

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:                   RULE TITLE:  
6A-1.039                   Supplemental Educational Services  
  in Title I Schools

PURPOSE AND EFFECT: The purpose of the rule development is to amend Form SES 100, Request for Applications for Supplemental Educational Services Providers, for the 2012-2013 school year and to revise the provider approval processes.

SUBJECT AREA TO BE ADDRESSED: Supplemental educational services in Title I schools.

RULEMAKING AUTHORITY: 1008.331(6) FS.

LAW IMPLEMENTED: 1008.331 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: Melvin Herring, Program Director, Bureau of Federal Educational Programs, 325 West Gaines Street, Room 348, Tallahassee, FL 32399, (850)245-0684. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org) or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:                   RULE TITLE:  
6A-5.0411                   Calculations of Student Learning  
  Growth Using Statewide  
  Assessment Data for Use in School  
  Personnel Evaluations

PURPOSE AND EFFECT: The purpose of this rule development is to fulfill requirements under Section 1012.34, Florida Statutes, to adopt the student growth formula(s) for use with statewide assessment data and to set standards for student growth performance that must be met for personnel to earn specified performance ratings on annual evaluations. It is anticipated that this rule will be revised annually as new formulas and performance standards are adopted for statewide

assessments, including but not limited to, the Florida Comprehensive Achievement Test (FCAT), End-of-Course Examinations, and the Florida Alternate Assessment.

SUBJECT AREA: Calculations of student learning growth using statewide assessment data for use in school personnel evaluations.

RULEMAKING AUTHORITY: 1012.34 FS.

LAW IMPLEMENTED: 1012.34 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE NOTICED IN A SUBSEQUENT FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathryn S. Hebda, Deputy Chancellor for Educator Quality, 325 West Gaines Street, Tallahassee, Florida 32399, (850)245-0509 or [kathy.hebda@fldoe.org](mailto:kathy.hebda@fldoe.org)

THE FULL TEXT OF THE PROPOSED RULE IS: not available at this time, however, it will be made available conceptually upon the publication of the rule development workshop dates which will be published in a future edition of the Florida Administrative Weekly.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:                   RULE TITLE:  
6A-6.03022                   Special Programs for Students who  
  are Dual-Sensory Impaired

PURPOSE AND EFFECT: The purpose of this rule development is to update rule language to reflect current knowledge in the field. The effect will be a rule consistent with federal requirements and current knowledge in the respective fields.

SUBJECT AREA TO BE ADDRESSED: Federal and state requirements for programs for students with disabilities for students who are identified as dual-sensory impaired (definitions, procedures for referral, procedures for student evaluation, criteria for eligibility, re-evaluation, and instructional program).

RULEMAKING AUTHORITY: 1003.01, 1003.57, 1003.571 FS.

LAW IMPLEMENTED: 1003.01, 1003.57, 1003.571 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACE SHOWN BELOW:

DATES AND TIMES: October 3, 2011, 10:00 a.m. – 4:00 p.m.; October 4, 2011, 8:00 a.m. – 12:00 p.m.

PLACE: Florida Department of Education, Turlington Building, 325 West Gaines Street, Conference Room 1721/25, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bambi J. Lockman, Chief, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Suite 614, Tallahassee,

Florida 32399, (850)245-0475. To submit a comment on this rule development go to <https://app1.fldoe.org/rules/default.aspx>

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

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE NO.: 19B-4.001                      RULE TITLE: Application

PURPOSE AND EFFECT: To update the form for the Florida Prepaid College Plan and Florida College Investment Plan New Account Application, the Florida Prepaid College Plan Add-a-Plan Application, and the Master Covenant.

SUBJECT AREA TO BE ADDRESSED: The Florida Prepaid College Plan and Florida College Investment Plan New Account Application form, Florida Prepaid College Plan Add-a-Plan application form and Florida Prepaid College Plan Master Covenant.

RULEMAKING AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.98 FS.

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

DATE AND TIME: September 30, 2011, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, 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: fax a written request for same to Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514. If you are 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: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-4.001 Application.

(1) No change.

(2) The Florida Prepaid College Plan and Florida College Investment Plan New Account Application, Form No. FPCB 2012-01 ~~2011-01~~, is hereby incorporated by reference and may be obtained from the Board by calling 1(800)552-GRAD

(4723) (prompt 1). The Florida Prepaid College Plan Master Covenant, Form No. FPCB 2012-02 ~~2011-02~~, is hereby incorporated by reference and may be obtained from the Board by calling (800)552-GRAD (4723) (prompt 1). The Florida Prepaid College Plan Add-a-Plan Application, Form No. FPCB 2012-03 ~~2011-03~~, is hereby incorporated by referenced and may be obtained from the Board by calling (800)552-GRAD (4723) (prompt 1).

Rulemaking Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98 FS. History--New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-4.001, Amended 12-5-93, 5-31-95, 6-20-96, 10-20-96, 12-16-97, 2-18-99, 6-6-99, 2-8-00, 5-21-00, 1-3-01, 10-9-01, 11-27-02, 10-1-03, 1-29-04, 12-28-04, 6-2-05, 12-20-05, 1-1-07, 11-27-07, 12-17-07, 11-18-08, 1-28-09, 4-5-09, 10-26-09, 10-18-10,\_\_\_\_\_.

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE NO.: 19B-16.002                      RULE TITLE: Application for Participation in the Program

PURPOSE AND EFFECT: This rule is amended to reflect the updated form number for the Florida Prepaid College Plan and Florida College Investment Plan New Account Application.

SUBJECT AREA TO BE ADDRESSED: The Florida Prepaid College Plan and Florida College Investment Plan New Account Application form.

RULEMAKING AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.981 FS.

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

DATE AND TIME: September 30, 2011, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, 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: fax a written request to: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514. If you are 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: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.002 Application for Participation in the Program.

(1) No change.

(2) The Florida Prepaid College Plan and Florida College Investment Plan New Account Application, Form No. FPCB 2012-01 ~~2011-04~~, is hereby incorporated by reference. The form may be obtained from the Board by calling (800)552-GRAD (4723) (prompt 1).

(3) No change.

Rulemaking Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981 FS. History--New 11-27-02, Amended 1-29-04, 12-28-04, 6-2-05, 12-20-05, 1-1-07, 11-27-07 11-18-08, 1-28-09, 4-5-09, 10-26-09, 10-18-10,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-204.003  
 RULE TITLE: Food Services – Standards of Operation

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to generally update the language of the rule and to promulgate language in Department policy related to food service that constitutes a “rule” as defined in Chapter 120.

SUBJECT AREA TO BE ADDRESSED: Food services.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 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, IF AVAILABLE, IS: Kendra Lee Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

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

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.101  
 RULE TITLE: Incentive Gain Time

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to clarify when an inmate may be ineligible for gain time.

SUBJECT AREA TO BE ADDRESSED: Gain time.

RULEMAKING AUTHORITY: 944.09, 944.275, 944.281 FS.

LAW IMPLEMENTED: 944.09, 944.275, 944.281, 944.801(3)(i)5. 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:

33-601.101 Incentive Gain Time.

(1) through (2) No change.

(3) How credited. For inmates eligible to receive consideration under this section, the following procedures shall be used.

(a) Each inmate eligible for consideration for award of incentive gain time shall receive gain time evaluations based upon his institutional adjustment as reflected in evaluations from security, work and program components, if assigned. If it becomes necessary to make corrections to the inmate’s monthly security, work or program evaluations after the evaluations have already been submitted, the request for correction along with the reasons for the correction shall be submitted in writing to the department head for approval. The approved corrections shall be submitted to the classification ~~correctional-probation~~ officer or his designee who shall make the necessary changes.

1. through 4. No change.

(b) The classification ~~correctional-probation~~ officer or designee shall evaluate the security and performance ratings which reflect the inmate’s institutional adjustment for the month. The final determination of an award of incentive gain time shall be determined by the classification ~~correctional-probation~~ officer or designee and shall be based on the inmate’s overall monthly activities. When the classification ~~correctional-probation~~ officer or designee concurs with the preliminary base gain time recommendation being applied no modification is required. The preliminary base gain time recommendation may be modified by the classification ~~correctional-probation~~ officer as reflected by the inmates overall institutional adjustment and level of work and program participation for the month. The classification ~~correctional-probation~~ officer or designee may modify the preliminary base gain time recommendation upward or downward from 1 to 4 days not to exceed the maximum eligible award. Any time the classification ~~correctional-probation~~ officer or designee modifies the preliminary base gain time recommendation, the reason for the modification shall be noted. These modifications will be applied to the preliminary base gain time recommendation reflective of the overall rating derived from the security and performance evaluation or security evaluation alone. Reasons for modification of the preliminary base gain time recommendation include:

1. through (5) No change.

(6) Inmates in disciplinary confinement status are not eligible for a work/program rating even if assigned to work or programs while in disciplinary confinement. Inmates in disciplinary confinement are eligible for a security rating award which can be modified by the classification ~~correctional probation~~ officer in accordance with paragraph 33-601.101(3)(b), F.A.C.

(a) Disciplinary or court action. An inmate is not eligible to receive incentive gain time for the month in which there is an infraction of the rules of the Department or the laws of the State for which he is found guilty. Additionally, those inmates on escape status and detained by other agencies may not be awarded incentive gain time for the period of time out of custody even though lodged in another confinement facility. ~~Any inmate who is found guilty of a disciplinary report on or after July 15, 2009 and who is serving a sentence imposed for an offense committed on or after October 1, 1995 shall be eligible to earn incentive gain time as follows:~~

~~1. For disciplinary reports in which the final approved action is not confinement or loss of gain time or where the final recommended action is probation, pursuant to paragraph 33-601.308(3)(b), F.A.C., the inmate shall be eligible to earn incentive gain time the month following the month in which the disciplinary infraction occurred. However, if the inmate violates the probation and the original penalty meets the requirements of subparagraphs 2. and 3. below, the inmate is then subject to the limitations on earning incentive gain time as noted.~~

~~2. For disciplinary reports in which the final approved action is less than or equal to 30 days confinement or less than or equal to 30 days loss of gain time, the inmate shall not be eligible to earn incentive gain time for one month following the month in which the disciplinary infraction occurred. The one month period of ineligibility shall not begin to run until the inmate is in the department's custody and would be otherwise eligible to earn gain time but for the disciplinary action or new offense.~~

~~3. For disciplinary reports in which the final approved action is greater than 30 days confinement or greater than 30 days loss of gain time, or where the inmate was convicted of an offense occurring while committed to the Department of Corrections, the inmate shall not be eligible to earn incentive gain time for two months following the month in which the disciplinary infraction or offense occurred. The two month period of ineligibility shall not begin to run until the inmate is in the department's custody and would be otherwise eligible to earn gain time but for the disciplinary action or new offense.~~

~~4. The period of ineligibility referenced in subparagraphs 2. and 3. shall be suspended if the inmate leaves the custody of the department before completion of the period of ineligibility. The period of ineligibility will resume upon the inmate's return to department custody and will continue to run until its completion.~~

~~5. The failure to serve the confinement imposed does not alter the ineligibility of the inmate to earn incentive gain time as noted in subparagraphs 2. and 3.~~

~~6. The ineligibility of the inmate to earn gain time as noted in subparagraphs 2. and 3. remains in effect when, due to unavailability of gain time, unearned gain time is designated as the final approved action.~~

(b) through (8) No change.

Rulemaking Authority 944.09, 944.275, 944.281 FS. Law Implemented 944.09, 944.275, 944.281, 944.801(3)(i)5. FS. History—New 2-26-80, Amended 1-12-83, 1-31-85, 10-7-85, Formerly 33-11.065, Amended 4-28-87, 7-12-89, 7-17-90, 10-16-90, 10-14-91, 2-17-93, 4-17-94, 7-17-94, 4-21-96, 6-1-97, 10-7-97, 3-11-98, 5-12-98, 7-9-98, 9-17-98, Formerly 33-11.0065, Amended 7-15-09, 4-19-10,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

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

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify that for inmates who have committed certain offenses such as assault or battery against staff, the regional director shall provide written authorization prior to release of such inmates from close management.

SUBJECT AREA TO BE ADDRESSED: Close management.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 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:

33-601.800 Close Management.

(1) through (15) No change.

(16) Review of Close Management.

(a) through (f) No change.

(g) Before an inmate is released from CM, written authorization must be obtained by the SCO from the regional director if any of the following apply:

1. The inmate has been convicted, regardless of whether adjudication is withheld, of any assault or battery, or any attempted assault or battery, that constitutes a felony on a staff member;

2. The inmate has an active detainer as a result of any assault or battery, or any attempted assault or battery, that constitutes a felony on a staff member; or

3. The inmate is confined under the Interstate Corrections Compact and has been convicted, regardless of whether adjudication is withheld, of any assault or battery, or any attempted assault or battery, that constitutes a felony on a staff member in the state from which he transferred.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 2-1-01, Amended 12-16-01, 4-8-04, 3-10-05, 4-9-06, 8-23-07, 4-27-08, 6-28-10, 3-9-11, 7-31-11, \_\_\_\_\_.

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

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.: 40D-1.002  
 RULE TITLE: Delegation of Authority  
 PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to incorporate by reference an Amendment to the Well Construction Permitting Agreement Between the Southwest Florida Water Management District and Marion County Health Department. The Amendment is effective October 1, 2011 and extends the delegation of well construction permitting responsibility to Marion County for 5 more years.

SUBJECT AREA TO BE ADDRESSED: Well Construction Permitting.

RULEMAKING AUTHORITY: 373.044, 373.103, 373.113, 373.118, 373.171, 373.219, 373.309 FS.

LAW IMPLEMENTED: 253.002, 373.083, 373.103, 373.149, 373.171, 373.175, 373.219, 373.223, 373.224, 373.246, 373.308, 373.309, 373.427 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Southwest Florida Water Management District, Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702, TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Martinez, Sr. Admin. Assistant, SWFWMD, 2379 Broad St., Brooksville, FL 34604-6899, (352)796-7211 (4660) (OGC #2011033)

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

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.: 40D-2.302  
 RULE TITLE: Reservations from Use  
 PURPOSE AND EFFECT: To amend Rule 40D-2.302, F.A.C., to reserve from use water from Pretty Lake in Hillsborough County, Florida pursuant to Section 373.0421, Florida Statutes. SUBJECT AREA TO BE ADDRESSED: Reserve from use for water use permitting water from Pretty Lake in Hillsborough County, Florida in order to use it during periods of excess flow as necessary to increase lake levels, including to achieve minimum lake levels, and to restore fish and wildlife in Lakes Horse, Raleigh, and Rogers in Hillsborough County, Florida. RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.0421, 373.223(4) FS.  
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
 DATE AND TIME: October 6, 2011, 6:00 p.m.  
 PLACE: Keystone Recreation Center, 17928 Gunn Highway, Odessa, FL 33556

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Southwest Florida Water Management District, Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702, TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tamera McBride, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4518

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**E911 Board**

RULE NO.: 60FF1-5.002  
 RULE TITLE: Rural County Grants

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add new language to clarify procedures for applying for and receiving rural county grants and to modify Form 1A. "E911 Rural County Grant Application (revised 7/1/2011)".

SUBJECT AREA TO BE ADDRESSED: Rural county grant program.

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

LAW IMPLEMENTED: 365.172(2)(g), 365.172(9)(a), (b), (c), 365.173(2)(g) 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: Ryan Butler, Special Support Manager, E911 Board, 4030 Esplanade, Suite 160, Tallahassee, Florida 32399-0950

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

**DEPARTMENT OF HEALTH**

**Board of Chiropractic**

RULE NO.: 64B2-11.001  
 RULE TITLE: Application for Licensure Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate an updated application form by reference.

SUBJECT AREA TO BE ADDRESSED: Application for Licensure Examination.

RULEMAKING AUTHORITY: 460.405, 460.406 FS.

LAW IMPLEMENTED: 460.406 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: Bruce Deterding, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Chiropractic**

RULE NO.: 64B2-13.0049  
 RULE TITLE: Inactive Status License

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete the requirement regarding the inactive status licensee paying the active status fee for each biennium during which the license was inactive.

SUBJECT AREA TO BE ADDRESSED: Inactive Status License.

RULEMAKING AUTHORITY: 460.036 FS.

LAW IMPLEMENTED: 460.036 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: Bruce Deterding, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NOS.: 64B3-1.006  
 RULE TITLES: Notices, Current Address of Licensees  
 64B3-1.008 Board Meetings

PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning notifying the department via electronic methods and to update the type of board meetings.

SUBJECT AREA TO BE ADDRESSED: Notices, Current Address of Licensees; Board Meetings.

RULEMAKING AUTHORITY: 456.035 456.011, 483.805 FS.

LAW IMPLEMENTED: 286.0105, 456.011, 456.035(1), 483.817, 483.819 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: Bruce

Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

#### DEPARTMENT OF HEALTH

##### Board of Clinical Laboratory Personnel

RULE NO.: 64B3-2.002  
RULE TITLE: Clinical Laboratory Personnel  
PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning direct supervision.  
SUBJECT AREA TO BE ADDRESSED: Clinical Laboratory Personnel.

RULEMAKING AUTHORITY: 483.805(4), 483.811(2), (4) FS.

LAW IMPLEMENTED: 483.035(1), 483.803, 483.811, 483.821, 483.823 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

#### DEPARTMENT OF HEALTH

##### Board of Clinical Laboratory Personnel

RULE NO.: 64B3-3.002  
RULE TITLE: Personnel of Clinical Laboratory Personnel Training Programs  
PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning rules that are referenced in the rule.

SUBJECT AREA TO BE ADDRESSED: Personnel of Clinical Laboratory Personnel Training Programs.

RULEMAKING AUTHORITY: 483.805(4), 483.811(2) FS.

LAW IMPLEMENTED: 483.800, 483.809, 483.811 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

#### DEPARTMENT OF HEALTH

##### Board of Clinical Laboratory Personnel

RULE NO.: 64B3-4.001  
RULE TITLE: Trainee Registration  
PURPOSE AND EFFECT: The Board proposes the rule amendment to update language concerning requirements of training program for trainee registration.

SUBJECT AREA TO BE ADDRESSED: Trainee Registration.  
RULEMAKING AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.809(3), 483.811(2), (3), (4), 483.825 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

#### DEPARTMENT OF HEALTH

##### Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.004  
RULE TITLE: Technician  
PURPOSE AND EFFECT: The Board proposes the rule amendment to update the examinations for clinical laboratory personnel.

SUBJECT AREA TO BE ADDRESSED: Technician.

RULEMAKING AUTHORITY: 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NOS.:	RULE TITLES:
64B3-6.002	Documentation for Licensure
64B3-6.003	Personnel Licensure – Temporary Permit

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language concerning the American Society for Clinical Pathology Board of Certification and to clarify language concerning the temporary license.

SUBJECT AREA TO BE ADDRESSED: Documentation for Licensure; Personal Licensure – Temporary Permit.

RULEMAKING AUTHORITY: 483.805(4), 483.823 FS.

LAW IMPLEMENTED: 456.013, 483.809, 483.813, 483.815, 483.823 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NOS.:	RULE TITLES:
64B3-9.001	Application Fees
64B3-9.002	Initial Licensure Fees

PURPOSE AND EFFECT: The Board proposes the rule amendments to delete the fee for a public health science technician and a public health technician.

SUBJECT AREA TO BE ADDRESSED: Application Fees; Initial Licensure Fees.

RULEMAKING AUTHORITY: 456.025, 483.805(4), 483.807(1) FS.

LAW IMPLEMENTED: 456.025, 483.807, 483.815 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: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.:	RULE TITLE:
64B4-5.001	Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule amendment to update disciplinary guidelines.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

RULEMAKING AUTHORITY: 456.079, 491.004(5) FS.

LAW IMPLEMENTED: 456.079, 491.009 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B4-5.001 Disciplinary Guidelines.

(1) When the Board finds an applicant, licensee, registered intern, provisional licensee, or certificate holder whom it regulates under Chapter 491, F.S., has committed any of the acts set forth in Section 456.072(1) or 491.009(2), F.S., it shall issue a final order imposing appropriate penalties as recommended in the following disciplinary guidelines.



(a) through (f) No change.

(g) Knowingly aiding, assisting, procuring, or advising a non-licensed person to hold oneself out as licensed under Chapter 491, F.S.

(Sections 456.072(1)(j) & 491.009(1)(g), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and/or probation, 1 year suspension then probation; <u>permanent revocation;</u>
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and <u>permanent</u> revocation;
THIRD OFFENSE:	\$1,000 fine and 1 year suspension followed by probation	\$1,000 fine and permanent revocation;

(h) No change.

(i) Willfully making or filing a false report or record; failing to file a report or record required by state or federal law; willfully impeding or obstructing the filing of a report or record; or inducing another person to make or file a false report or record or to impede or obstruct the filing of a report or record.

(Sections 456.072(1)(l) & 491.009(1)(i), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1,000 fine and/or probation, 1 year suspension then probation; <u>permanent revocation;</u>
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and 1 year suspension followed by probation; denial or \$1,000 fine and permanent revocation;
THIRD OFFENSE:	\$1,000 fine, 1 year suspension followed by probation	\$10,000 fine and permanent revocation

(j) through (k) No change.

(l) Making misleading, deceptive, untrue, or fraudulent misrepresentations in the practice of any profession licensed under Chapter 491, F.S., or employing a trick or scheme in or related to the practice of a profession.

(Sections 456.072(1)(a), (m) & 491.009(1)(l), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250 fine	\$1,000 fine and reprimand;
SECOND OFFENSE:	\$500 fine	\$1,000 fine and probation;
THIRD OFFENSE:	\$1,000 fine	\$1,000 fine and 1 year suspension followed by probation;

FRAUD Offense	First \$250 fine	\$1000 fine and/or reprimand, probation, suspension, then probation, permanent revocation
FRAUD Offense	Second \$500 fine	\$1000 fine and/or probation, suspension then probation, permanent revocation
FRAUD Offense	Third \$1000 fine	\$1000 fine and/or 1 year suspension, then probation, permanent revocation

(m) Soliciting patients or clients personally, or through an agent, through the use of fraud, intimidation, undue influence, or a form of overreaching or vexatious conduct.

(Section 491.009(1)(m), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1,000 fine and/or 6 month suspension followed by probation, <u>permanent revocation;</u>
SECOND OFFENSE:	\$1,000 and reprimand	\$1,000 fine and/or 1 year suspension followed by probation, <u>permanent revocation;</u>
THIRD OFFENSE:	\$1,000 fine 1 year and suspension followed by probation	\$1,000 fine permanent revocation;

(n) Failing to make available to a patient or client, upon written request, copies of tests, reports, or documents in the possession or under the control of the licensee which have been prepared for and paid for by the patient or client.

(Section 491.009(1)(n), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 <del>4,000</del> fine and reprimand	\$1,000 fine and probation;
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and 1 year suspension followed by probation;

(o) through (p) No change.

(q) Violating provisions of Chapter 491 or 456, F.S., or any rule adopted pursuant thereto.

