program (SBECCP) Mentoring Initiative Steering Committee announces a call for applications from potential mentors and potential protégés for participation

in the University of Florida’s Construction Mentoring Initiative. The Steering committee will review submitted applications meeting the criteria for submission in order to make a decision regarding firms that will be selected to participate in this year’s (FY 2011-2012) initiative. The committee has expanded the mentoring initiative to include the selection of non-construction related mentor/protégé pairings (e.g. commodities to commodities or commodities to services pairing) and selection of one or more pairs of Consultant Firms (e.g. Architectural and/or Engineering firms) for participation in this initiative. Firms wishing to be considered for participation in the University of Florida’s Construction Mentoring Initiative should complete an application and submit it no later than August 5, 2011, to the following:

University of Florida  
Small Business & Vendor Diversity Relations  
109 Elmore Hall, P. O. Box 115250  
Gainesville, FL 32611-5250  
dmannin@ufl.edu

This initiative is designed to promote small business development, enhance business knowledge and experience, foster increased business capacity, and provide small businesses access to opportunities at the University of Florida.

An event to kickoff this phase of the Mentoring Initiative will take place on July 14, 2011 at the University of Florida’s Eastside Campus, in the Sunshine Skyway Conference Room, 2008 N.E. Waldo Road, Building 1603, Gainesville, Florida 32609. Firms planning to attend this event should RSVP to Ms. Darlean Manning, Small Business & Vendor Diversity Relations Division, via phone (352)392-0380 or e-mail: dmannin@ufl.edu.

Additional information regarding the Mentoring Initiative, including criteria for submission, may be obtained by accessing the Small Business & Vendor Diversity Division’s website at [www.sbvdr.admin.ufl.edu](http://www.sbvdr.admin.ufl.edu), or by contacting the Small Business & Vendor Diversity Relations Division at (352)392-0380, SBVDR@admin.ufl.edu.

UF is a 100% tobacco-free campus!

The University of Florida is proud to be a 100% tobacco-free campus. Starting July 1, 2010 the use of cigarettes or other tobacco products on the UF campuses, including parking lots and vehicles, is prohibited and in violation of UF policy 6C1-2.022.

The policy applies to every person who visits University of Florida campuses, including fans, faculty, staff, volunteers, students, contractors, and service representatives.

Thank you for supporting the University of Florida’s tobacco-free campus initiative and practicing healthy behavior.

**DEPARTMENT OF TRANSPORTATION**

NOTICE IS HEREBY GIVEN that the Florida Department of Transportation (FDOT) is advertising the application and award cycle for the State Infrastructure Bank (SIB) Program. The SIB is a revolving loan and credit enhancement program that can provide loans and other assistance to public and private entities carrying out or proposing to carry out projects eligible for assistance under federal and state law. The SIB can leverage funds through loans and credit enhancements to improve project feasibility. Loans may bear interest at or below market interest rates. The SIB cannot provide assistance in the form of a grant. For further information, visit the SIB website at <http://www.dot.state.fl.us/financialplanning/finance/sib.shtm> or contact Jennifer G. Weeks, SIB Program Manager, Florida Department of Transportation, Office of Financial Development, 605 Suwannee Street, Tallahassee, FL 32399-0450, (850)414-4459 or [jenniferg.weeks@dot.state.fl.us](mailto:jenniferg.weeks@dot.state.fl.us). Application and award dates are preliminary and subject to change. Open for Applications: July 1, 2011; Closed for Applications: August 31, 2011; Tentative Awards Announced: October 21, 2011.

**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 Chrysler Group Carco, LLC, intends to allow the establishment of TT of Duval, Inc., as a dealership for the sale of Chrysler passenger cars and light trucks manufactured by Chrysler (line-make CHRY) at 9600 Atlantic Boulevard, Jacksonville (Duval County), Florida 32225, on or after July 24, 2011.

The name and address of the dealer operator(s) and principal investor(s) of TT of Duval, Inc., are dealer operator(s): Terry Taylor, 505 South Flagler Drive, Suite 700, West Palm Beach, Florida 33401; principal investor(s): Terry Taylor, 505 South Flagler Drive, Suite 700, West Palm Beach, Florida 33401.