(Sections 456.072(1)(dd) & 491.009(1)(w), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250 <del>500</del> fine and reprimand	\$1,000 fine and/or probation; 1 year <u>suspension then probation;</u> <u>permanent revocation;</u>
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and 1 year suspension followed by probation; denial or \$1,000 fine and permanent revocation;
THIRD OFFENSE:	\$1,000 fine and 1 year suspension followed by probation	\$1,000 fine and permanent revocation;

(r) No change.

(s) Failing to meet the MINIMUM standards of performance in professional activities when measured against generally prevailing peer performance, including the undertaking of activities for which the licensee is not qualified by training or experience.

(Section 491.009(1)(r), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250 fine and reprimand	\$5,000 <del>4,000</del> fine and/or probation, <u>1</u> year suspension then probation; <u>permanent revocation</u> ;
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and/or 1 year suspension followed by probation, <u>permanent revocation</u> ;
THIRD OFFENSE:	\$1,000 fine and 1 year suspension followed by probation	denial or \$1,000 fine and permanent revocation;

(t) No change.

(u) Violating a rule relating to the regulation of the profession or a lawful order of the Department or the Board previously entered in a disciplinary hearing.

(Section 491.009(1)(t), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	<u>\$250</u> <del>4,000</del> fine and reprimand	\$1,000 fine and/or 6 month suspension followed by Probation, <u>permanent revocation</u> ;
SECOND OFFENSE:	\$1,000 fine and 1 year suspension followed by probation	denial or \$1,000 fine and permanent revocation;

(v) through (aa) No change.

(bb) Intentionally violating any rule adopted by the Board or the department, as appropriate.

(Section 456.072(1)(b), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and/or 6 months suspension followed by Probation, <u>permanent revocation</u> ;
SECOND OFFENSE:	\$1,000 fine and 1 year suspension followed by probation	denial or \$1,000 fine and permanent revocation;

(cc) through (dd) No change.

(ee) Violating any provision of this part, the applicable professional practice act, a rule of the department or the board, or a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena of the department.

(Sections 456.072(1)(q) & 491.009(1)(w), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	<u>\$250</u> <del>500</del> fine and reprimand	\$1,000 fine and/or probation, <u>1</u> year suspension then probation; <u>permanent revocation</u> ;
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and/or 1 year suspension followed by probation, <u>or permanent revocation</u> ;
THIRD OFFENSE:	\$1,000 fine and 1 year suspension followed by probation	denial or \$1,000 fine and permanent revocation;

(ff) Failing to comply with the requirements for profiling and credentialing, including, but not limited to, failing to provide initial information, failing to timely provide updated information, or making misleading, untrue, deceptive, or fraudulent representations on a profile, credentialing, or initial or renewal licensure application.

(Section 456.072(1)(w), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1,000 fine and/or reprimand, <u>1</u> year suspension then probation; <u>permanent revocation</u> ;
SECOND OFFENSE:	\$1,000 fine and probation	\$1,000 fine and/or 3 month suspension followed by probation, <u>permanent revocation</u> ;
THIRD OFFENSE:	\$1,000 fine and 1 year suspension followed by probation	denial or \$1,000 fine and permanent revocation;

(gg) through (ii) No change.

(jj) Failing to inform the department, within 30 days, of any change of address of either the place of practice or current mailing address of any applicant or licensee.

(Section 456.035, F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	<u>\$250</u> <del>fine</del> reprimand	\$500 <del>4,000</del> fine and reprimand <u>1-year probation</u> ;
SECOND OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and/or <u>1</u> year probation, 6 month suspension followed by probation;
THIRD OFFENSE:	\$1,000 fine and probation	\$1,000 fine and permanent revocation.

(kk) through (oo) No change.

(2) through (4) No change.

Rulemaking Authority 456.079, 491.004(5) FS. Law Implemented 456.079, 491.009 FS. History—New 3-5-89, Amended 1-3-91, 6-1-92, Formerly 21CC-5.001, Amended 1-9-94, Formerly 61F4-5.001, Amended 12-22-94, Formerly 59P-5.001, Amended 12-11-97, 10-1-00, 2-5-01, 10-15-02, 3-27-05, 1-16-06, 4-6-10, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.: 64B4-7.002  
 RULE TITLE: Qualifications Necessary for Clinical Social Workers, Marriage and Family Therapists and Mental Health Counselors to Practice Hypnosis

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide clarification of instruction required for a clinical social worker, marriage and family therapist, and mental health counselor to practice hypnosis; to provide clarification concerning qualifications for an intern practicing hypnosis.

SUBJECT AREA TO BE ADDRESSED: Qualifications Necessary for Clinical Social Workers, Marriage and Family Therapists and Mental Health Counselors to Practice Hypnosis.

RULEMAKING AUTHORITY: 491.004(5), 491.0141 FS.

LAW IMPLEMENTED: 491.0141 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: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B4-7.002 Qualifications Necessary for Clinical Social Workers, Marriage and Family Therapists and Mental Health Counselors to Practice Hypnosis.

(1) Before practicing hypnosis for any therapeutic purpose, ~~other than stress management, self-hypnosis, guided imagery, or relaxation,~~ a clinical social worker, marriage and family therapist, or mental health counselor licensee shall have successfully completed at least 50 hours of instruction in concepts of and misconceptions of hypnosis induction techniques, ~~contraindications~~ ~~contraindications~~ to hypnosis, and the relationships of personality dynamics, psychopathology and ethical issues to hypnosis. Such instruction must have met the standards for approval of continuing education courses set forth in Rule 64B4-6.002, F.A.C., and in addition must have been taught by qualified teachers as defined in Rule 64B4-7.003, F.A.C.

(2) An intern may not practice hypnosis unless practicing under the supervision of a qualified supervisor who has met the requirements to practice hypnosis.

Rulemaking Specific Authority 491.004(5), 491.0141 FS. Law Implemented 491.0141 FS. History–New 7-6-88, Amended 2-25-90, Formerly 21CC-7.002, 61F4-7.002, 59P-7.002, Amended 7-20-98,

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.: 64B4-7.0081  
 RULE TITLE: Requirements to be a Qualified Practitioner for Completing Risk Assessments and Treatment of Sexual Offenders

PURPOSE AND EFFECT: The Board proposes promulgation of the rule to provide requirements to be a qualified practitioner for completing risk assessments and treatment of sexual offenders.

SUBJECT AREA TO BE ADDRESSED: Requirements to be a Qualified Practitioner for Completing Risk Assessments and Treatment of Sexual Offenders.

RULEMAKING AUTHORITY: 947.005(10), 984.001(9), 491.004(5) FS.

LAW IMPLEMENTED: 947.1405(7)(a)5., 948.30(1)(e) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B4-7.0081 Requirements to be a Qualified Practitioner for Completing Risk Assessments and Treatment of Sexual Offenders.

(1) Licensees approved by the Florida Department of Corrections (DOC) or Federal Probation Service to complete risk assessments and treat sexual offenders or who were a clinical member of Association for the Treatment of Sexual Abusers (ATSA) or the Florida Association for the Treatment of Sexual Abusers (FATSA) on or before June 30, 2010, shall be deemed to be qualified practitioners.

(2) In order to be a qualified practitioner for completing risk assessments for sexual offenders, one must hold an active license as a clinical social worker, marriage and family therapist, or mental health counselor under Chapter 491, Florida Statutes.

(3) A qualified practitioner under this rule shall possess 60 hours of post degree graduate coursework or post degree continuing education in all of the following core areas with a minimum of three (3) hours per area:

- (a) Etiology of sexual deviance;
- (b) Evaluation/risk assessment and treatment of adult and adolescent sexual offenders that have established scientific bases;
- (c) Evaluation/risk assessment and treatment of specialized populations of sexual offenders;
- (d) Physiological measures of sexual arousal;
- (e) Sexual offender and current DSM diagnosis;
- (f) Safety planning/Family Safety planning;
- (g) Report writing;
- (h) Legal and ethical issues in the evaluation and treatment of sexual offenders;

- (i) Co-morbidity and substance abuse issues; and
- (j) Relapse prevention.

(4) Have documented 2,000 hours of post degree experience in the evaluation and treatment of sexual offenders.

(5) A qualified practitioner under this rule must complete 20 hours of board approved biennial continuing education in the assessment, evaluation and treatment of sexual offenders; relapse prevention; experience and training in working with victims; and related legal and ethical issues.

Rulemaking Authority 947.005(10), 948.001(9), 491.004(5) FS. Law Implemented 947.1405(7)(a)5., 948.30(1)(e) FS. History—New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-42.001      RULE TITLE: Licensure by Endorsement

PURPOSE AND EFFECT: The Council proposes the development of rule amendment to address changes for initial licensure application.

SUBJECT AREA TO BE ADDRESSED: Changes for Initial Licensure application.

RULEMAKING AUTHORITY: 456.017(1), 468.507 FS.

LAW IMPLEMENTED: 456.027, 468.507, 468.509, 468.513 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, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-42.002      RULE TITLE: Licensure by Examination

PURPOSE AND EFFECT: The Council proposes the development of rule amendment to address changes for initial licensure application.

SUBJECT AREA TO BE ADDRESSED: Changes for Initial Licensure application.

RULEMAKING AUTHORITY: 456.017(1), 468.507 FS.

LAW IMPLEMENTED: 456.027, 468.507, 468.509, 468.513 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, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.: 64B17-3.001      RULE TITLE: Licensure as a Physical Therapist by Examination

PURPOSE AND EFFECT: The Board proposed to remove language in sub-subparagraph 64B17-3.001(3)(b)1.f., F.A.C.

SUBJECT AREA TO BE ADDRESSED: Removing sub-subparagraph 64B17-3.001(3)(b)1.f., F.A.C., regarding Immigration and Naturalization Services of the federal government.

RULEMAKING AUTHORITY: 486.025(1), 486.031(3) FS.

LAW IMPLEMENTED: 456.017, 486.031, 486.051 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 Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.: 64B17-3.003  
 RULE TITLE: Licensure by Endorsement  
 PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes for initial licensure application and the English language requirement.  
 SUBJECT AREA TO BE ADDRESSED: Changes for initial licensure application and the English language proficiency requirement language.  
 RULEMAKING AUTHORITY: 486.025(1), 486.031(3) FS.  
 LAW IMPLEMENTED: 456.017, 486.031, 486.051 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 Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.: 64B17-4.001  
 RULE TITLE: Licensure as a Physical Therapist Assistant by Examination  
 PURPOSE AND EFFECT: The Board proposes the rule to remove language in sub-subparagraph 64B17-4.001(3)(b)1.f., F.A.C.  
 SUBJECT AREA TO BE ADDRESSED: Removing sub-subparagraph 64B17-4.001(3)(b)1.f., F.A.C., regarding Immigration and Naturalization Services of the federal government.  
 RULEMAKING AUTHORITY: 486.025, 486.102 FS.  
 LAW IMPLEMENTED: 456.017, 486.102(3), 486.104 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 Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.: 64B17-4.003  
 RULE TITLE: Licensure by Endorsement  
 PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes for initial licensure application and the English language requirement.  
 SUBJECT AREA TO BE ADDRESSED: Changes for initial licensure application and the English language proficiency requirement language.  
 RULEMAKING AUTHORITY: 486.025, 486.102 FS.  
 LAW IMPLEMENTED: 456.017, 486.102(3), 486.104 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 Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE NO.: 65A-1.713  
 RULE TITLE: SSI-Related Medicaid Income Eligibility Criteria  
 PURPOSE AND EFFECT: The proposed rule puts the form CF-ES 2262, Request for Veteran’s Information, into rule.  
 SUBJECT AREA TO BE ADDRESSED: The proposed rule expedites the process of obtaining verification of income from the Veteran’s Administration.  
 RULEMAKING AUTHORITY: 409.919 FS.  
 LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919 FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: October 12, 2011, 1:30 p.m.  
 PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

Pursuant to the provisions of 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: Pat Whitford, (850)717-4142. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pat Whitford, ACCESS Florida Program Policy, (850)717-4142, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, Pat\_Whitford@dcf.state.fl.us

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

## Section II Proposed Rules

### DEPARTMENT OF EDUCATION

#### State Board of Education

RULE NO.:	RULE TITLE:
6A-1.099823	Performance Standards for Children Participating in the Voluntary Prekindergarten (VPK) Education Program

**PURPOSE AND EFFECT:** The purpose of the proposed amendment is to adopt revised performance standards for students in the Voluntary Prekindergarten (VPK) Education Program pursuant to Section 1002.69(1), Florida Statutes. The revised performance standards will address the age-appropriate progress of students in the development of: (a) The capabilities, capacities, and skills required under s. 1(b), Art. IX of the State Constitution; and (b) Emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.

**SUMMARY:** The proposed rule adopts the “Florida Early Learning and Developmental Standards for Four-Year-Olds (2011)” as the performance standards for students in VPK Education Programs.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** 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. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 1002.79(1) FS.

LAW IMPLEMENTED: 1002.67(1) FS.

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

DATE AND TIME: October 18, 2011, 8:30 a.m.

PLACE: Miami Edison Senior High School, 6161 N.W. 5th Ct., Miami, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stuart Greenberg, Executive Director, Just Read, Florida! and the Office of Early Learning, Department of Education, Suite 514, 325 West Gaines Street, Tallahassee, Florida 32399, (850)245-0445

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.099823 Performance Standards for Children Participating in the Voluntary Prekindergarten (VPK) Education Program.

Minimum student performance standards adopted by the State Board of Education for children participating in the Voluntary Prekindergarten (VPK) Education Program are contained in the publication “Florida Early Learning and Developmental Standards for Four-Year-Olds (2011), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00589> ~~Florida Voluntary Prekindergarten (VPK) Education Standards, Florida Department of Education 2008.~~” The standards incorporated in this document are hereby incorporated by reference in this rule and made a part of the rules of the State Board of Education ~~to become effective with the effective with the effective date of this rule. Copies of this publication may be obtained through Florida Institute of Education at the University of North Florida, 12000 Alumni Drive, Jacksonville, Florida 32224-2678 at a price to be established by the Commissioner not to exceed actual costs.~~

~~Rulemaking Specific~~ Authority 1002.79(1) FS. Law Implemented 1002.67(1) FS. History–New 7-25-07, Amended 9-22-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. Michael Grego, Interim Chancellor, K-12 Public Schools

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Gerard Robinson, Commissioner, Department of Education

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 6, 2011

**DEPARTMENT OF EDUCATION****State Board of Education**

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

**PURPOSE AND EFFECT:** The purpose of this rule amendment is to adopt new competencies and skills for the English for Speakers of Other Languages (ESOL) K-12, Mathematics 6-12, Middle Grades Mathematics 5-9, and Professional Education examinations, effective January 1, 2013 and new passing score requirements for the Educational Media Specialist PK-12, Exceptional Student Education (ESE) K-12, and Social Science 6-12 examinations, effective January 1, 2012. The effect of these changes will be updated competencies and skills for the FTCE and modification of existing passing score requirements for the affected subject area examinations.

**SUMMARY:** The rule is proposed for amendment to adopt the new edition of the Competencies and Skills Required for Teacher Certification in Florida, Seventeenth Edition, and new passing score requirements for three subject area examinations.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** 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. A SERC has not been prepared by the agency.

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

**RULEMAKING AUTHORITY:** 1012.56(9) FS.

**LAW IMPLEMENTED:** 1012.56 FS.

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

**DATE AND TIME:** October 18, 2011, 8:30 a.m.

**PLACE:** Miami Edison Senior High School, 6161 N.W. 5th Ct., Miami, Florida

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

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

6A-4.0021 Florida Teacher Certification Examinations.

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

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

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

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

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

1. Before January 1, 2012, the general knowledge competencies and skills as contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, Fifteenth Edition." Beginning with the January 1, 2012, test administration, the general knowledge competencies and skills as contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, Sixteenth Edition." Beginning with the January 1, 2013, test administration, the general knowledge competencies and skills as contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, Seventeenth Edition." <http://www.flrules.org/Gateway/reference.asp?No=Ref-00587>, which is incorporated by reference and made part of this rule. Copies of these publications may be obtained from the Department's web site at <http://www.fldoe.org/asp/ftce/>.

2. Before January 1, 2012, the professional education test competencies and skills contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, Fifteenth Edition," which is hereby incorporated by reference and made a part of this rule. Beginning January 1, 2012, the professional education test competencies and skills contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, Sixteenth Edition," (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00247>) ~~January 2012~~ which is hereby incorporated by reference and made a part of this rule. Beginning January 1, 2013, the professional education test competencies and skills contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, Seventeenth Edition," which is incorporated by reference and made part of this rule. Copies of these publications may be obtained as described in subparagraph (2)(c)1. of this rule, and

3. Before January 1, 2012, the subject area competencies and skills contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, Fifteenth Edition," which is hereby incorporated by reference and made a part of this rule. Beginning January 1, 2012, the subject area competencies and skills contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, Sixteenth Edition," (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00247>) which is hereby incorporated by reference and made a part of this rule. Beginning January 1, 2013, the subject area competencies and

skills contained in the publication “Competencies and Skills Required for Teacher Certification in Florida, Seventeenth Edition,” which is incorporated by reference and made part of this rule. Copies of these publications may be obtained as described in subparagraph (2)(c)1. of this rule.

(3) through (9)(q) No change.

(r) Effective January 1, 2012, the passing score for the Educational Media Specialist PK-12 examination shall be a scaled score of at least two hundred (200). This scaled score shall be equivalent to a raw score of eighty-five (85) correct items on the March 2011 and April 2011 test administrations.

(s) Effective January 1, 2012, the passing score for the Exceptional Student Education K-12 examination shall be a scaled score of at least two hundred (200). This scaled score shall be equivalent to a raw score of eighty-one (81) correct items on the April 2011 test administration.

(t) Effective January 1, 2012, the passing score for the Social Science 6-12 examination shall be a scaled score of at least two hundred (200). This scaled score shall be equivalent to a raw score of eighty-seven (87) correct items on the March 2011 test administration.

(u)(\*) The Commissioner of Education shall review the passing score for each of the General Knowledge Subtests, each of the subject area specialty examinations, and the professional education test not less than once every five (5) years and determine whether to recommend to the State Board of Education to maintain or change the existing passing scores.

(10) through (11) No change.

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

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

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Gerard Robinson, Commissioner, Department of Education

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 15, 2011

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.077  
RULE TITLE: Preapprenticeship Programs

PURPOSE AND EFFECT: The purpose is to repeal the rule to remove inconsistencies, redundancies and unnecessary repetitions within the Florida Administrative Code pertaining to preapprenticeship programs. Since the last amendment in 1994, requirements and provisions pertaining to apprenticeship and preapprenticeship programs in Florida have been rewritten and approved by the State Board of Education in 2010, rendering this rule outdated, duplicative in nature and unnecessary.

SUMMARY: This rule is to be repealed.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 446.041(12), 446.052(2) FS.

LAW IMPLEMENTED: 446.052 FS.

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

DATE AND TIME: October 18, 2011, 8:30 a.m.

PLACE: Miami Edison Senior High School, 6161 N.W. 5th Ct., Miami, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ken Olsen, Program Director, Apprenticeship Programs, 325 W. Gaines Street, Tallahassee, Florida 32399-0400, (850)245-9039, Ken.Olsen@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.077 Preapprenticeship Programs.

Rulemaking Specific Authority 446.041(12), 446.052(2) FS. Law Implemented 446.052 FS. History—New 9-17-72, Repromulgated 12-5-74, Formerly 6A-6.77, Amended 10-18-94, Repealed \_\_\_\_\_.

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

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Gerard Robinson, Commissioner, Department of Education

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



**DEPARTMENT OF EDUCATION****State Board of Education**

RULE NO.: 6A-10.0371  
 RULE TITLE: Model Non-Instructional Adult Literacy Centers

**PURPOSE AND EFFECT:** The purpose is to repeal the rule as Section 1004.95, Florida Statutes, the governing statute was repealed by the Florida Legislature in 2011. These centers have not been funded since 2000 and the centers originally created under Section 1004.95, Florida Statutes, no longer exist.

**SUMMARY:** This rule is to be repealed.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** 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. A SERC has not been prepared by the agency.

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

**RULEMAKING AUTHORITY:** 1004.95(4) FS.

**LAW IMPLEMENTED:** 1004.95 FS.

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

**DATE AND TIME:** October 18, 2011, 8:30 a.m.

**PLACE:** Miami Edison Senior High School, 6161 N.W. 5th Ct., Miami, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Kathleen Taylor, Bureau Chief, Standards, Benchmarks and Frameworks, 325 West Gaines Street, Suite 754, Tallahassee, Florida 32399-0400, (850)245-9062, Kathleen.Taylor@fldoe.org

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

6A-10.0371 Model Non-Instructional Adult Literacy Centers.

Rulemaking Specific Authority 1004.95(4) FS. Law Implemented 1004.95 FS. History--New 8-30-88, Repealed.

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

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Mr. Gerard Robinson, Commissioner, Department of Education

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** September 6, 2011

**EXECUTIVE OFFICE OF THE GOVERNOR****Office of Tourism, Trade and Economic Development**

RULE NO.: 27M-2.001  
 RULE TITLE: Certification for Spring Training Baseball Facilities

**PURPOSE AND EFFECT:** To establish the application processes for certification of spring training facilities and professional sports franchise facilities. Also provides a process for decertification of certified spring training facilities.

**SUMMARY:** The rule replaces obsolete references including those to particular dates and individuals and replaces them with recurring deadlines based on funding cycle and generic position titles; updates forms utilized in conjunction with the program and fulfills statutory direction for rule adoption relating to new or retained sports franchises despite the fact that the program has operated at the statutory maximum number of franchises for many years.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** The agency has determined that this rule will not have an adverse impact on small business and is not likely to directly or indirectly increase regulatory costs by more than \$200,000 within one year of taking effect. A SERC has not been prepared by the agency. Based on analysis from the agency, this rulemaking proceeding is restricted to elimination of obsolete dates, clarification of existing provisions and implementation of a statutory provision not anticipated to have any substantive effect; and would not have an impact on small business or the private sector, the rule is not expected to require legislative ratification.

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:** 288.11621(8), 288.1162(2) FS.

**LAW IMPLEMENTED:** 288.11621, 288.1162 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:** Michelle Dennard, Office of Tourism, Trade, and Economic Development, Suite 1902, The Capitol, Tallahassee, Florida 32399, (850)487-2568, michelle.dennard@eog.myflorida.com

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

27M-2.001 Certification for ~~Retained~~ Spring Training Baseball Facilities.

(1) Upon notice as published in the Florida Administrative Weekly, the Florida Sports Foundation will accept applications for certification to receive state funding for Spring Training

Baseball Facilities. An applicant must submit an application for certification to the Florida Sports Foundation as indicated in the published notice by 5:00 p.m., EST, October 2, 2006 in order to be considered for certification. Applications may not be changed once submitted. The original and seven (7) copies of the application should be submitted to the following address:

Florida Sports Foundation  
 Attention: President Larry Pendleton  
 2930 Kerry Forest Parkway, Suite-100  
 Tallahassee, Florida 32309  
 Phone: (850)488-8347  
 Fax: (850)922-0482

(2) Each application will be reviewed based on the requirements set forth in Section 288.11621(2), F.S. (2010) ~~288.1162(5)(e)2., F.S. (2006).~~

(3) The Florida Sports Foundation will receive the application and conduct a scoring of each application based on the criteria established in Section 288.11621 (2), F.S. (2010) ~~288.1162(5)(e)2., F.S. (2006),~~ using the Spring Training Baseball Facility Application Evaluation Criteria Worksheet (OTTED Form 9102-1 (05/2011)) incorporated herein by reference. ~~Any discrepancies in the application will be resolved in accordance with Section 288.1162(5)(e)2., F.S. (2006).~~

(4) The Florida Sports Foundation will complete its review and forward its recommendations for certification to the Office of Tourism, Trade, and Economic Development within thirty (30) days of the close of the application period indicated in the notice published in the Florida Administrative Weekly by 5:00 p.m., EST, November 30, 2006.

(5) The Office of Tourism, Trade, and Economic Development will review the recommendations within thirty (30) days of receipt from the Florida Sports Foundation by December 15, 2006. ~~The Office of Tourism, Trade, and Economic Development and the Florida Sports Foundation will meet during the month of December 2006 to review and finalize the certifications. Certifications will be announced by 5:00 p.m. EST, January 2, 2007. After the review, each applicant will be notified as to whether it has been certified.~~

Rulemaking Specific Authority 288.11621(8) FS. Law Implemented 288.11621(2) FS. History–New 2-12-07, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Michelle Dennard  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michelle Dennard  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 13, 2011  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 13, 2011

**EXECUTIVE OFFICE OF THE GOVERNOR  
 Office of Tourism, Trade and Economic Development**

RULE NO.: 27M-3.001  
 RULE TITLE: Definitions and Forms  
 PURPOSE AND EFFECT: To update forms used in conjunction with the Black Business Loan Program pursuant to Section 288.7102, F.S.

SUMMARY: Updates and implements editorial changes to the forms utilized by the Black Business Loan Program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that this rule will not have an adverse impact on small business and is not likely to directly or indirectly increase regulatory costs by more than \$200,000 within one year of taking effect. A SERC has not been prepared by the agency. Based on analysis from the agency, the changes to the forms conform them to statutory and regulatory provisions and would not have an impact on small business or the private sector, the rule is not expected to require legislative ratification.

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: 288.7102(7) FS.

LAW IMPLEMENTED: 288.7102 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: Michelle Dennard, Office of Tourism, Trade, and Economic Development, Suite 1902, The Capitol, Tallahassee, Florida 32399, (850)487-2568, michelle.dennard@eog.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

27M-3.001 Definitions and Forms.

As used in this Rule Chapter 27M-3, F.A.C., the following capitalized terms have the meanings indicated. All referenced forms are available on the internet at [http://www.flgov.com/otted\\_home](http://www.flgov.com/otted_home) or may be obtained from the Office.

(1) No change.

(2)“Agreement” means the standard “Black Business Loan Program Recipient Agreement” form OTTED 7102-5 (1/11) ~~(5/10)~~ which is hereby incorporated by reference.

(3) No change.

(4)“Application” means the standard “Application for Certification as Eligible Recipient of Funds under the Black Business Loan Program” form OTTED 7102-1 (1/11) ~~(5/10)~~ which is hereby incorporated by reference.

(5) "Application Evaluation Form" means the standard "Black Business Loan Program Application Evaluation" form OTTED 7102-2 (1/11) (~~5/40~~) which is hereby incorporated by reference.

(6) "Application Period" means the annual period during which Applicants may submit Applications, which shall be May 1 through June 1 (or the next business day) of each year in which there is a legislative appropriation to fund the Program.

(7) "Certification Decision Form" means the standard "Black Business Loan Program Certification and Allocation Decision" form OTTED 7102-4 (1/11) (~~5/40~~).

(8) "Eligible" means that an Applicant has demonstrated satisfaction of each of the requirements specified in section 288.7102(4), F.S.

(9) "Existing Recipient" means an Applicant that, after a certification process, the Office certified to receive Program funds for the previous year and that entered into an Agreement with the Office.

(10) "New Recipient" means an Applicant that the Office did not certify for the previous year.

(11) "Office" means the Office of Tourism, Trade and Economic Development, whose address is Suite 1902, The Capitol, 402 S. Monroe Street, Tallahassee, Florida 32399.

(12) "Program" means the Black Business Loan Program established by Section 288.7102, F.S.

(13) "Recipient" means an Applicant that, after a competitive certification process, the Office certifies to receive Program funds and that enters into an Agreement with the Office.

(14) "Summary Recommendation Form" means the standard "Black Business Loan Program Summary Recommendation" form OTTED 7102-3 (1/11) (~~5/40~~) which is hereby incorporated by reference.

Rulemaking Authority 288.7102(7) FS. Law Implemented 288.7094(2), 288.7102 FS. History—New 9-1-08, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Michelle Dennard  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michelle Dennard  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 6, 2011  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 6, 2011

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NOS.:	RULE TITLES:
61D-2.008	Pre-meet Report Required
61D-2.018	Pooling of Prize Money in Jai Alai Prohibited
61D-2.019	Starting Time Notice Requirement

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: Elimination of Rules 61D-2.008, 2.018, and 2.019, F.A.C., identified during the comprehensive rule review as duplicative.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: 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. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 550.01215(4), 550.0251(3), 550.105(2)(b), (c), (4)(b) FS.

LAW IMPLEMENTED: 120.80, 550.01215, 550.0251, 550.105, 550.1155, 550.235 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: October 11, 2011, 11:00 a.m. – 12:00 Noon

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)717-1098. If you are 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: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

THE FULL TEXT OF THE PROPOSED RULES IS:

61D-2.008 Pre-meet Report Required.

Rulemaking Specific Authority 550.0251(3), 550.105(2)(b) FS. Law Implemented 550.01215, 550.0251 FS. History–New 10-20-96, Amended 4-12-06, Repealed \_\_\_\_\_.

61D-2.018 Pooling of Prize Money in Jai Alai Prohibited.

Rulemaking Specific Authority 550.0251(3) FS. Law Implemented 550.0251, 550.105, 550.235 FS. History–New 10-20-96, Repromulgated 4-12-06, Repealed \_\_\_\_\_.

61D-2.019 Starting Time Notice Requirement.

Rulemaking Specific Authority 550.01215(4), 550.0251(3), 550.105(2)(c), (4)(b) FS. Law Implemented 120.80, 550.01215, 550.0251, 550.1155 FS. History–New 10-20-96, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Milton Champion, Director, Division of Pari-Mutuel Wagering  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 1, 2011

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.: 61D-5.007  
RULE TITLE: Basis for Denial or Cancellation of License

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: Elimination of Rule 61D-5.007, F.A.C., identified during the comprehensive rule review as duplicative.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: None.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: 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. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 550.0251(3), 550.105(2)(b), (10) FS.

LAW IMPLEMENTED: 550.0251, 550.105 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: October 11, 2011, 11:00 a.m. – 12:00 Noon

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)717-1098. If you are 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: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

THE FULL TEXT OF THE PROPOSED RULE IS:

61D-5.007 Basis for Denial or Cancellation of License.

Rulemaking Specific Authority 550.0251(3), 550.105(2)(b), (10) FS. Law Implemented 550.0251, 550.105 FS. History–New 10-20-96, Amended 12-15-97, 4-12-06, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Milton Champion, Director, Division of Pari-Mutuel Wagering  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 1, 2011

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.: 61D-6.010  
RULE TITLE: Human Drug Testing; Urine Testing for Controlled Substances

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: Elimination of Rule 61D-6.010, F.A.C., identified during the comprehensive rule review as duplicative.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: None.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** 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. A SERC has not been prepared by the agency.

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

**RULEMAKING AUTHORITY:** 120.80(4)(a), 550.0251(3), (5) FS.

**LAW IMPLEMENTED:** 120.80(4)(a), 550.0251, 550.24055, 550.2415 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:** October 11, 2011, 11:00 a.m. – 12:00 Noon

**PLACE:** Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)717-1098. If you are 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:** Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

61D-6.010 Human Drug Testing; Urine Testing for Controlled Substances.

Rulemaking Specific Authority 120.80(4)(a), 550.0251(3), (5) FS. Law Implemented 120.80(4)(a), 550.0251, 550.24055, 550.2415 FS. History–New 10-20-96, Repealed \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Milton Champion, Director, Division of Pari-Mutuel Wagering  
**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Ken Lawson, Secretary, Department of Business and Professional Regulation

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** August 1, 2011

## **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

### **Division of Pari-Mutuel Wagering**

**RULE NO.:** 61D-11.016  
**RULE TITLE:** Card and Domino Tables

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rules will be to implement changes relating to cardroom operations.

**SUMMARY:** This proposed rule is amended to permit the use of “hole card” cameras and allow “tournament only tables” to be utilized without the usual requirements for card and domino tables as specified in the rule.

**OTHER RULES INCORPORATING THIS RULE:** None.

**EFFECT ON THOSE OTHER RULES:** None.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** 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. A SERC has not been prepared by the agency.

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

**RULEMAKING AUTHORITY:** 550.0251(12), 849.086(4)(a) FS.

**LAW IMPLEMENTED:** 849.086 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:** October 11, 2011, 10:00 a.m. – 11:00 a.m.

**PLACE:** Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)717-1098. If you are 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:** Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

61D-11.016 Card and Domino Tables.

(1) through (5) No change.

(6) At no time may a cardroom contain more tables than that for which the cardroom operator has been licensed. ~~Unused and unlicensed tables must not be stored inside the cardroom, but may be stored in designated non-public areas for the purpose of dealer training or other storage areas with no potential for official play.~~

(7) Card tables that are used only for tournament play do not need to meet the requirements of authorized tables in subsection (1) above. Domino tables that are used only for tournament play do not need to be equipped with drop boxes and drop box slots. Tables used only for tournament play shall be designated as "tournament only" in the floor plan as required by Rule 61D-11.019, F.A.C.

(8) Card and domino tables used solely for tournament play may be equipped with "hole card" cameras that only permit a non-live delayed feed broadcast.

Rulemaking Specific Authority 550.0251(12), 849.086(4)(a) FS. Law Implemented 849.086 FS. History--New 1-7-97, Amended 9-7-08,  
\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Milton Champion, Director, Division of Pari-Mutuel Wagering  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 1, 2011  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 9, 2010

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NOS.:	RULE TITLES:
61D-13.001	General Rules
61D-13.002	Stewards
61D-13.003	Jockeys
61D-13.004	Maintaining a Straight Course
61D-13.005	Disqualification

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: Elimination of Rules 61D-13.001, 13.002, 13.003, 13.004, and 13.005, F.A.C., identified during the comprehensive rule review as duplicative.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: None.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: 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. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 120.80(4)(a), 550.0251(3), (11), 550.1155 FS.

LAW IMPLEMENTED: 120.80(4)(a), 550.0251, 550.1155 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: October 11, 2011, 11:00 a.m. – 12:00 Noon

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)717-1098. If you are 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: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

THE FULL TEXT OF THE PROPOSED RULES IS:

61D-13.001 General Rules.

Rulemaking Specific Authority 550.0251(3), (11) FS. Law Implemented 550.0251 FS. History--New 8-15-04, Repealed\_\_\_\_\_.

61D-13.002 Stewards.

Rulemaking Specific Authority 120.80(4)(a), 550.0251(3), (11), 550.1155 FS. Law Implemented 120.80(4)(a), 550.0251, 550.1155 FS. History--New 8-15-04, Repealed\_\_\_\_\_.

61D-13.003 Jockeys.

Rulemaking Specific Authority 550.0251(3), (11) FS. Law Implemented 550.0251 FS. History--New 8-15-04, Repealed\_\_\_\_\_.

61D-13.004 Maintaining a Straight Course.

Rulemaking Specific Authority 550.0251(3), (11) FS. Law Implemented 550.0251 FS. History--New 8-15-04, Repealed\_\_\_\_\_.

61D-13.005 Disqualification.

Rulemaking Specific Authority 550.0251(3), (11), 550.2415(13) FS.  
Law Implemented 550.0251, 550.2415 FS. History–New 8-15-04,  
Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Milton Champion, Director, Division of Pari-Mutuel Wagering  
 NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: Ken Lawson, Secretary, Department of  
 Business and Professional Regulation  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: August 2, 2011

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.:                    RULE TITLE:  
 62-210.200                 Definitions

PURPOSE AND EFFECT: The proposed rule (OGC No. 11-0614) involves amendments to Rule 62-210.200, F.A.C., to exclude ethanol fuel production facilities from the meaning of the term “chemical process plant” in two definitions where the term occurs.

SUMMARY: The proposed rule amends two definitions in the department’s air permitting rules to exclude ethanol fuel production facilities from the meaning of the term “chemical process plants,” 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. Additionally, the proposed rule adds a definition of “North American Industry Classification System” or “NAICS” which is referenced in the amended meaning of “chemical process plants.” The proposed rule amendments are consistent with U.S. Environmental Protection Agency (EPA) regulations adopted May 1, 2007. The proposed rule amendments are not expected to require legislative ratification.

OTHER RULES INCORPORATING THIS RULE: Rule 62-210.200, F.A.C., is referenced in Rules 62-4.050, 62-204.200, 62-210.200, 62-210.220, 62-210.300, 62-210.340, 62-210.370, 62-212.100, 62-212.500, 62-212.720, 62-213.100, 62-213.202, 62-213.400, 62-213.410, 62-213.412, 62-213.420, 62-213.440, 62-214.100, 62-296.100, 62-296.340, 62-296.401, 62-296.417, 62-296.470, 62-296.600, and 62-297.100, F.A.C.

EFFECT ON THOSE OTHER RULES: The amendments would have no impact on Rules 62-210.220, 62-210.340, 62-296.340, 62-296.401, 62-296.417, and 62-296.600, F.A.C. The amendments would change the definition cited in Rules 62-4.050, 62-204.200, 62-210.200, 62-210.300, 62-210.370, 62-212.100, 62-212.500, 62-212.720, 62-213.100, 62-213.202, 62-213.400, 62-213.410, 62-213.412, 62-213.420, 62-213.440, 62-214.100, 62-296.100, 62-296.470, and 62-297.100, F.A.C.

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. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 403.061 FS.

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

REQUESTS TO HOLD A HEARING: Requests to hold a rulemaking hearing must be received within 21 days after the date of this notice, as required by Section 120.54(3)(c), Florida Statutes. The hearing, if requested, will be held at the date, time, and place shown below. **IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD.**

DATE AND TIME: Thursday, October 13, 2011, 1:00 p.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. Marnie Brynes at (850)717-9029 or marnie.brynes@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 IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS35, Tallahassee, Florida 32399, Telephone (850)245-2288. E-mail patricia.comer@dep.state.fl.us. or Ms. Kelly Stevens, Florida Department of Environmental Protection, Division of Air Resource Management, Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, telephone (850)717-9017, E-mail kelly.stevens@dep.state.fl.us

The department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, telephone (850)245-2288, E-mail: patricia.comer@dep.state.fl.us. or Ms. Kelly Stevens, Florida Department of Environmental Protection, Division of Air Resource Management, Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9017, E-mail kelly.stevens@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE 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 (213) No change.

(214) “North American Industry Classification System” or “NAICS” – A federal system of classifying business establishments according to similarity in the processes used to produce goods or services, as described in the 2007 NAICS definition file, hereby adopted and incorporated by reference (<http://www.flrules.org/Gateway/...>).

(214) through (331) renumbered (215) through (332) No change.

Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 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, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Michael P. Halpin, P.E., Director, Division of Air Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mr. Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 25, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 24, 2011

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

PURPOSE AND EFFECT: The proposed rule (OGC No. 11-0786) involves an amendment to Rule 62-212.400, F.A.C., to exclude some facilities that produce ethanol by fermentation from the state’s “prevention of significant deterioration” air permitting rules.



**SUMMARY:** The proposed rule amendments 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 adopted May 1, 2007. The proposed rule amendments are not expected to require legislative ratification.

**OTHER RULES INCORPORATING THIS RULE:** Rule 62-212.400, F.A.C., is referenced in Rules 62-4.050, 62-204.200, 62-204.220, 62-204.320, 62-210.200, 62-210.300, 62-210.340, 62-210.350, 62-210.550, 62-212.300, 62-212.500, 62-212.600, 62-212.710, 62-296.416, 62-296.500, and 62-296.700, F.A.C.

**EFFECT ON THOSE RULES:** The amendments would have no impact on Rules 62-210.340, 62-212.600, 62-212.710, 62-296.416, and 62-296.700, F.A.C. The amendments would change the definition cited in Rules 62-4.050, 62-204.200, 62-204.220, 62-204.320, 62-210.200, 62-210.300, 62-210.350, 62-210.550, 62-212.300, 62-212.500, and 62-296.500, F.A.C.

**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. A SERC has not been prepared by the agency.

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

**RULEMAKING AUTHORITY:** 403.061 FS.

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

**REQUESTS TO HOLD A HEARING:** Requests to hold a rulemaking hearing must be received within 21 days after the date of this notice, as required by Section 120.54(3)(c), Florida Statutes. The hearing, if requested, will be held at the date, time, and place shown below. **IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD.**

**DATE AND TIME:** Thursday, October 13, 2011, 1:00 p.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. Marnie Brynes at (850)717-9029 or

marnie.brynes@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 IS:** Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, telephone (850)245-2288. E-mail patricia.comer@dep.state.fl.us. or Ms. Kelly Stevens, Florida Department of Environmental Protection, Division of Air Resource Management, Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, telephone (850)717-9017, E-mail kelly.stevens@dep.state.fl.us

The department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399. telephone (850)245-2288. E-mail: patricia.comer@dep.state.fl.us. or Ms. Kelly Stevens, Florida Department of Environmental Protection, Division of Air Resource Management, Blair Stone Road, MS 5500, Tallahassee, Florida, 32399-2400, telephone (850)717-9017, E-mail kelly.stevens@dep.state.fl.us

**THE FULL TEXT OF THE PROPOSED RULE 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,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
Mr. Michael P. Halpin, P.E., Director, Division of Air Resource Management

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Mr. Herschel T. Vinyard Jr., Secretary  
**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** August 25, 2011

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** June 24, 2011

**DEPARTMENT OF HEALTH**

**Division of Disease Control**

<b>RULE NO.:</b> 64D-3.046	<b>RULE TITLE:</b> Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes
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**PURPOSE AND EFFECT:** The sole purpose of this rule amendment is to revise DH 150-615, July 2010 (Immunization Guidelines, Florida Schools, Childcare Facilities and Family Daycare Homes) incorporated by reference to reflect an effective date of July 2011. The DH 150-615 changes include updates to the tetanus-diphtheria-acellular pertussis vaccination documentation requirements for entry and attendance in seventh grade and an update to the effective date for pneumococcal conjugate vaccination requirements for children age 2 to 59 months attending licensed childcare facilities and family daycare homes.

**SUMMARY:** Implementation of immunization recommendations of the Centers for Disease Control and Prevention Advisory Committee on Immunization Practices.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein:

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

**RULEMAKING AUTHORITY:** 381.003, 381.005, 1003.22 FS.

**LAW IMPLEMENTED:** 381.005, 1003.22 FS.

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

**DATE AND TIME:** September 29, 2011, 10:00 a.m.

**PLACE:** 2585 Merchants Row Boulevard, Room 135Q, 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: Susan Lincicome, Program Administrator, susan\_lincicome@doh.state.fl.us, (850)245-4444, Ext. 2381. If you are 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:** Susan Lincicome, Program Administrator, susan\_lincicome@doh.state.fl.us, (850)245-4444, Ext. 2381

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

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

(1) Immunization and Documentation Requirements for School Entry/Attendance:

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

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

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

(b) Specific immunization requirements by grade which must be documented prior to admittance, attendance or any other initial entrance are detailed in the Immunization Guidelines-Florida Schools, Childcare Facilities and Family Daycare Homes DH Form 150-615 (July 2011) ~~(July 2010)~~, incorporated by reference, available online at: [www.doh.state.fl.us/disease\\_ctr/immune/schoolguide.pdf](http://www.doh.state.fl.us/disease_ctr/immune/schoolguide.pdf).

1. Temporary or permanent medical exemption DH Form 680 must be signed by a practitioner licensed under Chapter 458 or 459, F.S., or their authorized representative. For temporary or permanent medical exemption the signing practitioner must possess medical records documenting the medical basis for each such exemption.

2. A DH Form 680 that does not include a temporary or permanent medical exemption must be signed by a practitioner licensed under Chapter 458, 459, 460, or 464, F.S.

3. Florida SHOTS (State Health Online Tracking System) Electronically Certified DH Form 680 accessed directly by the school is considered certified in writing and signed by the Florida SHOTS private provider.

(2) Documentation Requirements for Schools:

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

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

(c) Compliance Reporting:

1. Each public and nonpublic school with a kindergarten and/or seventh grade shall submit an annual compliance report. The report shall be completed on DH Form 684, Immunization Annual Report of Compliance for Kindergarten and Seventh Grade (July 2010), incorporated by reference, available at DOH CHDs. The report shall include the immunization status of all children who were attending kindergarten and seventh grades at the beginning of the school year. The report shall be forwarded to the CHD director/administrator no later than October 1 of each school year where the data will be compiled on DH Form 685, Kindergarten and Seventh Grade Annual Report of Compliance County Summary (July 2010), incorporated by reference, available at DOH CHDs; or electronically generated by the Department of Education.

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

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

(a) A homeless child.

(b) A transfer student.

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

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

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

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

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

(5) Florida SHOTS (State Health Online Tracking System) Opt Out Provision – Parents or guardians may elect to decline participation in the Florida immunization registry, Florida SHOTS, by submitting a Florida SHOTS Notification and Opt Out Form to the DOH. The form, either a DH Form 1478 (English) (January 2007) or DH Form 1478S (Spanish) (September 2003) or DH Form 1478H (Haitian-Creole) (January 2006), incorporated by reference, is available from the DOH, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719. The immunization records of children whose parents choose to opt-out will not be shared with other entities that are allowed by law to have access to the children's immunization record via authorized access to Florida SHOTS.

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

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

Immunization Florida SHOTS personnel when an authorized user's license or registration has expired or has been suspended or revoked.

Rulemaking Authority 381.0011(13), 381.003(1), (2), 381.005(3), ~~381.005(2)~~, 1003.22 FS. Law Implemented 381.0011(4), 381.003(1), 381.005(1)(i), 1003.22 FS. History--New 11-20-06, Amended 7-15-07, 7-28-08, 12-29-10, \_\_\_\_\_.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Charles Alexander, Bureau Chief, Charles\_Alexander@doh.state.fl.us, (850)245-4331

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Frank Farmer, State Surgeon General, Frank\_Farmer@doh.state.fl.us, (850)245-4321

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 3, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 12, 2011

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agents and Agency Services**

RULE NO.: 69B-221.155  
 RULE TITLE: Forms for Limited Surety (Bail Bond) Agents

PURPOSE AND EFFECT: The purpose of the proposed rule is to adopt four forms to be used by the bail bond industry to: (i) provide the sworn statements required by Section 648.34(2)(d), F.S.; (ii) provide the information required by Section 648.355(1), F.S., to qualify for a temporary bail bond license; (iii) permit an appointing entity to appoint a licensee to act for the appointing entity by providing the information required by Section 648.382, F.S.; and (iv) permit the appointing entity to terminate the appointment of a licensee as provided in Sections 648.383(1) and 648.384(1), F.S.