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 TT of Duval, Inc., as a dealership for the sale of Dodge passenger cars and light trucks manufactured by Chrysler (line-make DODG) at 9600 Atlantic Boulevard, Jacksonville (Duval County), Florida 32225, on or after July 24, 2011.

The name and address of the dealer operator(s) and principal investor(s) of TT of Duval, Inc., are dealer operator(s): Terry Taylor, 505 South Flagler Drive, Suite 700, West Palm Beach, Florida 33401; principal investor(s): Terry Taylor, 505 South Flagler Drive, Suite 700, West Palm Beach, Florida 33401.

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 TT of Duval, Inc., as a dealership for the sale of Jeep passenger cars and light trucks manufactured by Chrysler (line-make JEEP) at 9600 Atlantic Boulevard, Jacksonville (Duval County), Florida 32225, on or after July 24, 2011.

The name and address of the dealer operator(s) and principal investor(s) of TT of Duval, Inc., are dealer operator(s): Terry Taylor, 505 South Flagler Drive, Suite 700, West Palm Beach, Florida 33401; principal investor(s): Terry Taylor, 505 South Flagler Drive, Suite 700, West Palm Beach, Florida 33401.

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 South Miami Automotive Group, LLC, as a dealership for the sale of FIAT passenger cars manufactured by Chrysler (line-make FIAT) at 17220 South Dixie Highway, Miami (Miami-Dade County), Florida 33157, on or after July 24, 2011.

The name and address of the dealer operator(s) and principal investor(s) of South Miami Automotive Group, LLC, are dealer operator(s): James Rivchin, 16501 South Dixie Highway, Miami, Florida 33157 and Greg Travaline, 16501 South Dixie Highway, Miami, Florida 33157; principal investor(s): James Rivchin, 16501 South Dixie Highway, Miami, Florida 33157.

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 Jonway Motorcycles USA Co. Ltd., intends to allow the establishment of Fast Trixx Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Jonway Motorcycle Manufacturing Co. Ltd., (line-make SHEN) at 2386 Allen Road, Tallahassee (Leon County), Florida 32312, on or after July 24, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Fast Trixx Powersports, Inc., are dealer operator(s): Daniel Maddox, 2386 Allen Road, Tallahassee, Florida 32312, principal investor(s): Daniel Maddox, 2386 Allen Road, Tallahassee, Florida 32312.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by 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.

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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 Jab Motorsports Corp., d/b/a Motor Scooter N More as a dealership for the sale of motorcycles manufactured by Zhejiang Jonway Motorcycle Manufacturing Co. Ltd., (line-make SHEN) at 188 North Federal Highway, Deerfield Beach (Broward County), Florida 33441, on or after July 24, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Jab Motorsports Corp., d/b/a Motor Scooter N More are dealer operator(s): Roberto Nascimento, 188 North Federal Highway, Deerfield Beach, Florida 33441; principal investor(s): Roberto Nascimento, 188 North Federal Highway, Deerfield Beach, Florida 33441.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by 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.

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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 Isuzu Commercial Truck of America, Inc., intends to allow the relocation of Rush Truck Centers of Florida, Inc., as a dealership for the sale of Isuzu trucks manufactured by Isuzu (line-make ISU) from its present location at 12475 West Colonial Drive, Winter Garden, (Orange County), Florida 34787, to a proposed location at 1925 West Princeton Street, Orlando (Orange County), Florida 32804, on or after July 24, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Rush Truck Centers of Florida, Inc., are dealer operator(s): Wade Bosarge, 8366 Via Rosa, Orlando, Florida 32836, principal investor(s): Rush Enterprises, Inc., 555 IH-35 South, New Braunfels, Texas 78130.

The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Gary Fong, Isuzu Commercial Truck of America, Inc., 1400 South Douglass Road, Suite 100, Anaheim, California 92806.

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.

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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 Yuan Cheng International Group, Inc., intends to allow the establishment of Stephanie's Designs Corporation as a dealership for the sale of motorcycles manufactured by Kaitong Motorcycle Manufacture Co. Ltd., (line-make KAIT) at 1789 West 32nd Place, Hialeah (Miami-Dade County), Florida 33012, on or after July 24, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Stephanies Design are dealer operator(s): Ernesto Noceda, 1789 West 32<sup>nd</sup> Place, Hialeah, Florida 33012; principal investor(s): Ernesto Noceda, 1789 West 32nd Place, Hialeah, Florida 33012.