SUMMARY: The rule adopts four forms to be used by the bail bond industry.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: 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. A 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: 624.308(1), 648.26(1)(a) FS.  
 LAW IMPLEMENTED: 648.26(1)(a), 648.34, 648.355, 648.382, 648.383, 648.384, 648.384, 648.39, 648.442(8) 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: October 12, 2011, 10:00 a.m.  
 PLACE: Room 142, Larson Building, 200 E. Gaines Street, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ray Wenger at (850)413-5605 or Ray.Wenger@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: Ray Wenger, Financial Administrator, Bureau of Investigations, 200 E. Gaines Street, Tallahassee, FL 32399-0320, (850)413-5605 or Ray.Wenger@MyFloridaCFO.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69B-221.155 Forms for Limited Surety (Bail Bond) Agents.

The following forms for the bail bond industry are hereby incorporated by reference and available from the Division's website at <http://www.MyFloridaCFO.com/agents/Licensure/Forms/index.htm>:

(1) Form DFS-H2-1500, Limited Surety Agent, Professional Bail Bond Agent, Sworn Statement, (Eff. 6/11), which is used to comply with Section 648.34(2)(d), F.S., to provide the sworn statements attesting to the character of an applicant for a limited surety (bail bond) agent license.

(2) Form DFS-H2-1509, Temporary Bail Bond Agent, Mandatory Employment Verification, (Eff. 6/11), which is used by an applicant to qualify for a temporary bail bond license as required by Section 648.355(1)(e), F.S.

(3) Form DFS-H2-1544, Appointing Form, (Eff. 6/11), which permits an appointing entity of a limited surety (bail bond) agent to authorize a licensee to act for the appointing entity as provided in Section 648.382, F.S.

(4) Form DFS-H2-1544Term, Appointment Termination Form, (Eff. 4/11), which permits the appointing entity of a limited surety (bail bond) agent to terminate the appointment of a licensee and cancel that licensee's authority to act for the appointing entity as provided in Sections 648.383(1) and 648.384(1), F.S.

Rulemaking Authority 624.308(1), 648.26(1)(a) FS. Law Implemented 648.26(1)(a), 648.34, 648.355, 648.382, 648.383, 648.384, 648.39, 648.442(8) FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Ray Wenger, Financial Administrator, Bureau of  
Investigations, Department of Financial Services

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: July 22, 2011

## DEPARTMENT OF FINANCIAL SERVICES

### Division of Worker's Compensation

RULE NOS.:                   RULE TITLES:  
69L-5.205                   Loss Data Reporting  
69L-5.217                   Civil Penalties and Fines

PURPOSE AND EFFECT: Rule 69L-5.205, F.A.C., is amended to clarify that former self-insurers must report loss data for the final period of authorization only once. The proposed amendments to Rule 69L-5.217, F.A.C., will reduce the penalties assessed against self-insurers for late filing of required forms, reports and documents and also recalculate penalties that were assessed against a self-insurer. If the self-insurer has already paid the penalty to the Department, the Department will refund the difference between the penalty paid and the new reduced penalty, unless the self-insurer owes any outstanding, unpaid penalties to the Department.

SUMMARY: Rule 69L-5.205, F.A.C., clarifies that former self-insurers must report loss data for the final period of authorization only once. Rule 69L-5.217, F.A.C., reduces the penalties assessed against self-insurers for late filing of required forms and reports.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: 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. A 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: 440.38(1), (2), (3), 440.385(6), 440.525(2), 440.591 FS.

LAW IMPLEMENTED: 440.38(1), (2), (3), 440.385(1), (3), (6), 440.525 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: October 14, 2011, 2:00 p.m.

PLACE: Room 102, Hartman Building, 2012 Capital Circle S.E., Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Pam Macon at (850)413-1708 or Pamela.Macon@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: Pam Macon, Chief, Bureau of Monitoring and Audit, Division of Workers' Compensation, 2012 Capital Circle S.E., Tallahassee, Florida 32399, (850)413-1708 or Pamela.Macon@MyFloridaCFO.com

### THE FULL TEXT OF THE PROPOSED RULES IS:

#### 69L-5.205 Loss Data Reporting.

Current Self-Insurers and Former Self-Insurers shall submit loss data for all entities covered under the self-insurance authorization on Form DFS-F2-SI-17 (Unit Statistical Report), effective 08/09, as incorporated by reference, or the electronic equivalent provided by the Department. Copies of this form are available at the Division of Workers' Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, FL 32399-4224. Failure to submit the required loss data forms or material understatement or concealment of data shall constitute good cause for revocation of the self-insurance authorization in addition to civil penalties specified in Rule 69L-5.217, F.A.C.

(1) The Division or the Association shall, within at least ten (10) days prior to the evaluation date, notify in writing or email advise each self insurer of the covered periods for the submission of the loss data.

(2) No change.

(3) Former Self-Insurers shall continue to submit this report until the loss data for the final period of authorization has been reported ~~for three (3) years.~~

(4) through (7) No change.

Rulemaking Authority 440.38(1), (2), (3), 440.385(6), 440.525(2), 440.591 FS. Law Implemented 440.38(1), (2), (3), 440.385(1), (3), (6), 440.525 FS. History--New 3-9-10, Amended.

#### 69L-5.217 Civil Penalties and Fines.

(1) Civil Penalties for Delinquent Reports – Failure to timely file legible and complete forms, reports or documents as required by Section 440.38(2)(b), F.S., or these rules, shall subject the party required to file such form, report, or document to assessment by the Department of a civil penalty. For purposes of this rule, a form, report or document is considered timely filed if postmarked on or before the due date

prescribed in this rule. Reports submitted by a Qualified Servicing Entity on behalf of the self-insurer shall be treated as if they were submitted by the self-insurer directly.

(a) Late filed forms, reports, and documents required pursuant to this rule shall be penalized as follows:

1. \$100 for filings 1 to 14 days late.
2. \$500 ~~2,500~~ for filings 15 to 30 days late.
3. \$1,000 ~~5,000~~ for filings 31 to 60 days late.
4. For periods greater than sixty (60) days, \$200 per day from the required filing date. Total penalties assessed under this section for a single late filed form, report, or document shall not exceed \$10,000 ~~25,000~~.

(b) These civil penalties are to be applied per occurrence, per form, report, or document. Payment shall be made within fifteen (15) days after receipt of the notification and submitted along with the form, report, or document. Failure to submit the required forms, reports and documents constitutes good cause for revocation of the self-insurance authorization in addition to civil penalties specified in this rule.

(c) Any self-insurer that has been assessed penalties in excess of the amounts specified in paragraph (a) herein since March 9, 2010 until the effective date of this amended rule will have its penalty amount recalculated pursuant to paragraph (a). If the self-insurer has already paid penalties to the Department, the Department shall refund the difference between the penalties paid and those recalculated under paragraph (a) to the self-insurer, unless the self-insurer owes any outstanding, unpaid penalties to the Department. Any outstanding, unpaid penalties must be paid in full prior to any refund being issued by the Department.

(2) through (6) No change.

Rulemaking Authority 440.38(1), (2), (3), 440.385(6), 440.525(2), 440.591 FS. Law Implemented 440.38(1), (2), (3), 440.385(1), (3), (6), 440.525 FS. History--New 3-9-10, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Pam Macon, Chief, Bureau of Monitoring and Audit, Department of Financial Services

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 15, 2011

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:                      RULE TITLE:  
6A-6.0251                      Use of Epinephrine Auto-Injectors.  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 33, August 19, 2011 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Florida Building Commission**

RULE NO.:                      RULE TITLE:  
9N-1.001                      State Building Code Adopted  
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. 1, January 7, 2011 issue of the Florida Administrative Weekly.

The Florida Building Commission approved minimal changes to the reference document to address matters of consistency with statutory requirements and internal consistency of requirements relating to roof truss design within the High Velocity Hurricane Zone.

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

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. Based on the statutory exemption of the Code from the need for legislative ratification, it has been determined that legislative ratification is not required.

THE FULL TEXT OF THE PROPOSED RULE IS:

9N-1.001 State Building Code Adopted.

(1) The Florida Building Code, 2010 ~~2004~~ Edition, as updated by the Florida Building Commission on July 1, 2005, and as amended by the Commission on ~~December 11, 2005, December 8, 2006, May 21, 2007, and June 9, 2009~~, incorporated herein by reference is hereby adopted as the building code for the State of Florida ~~until February 28, 2009~~.

~~(2) Effective March 1, 2009, the Florida Building Code, 2007 edition, as updated by the Florida Building Commission, and as approved by the Commission on August 21, 2007, and amended by the Commission on December 10, 2008, and June 9, 2009, incorporated herein by reference is hereby adopted as the building code for the State of Florida.~~

~~(2)~~(3) No change.

Rulemaking Authority 553.73(1), (2), (6), (7) FS. Sections 21, 32, 33, 34, 36, 44, 46, 48, Chapter 2005-147, Laws of Florida, Section 1, Chapter 2006-65, Laws of Florida, Section 10, Chapter 2007-1, Laws of Florida. Law Implemented 553.72, 553.73(2), (3), (6), (7), (9) FS., Sections 21, 32, 33, 34, 36, 44, 46, 48, Chapter 2005-147, Laws of Florida, Section 1, Chapter 2006-65, Laws of Florida, Section 10, Chapter 2007-1, Laws of Florida. History—New 7-18-90, Amended 3-30-93, 10-17-93, 8-28-95, 9-24-96, 12-26-96, 4-27-97, 10-5-97, 10-14-97, 9-7-00, 11-28-00, 2-7-01, 12-16-01, 6-30-03, 4-3-05, 12-11-05, 12-8-06, 5-21-07, 10-1-08, 2-17-09, 10-1-09, Formerly 9B-3.047, Amended.

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Florida Building Commission**

RULE NO.: 9N-4.002  
 RULE TITLE: Florida Accessibility Code for Building Construction  
 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. 28, July 15, 2011 issue of the Florida Administrative Weekly.

The Florida Building Commission voted to modify the reference document adopted by this rule based upon comments received at the rule adoption hearing as follows. Four proposed figures identified during the rule hearing were approved for addition to the code: Figures 502.2 and 502.3 that modify the parking space and access aisle drawings to reflect the requirements of Florida law; Figure 406.8 depicting the Federal requirement for detectable warnings on curb ramps subject to 49 CFR 37.21; and Figure 604.8.1.6 depicting the wheelchair accessible toilet compartment requirements as established by Florida law. The text of Sections 206.3, 406.8 and 810.5.3 was modified to indicate that the language added to the ADA Standards for Accessible Design by the Commission are required only for transportation facilities subject to the 49 CFR 37.21. Lastly, section 810.2.2 of the code was modified to eliminate the language of that section taken from 49 CFR 37 because it was redundant.

**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. This rule will not require legislative ratification. Based on the relationship of this rule with Federal law and state statutory implementation thereof its net impact is to provide the regulated interests with some protection in litigation and the reference document is ultimately an element of the Florida Building Code which has been provided with an exemption from the requirement for ratification

THE FULL TEXT OF THE PROPOSED RULE IS:

This rule will have a delayed effective date of March 15, 2012

9N-4.002 Florida Accessibility Code for Building Construction.

(1) The 2012 Florida Accessibility Code for Building Construction (the Code), as approved by the Florida Building Commission on August 9, 2011, is adopted by reference. Copies of the Code are available on the internet at www.floridabuilding.org or by writing to the Codes and Standards Section, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

Rulemaking Authority 553.503 FS. Law Implemented 553.503 FS. History—New 9-14-97, Amended 10-31-99, 1-20-02, 1-20-08, 5-14-08, Formerly 9B-7.0042, Amended.

**DEPARTMENT OF TRANSPORTATION**

RULE NO.: 14-43.001  
 RULE TITLE: Regulation of Overhanging Encroachments  
 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. 25, June 24, 2011 issue of the Florida Administrative Weekly.

In response to written comments, the spacing requirements in Rule 14-43.001, F.A.C., are being modified. The proposed rule will now allow for the placement of additional official markers. The language of the proposed rule is:

(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 on each side of the roadway and placed a minimum of 150 feet apart per city block.

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NOS.: 64B3-1.006  
 RULE TITLES: Notices, Current Address of Licensees  
 64B3-1.008 Board Meetings  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 52, December 30, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-2.002  
 RULE TITLE: Clinical Laboratory Personnel

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 52, December 30, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.:                   RULE TITLE:  
64B3-3.002                   Personnel of Clinical Laboratory  
  Personnel Training Programs

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 52, December 30, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.:                   RULE TITLE:  
64B3-4.001                   Trainee Registration

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 52, December 30, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NOS.:                 RULE TITLES:  
64B3-6.002                 Documentation for Licensure  
64B3-6.003                 Personnel Licensure – Temporary  
  Permit

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 52, December 30, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.:                   RULE TITLE:  
64B5-14.003                 Training, Education, Certification,  
  and Requirements for Issuance of  
  Permits

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 28, July 15, 2011 issue of the Florida Administrative Weekly.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated July 22, 2011. The correction is as follows:

STATEMENT OF ESTIMATED REGULATORY COSTS shall read as: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact

on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature. Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

NAME OF PERSON ORIGINATING PROPOSED RULE shall read as: Board of Dentistry.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.:                   RULE TITLE:  
64B5-14.008                 Requirements for General Anesthesia  
  or Deep Sedation

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 28, July 15, 2011 issue of the Florida Administrative Weekly.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated July 22, 2011. The correction is as follows:

STATEMENT OF ESTIMATED REGULATORY COSTS shall read as: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature. Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

NAME OF PERSON ORIGINATING PROPOSED RULE shall read as: Board of Dentistry.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.:                   RULE TITLE:  
64B5-14.009                 Conscious Sedation

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 28, July 15, 2011 issue of the Florida Administrative Weekly.



The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated July 22, 2011. The correction is as follows:

STATEMENT OF ESTIMATED REGULATORY COSTS shall read as: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

NAME OF PERSON ORIGINATING PROPOSED RULE shall read as: Board of Dentistry

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-14.010                      RULE TITLE: Pediatric Conscious Sedation

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 28, July 15, 2011 issue of the Florida Administrative Weekly.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated July 22, 2011. The correction is as follows:

STATEMENT OF ESTIMATED REGULATORY COSTS shall read as: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

NAME OF PERSON ORIGINATING PROPOSED RULE shall read as: Board of Dentistry

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy**

RULE NO.: 64B11-2.003                      RULE TITLE: Fees; Application  
**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 41, October 15, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy**

RULE NO.: 64B11-3.001                      RULE TITLE: Fees; Application  
**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 41, October 15, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-26.351                      RULE TITLE: Standards for Approval of Registered Pharmacy Technician Training Programs

**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. 37, September 17, 2010 issue of the Florida Administrative Weekly.

A previous Notice of Change published on October 29, 2010 in Vol 36, No 43 issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

64B16-26.351 Standards for Approval of Registered Pharmacy Technician Training Programs.

1. In subsection (1)(a) through (c), the date of December 1, 2010 will be changed to January 1, 2011.

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

(d) Pharmacy technician training programs provided by a branch of the federal armed services on or before January 1, 2011.

3. In subsection (1)(e), the date of December 1, 2010 shall be changed to January 1, 2011.

4. In subsection (2)(a), "Department of Education" shall be changed to "Commission for Independent Education" and the phrase "county, or" shall be deleted.

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

(b) Offer a course of study that includes classroom study and clinical instruction that includes the following:

6. (2)(b)2.b. shall now read as follows:

b. Florida State law,

- 7. (2)(b)2.c. shall now read as follows:
  - c. Florida State rules,
- 8. (2)(b)2.d. shall now read as follows:
  - d. Pharmacy technician Florida rules and law,
- 9. In subsection (2)(c), the effective date of the incorporated application shall be changed to December 2010.
- 10. (2)(d) shall now read as follows:
  - (d) Use materials and methods that demonstrate that:
- 11. (2)(d)1. through 3. shall remain as previously noticed in the 10/29/10 Notice of Change.
- 12. (2)(e) shall now read as follows:
  - (e) Demonstrate that the faculty is qualified to teach the subject-matter by complying with the following:
- 13. (2)(e)1. through 3. shall remain as previously noticed in the 10/29/10 Notice of Change.
- 14. In subsection (3), the effective date of the application shall be changed to December 2010.
- 15. (3)(a) shall now read as follows:
  - (a) Offer a course of study that includes classroom study and clinical instruction that includes the following:
- 16. (3)(a)2.b. shall now read as follows:
  - b. Florida State law,
- 17. (3)(a)2.c. shall now read as follows:
  - c. Florida State rules,
- 18. (3)(a)2.d. shall now read as follows:
  - d. Pharmacy technician Florida rules and law,
- 19. (3)(c) shall now read as follows:
  - (c) Demonstrate that the faculty is qualified to teach the subject matter by complying with the following:
- 20. (3)(d) shall now read as follows:
  - (d) Give participants an opportunity to evaluate learning experiences, instructional methods, facilities and resources used for the offering. To ensure participants will be given an opportunity to evaluate the program, the applicant must submit a sample evaluation to be reviewed by the Board.
- 21. (3)(e) shall now read as follows:
  - (e) Ensure that self-directed learning experiences, including but not limited to home study, computer programs, internet or web-based courses, evaluate participant knowledge at the completion of the learning experience. The evaluation must include a minimum of 100 questions. The participant must achieve a minimum score of 70% on the evaluation to receive the certificate of completion. The evaluation must be graded by the provider.
- 22. (3)(f) shall now read as follows:
  - (f) Designate a person to assume responsibility for registered pharmacy technician training program. If the contact person is not a licensed pharmacist or registered pharmacy technician, provision should be made for insuring licensed pharmacist or registered pharmacy technician input in overall program planning and evaluation.

- 23. (3)(g) shall now read as follows:
    - (g) Establish written policies and procedures for implementation of the registered pharmacy technician training program.
  - 24. (3)(f)2. shall be renumbered as (3)(h) and shall now read as follows:
    - (h) Maintain a system of record-keeping which provides for storage of program information.
  - 25. (3)(f)3. shall be renumbered as (3)(i) and shall now read as follows:
    - (i) Maintain program records for a period not less than three years during which time the records must be available for inspection by the board or department.
  - 26. (3)(f)4. shall be renumbered as (3)(j) and shall now read as follows:
    - (j) Furnish each participant with an authenticated individual Certificate of Completion.
  - 27. (3)(f)5. shall be deleted in its entirety.
- THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Fritz Hayes, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agents and Agency Services**

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

**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. 25, June 24, 2011 issue of the Florida Administrative Weekly.

To comply with the requirements of Chapter 2011-255, Laws of Florida, the Summary of Statement of Estimated Regulatory Costs is amended to read as follows: The Department has determined that the proposed rule 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. A SERC that has been prepared by the Department is summarized as follows: The proposed rule is not likely to; 1) directly or indirectly 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; 2) directly or indirectly have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or 3) directly or indirectly increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the

implementation of the rule. In addition, the proposed rule does not impose additional costs on any state or local government entity. Accordingly, the Department has determined that the proposed rule will not require legislative ratification.

When changed, subsections (3) through (6) shall read as follows:

69B-215.235 Use of Designations.

(1) through (2) No change.

(3) For purposes of this rule:

(a) A designation is any combination of words, any acronym standing for a combination of words or any job title 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) No change.

(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, which standards and procedures are continually utilized by the organization.

(5) The organization or entity conferring the designation must approve any 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) through (b) No change.

(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, and

(d) No change.

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

The remainder of the rule reads as previously published.

## Section IV Emergency Rules

### DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER11-46  
 RULE TITLE: Instant Game Number 1116,  
 WHAT'S YOUR NUMBER?

SUMMARY: This emergency rule describes Instant Game Number 1116, "WHAT'S YOUR NUMBER?" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER11-46 Instant Game Number 1116. WHAT'S YOUR NUMBER?.

(1) Name of Game. Instant Game Number 1116, "WHAT'S YOUR NUMBER?."

(2) Price. WHAT'S YOUR NUMBER? lottery tickets sell for \$1.00 per ticket.

(3) WHAT'S YOUR NUMBER? lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning WHAT'S YOUR NUMBER? lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

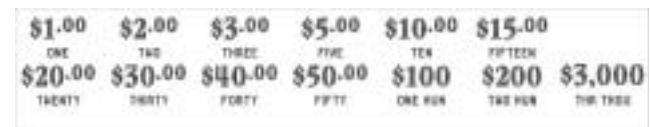
(4) The "YOUR NUMBER BOX" play symbols and play symbol captions are as follows:



(5) The grid play symbols and play symbol captions are as follows:



(6) The "PRIZE BOX" symbols and prize symbol captions are as follows:



(7) The legends are as follows:



(8) Determination of Prizewinners.

(a) A ticket having three of the play symbol and corresponding play symbol caption shown in the "YOUR NUMBER" play area in any one vertical, horizontal or diagonal row shall entitle the claimant to the prize shown in the "PRIZE BOX."

(b) The prizes are: \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$40.00, \$50.00, \$100, \$200, and \$3,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1116 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 64 POOLS OF 240,000 TICKETS PER POOL
\$1	\$1	10.71	1,433,600
\$2	\$2	15.00	1,024,000
\$3	\$3	37.50	409,600
\$5	\$5	150.00	102,400
\$10	\$10	150.00	102,400
\$15	\$15	300.00	51,200
\$20	\$20	300.00	51,200
\$30	\$30	1,200.00	12,800
\$40	\$40	4,000.00	3,840
\$50	\$50	4,000.00	3,840
\$100	\$100	4,800.00	3,200
\$200	\$200	24,000.00	640
\$3,000	\$3,000	120,000.00	128

(10) The estimated overall odds of winning some prize in Instant Game Number 1116 are 1 in 4.80. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1116, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for WHAT'S YOUR NUMBER? lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 9-2-11.

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

EFFECTIVE DATE: September 2, 2011

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER11-47  
 RULE TITLE: Instant Game Number 1117, LOT'S OF GREEN

SUMMARY: This emergency rule describes Instant Game Number 1117, "LOTS OF GREEN," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets

forth the specifics of the game; determination of prizewinners; estimated odds of winning; value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER11-47 Instant Game Number 1117, LOTS OF GREEN.

(1) Name of Game. Instant Game Number 1117, "LOTS OF GREEN."

(2) Price. LOTS OF GREEN lottery tickets sell for \$2.00 per ticket.

(3) LOTS OF GREEN lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning LOTS OF GREEN lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:



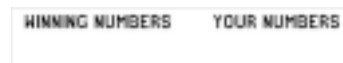
(5) The "WINNING NUMBERS" prize symbols and prize symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:




(6) The legends are as follows:



(7) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches either play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol.

A ticket having a “ ” symbol and corresponding caption in the “YOUR NUMBERS” play area shall entitle the claimant to all ten prizes shown.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$300, \$1,000, \$10,000 and \$30,000.

(8) The estimated odds of winning, value, and number of prizes in Instant Game Number 1117 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 60 POOLS OF 180,000 TICKETS PER POOL
\$2	\$2	10.00	1,080,000
\$1 x 4	\$4	50.00	216,000
(\$1 x 2) + \$2	\$4	50.00	216,000
\$2 x 2	\$4	50.00	216,000
\$4	\$4	50.00	216,000
\$1 x 5	\$5	375.00	28,800
(\$1 x 3) + \$2	\$5	375.00	28,800
(\$2 x 2) + \$1	\$5	375.00	28,800
\$1 + \$4	\$5	375.00	28,800
\$5	\$5	375.00	28,800
\$1 x 10	\$10	250.00	43,200
(MONEYBAG) \$2 + (\$4 x 2)	\$10	250.00	43,200
\$2 x 5	\$10	250.00	43,200
\$5 x 2	\$10	250.00	43,200
\$10	\$10	250.00	43,200
\$2 x 10	\$20	750.00	14,400
(MONEYBAG) \$2 + (\$4 x 2) + (\$5 x 2)	\$20	750.00	14,400
\$5 x 4	\$20	750.00	14,400
\$10 x 2	\$20	750.00	14,400
\$20	\$20	750.00	14,400
\$1 + (\$2 x 7) + (\$5 x 2)	\$25	1,200.00	9,000
(MONEYBAG) \$5 + (\$10 x 2)	\$25	1,200.00	9,000
(\$2 x 5) + (\$5 x 3)	\$25	1,200.00	9,000
\$5 x 5	\$25	1,200.00	9,000
\$25	\$25	1,200.00	9,000
(\$2 x 5) + (\$4 x 5)	\$30	1,500.00	7,200
(MONEYBAG) \$5 x 6	\$30	1,800.00	6,000
\$10 x 3	\$30	1,800.00	6,000
\$10 + \$20	\$30	1,800.00	6,000
\$30	\$30	1,800.00	6,000
\$5 x 10	\$50	6,000.00	1,800
(MONEYBAG) \$10 x 5	\$50	6,000.00	1,800
(\$5 x 2) + (\$10 x 2) + \$20	\$50	6,000.00	1,800
\$20 + \$30	\$50	6,000.00	1,800

\$50	\$50	6,000.00	1,800
\$10 x 10	\$100	3,600.00	3,000
(MONEYBAG) (\$5 x 6) + (\$10 x 2) + (\$25 x 2)	\$100	3,600.00	3,000
(MONEYBAG) (\$20 x 2) + (\$30 x 2)	\$100	3,600.00	3,000
\$25 x 4	\$100	4,500.00	2,400
\$100	\$100	4,500.00	2,400
\$30 x 10	\$300	30,000.00	360
(MONEYBAG) (\$10 x 5) + (\$25 x 2) + (\$50 x 2) + \$100	\$300	30,000.00	360
(MONEYBAG) (\$20 x 5) + (\$50 x 2) + \$100	\$300	30,000.00	360
\$100 x 3	\$300	30,000.00	360
\$300	\$300	30,000.00	360
\$100 x 10	\$1,000	180,000.00	60
(MONEYBAG) \$100 x 10	\$1,000	180,000.00	60
(\$50 x 4) + (\$100 x 5) + \$300	\$1,000	180,000.00	60
(MONEYBAG) \$100 + (\$300 x 3)	\$1,000	180,000.00	60
\$1,000	\$1,000	180,000.00	60
\$10,000	\$10,000	1,080,000.00	10
\$30,000	\$30,000	1,350,000.00	8

(9) The estimated overall odds of winning some prize in Instant Game Number 1117 are 1 in 4.36. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Instant Game Number 1117, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) Payment of prizes for LOTS OF GREEN lottery tickets shall be made in accordance with rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 9-2-11

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

EFFECTIVE DATE: September 2, 2011

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER11-48  
 RULE TITLE: Instant Game Number 1118, WHEEL OF FORTUNE®

SUMMARY: This emergency rule describes Instant Game Number 1118, "WHEEL OF FORTUNE®," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER11-48 Instant Game Number 1118, WHEEL OF FORTUNE®.

(1) Name of Game. Instant Game Number 1118, "WHEEL OF FORTUNE®."

(2) Price. WHEEL OF FORTUNE® lottery tickets sell for \$5.00 per ticket.

(3) WHEEL OF FORTUNE® lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning WHEEL OF FORTUNE® lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 TWENTYONE	22 TWENTYTWO	23 TWENTYTHREE	24 TWENTYFOUR	25 TWENTYFIVE	26 TWENTYSIX	27 TWENTYSEVEN	28 TWENTYEIGHT	29 TWENTYNINE	30 THIRTY

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 TWENTYONE	22 TWENTYTWO	23 TWENTYTHREE	24 TWENTYFOUR	25 TWENTYFIVE	26 TWENTYSIX	27 TWENTYSEVEN	28 TWENTYEIGHT	29 TWENTYNINE	30 THIRTY

(6) The prize symbols and prize symbol captions are as follows:

\$2.00 TWO	\$5.00 FIVE	\$10.00 TEN	\$15.00 FIFTEEN	\$100 ONE HUNDRED
\$20.00 TWENTY	\$25.00 TWENTYFIVE	\$30.00 THIRTY	\$50.00 FIFTY	\$250,000 ONE HUNDRED TWENTYFIVE THOUSAND
\$150 ONE HUNDRENTYFIVE	\$500 FIVE HUNDRED	\$1,000 ONE THOUSAND	\$5,000 FIVE THOUSAND	\$250,000 ONE HUNDRED TWENTYFIVE THOUSAND

(7) The legends are as follows:

WINNING NUMBERS	YOUR NUMBERS
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(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a "WHEEL" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to all twelve prizes shown.

(b) The prizes are: \$2.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$150, \$500, \$1,000, \$5,000, and \$250,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1118 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 60 POOLS OF 120,000 TICKETS PER POOL
\$5	\$5	10.00	720,000
\$5 x 2	\$10	20.00	360,000
\$10	\$10	20.00	360,000
(\$2 x 5) + \$5	\$15	300.00	24,000
\$5 x 3	\$15	150.00	48,000
\$5 + \$10	\$15	300.00	24,000
\$15	\$15	300.00	24,000
\$2 x 10	\$20	300.00	24,000
\$5 x 4	\$20	300.00	24,000
(\$5 x 2) + \$10	\$20	300.00	24,000
\$10 x 2	\$20	300.00	24,000
\$20	\$20	300.00	24,000
(\$2 x 5) + (\$5 x 3)	\$25	1,200.00	6,000
\$5 x 5	\$25	1,200.00	6,000
(\$5 x 3) + \$10	\$25	1,200.00	6,000
\$5 + (\$10 x 2)	\$25	1,200.00	6,000
\$25	\$25	1,200.00	6,000
(\$2 x 10) + (\$5 x 2)	\$30	2,400.00	3,000
(WHEEL)			
\$5 x 6	\$30	2,400.00	3,000
\$10 x 3	\$30	2,400.00	3,000
\$15 x 2	\$30	2,400.00	3,000
\$30	\$30	2,400.00	3,000
(\$2 x 10) + (\$15 x 2)	\$50	1,200.00	6,000
(WHEEL)			
\$5 x 10	\$50	1,200.00	6,000
\$10 x 5	\$50	1,200.00	6,000
\$25 x 2	\$50	1,200.00	6,000
\$50	\$50	1,200.00	6,000
(\$5 x 10) + (\$25 x 2)	\$100	1,714.29	4,200
(WHEEL)			
\$10 x 10	\$100	1,714.29	4,200
\$25 x 4	\$100	1,714.29	4,200



(\$10 x 4) + (\$30 x 2)	\$100	1,714.29	4,200
\$50 x 2	\$100	1,714.29	4,200
\$100	\$100	1,714.29	4,200
(\$10 x 10) + (\$25 x 2) (WHEEL)	\$150	12,000.00	600
\$15 x 10	\$150	12,000.00	600
\$30 x 5	\$150	12,000.00	600
\$50 + \$100	\$150	12,000.00	600
\$150	\$150	12,000.00	600
(\$25 x 8) + (\$50 x 2) + (\$100 x 2)	\$500	20,000.00	360
(WHEEL)			
(\$50 x 6) + (\$100 x 2)	\$500	20,000.00	360
\$100 x 5	\$500	20,000.00	360
(\$100 x 2) + (\$150 x 2)	\$500	20,000.00	360
\$500	\$500	20,000.00	360
(\$50 x 6) + (\$100 x 4) + (\$150 x 2)	\$1,000	60,000.00	120
(WHEEL)			
\$50 + (\$100 x 5) + (\$150 x 3)	\$1,000	60,000.00	120
\$100 + (\$150 x 6)	\$1,000	60,000.00	120
\$500 x 2	\$1,000	60,000.00	120
\$1,000	\$1,000	60,000.00	120
\$500 x 10	\$5,000	120,000.00	60
\$5,000	\$5,000	120,000.00	60
\$250,000	\$250,000	1,200,000.00	6

(10) The estimated overall odds of winning some prize in Instant Game Number 1118 are 1 in 4.03. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1118, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for WHEEL OF FORTUNE® lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 9-2-11.

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

EFFECTIVE DATE: September 2, 2011

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER11-49  
 RULE TITLE: WHEEL OF FORTUNE® Second Chance Promotion

SUMMARY: The Department of the Lottery will conduct a WHEEL OF FORTUNE® Second Chance Promotion from September 6, 2011, through August 14, 2012, in which special prizes will be awarded.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32301

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER11-49 WHEEL OF FORTUNE® Second Chance Promotion.

(1) Beginning September 6, 2011, and continuing through August 14, 2012, the Florida Lottery (or "Lottery") will conduct the WHEEL OF FORTUNE® Second Chance Promotion in which players can enter their non-winning WHEEL OF FORTUNE® Florida Lottery Scratch-Off tickets on the Florida Lottery website for a chance to win one (1) of eight (8) trips to Hollywood, California, and a chance to play a lottery players-only, non-broadcast game of WHEEL OF FORTUNE® and win up to one million dollars (\$1,000,000).

(2) To enter a non-winning WHEEL OF FORTUNE® Scratch-Off ticket in one of the Hollywood Trip Grand Prize Second Chance Drawings ("Hollywood Trip Drawings") further described in paragraph (4)(a) below, players must enter on the Florida Lottery's website at www.flalottery.com. On the home page of the Lottery's website, players can click on the WHEEL OF FORTUNE®-banner(s) and follow the directions. Players will be prompted to log in or register. The 24-digit ticket serial number (4-digit game number and 20-digit ticket number) is located at the bottom on the front of a WHEEL OF FORTUNE®-Scratch-Off ticket under the latex covering. Players are to Scratch off the latex covering to reveal the number and enter the 20-digit ticket number in the designated ticket entry area on the website. At the time of entering a non-winning WHEEL OF FORTUNE®-ticket, players will be provided an option to play the WHEEL OF FORTUNE® interactive game on the website, where the number of entries and the Wheel Gold Award assigned to the ticket will be revealed. If players choose not to play the game or if they experience technical problems while playing the game, the entries that would have been revealed in the course of playing the game will be credited to their entry account for that draw period. Each non-winning WHEEL OF FORTUNE® Scratch-Off ticket is randomly assigned a predetermined number of entries from 1 to 5, and a predetermined Wheel

Gold Award from 25 to 500 that can be used on the Game Show Network's Facebook page to play the WHEEL OF FORTUNE® Facebook game.

(3) Players may enter as many times as they wish during the contest period; however, each valid ticket number may only be used one (1) time, for one (1) opportunity to receive entries in one (1) Hollywood Trip Drawing. All entries received from September 6, 2011, through 11:59:59 PM (ET) on August 14, 2012, excluding entries selected as winners in the Hollywood Trip Drawings, will also be included in the Preliminary Multi-State Second Chance One Million Dollar Bonus Drawing ("Preliminary Drawing") on August 16, 2012. Non-winning WHEEL OF FORTUNE® Scratch-Off tickets entered from January 11, 2012, through August 14, 2012, will be eligible only for entry in the Preliminary Drawing. Tickets should not be mailed to the Lottery unless players are contacted by the Florida Lottery and requested to do so. Non-winning tickets received in the mail by the Florida Lottery will not be entered in the drawing and will not be returned. The odds of winning are dependent upon the number of entries received. Winning WHEEL OF FORTUNE® tickets cannot be used for entry in the promotion.

(4) Drawings.

(a) Hollywood Trip Drawings. Four (4) Hollywood Trip Drawings will be held during the period of October 5, 2011, through January 11, 2012, from entries received by midnight the night before each drawing. The drawing dates are:

<u>Drawing</u>	<u>Drawing Date</u>	<u>From Entries Received</u>
1	Wednesday, October 5, 2011	September 6, 2011 – October 4, 2011
2	Wednesday, November 2, 2011	October 5, 2011 – November 1, 2011
3	Wednesday, November 30, 2011	November 2, 2011 – November 29, 2011
4	Wednesday, January 11, 2012	November 30, 2011 – January 10, 2012

1. In each of the four (4) Hollywood Trip Drawings, two (2) Grand Prize winners will each win a trip to Hollywood, California, and fifteen (15) Second Prize winners will each win a Nintendo Wii™ video game system with a WHEEL OF FORTUNE® video game. A total of eight (8) Grand Prizes and sixty (60) Second Prizes will be awarded in the Hollywood Trip Drawings.

2. The first two (2) valid entries drawn will each win a Grand Prize and the third through seventeenth valid entries drawn will win a Second Prize. The third through seventeenth valid entries will be used in the order in which they were drawn to select an alternate Grand Prize winner in the event the Grand Prize cannot be awarded. The Florida Lottery will attempt to notify each winner by telephone, U.S. mail or email using the contact information provided in the winner's registration data no later than one (1) week after the winners are drawn. If the Florida Lottery is unable to contact a Grand Prize winner

within three (3) weeks of the date of the drawing, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner. If the Florida Lottery is unable to contact the alternate winner within three (3) weeks, the alternate winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to a second alternate winner. This process will continue until an alternate is contacted and the prize is claimed in accordance with subparagraph (4)(a)3. below, or the Florida Lottery has exhausted the list of available alternates, provided that, to meet the schedule for the Hollywood Trip, which is anticipated to take place on or about April 17, 2012, the last date upon which the Lottery will attempt to contact an alternate winner will be March 1, 2012. If the Lottery is unable to contact an alternate by that date, the Grand Prize will not be awarded. An alternate winner who has not claimed the Second Prize at the time of notification will be awarded only the Grand Prize. An alternate winner who has claimed the Second Prize at the time of notification may retain the Second Prize. If the Florida Lottery is unable to contact a Second Prize winner within three (3) weeks of the date of the drawing, the winner will forfeit his or her right to claim the prize and the Second Prize will not be awarded.

3. All entries in the Hollywood Trip Drawings are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met. To claim a prize in a Hollywood Trip Drawing, the player must submit to the Florida Lottery the original valid non-winning WHEEL OF FORTUNE® ticket bearing the entry number selected in the drawing. Without such ticket, the player will forfeit his or her right to claim a prize. Winners must submit the valid entry ticket along with a completed Winner Claim Form DOL 173-2, revised 02/11 or Spanish Winner Claim Form DOL 173-2S, revised 02/11, appropriate identification and a notarized Florida Lottery Release and Authorization Form DOL-474, revised 10/08 or Spanish Florida Lottery Release and Authorization Form DOL-474S, effective 09/11, within seven (7) days of notification by the Florida Lottery that they are a winner. If a winner does not return the required forms within seven (7) days of notification, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner as described above. Forms DOL-173-2, 173-2S, DOL-474, and DOL-474S are hereby incorporated by reference and may be obtained at any Lottery office, from the Florida Lottery's website at [www.flalottery.com](http://www.flalottery.com), or by writing to: Florida Lottery, Office of Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016.

4. Upon the Florida Lottery's receipt of a winner's required documentation, the Lottery will notify the primary fulfillment company, Scientific Games International, Inc. ("SGI") of the name of the winner. SGI will ship the Wii™ and WHEEL OF FORTUNE® video game package prizes to



Second Prize winners within approximately fifteen (15) business days after notification from the Florida Lottery. The estimated retail value of the Second Prize is two hundred fifty dollars (\$250). The fulfillment company will contact the Grand Prize winners within approximately ten (10) days to make arrangements for the Hollywood Grand Prize trip.

5. The prizewinners in each Hollywood Trip Drawing will be posted on [www.flalottery.com](http://www.flalottery.com), on the day of the draw.

(b) Multi-State Second Chance One-Million Dollar Bonus Drawing. One (1) Preliminary Multi-State Second Chance One-Million Dollar Bonus Drawing (“Preliminary Drawing”) will be held on August 16th, 2012, from entries received between September 6, 2011, and 11:59:59 PM (ET) on August 14, 2012, and not selected for a Hollywood Trip in a Hollywood Trip Drawing. Eight (8) entries will be randomly selected to be included in the Multi-State Second Chance One-Million Dollar Bonus Drawing (“Multi-State Bonus Drawing”) for a chance to win a cash prize of up to one million dollars (\$1,000,000). The Multi-State Bonus Drawing will include eligible entries from all participating lotteries, including the eight (8) Florida Lottery entries selected in the Preliminary Drawing, and will be held on or about September 17, 2012. Lottery players will not be present for the Multi-State Bonus Drawing event. In the Multi-State Bonus Drawing, one (1) entry will be selected to win a prize of up to one million dollars (\$1,000,000) with a minimum prize amount of fifty thousand dollars (\$50,000). Four (4) additional entries will be selected as alternates. The lottery from which the Million Dollar Bonus entry originated will make all reasonable efforts to contact the winner within five (5) business days following the date of the drawing. If personal contact is not made within five (5) business days following the date of the drawing, reasonable efforts will be made to contact the first alternate. If the winner or an alternate is from Florida, the Florida Lottery will attempt to notify the winner or alternate by telephone, U.S. mail or email using the contact information provided in the winner’s registration data within five (5) business days following the date of the drawing. If personal contact is not made within five (5) business days following the date of the drawing, the winner or alternate will forfeit his or her right to claim the prize and the prize will be awarded to an alternate winner. This process will continue until an alternate winner is contacted.

(5) Hollywood Trip Grand Prize. Each Hollywood Trip Grand Prize winner (“Grand Prize winner”) will win a five-day, four-night trip for the Grand Prize winner and up to three (3) guests to Los Angeles, California. Each prize includes:

1. Roundtrip coach airfare for up to four (4) people from any U.S. airport to Los Angeles, California (inclusive of all associated airfare fees, taxes and surcharges);

2. All ground transfers between the airport and the hotel, studio, various Hollywood and/or Los Angeles area attractions and Scientific Games International, Inc. (“SGI”) hosted events;

3. Accommodations of up to two (2) deluxe hotel room(s) for four (4) nights (double occupancy, room and room tax only); and

4. Four thousand one hundred twenty-five dollars (\$4,125) in cash, less tax withholding on the value of the Hollywood trip.

(6) Grand Prize winners and their guest(s) will be provided a welcome reception the evening of their arrival to Hollywood and a grand finale party on their last evening in Hollywood.

(7) Pre-Production Day. The Hollywood Trip Grand Prize includes a pre-production day on the WHEEL OF FORTUNE® stage at Sony Pictures Studios to be attended by Grand Prize winners and guests. The pre-production day will provide the opportunity for all Grand Prize winners to spin the WHEEL OF FORTUNE® wheel one (1) time (“Wheel Spin”) for a chance to win a cash prize ranging from three-hundred dollars (\$300) to ten-thousand dollars (\$10,000). During the pre-production day, Grand Prize winners will also participate in the selection process to determine which Grand Prize winners will play in the ten (10) non-broadcast experiential WHEEL OF FORTUNE® games (each an “Experience Game”) to take place on the production days that follow. Grand Prize winners from all participating state lotteries will be divided into ten (10) groups (each a “Show Group”). Three (3) Grand Prize winners from each Show Group (the “Grand Prize Winner Contestants”) will be randomly selected to play in the Experience Games. A total of thirty (30) Grand Prize Winner Contestants shall be selected to play the ten (10) Experience Games, and each Experience Game shall be collectively played by three (3) Grand Prize Winner Contestants.

(8) Experience Game Production Days. The Hollywood Trip Grand Prize includes one (1) Experience Game ticket to WHEEL OF FORTUNE® for the Grand Prize winner and each of the Grand Prize winner’s guest(s). Grand Prize winners’ guests may sit with Grand Prize winners in the audience but will not be eligible to be contestants on the Experience Game. Grand Prize Winner Contestants will attend training to review the rules of the Experience Game and learn how to play WHEEL OF FORTUNE®. Grand Prize Winner Contestants shall play a non-broadcast Experience Game on the WHEEL OF FORTUNE® stage with Pat Sajak and Vanna White, and have the opportunity to win cash and vehicle prizes; and, as part of a bonus round, may have a chance to win up to one-million dollars (\$1,000,000) if the million dollar prize is qualified during regular game play to be added to the bonus round.

(9) Million Dollar Bonus Wheel Spin-Off. Following the completion of the Experience Games, a special one-million dollar (\$1,000,000) bonus spin-off event (the “Million Dollar Bonus Wheel Spin-Off”) will occur. A random drawing will be

conducted among all Grand Prize winners from each Show Group to select one (1) Grand Prize winner from each Show Group to become a contestant ("Spin-Off Contestant") in the Million Dollar Bonus Wheel Spin-Off. Each Spin-Off Contestant selected from the Experience Games will spin the WHEEL OF FORTUNE® Bonus Wheel ("Bonus Wheel") in Round One for a chance to advance to Round Two. If the Spin-Off Contestant advances to Round Two, the Spin-Off Contestant will spin the Bonus Wheel for a chance to win up to one-million dollars (\$1,000,000). Spin-Off Contestants are guaranteed to win a minimum prize amount of five-thousand dollars (\$5,000).

(10) The Grand Prize Trip does not include: mileage, insurance, gratuities, meals, parking fees, baggage fees, alcoholic beverages (other than those served without charge at any reception and/or party), any items not expressly specified and personal expenses such as telephone calls, valet service, laundry, incidentals and the like, as well as revision or cancellation fees which may be charged by the hotel or other suppliers;

(11) The Grand Prize Trip is not transferable or assignable without the express written consent of the Lottery. If the Prizewinner advises the Lottery in advance that he or she is unable to take the Grand Prize Trip, the Grand Prize winner will receive the cash portion of the Grand Prize and may designate a proxy to use the travel portion of the Grand Prize in his or her stead and participate in the Experience Game; in such event, the Grand Prize winner shall receive any prize won by the proxy and the Grand Prize Trip and all prizes won by the proxy in the Experience Game will be taxable to the Grand Prize winner.

(12) If a Grand Prize winner is traveling via air and fails to appear at the designated time and place of departure, the airfare portion of the prize shall be forfeited and the Grand Prize winner shall be responsible for making alternative arrangements to travel to Los Angeles at his or her own expense;

(13) Unless prior alternative arrangements have been made, if a Grand Prize winner fails to check in to the hotel when he or she arrives in Los Angeles, the hotel portion of the prize shall be forfeited.