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: John Cheng, Yuan Cheng International Group, Inc., 10830 Ada Avenue, Montclair, California 91763.

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 TheAutoMoto.com Corporation, intends to allow the establishment of Caddy Carts, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd., (line-make ZXYV) at 12691 South Tamiami Trail, North Port (Sarasota County), Florida 34287, on or after July 24, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Caddy Carts, Inc., are dealer operator(s): Richard Cucchi, 12691 South Tamiami Trail,

North Port, Florida 34287; principal investor(s): Richard Cucchi, 12691 South Tamiami Trail, North Port, Florida 34287.

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: Guy Cohen, TheAutoMoto.com Corporation, 15125 Raymer Street, Van Nuys, California 91405.

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 CF Moto Powersports, Inc., intends to allow the establishment of Swamp Cycles, LLC, as a dealership for the sale of motorcycles manufactured by Chunfeng Holding Group Co. Ltd., (line-make CFHG) at 633 Northwest 13th Street, Gainesville (Alachua County), Florida 32601, on or after July 24, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Swamp Cycles, LLC, are dealer operator(s): Shawn Glasser, 1710 Southwest 49<sup>th</sup> Place, Gainesville, Florida 32608, principal investor(s): Shawn Glasser, 1710 Southwest 49th Place, Gainesville, Florida 32608.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.



Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Eric Fan, CF Moto 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.

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**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 El Sol Trading, Inc., intends to allow the establishment of M&S Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Leike Machinery Co. Ltd., (line-make ZLMI) at 14673 US Highway 301 South, Starke (Bradford County), Florida 32091, on or after July 24, 2011.

The name and address of the dealer operator(s) and principal investor(s) of M&S Scooters, LLC, are dealer operator(s): Mahmoud M. Montaser, 14673 US Highway 301 South, Starke, Florida 32091, principal investor(s): Mahmoud M. Montaser, 14673 US Highway 301 South, Starke, Florida 32091.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Gloria Ma, El Sol Trading, Inc., 19877 Quiroz Court, City of Industry, California 91789.

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.

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**AGENCY FOR HEALTH CARE ADMINISTRATION**

**DECISIONS ON BATCHED APPLICATIONS**

The Agency for Health Care Administration made the following decisions on Certificate of Need applications for Hospital Beds and Facilities batching cycle with an application due date of March 9, 2011:

County: Bay      Service District: 2  
 CON # 10111      Decision Date: 6/10/2011      Decision: A  
 Facility/Project: Gulf Coast Medical Center  
 Applicant: Bay Hospital, Inc.  
 Project Description: Establish a 6-bed Level III NICU  
 Approved Cost: \$3,064,509.00

County: Lake      Service District: 3  
 CON # 10112      Decision Date: 6/10/2011      Decision: D  
 Facility/Project: Haven Behavioral Services of Leesburg  
 Applicant: Haven Behavioral Services of Florida, LLC  
 Project Description: Establish a 26-bed adult inpatient psychiatric hospital in a hospital at Leesburg Regional Medical Center-North  
 Approved Cost: \$0

County: Volusia      Service District: 4  
 CON # 10114      Decision Date: 6/10/2011      Decision: D  
 Facility/Project: Haven Behavioral Services of Ormond Beach  
 Applicant: Haven Behavioral Services of Florida, LLC  
 Project Description: Establish a 29-bed adult inpatient psychiatric hospital in a hospital at Florida Hospital Oceanside  
 Approved Cost: \$0

County: Collier      Service District: 8  
 CON # 10115      Decision Date: 6/10/2011      Decision: A  
 Facility/Project: NCH Healthcare System North Naples Hospital Campus  
 Applicant: Naples Community Hospital, Inc.  
 Project Description: Establish a 54-bed CMR unit at NCH Healthcare System North Naples Hospital via delicensure of 60 CMR beds at Naples Community Hospital  
 Approved Cost: \$2,393,853.00

County: Palm Beach      Service District: 9  
 CON # 10117      Decision Date: 6/10/2011      Decision: D  
 Facility/Project: JFK Medical Center  
 Applicant: JFK Medical Center Limited Partnership  
 Project Description: Establish a 24-bed comprehensive medical rehabilitation unit  
 Approved Cost: \$0