(14) If a Grand Prize winner fails to arrive at the studio for his or her scheduled participation in the non-broadcast Experience Game, the Grand Prize winner forfeits the right to personally participate in an Experience Game; however, a proxy shall play in the Grand Prize winner's place and all prizes won by the proxy shall be awarded and taxable to the Grand Prize winner.

(15) In the event that a Grand Prize winner is unable to attend the trip due to unforeseen circumstances, and there is insufficient time to designate a person to take the trip in his or her stead as described in subsection (12) above, the balance of the trip prize shall be forfeited; however, the Lottery or SGI

will appoint a proxy to play the Experience Game for the Grand Prize winner. The Grand Prize winner shall receive and be taxable on any prizes won by the proxy.

(16) The Grand Prize winner must be 18 years of age or older to play the WHEEL OF FORTUNE® Experience Game.

(17) The minimum age requirement for any audience member at WHEEL OF FORTUNE® is eight (8) years;

(18) The Grand Prize winner is solely responsible for the actions of the guest(s) who accompanies the Prizewinner to the event. If a Grand Prize winner's guest is a minor, the Grand Prize winner must either be the parent or legal guardian of such guest, or must present a notarized, written consent from the minor's parent or legal guardian for the minor guest to accompany the Grand Prize winner on the Grand Prize Trip.

(19) The Grand Prize winners, designee(s), or guest(s) must have a valid credit card or shall be required to post cash deposit for incidentals to check in to the hotel.

(20) Taxes.

(a) The Lottery shall withhold from the four-thousand, one-hundred, twenty-five dollars (\$4,125) cash portion of the Hollywood Trip Grand Prize federal income tax withholding on the total retail value of the Hollywood Trip Grand Prize. The total retail value of each Hollywood Trip Grand Prize is twelve-thousand, five-hundred dollars (\$12,500).

(b) Federal income taxes are required to be withheld from a prize awarded to a nonresident alien claimant at the rate of thirty percent (30%) pursuant to applicable provisions of the Internal Revenue Code. Because there is no cash awarded in connection with the Second Prizes in the Hollywood Trip Drawings from which to withhold taxes, a nonresident alien claimant who is selected as a winner of a Second Prize will be required to pay the withholding tax or forfeit the prize. The reporting and subsequent payment of any additional federal, state and/or local taxes shall be the responsibility of the nonresident alien winner.

(c) SGI shall pay prizewinners the Pre-Production Day prizes, the Million Dollar Bonus Wheel Spin-Off prizes, and the prize awarded in the Million Dollar Bonus Drawing. SGI shall withhold federal and any applicable state withholding tax payments on behalf of each prizewinner and mail a check and IRS Form W-2G to the prizewinner within ten (10) business days.

(d) PCI, the prize fulfillment company for Sony Pictures Consumer Products, as agent for Califon Productions, Inc., shall pay all cash prizes won by Prizewinner Contestants on the Experience Game shows. PCI shall withhold federal and California withholding tax payments and provide each winner the appropriate IRS tax Form.

(e) Prizewinner Contestants may opt to take the cash equivalent of any vehicle prizes won during the Experience Game. In such case, PCI shall withhold federal and California withholding tax payments on behalf of each Prizewinner Contestant that selects the cash option. If a Prizewinner

Contestant waives the cash option. PCI shall fulfill the vehicle prize and provide each winner the appropriate IRS tax Form. The Prizewinner Contestant shall be responsible for the payment of any applicable taxes on the value of the vehicle.

(f) Except as specifically mentioned herein, payment of all federal, state and/or local taxes or other fees on the prizes won in conjunction with a winner's participation in the WHEEL OF FORTUNE® Second Chance Promotion will be the responsibility of the winner.

(21) The Florida Lottery, SGI, PCI and their respective parent companies, affiliates, subsidiaries, directors, officers, agents and employees assume no liability or responsibility for damages, losses, or injury resulting from this promotion or the acceptance or use of a prize and provide no warranty for any prizes won on WHEEL OF FORTUNE® Experience Game. Any warranties and guarantees are those of the manufacturer only.

(22) All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met.

(23) No cash option is available in lieu of WHEEL OF FORTUNE® Second Chance Promotion non-cash prizes awarded by the Florida Lottery. No substitutes for prizes are available, except by the Florida Lottery, which reserves the right, in its sole discretion, to substitute different prizes of comparable value should the Grand Prize or Second Prize become unavailable.

(24) If the winner of a Hollywood Trip Grand Prize is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be collected in accordance with section 24.115, Florida Statutes. If the debt is an amount less than the cash portion of the prize, the non-cash portion of the prize and the cash portion of the prize less withholding taxes and the amount owed, shall be awarded. If the winner is identified as owing such a debt in an amount greater than the cash portion of the prize, the winner's entire cash portion of the prize will be applied toward the outstanding debt as provided in Section 24.115, Florida Statutes, and the winner will receive the remaining non-cash portion of the prize, if any.

(25) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder.

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

(27) By entering the WHEEL OF FORTUNE®-Second Chance Promotion, a player gives his or her permission for the Florida Lottery to provide the player's address and telephone number to SGI and PCI for prize fulfillment purposes.

(28) By entering the WHEEL OF FORTUNE®-Second Chance Promotion, a player gives his or her permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(29) WHEEL OF FORTUNE®-Hollywood Trip Grand Prize Second Chance Drawings shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm. The results of each drawing will be available after the drawing on the Florida Lottery's website at flalottery.com.

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

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History-New 9-2-11.

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

EFFECTIVE DATE: September 2, 2011

#### **DEPARTMENT OF THE LOTTERY**

RULE NO.:	RULE TITLE:
53ER11-50	Instant Game Number 1110, GOLD RUSH TRIPLER

SUMMARY: This emergency rule describes Instant Game Number 1119, "GOLD RUSH TRIPLER," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER11-50 Instant Game Number 1119, GOLD RUSH TRIPLER.

(1) Name of Game. Instant Game Number 1119, "GOLD RUSH TRIPLER."

(2) Price. GOLD RUSH TRIPLER lottery tickets sell for \$20.00 per ticket.

(3) GOLD RUSH TRIPLER lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the

latex area on the ticket. To be a valid winning GOLD RUSH TRIPLER lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 TWENTYONE	22 TWENTYTWO	23 TWENTYTHREE	24 TWENTYFOUR	25 TWENTYFIVE	26 TWENTYSIX	27 TWENTYSEVEN	28 TWENTYEIGHT	29 TWENTYNINE	30 THIRTY
31 THIRTYONE	32 THIRTYTWO	33 THIRTYTHREE	34 THIRTYFOUR	35 THIRTYFIVE	36 THIRTYSIX	37 THIRTYSEVEN	38 THIRTYEIGHT	39 THIRTYNINE	 TRIPLE

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 TWENTYONE	22 TWENTYTWO	23 TWENTYTHREE	24 TWENTYFOUR	25 TWENTYFIVE	26 TWENTYSIX	27 TWENTYSEVEN	28 TWENTYEIGHT	29 TWENTYNINE	30 THIRTY
31 THIRTYONE	32 THIRTYTWO	33 THIRTYTHREE	34 THIRTYFOUR	35 THIRTYFIVE	36 THIRTYSIX	37 THIRTYSEVEN	38 THIRTYEIGHT	39 THIRTYNINE	

(6) The prize symbols and prize symbol captions are as follows:


\$5.00 FIVE	\$10.00 TEN	\$20.00 TWENTY	\$30.00 THIRTY	\$40.00 FORTY	\$50.00 FIFTY
\$100 ONE HUN	\$500 FIVE HUN	\$1,000 ONE THOU	\$10,000 TEN THOU	\$500,000 FIVE HUN THOU	\$3,000,000 THREE MIL/THOU


(7) The legends are as follows:

WINNING NUMBERS      YOUR NUMBERS


(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a  symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to triple the prize shown for that symbol. A ticket having a

 symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$500.

(b) The prizes are: \$5.00, \$10.00, \$20.00, \$30.00, \$40.00,

\$50.00, \$100, \$500, \$1,000, \$10,000, \$500,000 and ~~\$3,000,000~~  ~~\$3,000,000~~.

(9) \$3,000,000 Prize Payment Options.

(a) A winner of a \$3,000,000 prize may choose one of two payment options for receiving his or her prize. Payment options are "Cash Option" or "Annual Payment." At the time

the \$3,000,000 prize is claimed, the terminal will produce a player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. If a winner does not choose the Cash Option within such time, the Annual Payment option will be applied. Once the winner files a claim and exercises the winner's chosen option, the election of that option shall be final.

(b) Cash Option prizes will be paid in one (1) lump sum cash payment of \$1,950,000, less applicable federal withholding taxes.

(c) Annual Payment prizes will be paid in twenty (20) equal annual installments of \$150,000, less applicable federal withholding taxes.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 1119 are as follows:

GAME PLAY	VALUE	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 126 POOLS OF 120,000 TICKETS PER POOL
\$5 + \$5 (COINS)	\$20	15.00	1,008,000
\$10 x 2	\$20	15.00	1,008,000
\$20	\$20	30.00	504,000
\$5 (COINS) + \$5 (COINS)	\$30	75.00	201,600
\$5 x 6	\$30	75.00	201,600
(\$5 x 2) + (\$10 x 2)	\$30	75.00	201,600
\$10 (COINS)	\$30	75.00	201,600
\$30	\$30	75.00	201,600
\$10 x 4	\$40	150.00	100,800
\$10 + \$10 (COINS)	\$40	150.00	100,800
(\$5 x 2) + \$10 (COINS)	\$40	150.00	100,800
(\$10 x 2) + \$20	\$40	150.00	100,800
\$40	\$40	150.00	100,800
\$10 x 5	\$50	150.00	100,800
\$10 (COINS) + \$20	\$50	150.00	100,800
(\$10 x 2) + \$10 (COINS)	\$50	150.00	100,800
\$10 + \$40	\$50	150.00	100,800
\$50	\$50	150.00	100,800
\$10 x 10	\$100	200.00	75,600
\$20 x 5	\$100	200.00	75,600
(\$10 x 4) + \$20 (COINS)	\$100	150.00	100,800
\$20 (COINS) + \$40	\$100	150.00	100,800
\$50 x 2	\$100	200.00	75,600
\$100	\$100	200.00	75,600
(\$20 x 10) + \$100 (COINS)	\$500	1,200.00	12,600

(\$20 x 6) + (\$40 x 2) + \$100 (COINS)	\$500	1,200.00	12,600
\$50 x 10	\$500	2,000.00	7,560
\$100 x 5	\$500	2,400.00	6,300
\$50 + \$50 (COINS) + \$100 (COINS)	\$500	1,200.00	12,600
\$500 (GOLD NUGGET)	\$500	600.00	25,200
\$50 x 20	\$1,000	30,000.00	504
(\$40 x 10) + (\$100 x 6)	\$1,000	30,000.00	504
\$100 x 10	\$1,000	30,000.00	504
(\$50 x 4) + \$100 (COINS) + \$500 (GOLD NUGGET)	\$1,000	30,000.00	504
(\$40 x 10) + (\$50 x 2) + \$500 (GOLD NUGGET)	\$1,000	30,000.00	504
\$1,000	\$1,000	30,000.00	504
\$1,000 x 10	\$10,000	120,000.00	126
\$10,000	\$10,000	120,000.00	126
\$500,000	\$500,000	1,512,000.00	10
\$3,000,000			
(\$150K/yr/20yrs)	Top Prize	3,780,000.00	4

(11) The estimated overall odds of winning some prize in Instant Game Number 1119 are 1 in 2.95. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 1119, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for GOLD RUSH TRIPLER lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS, Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 9-2-11.

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

EFFECTIVE DATE: September 2, 2011

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

### DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN that on August 30, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.002(4), F.A.C., from Diego Abel Colon-Batiz. Subsection 11B-27.002(4), F.A.C., requires recruits to complete basic recruit training, pass the SOCE, and gain employment within four years of beginning basic recruit training. The petition states that the Petitioner began basic on April 2, 2007, and paid his own way through basic by working full time. Petitioner further states that he was injured while completing basic and that prevented him from graduating until August 13, 2008. Petitioner states that he will suffer a substantial hardship if he is not permitted an extra six months to find employment because he will have to retake basic recruit training and retake the SOCE. The Petitioner requests an extra six months to find employment.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

NOTICE IS HEREBY GIVEN that on September 1, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Milton Police Department on behalf of 27 officers for the 2006-2008 (7/1/06-6/30/08) and 2008-2010 (7/1/2008-6/30/10) mandatory firearms requalification reporting cycles. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and instructed by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the officers did successfully complete the course of fire, however, the instructor utilized by the Petitioner during the 2006-2008 and 2008-2010 reporting cycles was not CJSTC-certified. The instructor had completed CJSTC Firearms Instructor Course and both he and the agency believed that was the only thing that he needed to do to be a Commission-Certified Firearms Instructor. Petitioner states that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructor was not a CJSTC-certified firearms instructor during the 2006-2008 (7/1/06-6/30/08) and 2008-2010 (7/1/08 - 6/30/10) reporting cycles.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

NOTICE IS HEREBY GIVEN that on August 31, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Oviedo Police Department on behalf of Officer William Barrett. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule. The petition supports the requested waiver by stating that the officer did successfully complete the course of fire, however, the instructor conducting the course of fire was not a CJSTC certified firearms instructor during the 2008 reporting cycle. Petitioner states that Officer Barrett will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that Officer Barrett did successfully complete the requirement simply because his instructor was not a CJSTC certified firearms instructor for the requalification shoot during the 2008 reporting cycle.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

#### **WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN that on September 2, 2011, the South Florida Water Management District, received a petition for Variance (Application 110902-1) from Okeechobee Utility Authority (OUA), 100 S.W. 5th Avenue, Okeechobee, FL 34974. The OUA is the public supplier of potable water to Okeechobee County. The petition seeks relief from Section 3.2.1(G)(4) of the Basis of Review for Water Use Permit Applications Within the South Florida Water Management District – March 18, 2010, which is incorporated by reference in Rule 40E-2.091, F.A.C., pertaining to restricted allocation areas, specifically incompatible use type.

A copy of the petition may be obtained by contacting: The Regulation Division, during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays at 3301 Gun Club Road, West Palm Beach, FL 33406, by telephone: (561)682-6911, by e-mail: permits@sfwmd.gov or, by accessing the District's website ([www.sfwmd.gov](http://www.sfwmd.gov)) using the Application/Permit Search on the ePermitting page. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn.: District Clerk.

For additional information, contact: Tom Colios at (561)682-6944 or email: [tcolios@sfwmd.gov](mailto:tcolios@sfwmd.gov).

#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on September 2, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Vista Bay, filed August 2, 2011, and advertised in Vol. 37, No. 32, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 3.10.4(u) and 3.3.2 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, emergency stop switch and platform guards until August 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 2011-255).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on September 2, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Baptist Hospital, filed July 12, 2011, and advertised in Vol. 37, No. 29, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.2.2.4 and 2.2.2.5 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a sump pump in the hoistway because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-225).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on September 2, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from John R. Kelly Generating Station, filed June 15, 2011, and advertised in Vol. 37, No. 26, of the Florida

Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 3.11.1 and 2.3.1 ASME A17.3, 1996 edition and from Rule 111.5 and 101.1(a) ASME A17.1, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency, emergency signaling devices, access to pits, restricted door openings and fire resistive construction operations until December 31, 2011, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-206).

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 September 2, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Lions Gate, filed June 29, 2011, and advertised in Vol. 37, No. 29, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 2.7.4 and 3.4.5 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, restricted door openings and car lighting until December 1, 2011, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-219).

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 September 2, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Arlington Bldg., filed August 2, 2011, and advertised in Vol. 37, No. 32, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.3.2, 3.10.4(u) & (v), 2.7.3(a)(2) and 3.10.3 ASME A17.3, 1996 edition from Rule 8.6.1.6.3(a) ASME A17.1, 2007 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative

Code, that requires upgrading the elevators for platform guards, emergency stop switch, a stop switch in the pit, a means to prevent unlocking the hoistway door with common tools, top-of-car operating devices and an up-to-date wiring diagram until August 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 2011-254).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On September 2, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Venetian Bayview Condo Assoc., filed August 3, 2011, and advertised in Vol. 37, No. 33, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until December 1, 2011, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-259).

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 September 2, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Whitehall at Camino Real, filed August 3, 2011, and advertised in Vol. 37, No. 33, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.10.4(u) ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for emergency stop switch until August 15, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-258).

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 September 2, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Micro Matic USA, filed August 9, 2011, and advertised in Vol. 37, No. 33, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.2.2.5 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a sump pump in the hoistway because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-261).

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

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on September 2, 2011, the Department issued a Final Order that was in response to a Petition for Variance from Porta Bella Yacht & Tennis Club, filed April 21, 2011, and advertised in Vol. 37, No. 19 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3 and 2.7.4, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations and restricted door openings because the Petitioner has not met its burden as these features required under the new rules will not be installed within a reasonable time period and no means of meeting the intent of the code have been put forth (VW 2011-134).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

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The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on September 2, 2011, the Department issued a Final Order that was in response to a Petition for Variance from Ramada Plaza Hotel, filed March 16, 2011, and advertised in Vol. 37, No. 13 of the Florida Administrative Weekly. No comments were received in response to the

petition. The Final Order on the Petition for Variance denies the Petitioner a variance because the Petitioner has failed to meet its burden by not providing the Division with the specific rule adopted by paragraph 61C-5.001(1)(a), F.A.C., for which they are requesting the variance from (VW 2011-089).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

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NOTICE IS HEREBY GIVEN that on August 31, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Bellair Condo. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators 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 2011-292).

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 September 1, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Colony Hotel. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.10.4(e) & (u), 3.3.2, 2.7.4, 3.11.1 and 3.10.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a top of car stop switch, final terminal stopping devices, restricted door openings, platform guards, car-top operating device, keyed stop switch and emergency communication 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 2011-293).

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 September 2, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Inlet Harbor Club Condo. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 2.7.4, 3.10.4(t) and 3.3.2, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph



61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations, restricted door openings, in-car stop switch and platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-295).

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 September 6, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Westin Tampa Bay. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-300).

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 September 6, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for USF Interdisciplinary Science Teaching & Research Facility. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.20.4 and 2.24.2.1, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the use of a 9.5 mm steel rope and a metallic sheave 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 2011-301).

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 September 6, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Wyndham Grand Bonnet Creek Hotel. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.2.2.5, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph

61C-5.001(1)(a), Florida Administrative Code, that requires a sump pump in the elevator hoistway 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 2011-302).

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 August 4, 2011, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(2)(a), subsections 61C-4.010(6), (7), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code from Clearwater Angler, Clearwater, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to utilize bathrooms located in the Municipal Marina for use by customers and employees.

The Division of Hotels and Restaurants 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.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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NOTICE IS HEREBY GIVEN that on August 30, 2011, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsections 61C-4.010(6), (7) Florida Administrative Code, from Cravings To Go, South Daytona, FL. 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 utilize bathrooms located within another nearby business for customer use only.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of 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: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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NOTICE IS HEREBY GIVEN that on September 2, 2011, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA

Food Code from Dads Kettle, Bradenton, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of 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: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on August 5, 2011, the Department received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Dr. Smoothie, Pensacola, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater.

The Petition for this variance was published in Vol. 37, No. 34 on August 26, 2011. The Order for this Petition was signed on September 1, 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 wastewater holding tanks for the handwash and three-compartment sink are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure; and the handwash sink is provided with soap, approved hand drying device and a handwashing sign.

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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NOTICE IS HEREBY GIVEN that on September 2, 2011, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from French Fry Heaven, Jacksonville, FL. The above referenced F.A.C. addresses the requirement that each

establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of 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: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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NOTICE IS HEREBY GIVEN that on September 2, 2011, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Microsoft Office, Ft. Lauderdale, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of 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: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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NOTICE IS HEREBY GIVEN that on September 2, 2011, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsections 61C-4.010(6), (7), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code from Red Mango Frozen Yogurt and Smoothies, Ft. Lauderdale, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom on the same level be provided for use by customers and employees. They are requesting to utilize bathrooms located on the below level of the shopping mall.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of 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: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on March 18, 2011, by Lauren Ballard. The Notice of Petition for Waiver or Variance was published in Vol. 37, No. 17, of the April 29, 2011, Florida Administrative Weekly. Petitioner sought a waiver or variance of subsection 61H1-27.0041(2), F.A.C., entitled "One Year of Work Experience," which lists the requirements for work experience supervision as the subjection of the applicant, during employment, to oversight, guidance and evaluation by a supervisor who had the right to control and direct the applicant as to the result to be accomplished by the work and also as to the means by which the result was to be accomplished and which requires that one year of work experience shall be held and understood to mean the rendition of services such as are customarily performed by full-time, regularly employed staff employees of a certified public accountant during the normal workweek as required by the employing certified public accountant, commencing after the completion of the educational requirements set forth in subsection 61H1-27.002(3), F.A.C. The Board considered the instant Petition at a duly-noticed public meeting, held June 17, 2011, in Tampa, Florida.

The Board's Order, filed on August 25, 2011, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.308(4), Florida Statutes, would be met by granting a variance or waiver from subsection 61H1-27.0041(2), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607.

The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Variance, filed on April 6, 2011, by Jonathan Gorman. The Notice of Petition for Waiver or Variance was published in Vol. 37, No. 17, of the April 29, 2011, Florida Administrative Weekly. Petitioner sought a waiver or variance of paragraphs 61H1-27.002(2)(a) and (b), F.A.C., entitled "Concentrations in Accounting and Business," which requires which requires that an applicant must have at least 150 semester hours or 200 quarter hours of college education, including a baccalaureate degree or higher conferred by an accredited college or university with a major in accounting, or its equivalent. The applicant's total education program shall include a concentration in accounting and

business as follows: 36 semester or 54 quarter hours in accounting education at the upper division level which shall include coverage of auditing, cost and managerial accounting, financial accounting, accounting information systems, and taxation; 39 semester or 58 quarter hours in general business education which shall include not less than the equivalent of 6 semester or 8 quarter hours in business law courses which shall include coverage of the uniform commercial code, contracts and torts. The Board considered the instant Petition at a duly-noticed public meeting held on June 17, 2011, in Tampa, Florida.

The Board's Order, filed on August 25, 2011, granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.309(3), Florida Statutes, would be met by granting a variance from paragraphs 61H1-27.002(2)(a) and (b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607.

The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on April 14, 2011, by Stanley U. Hunt. The Notice of Petition for Waiver or Variance was published in Vol. 37, No. 20, of the May 11, 2011, Florida Administrative Weekly. Petitioner sought a waiver or variance of subsection 61H1-27.0041(2), F.A.C., entitled "One Year of Work Experience," which lists the requirements for work experience supervision as the subjection of the applicant, during employment, to oversight, guidance and evaluation by a supervisor who had the right to control and direct the applicant as to the result to be accomplished by the work and also as to the means by which the result was to be accomplished and which requires that one year of work experience shall be held and understood to mean the rendition of services such as are customarily performed by full-time, regularly employed staff employees of a certified public accountant during the normal workweek as required by the employing certified public accountant, commencing after the completion of the educational requirements set forth in subsection 61H1-27.002(3), F.A.C. The Board considered the instant Petition at a duly-noticed public meeting, held June 17, 2011, in Tampa, Florida.

The Board's Order, filed on August 25, 2011, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.308(4), Florida Statutes, would be met by granting a variance or waiver from subsection 61H1-27.0041(2), F.A.C. The Board further found that

Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN that on July 11, 2011, the Board of Accountancy, received a petition for Brent Lowman, seeking a variance or waiver of subsection 61H1-27.0041(2), F.A.C., which requires that one year of work experience shall be held and understood to mean the rendition of services such as are customarily performed by full-time, regularly employed staff employees of a certified public accountant during the normal workweek as required by the employing certified public accountant, commencing after the completion of the educational requirements set forth in subsection 61H1-27.002(3), F.A.C. Petitioner also seeks a variance or waiver of subsection 61H1-28.0052(2), Florida Administrative Code, which requires the initial licensure fees and all required documents be received within 36 months of the date of certification of examination scores by the Board or the initial license will not be issued. Additionally, Petitioner seeks a variance or waiver of paragraphs 61H1-27.002(2)(a) and (b), Florida Administrative Code, which requires that the applicant's total education program shall include a concentration in accounting and business as follows: 36 semester or 54 quarter hours in accounting education at the upper division level which shall include coverage of auditing, cost and managerial accounting, financial accounting, accounting information systems, and taxation; 39 semester or 58 quarter hours in general business education which shall include not less than the equivalent of 6 semester or 8 quarter hours in business law courses which shall include coverage of the uniform commercial code, contracts and torts.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that on August 31, 2011, the Board of Massage Therapy, received a petition for a variance or waiver filed by Pina V. Olson, seeking a waiver or variance of Rule 64B7-28.009, F.A.C., with respect to the 12 continuing education hours that is to be taken via live classroom instruction. Petitioner seeks a variance or waiver from the requirement of the licensee's continuing education to be obtained in a live classroom setting.

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.

**FLORIDA HOUSING FINANCE CORPORATION**

The Florida Housing Finance Corporation hereby gives notice: NAME OF THE PETITIONER: COMMUNITY CONNECTIONS OF JACKSONVILLE, INC.

DATE PETITION WAS FILED: December 9, 2010.

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 9I-35.006(5), F.A.C., which provides deferred SAIL interest of on a very low income set-aside for a term longer than required by law, from the petitioner.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, December 23, 2010, Vol. 36, No. 51

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: September 1, 2011

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order or additional information may be obtained by contacting: Della Harrell, Corporation Clerk, telephone: (850)488-4197 or e-mail: Della.Harrell@floridahousing.org. The Final Order is posted on Florida Housing's website at: floridahousing.org.

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: MBCDC: The London, LLC

DATE PETITION WAS FILED: August 2, 2011.

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-38.007(5)(a), F.A.C., with respect to rental Developments PLP Loan's Maturity Date.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, August 8, 2011, Vol. 37, No. 32

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: September 1, 2011

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order or additional information may be obtained by contacting: Della Harrell, Corporation Clerk, telephone: (850)488-4197 or e-mail: Della.Harrell@floridahousing.org. The Final Order is posted on Florida Housing's website at: floridahousing.org.

## Section VI Notices of Meetings, Workshops and Public Hearings

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

State Board of Administration

Division of Bond Finance

Financial Services Commission:

Office of Insurance Regulation

Office of Financial Regulation

Agency for Enterprise Information Technology

Department of Veterans' Affairs

Department of Highway Safety and Motor Vehicles

Department of Law Enforcement

Department of Revenue

Administration Commission

Florida Land and Water Adjudicatory Commission

Board of Trustees of the Internal Improvement Trust Fund

Department of Environmental Protection

DATE AND TIME: October 4, 2011, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

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

The **Division of Bond Finance** of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The **Financial Services Commission** will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the **Office of Insurance Regulation** concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the **Office of Financial Regulation** relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The **Agency for Enterprise Information Technology** will take action on matters duly presented on its agenda which may include, but not be limited to, the presentation and approval of the Agency's Annual Operational Work Plan as well as matters relating to rulemaking for all activities of the Agency.

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

The **Department of Highway Safety and Motor Vehicles** will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

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

The **Department of Revenue** will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

The **Administration Commission** will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S.,

comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

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

The **Board of Trustees of the Internal Improvement Trust Fund** will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters and other matters within its authority.

The **Department of Environmental Protection** will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting the Governor's Cabinet Affairs Office, (850)488-5152.

**CABINET AIDES BRIEFING:** On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida.

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#### DEPARTMENT OF STATE

The **Presidential Preference Primary Date Selection Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 23, 2011, 11:00 a.m.

PLACE: Knott Office Building, Room 212, Tallahassee, Florida

DATE AND TIME: (if necessary) Friday, September 30, 2011, 11:00 a.m.

PLACE: (if necessary) Knott Office Building, Room 212, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general committee business and to establish a date for the 2012 Presidential Preference Primary in accordance with Section 103.101, Florida Statutes.

A copy of the agenda may be obtained by contacting: Chris Cate at (850)245-6527.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Betty Money at (850)245-6536. If you are 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 Committee with respect to any matter considered at this meeting, he or she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

For more information, you may contact: Chris Cate at (850)245-6527, email: [chris.cate@dos.myflorida.com](mailto:chris.cate@dos.myflorida.com).

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#### DEPARTMENT OF LEGAL AFFAIRS

The **Florida Elections Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 26, 2011, 2:30 p.m. – 5:30 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6532211382

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pending motions and other Commission business.

A copy of the agenda may be obtained by contacting: Patsy Rushing, Commission Clerk at (850)922-4539, email: [fec@myfloridalegal.com](mailto:fec@myfloridalegal.com) or by visiting the website at: [www.fec.state.fl.us](http://www.fec.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Commission Clerk at (850)922-4539. If you are 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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## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida Agricultural Museum**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 4, 2011, 1:00 p.m.

PLACE: Florida Agricultural Museum, 7900 Old Kings Road, Palm Coast, Florida 32137

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Museum Board Business.

A copy of the agenda may be obtained by contacting: Bruce Piatek, Executive Director, (386)446-7630.

Pursuant to the provisions of 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: Bruce Piatek, Executive Director, (386)446-7630. If you are 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 **Animal Industry Technical Council**, Sub-Committee on Animal Disease Traceability announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 6, 2011, 1:00 p.m. – 5:00 p.m.

PLACE: Florida Cattlemen's Building, 800 Shakerag Road, Kissimmee, FL 34742

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed rule on Traceability for Livestock Moving Interstate which was published by USDA APHIS, Veterinary Services on August 9, 2011, with a comment period which will be open until November 9, 2011. Components and plans for implementation of the Current Federal/State Cooperative Agreement on Animal Disease Traceability. Development of a referred to by USDA as Florida "Road Map for Traceability."

A copy of the agenda may be obtained by contacting: Stephen Monroe at (850)410-0944.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Stephen Monroe at (850)410-0944. If you are 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: Stephen Monroe at (850)410-0944.

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The **Subcommittee on Imperiled Species** announces a public meeting to which all persons are invited.

DATE AND TIME: October 4, 2011, 10:00 a.m.

PLACE: Florida Keys Mosquito Control District, 503 – 107th Street Gulf, Marathon, Florida 33050, (305)289-3705; Toll-Free Conference: 1(888)808-6959, Code: 487 063 7; Web Technology: URL: <https://suncom.webex.com/suncom/j.php?ED=14397013&UID=21634423&PW=NZWYwYjYNTYw&RT=MmMxMQ%3D%3D>, Password: mosquito.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subcommittee is charged with developing recommendations to the Coordinating Council for Mosquito Control regarding conduct of mosquito control that will: 1) allow for management and recovery of imperiled species by state and federal agencies and 2) allow the Mosquito Control Districts to continue to provide mosquito control as required by State Law under Chapter 388, Florida Statutes. This meeting will be used to discuss priorities of the subcommittee.

For more information, you may contact: Mr. Max Feken, Environmental Manager, Bureau of Pesticides, 3125 Conner Boulevard, Building 6, Tallahassee, Florida 32399-1650, (850)617-7917.

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The **Department of Agriculture and Consumer Services**, **Division of Food Safety**, and the Florida Food Safety and Food Defense Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: September 30, 2011, 10:00 a.m. – 12:00 Noon

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: A general meeting of the Florida Food Safety and Food Defense Advisory Council will be held to discuss topics including: "Fish for Your Health" risk benefit messaging for fish advisories, agency updates, and other general organizational matters of the Advisory Council.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Darcy Poole, Administrative Assistant II, Division of Food Safety at (850)245-5595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Darcy Poole, Administrative Assistant II, Division of Food Safety, 3125 Conner Building, Mail Stop #C-18, Tallahassee, Florida 32399-1650, (850)245-5595.

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**DEPARTMENT OF EDUCATION**

The **Education Practices Commission** announces a hearing to which all persons are invited.

**DATES AND TIMES:** A Teacher Hearing Panel, September 22, 2011, 8:30 a.m. or as soon thereafter as can be heard; A Teacher Hearing Panel, 1:30 p.m. or as soon thereafter as can be heard; An Administrator Hearing Panel, September 23, 2011, 8:30 a.m. or as soon thereafter as can be heard; A Business Meeting, 9:30 a.m. or as soon thereafter as can be heard

**PLACE:** Embassy Suites Tampa Airport/Westshore, 555 North Westshore Boulevard, Tampa, Florida 33609, (813)875-1555

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kathleen M. Richards at (850)245-0455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lisa Forbess or Kathleen M. Richards at (850)245-0455.

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The **University of South Florida**, Louis de la Parte Florida Mental Health Institute announces a public meeting to which all persons are invited.

**DATES AND TIMES:** October 8, 2011, 9:00 a.m. – 5:00 p.m.; October 9, 2011, 9:00 a.m. – 12:00 Noon

**PLACE:** Renaissance Hotel at International Place, Tampa, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Review and updates of the Florida Medication Guidelines for Adults. Guidelines reviewed will be: Treatment of Schizophrenia, Bipolar Disorder and Major Depression.

A copy of the agenda may be obtained by contacting: Marie A McPherson at email: mmcpherson@usf.edu.

Pursuant to the provisions of 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: Marie A McPherson at email: mmcpherson@usf.edu. If you are 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: Marie A McPherson at email: mmcpherson@usf.edu.

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The **University of South Florida** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, October 17, 2011, 1:00 p.m. – 4:00 p.m.

**PLACE:** USF Contemporary Art Museum, 3821 Holly Drive, Tampa, FL 33620

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Local Public Art Selection Committee for the BR-534, the new Interdisciplinary Science Teaching and Research Facility on the USF Tampa campus, will convene to hear presentations by the two finalists for the commission, internationally renowned artists Federico Díaz and Tomás Saraceno.

A copy of the agenda may be obtained by contacting: Sheena Simmons, Administrator of Public Art at (813)974-4333 or email: sdsimmo3@usf.edu.

Pursuant to the provisions of 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: Sheena Simmons, Administrator of Public Art at (813)974-4333 or email: sdsimmo3@usf.edu. If you are 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: Sheena Simmons, Administrator of Public Art at (813)974-4333 or email: sdsimmo3@usf.edu.

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The **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.



DATE AND TIME: Friday, September 30, 2011, 8:00 a.m.  
 PLACE: Moore Hall, Room 215, FSDB Campus, 207 N. San Marco Avenue, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to The Florida School for the Deaf and the Blind Endowment/Investment Committee.

A copy of the agenda may be obtained by contacting: Terri Wiseman, Administrator of Business Services, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2300.

Pursuant to the provisions of 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: Terri Wiseman, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2300. If you are 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: Terri Wiseman, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2210.

The **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 30, 2011, 9:00 a.m.

PLACE: Center for Leadership Development, Moore Hall, FSDB Campus, 207 N. San Marco Avenue, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by contacting: L. Daniel Hutto, President, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2210.

Pursuant to the provisions of 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: L. Daniel Hutto, (904)827-2210. If you are 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: L. Daniel Hutto, President, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2210.

The **Gulf Coast State College District**, Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: October 6, 2011, 10:00 a.m. (Eastern Time)

PLACE: Gulf Coast State College, Gulf Franklin Campus, Panama City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Gulf Coast State College District Board of Trustees will hold a meeting. Contact person for the meeting is: Dr. Jim Kerley, President, Gulf Coast State College.

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.

#### DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission**, “**The Commission**”, announces a public meeting to which all persons are invited.

DATE AND TIME: September 28, 2011, 2:00 p.m. – completion

PLACE: Meeting to be conducted using Communications Technology, specifically Webinar and Conference Call Registration for the Accessibility Advisory Council Webinar: [http://www.dca.state.fl.us/fbc/meetings/1\\_meetings.htm](http://www.dca.state.fl.us/fbc/meetings/1_meetings.htm),

Conference Call: 1(888)808-6959, Code: 1967168. Public Point of Access: Department of Community Affairs, Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: ACCESSIBILITY ADVISORY COUNCIL.

Waiver Applications for the following projects.

Sherbrooke Apartments, Inc., 901 Collins Avenue, Miami Beach, FL

Ocean Breeze Hotel, 6600 Collins Avenue, Miami Beach, FL  
 Boys and Girls Club of Palm Beach, 905 Drexel Road, West Palm Beach, FL

Vita Restaurant, 1908 Collins Avenue, Miami Beach, FL  
 Frank Entertainment Delray Marketplace, 9025 West Atlantic Avenue, Delray Beach, FL

iPic Entertainment, 301 Plaza Road, Mizner Park, Boca Raton, FL

A copy of the agenda may be obtained by contacting: Ms. Mary Kathryn Smith, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by

contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Mary Kathryn Smith, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 or call: (850)487-1824.

**The Department of Community Affairs, Division of Housing and Community Development, Energy Technical Advisory Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: September 29, 2011, 10:00 a.m. – Completion

PLACE: Meeting to be conducted using Webinar and Teleconference Technology, specifically Webinar access and Conference Call. Please Contact: Mr. Mo Madani for Webinar Registration Code at (850)487-1824; Conference Call: 1(888)808-6959, Code: 1967168; Public Point of Access: Room 220N, 2555 Shumard Oak Boulevard, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Review and decide upon the approval of energy code compliance software and other business for the Commission.

A copy of the agenda may be obtained by contacting: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida, 32399-2100, (850)487-1824. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: [www.floridabuilding.org](http://www.floridabuilding.org).

**The Florida Building Commission, “The Commission”** announces a public meeting to which all persons are invited.

Product Approval Program Oversight Committee

DATE AND TIME: September 29, 2011, 2:30 p.m. – Completion

PLACE: Meetings to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Code: 1967168; Public point of access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To consider and decide upon the approval of products, product approval entities, and other business for the Commission.

A copy of the agenda may be obtained by contacting: Mrs. Suzanne Davis, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Mrs. Suzanne Davis, (850)487-1824. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mrs. Suzanne Davis, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

**The Training Task Force of the State Emergency Response Commission (SERC) for Hazardous Materials** announces a public meeting to which all persons are invited.

DATE AND TIME: October 6, 2011, 9:30 a.m.

PLACE: Betty Easley Conference Center, Southwood Campus, Room 152, 4075 Esplanade Way, Tallahassee, Florida 32399-2100

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Training Task Force and other hazardous materials training issues.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Emergency Management at (850)413-9970. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The Local Emergency Planning Committee (LEPC), Chairpersons and Staff Contacts for the **State Emergency Response Commission (SERC) for Hazardous Materials** announces a public meeting to which all persons are invited.

DATE AND TIME: October 6, 2011, 1:30 p.m.

PLACE: Betty Easley Conference Center, Southwood Campus, Room 152, 4075 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the activities and goals of the Local Emergency Planning Committees in implementing the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Emergency Management at (850)413-9970. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **State Emergency Response Commission (SERC) for Hazardous Materials** announces a public meeting to which all persons are invited.

DATE AND TIME: October 7, 2011, 10:00 a.m.

PLACE: Betty Easley Conference Center, Southwood Campus, Room 152, 4075 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the requirements of the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)413-9970.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Emergency Management at (850)413-9970. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, October 12, 2011, 2:00 p.m. – 3:00 p.m. (EST)

PLACE: FDLE Headquarters, 2331 Phillips Road, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Violent Crime and Drug Control Council will hold a telephone conference call to discuss issues relating to violent crime and multi-agency or statewide drug control or illicit money laundering investigative or task force efforts.

A copy of the agenda may be obtained by contacting: FDLE, Investigations and Forensic Science Program, Office of Policy and Planning, Post Office Box 1489, Tallahassee, FL 32302 or by telephoning: (850)410-7096.

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The **Criminal Justice Standards and Training Commission** announces a public meeting to which all persons are invited.

DATES AND TIMES: Monday, October 24, 2011, Officer Discipline Class, 8:30 a.m.; Tuesday, October 25, 2011, Florida Criminal Justice Educators Association Meeting, 8:30 a.m.; Officer Discipline Class, 8:30 a.m.; Legacy Leadership for Turbulent Times, 8:30 a.m.; Training Center Director Board Meeting, 1:00 p.m.; Training Center Director Special Committee Meetings (Technology and Physical Fitness), 2:00 p.m.; Training Center Director Basic Recruit Training Advanced Training and Rule Committees, 3:00 p.m.; Training Center Director Open Forum, 4:00 p.m.; Wednesday, October 26, 2011, Officer Discipline Class, 8:30 a.m.; Legacy Leadership for Turbulent Times, 8:30 a.m.; Training Center Directors Association Business Meeting, 8:30 a.m.; Probable Cause Determination Hearings, 10:00 a.m.; Regional Criminal Justice Selection Center Directors Association, 3:00 p.m.;

Thursday, October 27, 2011, Criminal Justice Standards and Training Commission Meeting Business Agenda, 8:00 a.m.; Officer Discipline Class, 8:30 a.m.; Officer Disciplinary Proceedings, 9:30 a.m.

PLACE: Sawgrass Marriott, 1000 PGA Tour Boulevard, Ponte Vedra Beach, FL 32082, (904)285-7777, Fax: (904)285-0906; Group Name: Criminal Justice Standards and Training Commission Meeting Group Guestroom Rate: \$119.00, Single/Double from 10/23/11 – 10/28/11; Reservation Deadline: September 30, 2011; Reservations Cancellation: Reservations must be cancelled 48 hours prior to arrival to avoid a one-night room and tax charge. Check-in/Check-out: Check-in is 4:00 p.m. and Check-out is 11:00 a.m. On-line Reservations:<http://marriott.com/property/propertypage/jaxsw?groupCode=CJSCJSA&app=resvlink>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meetings will be held to discuss issues relating to standards, training, examinations, certification, de-certification, record management for law enforcement, correctional, and correctional probation officers, Commission rules, officer discipline penalty guidelines, and certification and recertification of criminal justice training schools. Commission Meeting Information can be accessed at <http://www.fdle.state.fl.us>, Click on "A-Z Index," Click on "Criminal Justice Standards and Training Commission," Click on "Commission Meeting Schedule," or Click on "Meeting Packet."

A copy of the agenda may be obtained by contacting: Donna Hunt at (850)410-8615 or e-mail: [donnahunt@fdle.state.fl.us](mailto:donnahunt@fdle.state.fl.us).

If you have questions about the Officer Discipline Agenda, please contact: Lori Morea at (850)410-8625 or e-mail: [lorimorea@fdle.state.fl.us](mailto:lorimorea@fdle.state.fl.us). If you have questions about hotel accommodations, please contact: Cheryl Taylor at (850)410-8657 or e-mail: [cheryltaylor@fdle.state.fl.us](mailto:cheryltaylor@fdle.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donna Hunt at (850)410-8615 or e-mail: [donnahunt@fdle.state.fl.us](mailto:donnahunt@fdle.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: Donna Hunt at (850)410-8615 or e-mail: [donnahunt@fdle.state.fl.us](mailto:donnahunt@fdle.state.fl.us).

## DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Thursday, October 13, 2011, 1:30 p.m. – 3:30 p.m.

PLACE: Florida Department of Transportation, District Seven Auditorium, 11201 N. McKinley Drive, Tampa, FL 33612 (813)975-6000; Satellite Locations: Inverness Gov't Center, 212 W. Main St., Inverness, FL; Hernando County MPO Offices, 20 N. Main Street, Brooksville, FL; Hillsborough County MPO Offices, 601 E. Kennedy Blvd., 18th Floor, Tampa, FL; Pasco County, West Pasco Gov't Center, Board Room, 7530 Little Road, New Port Richey, FL; Pinellas County MPO Offices, 600 Cleveland Street, 7th Floor, Clearwater, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation, District Seven, invites you to participate in the Five-Year Tentative Work Program Public Hearing for Fiscal Years July 1, 2012 through June 30, 2017.

The hearing is being conducted as a webinar (Go To Meeting), which is a live presentation over the internet. Registration is required prior to joining the webinar. Visit this website to register: <https://www2.gotomeeting.com/register/257948915>. After registering you will receive a confirmation email containing information about joining the Webinar.

The Tentative Work Program covers the next five years of preliminary engineering, right-of-way acquisition, construction, and public transportation projects for Citrus, Hernando, Hillsborough, Pasco, and Pinellas Counties and includes Florida's Turnpike Enterprise projects in these counties. These hearings are being conducted pursuant to Chapters 120 and Section 339.135(4)(d), Florida Statutes.

The department will receive verbal and written comments from organizations and the general public at the hearings. Written comments not received at the public hearings must be postmarked by October 24, 2011, to become part of the official public hearing record. Written comments may be mailed to: Donald J. Skelton, P.E., District Secretary, Florida Department of Transportation, District Seven, 11201 N. McKinley Drive, MS #7-100, Tampa, Florida 33612-6456.

A copy of the agenda may be obtained by contacting: Ming Gao, P.E., Intermodal Systems Development Manager, 11201 N. McKinley Drive, MS #7-500, Tampa, FL 33612-6456, [ming.gao@dot.state.fl.us](mailto:ming.gao@dot.state.fl.us), (813)975-6454 or 1(800)226-7220.

Pursuant to the provisions of 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. Lori Snively, Public Involvement Coordinator, email: [lori.snively@dot.state.fl.us](mailto:lori.snively@dot.state.fl.us), phone: (813)975-6405 or 1(800)226-7220. If you are 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. Lee Royal, Community Liaison Administrator, lee.royal@dot.state.fl.us, (813)975-6427 or 1(800)226-7220.

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### **PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces a public workshop in the following undocketed matter to which all persons are invited.

**DATE AND TIME:** Thursday, September 29, 2011, 10:00 a.m.

**PLACE:** Orlando City Council Chambers, 2nd Floor, Office of the City Clerk, 400 S. Orange Avenue, Orlando, Florida 32801

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Undocketed – Workshop on Water and Wastewater Industry Issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

For questions, contact: Commission staff, JoAnn Chase at (850)413-6978.

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

In accordance with the Americans with Disabilities Act: Persons needing a special accommodation to participate at this proceeding should contact: Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

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

**TITLE:** Docket Number 080562-WU – Request for approval of amendment to connection/transfer sheets, increase in returned check charge, amendment to miscellaneous service charges, increase in meter installation charges, and imposition of new tap-in fee, in Marion County, by East Marion Sanitary Systems Inc.