County: Martin      Service District: 9  
 CON # 10118      Decision Date: 6/10/2011      Decision: A

Facility/Project: HealthSouth Rehabilitation Hospital of Martin County, LLC

Applicant: HealthSouth Rehabilitation Hospital of Martin County, LLC

Project Description: Establish a 34-bed comprehensive medical rehabilitation hospital

Approved Cost: \$21,519,674.00

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., to Martin County 0295380-002-BV to temporarily establish an expanded mixing zone that extends up to 150 meters offshore and 1,500 meters downcurrent from the point where water discharged from the dredge pipeline (at the beach placement site) and reenters the Atlantic Ocean. The variance is associated with Martin County's plan to perform beach nourishment along approximately 4 miles of its beaches from DEP Reference Monuments R-1 to R-25. 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, 5050 West Tennessee Street, Building B, Tallahassee, FL 32304, Telephone: (850)488-7708.

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 of the Florida Statutes. 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.

Mediation under Section 120.573 of the Florida Statutes is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other

activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 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.

In the event that 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. Any intervention will be 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 subsections 28-106.111(2) and 62-110.106(3)(a)1., F.A.C., 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 Section 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 Section 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; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (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 Sections 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 action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, 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 final 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/](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 June 10, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Joseph M. Hernandez, M.D., License #ME 44356. 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 June 9, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Jayme L. Miller, C.N.A., License #CNA 206028. 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 June 10, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Scott Baren Oster, D.O., License #OS 10660. 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 June 2, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Joseph Brown, RPH, License #PS 26675. 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 June 13, 2011, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the permit of Express RX, Inc., Permit #PH 17626. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon

General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**FINANCIAL SERVICES COMMISSION**

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P.O. Box 8050		General Counsel's Office
Tallahassee, Florida 32314-8050		The Fletcher Building, Suite 118
Phone (850)410-9800		101 East Gaines Street,
Fax: (850)410-9548		Tallahassee, Florida 32399-0379
		Phone: (850)410-9896

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., July 15, 2011):

**APPLICATION TO ACQUIRE CONTROL**

Financial Institution to be Acquired:  
EuroBank, Coral Gables, Florida  
Proposed Purchaser: Banco do Brasil, S.A.,  
Brasília(DF) Brazil  
Received: June 14, 2011

**SMALL BUSINESS REGULATORY ADVISORY COUNCIL**

Due to Governor Scott's veto of appropriations for the Florida Small Business Development Center Network, which administratively houses the Small Business Regulatory Advisory Council (SBRAC) and Office of Small Business Advocate (OSBA), those two programs will be terminated effective 30 June 2011 because of lack of funding for staff support. SBRAC will no longer be accepting rules for review, and neither program will be able to handle inquiries from small businesses. Individuals and Agencies should contact the Governor's Office of Fiscal Accountability and Regulatory Reform for further instructions.

**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN June 6, 2011  
 and June 10, 2011

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

61D-2.009	6/6/11	6/26/11	37/1	
61D-3.001	6/6/11	6/26/11	37/1	
61D-3.002	6/6/11	6/26/11	37/1	
61D-3.003	6/6/11	6/26/11	37/1	
61D-3.004	6/6/11	6/26/11	37/1	
61D-6.006	6/6/11	6/26/11	37/1	
61D-6.007	6/6/11	6/26/11	37/1	
61D-6.011	6/6/11	6/26/11	37/1	
61D-6.012	6/6/11	6/26/11	37/1	

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-210.200	6/9/11	6/29/11	37/14	
62-210.300	6/9/11	6/29/11	37/14	
62-210.310	6/9/11	6/29/11	37/14	
62-210.920	6/9/11	6/29/11	37/14	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
62-213.202	6/9/11	6/29/11	37/14	
62-213.300	6/9/11	6/29/11	37/14	
62-213.440	6/9/11	6/29/11	37/14	
62-213.900	6/9/11	6/29/11	37/14	

**LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO (CHAPTER 2010-279, LAWS OF FLORIDA)**

**ADMINISTRATION COMMISSION**

28-18.100	4/11/11	*****	36/50	37/11
28-18.400	4/11/11	*****	36/50	37/11
28-19.310	4/11/11	*****	36/50	37/11
28-20.140	4/11/11	*****1	36/50	37/11

**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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