**DATE AND TIME:** Monday, October 3, 2011, 1:30 p.m.

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

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

such other matters as may aid in the disposition of the action. One or more Commissioners will be in attendance and will participate.

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

In accordance with the American with Disabilities Act: Persons needing a special accommodation to participate at this proceeding should contact: Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

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The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

**DATE AND TIME:** October 4, 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: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (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: Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida

Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

The Florida **Public Service Commission** announces a public workshop in the following undocketed matter to which all persons are invited.

TITLE: Docket Number 110000-OT, Commission Workshop, New Issues in Hedging

DATE AND TIME: Tuesday, October 4, 2011, immediately following the Commission Conference which is set to begin at 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to review new information that may affect investor-owned utilities hedging of natural gas prices. These discussion points only include topics that may have, or could affect natural gas price hedging since the issuance of Commission Order PSC-08-0667-PAA-EI, on October 8, 2008. These topics include, but are not limited to, areas such as the development of shale gas, natural gas price volatility and the current state of the economy. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

For questions, contact: Commission staff, Kenneth Franklin at (850)413-6646 or kfranklin@psc.state.fl.us.

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

In accordance with the American with Disabilities Act: Persons needing a special accommodation to participate at this proceeding should contact: Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: October 5, 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: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact: Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or 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: <http://www.psc.state.fl.us/agendas/internalaffairs/>.

The Florida **Public Service Commission** announces two public service hearings to which all persons are invited.

DATE AND TIME: Tuesday, October 11, 2011, 10:00 a.m.

PLACE: Spartan Manor, 6121 Massachusetts Avenue, New Port Richey, Florida

DATE AND TIME: Wednesday, October 12, 2011, 10:00 a.m.

PLACE: Magnolia Building, 702 East Orange Street, Lakeland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 100330-WS – Application for increase in water/wastewater rates in Alachua, Brevard, DeSoto, Hardee, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc. The purpose of the service hearing is to provide customers an opportunity to present testimony and other evidence before the Florida Public Service Commission concerning the Utility's proposed rates or service. All witnesses shall be subject to cross-examination at the conclusion of their testimony.

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

In accordance with the American with Disabilities Act: Persons needing a special accommodation to participate at this proceeding should contact: Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

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

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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: September 26, 2011, 1:00 p.m.

PLACE: Suwannee River Economic Council, Meeting Room, 114 Southwest Community Circle, Mayo, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Lafayette 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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The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: September 28, 2011, 2:30 p.m.

PLACE: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, FL 32653

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Comprehensive Economic Development Strategy Committee.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, FL 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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The **Northeast Florida Regional Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: October 6, 2011, Planning & Growth Management Committee, 9:00 a.m.; Personnel, Budget & Finance Committee, 9:00 a.m.; Strategic Regional Policy Planning Committee, 9:00 a.m.; Full Board of Directors, 10:00 a.m.; Legislative Policy Committee immediately following the Board meeting. Please check our website at: [www.nefrc.org](http://www.nefrc.org) for any changes in meeting times

PLACE: 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meetings.

A copy of the agenda may be obtained by contacting: Sheron Forde, (904)279-0880 or [sforde@nefrc.org](mailto:sforde@nefrc.org).

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The **Clearinghouse Review Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: September 26, 2011, 9:30 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

A copy of the agenda may be obtained by contacting: [www.tbrpc.org](http://www.tbrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Avera Wynne, (727)570-5151, ext. 30.

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

DATE AND TIME: Friday, September 30, 2011, 9:00 a.m.

PLACE: SWFRPC Offices, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's Executive Committee will be addressing staffing issues in relation to the adopted FY 2012 Budget.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at [ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org) or (239)338-2550, ext. 232.

Pursuant to the provisions of 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. Deborah Kooi at [dkooi@swfrpc.org](mailto:dkooi@swfrpc.org) or (239)338-2550, ext. 210. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: visit our website at: [www.swfrpc.org](http://www.swfrpc.org).

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The **South Florida Regional Planning Council** announces a public meeting of The State Road 7/U.S. 441 Collaborative Steering Committee to which all persons are invited.

DATE AND TIME: Thursday, October 13, 2011, 2:00 p.m. – 3:30 p.m.

PLACE: City of Miami Gardens, Council Chambers, 1515 N.W. 167th Street, Bldg. 5, Suite 200, Miami Gardens, FL 33139, (305)622-8000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue deliberations regarding economic development, aesthetic improvement and increased intergovernmental cooperation along the corridor.

A copy of the agenda may be obtained online at: [www.sfrpc.com/sr7/htm](http://www.sfrpc.com/sr7/htm) or by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Regional Planning Council at (954)985-4416. If you are hearing or speech impaired, please contact the agency at (954)967-4152, ext. 40 (TDD).

If any person decides to appeal any decision made by the State Road 7/U.S. 441 Collaborative Steering Committee with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

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## REGIONAL TRANSPORTATION AUTHORITIES

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

DATE AND TIME: Friday, September 30, 2011, 9:30 a.m.

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

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

DATE AND TIME: CANCELLED

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

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

Citizens Advisory Committee (CAC)

DATE AND TIME: Wednesday, September 21, 2011, 1:30 p.m.

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

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

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

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

A copy of the agenda may be obtained by contacting: <http://www.tbarta.com/meetings/calendar> approximately three to five days prior to each meeting.

For more information, you may contact: Michelle Greene at (813)282-8200.

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**WATER MANAGEMENT DISTRICTS**

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: September 28, 2011, 12:00 Noon

PLACE: Maitland Service Center, Wekiva Room, 601 South Lake Destiny Road, Suite 200, Maitland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of committee performing search for new Executive Director of St. Johns River Water Management District.

This meeting will only be held if necessary to continue work from September 23, 2011 meeting.

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: Marji Hightower at (386)329-4214 or mhightower@sjrwmd.com or by visiting the District's website: [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.

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

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

PLACE: SWFWMD, Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings, Public Hearing and Workshop (9:00 a.m.) and Governing Board Final Budget Hearing (5:01 p.m.). Consider SWFWMD business including final hearing for adoption of District final millage rate and budget for Fiscal Year 2012. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting: SWFWMD, Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Luanne.Stout@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4605 (Ad Order EXE0167).

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

DATE AND TIME: September 26, 2011, 2:00 p.m. – 5:00 p.m.

PLACE: River Center, 805 North US Highway One, Jupiter, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Loxahatchee River Management Coordinating Council. Meeting to discuss the goals and objectives regarding the management of the Wild and Scenic portion of the Loxahatchee River.

A copy of the agenda may be obtained by contacting: Laura Corry, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406. [lcorry@sfwmd.gov](mailto:lcorry@sfwmd.gov), [www.sfwmd.gov](http://www.sfwmd.gov), (561)682-6012.

Pursuant to the provisions of 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: Laura Corry, (561)682-6012. If you are 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: Laura Corry, (561)682-6012

**SPACE FLORIDA**

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

DATE AND TIME: September 30, 2011, 8:30 a.m. – 9:00 a.m. (Eastern Time)

PLACE: Residence Inn Marriott, 8959 Astronaut Blvd., Cape Canaveral, FL (and by Teleconference)

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Space Florida Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Juanell Kirkendoll at [jkirkendoll@spaceflorida.gov](mailto:jkirkendoll@spaceflorida.gov).

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

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

For more information, you may contact: Juanell Kirkendoll at [jkirkendoll@spaceflorida.gov](mailto:jkirkendoll@spaceflorida.gov).

#### DEPARTMENT OF ELDER AFFAIRS

The **Statewide Public Guardianship Office** announces a telephone conference call to which all persons are invited.

DATES AND TIME: September 29, 2011; October 6, 13, 20, 27, 2011; November 3, 10, 17, 2011; December 1, 8, 15, 22, 29, 2011, 12:00 Noon – 1:00 p.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9247380#

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
This will be a general business meeting for the Foundation for Indigent Guardianship, Inc.

A copy of the agenda may be obtained by contacting: Erika Burgess, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2381, email: [burgesse@elderaffairs.org](mailto:burgesse@elderaffairs.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 72 hours before the workshop/meeting by contacting: Erika Burgess, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2381, email: [burgesse@elderaffairs.org](mailto:burgesse@elderaffairs.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Erika Burgess, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2381, email: [burgesse@elderaffairs.org](mailto:burgesse@elderaffairs.org).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: November 3, 2011, 9:00 a.m. – 12:00 Noon (EST/EDT)

PLACE: Embassy Suites Hotel, 225 Shorecrest Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Long-Term Care Ombudsman Program, Executive Committee Business. (NOTE: This meeting is being re-advertized due to a change in contact person for obtaining meeting information.)

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323 or email: [LTCOPInformer@elderaffairs.org](mailto:LTCOPInformer@elderaffairs.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 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: [LTCOPInformer@elderaffairs.org](mailto:LTCOPInformer@elderaffairs.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: [LTCOPInformer@elderaffairs.org](mailto:LTCOPInformer@elderaffairs.org).

NOTICE OF CHANGE – The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: November 3, 2011, 2:00 p.m. – 5:00 p.m. (EST/EDT)

PLACE: Embassy Suites Hotel, 225 Shorecrest Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Long-Term Care Ombudsman Program, Advocacy Committee business. (NOTE: This meeting is being re-advertized due to a change in contact person for obtaining meeting information.)

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323 or email: [LTCOPInformer@elderaffairs.org](mailto:LTCOPInformer@elderaffairs.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 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: [LTCOPInformer@elderaffairs.org](mailto:LTCOPInformer@elderaffairs.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: LTCOPInformer@elderaffairs.org.

**NOTICE OF CHANGE** – The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

**DATE AND TIME:** November 3, 2011, 2:00 p.m. – 5:00 p.m. (EST/EDT)

**PLACE:** Embassy Suites Hotel, 225 Shorecrest Drive, Altamonte Springs, FL 32701

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Long-Term Care Ombudsman Program, Data & Information Committee business. (NOTE: This meeting is being re-advertized due to a change in contact person for obtaining meeting information.)

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323 or email: LTCOPInformer@elderaffairs.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 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: LTCOPInformer@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: LTCOPInformer@elderaffairs.org.

**NOTICE OF CHANGE** – The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

**DATE AND TIME:** November 3, 2011, 2:00 p.m. – 5:00 p.m. (EST/EDT)

**PLACE:** Embassy Suites Hotel, 225 Shorecrest Drive, Altamonte Springs, FL 32701

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Long-Term Care Ombudsman Program, Training Committee business. (NOTE: This meeting is being re-advertized due to a change in contact person for obtaining meeting information.)

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323 or email: LTCOPInformer@elderaffairs.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 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: LTCOPInformer@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: LTCOPInformer@elderaffairs.org.

**NOTICE OF CHANGE** – The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

**DATE AND TIME:** November 4, 2011, 8:00 a.m. – 12:30 p.m. (EST/EDT)

**PLACE:** Embassy Suites Hotel, 225 Shorecrest Drive, Altamonte Springs, FL 32701

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Long-Term Care Ombudsman Quarterly State Council business. (NOTE: This meeting is being re-advertized due to a change in contact person for obtaining meeting information.)

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323 or email: LTCOPInformer@elderaffairs.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 72 hours before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: LTCOPInformer@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: LTCOPInformer@elderaffairs.org.

## **AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, October 4, 2011, 10:00 a.m. – 4:00 p.m.

**PLACE:** Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room “A”, Tallahassee, FL 32308. Any person interested in participating by telephone may dial: 1(888)808-6959, Participant Code: 8509223803. If you have any difficulty accessing the teleconference, please call the Florida Center’s Main Number: (850)412-3730

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the Commission on Review of Taxpayer Funded Hospital Districts. The commission was created by Governor's Executive Order Number 11-63, to assess and make recommendations on the role of hospital districts, whether it is in the public's best interest to have government entities operating hospitals and what is the most effective model for enhancing health-care access for the poor.

A copy of the agenda may be obtained by contacting: Faye Miller, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5407. The agenda will also be posted at the Agency website: <http://ahca.myflorida.com/mchq/FCTFH/fctfh.shtml>.

Pursuant to the provisions of 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: Faye B. Miller, Bureau of Health Facility Regulation, Florida Center, Faye.Miller@ahca.myflorida.com or (850)412-3735. If you are 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: Faye Miller, Bureau of Health Facility Regulation, Florida Center at Faye.Miller@ahca.myflorida.com or (850)412-3735.

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## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Architecture & Interior Design** announces a public meeting to which all persons are invited.

**DATE AND TIME:** October 12, 2011, 9:00 a.m.

**PLACE:** Hyatt Regency Tampa, Two Tampa City Center, Tampa, Florida 33602

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** All Architecture, Inc. 2010-053536

Majed M. Hawari

Architectural Dynamics 2011-010770

Joyce L. Phipps

Jose Daniel Bernal 2011-028054

Roger B. Chewning 2011-022101

Decker Ross Interiors, Inc. 2009-056782

Suzan Decker Ross

Drawing Conclusions, LLC 2011-041271

Valerie J. Amor

Michael W. Finch 2010-047394

McAleer's Office Furniture Company 2009-038206

James S. McAleer

Gollaville K. Rao 2011-003796

Scott Raymond 2011-010774

Michel A. Rodriguez 2011-009347

William A. Ruppel 2010-058884

W.A. Ruppel Corp., Inc.

SS Drafting 2010-054146

Soraya Silva

Stiles-Sowers Construction, Inc. 2010-058635

Keith Sowers

TECHNICAD of Volusia County, Inc. 2010-056156

Joe Hiller

WG Professional Drafting Services 2010-056148

Wilfredo Guzman

A copy of the agenda may be obtained by contacting: David K. Minacci, Smith, Thompson, Shaw, Minacci & Colón, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570, (850)241-0161.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: David K. Minacci, Smith, Thompson, Shaw, Minacci & Colón, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570, (850)241-0161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: David K. Minacci, Smith, Thompson, Shaw, Minacci & Colón, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570, (850)241-0161.

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The **Florida Barbers' Board** announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** October 4, 2011, 10:00 a.m.

**PLACE:** Conference Call: 1(888)808-6959, Conference Code: 4878197#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Board Business.

A copy of the agenda may be obtained by contacting: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (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: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (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: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

The **Construction Industry Licensing Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, October 11, 2011, 10:00 a.m. or soon thereafter

PLACE: Conference Call: 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.

The **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, October 12, 2011, 12:00 Noon; Thursday, October 13, 2011, 8:00 a.m.; Friday, October 14, 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.

The **Florida Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATES AND TIME: Monday and Tuesday, October 3-4, 2011, 8:30 a.m.

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 W. Robinson St., Orlando, FL 32801-1757

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board: Topics include, but not limited to, proposed legislation affecting Chapter 475, Part II, F.S., Chapter 61J1, Florida Administrative Code, rule amendments, disciplinary actions, and general subject matter.

A copy of the agenda may be obtained by contacting: Beverly Ridenauer, Florida Real Estate Appraisal Board, 400 W. Robinson St., Suite N801, Orlando, FL 32801-1757.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Department of Business and Professional Regulation 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).

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

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 5, 2011, 9:00 a.m. (Eastern Time)

PLACE: Division of Real Estate, Room N901, North Tower, 400 W. Robinson St., Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or

part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson St., Suite N801, Orlando, FL 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5632. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection**, Bureau of Assessment and Restoration Support announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, October 4, 2011, 9:00 a.m.

PLACE: Rookery Bay National Estuarine Research Reserve, Auditorium, 300 Tower Road, Naples, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To present information and receive public comments on possible revisions to Chapters 62-302 and 62-303, F.A.C., regarding the establishment of estuary-specific nutrient standards for several Florida estuaries (and a provision to establish estuary-specific nutrient standards) as part of the ongoing development of nutrient standards for Florida's surface waters. Estuary-specific nutrient standards will be discussed for Southwest Florida (Clearwater Harbor, Tampa Bay, Sarasota Bay, and Charlotte Harbor), the Ten Thousand Islands area, and South Florida (Biscayne Bay, Florida Bay, and the Florida Keys). Other estuary-specific nutrient standards may be addressed as well. Please note that the Department has not made a final decision on whether to proceed to rulemaking at this time. This public workshop is a follow-up to public workshops held in June, July, August, and September of 2011. The meeting will not include discussion of dissolved oxygen analyses, which may be addressed at later public meetings.

A copy of the agenda may be obtained by contacting: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS #6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or email: eric.shaw@dep.state.fl.us.

Further information also may be obtained from the Department's web site: <http://www.dep.state.fl.us/water/wqssp/nutrients/index.htm>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: Eric Shaw at (850)245-8429. If you are 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 **Department of Environmental Protection** announces a hearing to which all persons are invited.

DATE AND TIME: October 19, 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 2012 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, plans, specifications, and permits by October 1, 2011, and pre-construction projects that submitted a complete Request for Inclusion on the priority list by October 1, 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 October 7, 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, by phone: (850)245-8366 or by e-mail: Venkata.Panchakarla@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 5 days before the workshop/meeting by contacting: Venkata Panchakarla, Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, by phone: (850)245-8366 or by e-mail: Venkata.Panchakarla@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: Venkata Panchakarla, Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, by phone: (850)245-8366 or by e-mail: Venkata.Panchakarla@dep.state.fl.us.

The State of Florida **Department of Environmental Protection, Division of Recreation and Parks**, Office of Greenways and Trails announces a public meeting to which all persons are invited.

DATE AND TIMES: October 5, 2011, 10:00 a.m. – 12:00 Noon; 1:30 p.m. – 3:30 p.m.

PLACE: Polk City Government Center, 123 Broadway Boulevard, S.E., Polk City, Florida 33868

GENERAL SUBJECT MATTER TO BE CONSIDERED: These meetings are to receive and review public comments on the proposed draft update to the General James A. Van Fleet State Trail management plan. The first meeting will provide an opportunity for public comment on the proposed draft update to the management plan.

Comments may be presented verbally or in writing at the meeting. Written comments may also be submitted, but must be received 24 hours prior to the meeting. Written comments submitted prior to the meeting should be sent to: Marsha Connell, Office of Greenways and Trails, Division of Recreation and Parks, State of Florida, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #795, Tallahassee, Florida 32399-3000 or by email: Marsha.Connell@dep.state.fl.us. During the second meeting, the Management Plan Advisory Group will review public comments received and provide recommendations regarding items for inclusion in the management plan.

A copy of the agenda may be obtained by contacting: Marsha Connell, Office of Greenways and Trails, Division of Recreation and Parks, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #795, Tallahassee, Florida 32399-3000, (850)245-2052, email: Marsha.Connell@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: Marsha Connell at (850)245-2052. If you are 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: Marsha Connell.

## DEPARTMENT OF HEALTH

The Probable Cause Panel of the **Board of Massage Therapy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, October 11, 2011, 2:45 p.m. or shortly thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454590

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 at (850)245-4161 or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Paula Mask at (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Florida **Board of Nursing**, Central Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 22, 2011, 2:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)808-6959, Code: 0109310

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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

The **Board of Nursing and Council on Certified Nursing Assistants** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday-Friday, October 5, 6, 7, 2011

PLACE: Embassy Suites Jacksonville Baymeadows, 9300 Baymeadows Rd., Jacksonville, FL 32256, (904)731-3555

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Wednesday, 8:30 a.m. CNA Council meets to discuss general business.

Wednesday, 2:00 p.m. Credentials Committee.

Wednesday, 2:00 p.m. Education Committee.  
 Thursday, 8:30 a.m. CNA discipline.  
 Thursday, 1:00 p.m. RN, LPN, ARNP Discipline and General Business.  
 Friday, 8:30 a.m. General business.

To view the public agenda materials visit: <http://www.doh.state.fl.us/mqa/nursing/nur-meeting.html>.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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

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

The **Board of Opticianry** announces a public meeting to which all persons are invited.

DATE AND TIME: November 4, 2011, 8:30 a.m.  
 PLACE: The Greater Ft. Lauderdale Convention Center, 1950 Eisenhower Boulevard, Ft. Lauderdale, Florida 33316  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Opticianry 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she may need to ensure that a verbatim record of the proceeding is made, which records include 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)955-8770 (Voice) and 1(800)955-8771 (TDD). Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster, (850)245-4474 at least one week prior to the meeting date.

The **Board of Osteopathic Medicine** and the **Board of Medicine**, Ophthalmology Informed Consent Joint Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 29, 2011, 3:00 p.m. (EST)

PLACE: Wyndham Tampa Westshore, 700 N. Westshore Blvd., Tampa, FL 33609, Hotel phone #: (813)289-8200. Meeting participation also available on Conference Call: 1(888)808-6959, Conference Code: 284 344 0330

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purpose of establishing a standard informed consent form that sets forth the recognized specific risks related to cataract surgery.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director at (850)245-4161 or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: 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.

The Probable Cause Panel of the **Board of Osteopathic Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, October 19, 2011, 2:30 p.m. (EST)  
 PLACE: Conference Call: 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.

The **Board of Pharmacy**, Probable Cause Panel announces a telephone conference call to which all persons are invited.

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

PLACE: Conference Call: 1(888)808-6959, Conference Code: 5642037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration Cases.

A copy of the agenda may be obtained by contacting: Board of Pharmacy at (850)245-4292.

The **Drug Wholesale Distributor Advisory Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 29, 2011, 9:30 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9766152

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

The agenda will be placed on the Drug, Devices and Cosmetics website: [www.doh.state.fl.us/mqa/ddc](http://www.doh.state.fl.us/mqa/ddc), seven days prior to the meeting.

For more information, you may contact: Drug, Devices and Cosmetics Program, 4052 Bald Cypress Way, Bin #C04, Tallahassee, FL 32399-3254.

The **Department of Health, Office of Trauma** announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 26, 2011, 10:30 a.m. – 11:30 a.m. (Eastern) (9:30 a.m. – 10:30 a.m. Central)

PLACE: 4025 Esplanade Way, Conference Room 315, Tallahassee, Florida; Conference Call: 1(888)808-6959, Code: 2354440

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a conference call of the Florida Trauma Registry Manual Team. The purpose of this call is to conduct a review of the Florida Trauma Registry Manual to identify needed revisions to the data fields, which will be utilized by the Trauma Registry Project Team in the development of the Next Generation Trauma Registry.

A copy of the agenda may be obtained by contacting: Michael Lo, Registry Planning Manager, [michael\\_lo@doh.state.fl.us](mailto:michael_lo@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 2 days before the workshop/meeting by contacting: Michael Lo, Registry Planning Manager,

(850)245-4440, ext. 3286. If you are 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: Michael Lo, Registry Planning Manager, (850)245-4440, ext. 3286.

The **Bureau of Emergency Medical Services**, Emergency Medical Services Advisory Council announces a public meeting to which all persons are invited.

DATES AND TIMES: September 27, 2011, 8:00 a.m. – 5:00 p.m.; September 28, 2011, 8:00 a.m. – 6:00 p.m.

PLACE: Fort Lauderdale Airport Hilton, 1870 Griffin Road, Fort Lauderdale, FL 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the EMS Advisory Council.

A copy of the agenda may be obtained by contacting: Desi Lassiter at (850)245-4055.

Pursuant to the provisions of 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: Desi Lassiter at (850)245-4055. If you are 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: Desi Lassiter at (850)245-4055.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Circuit 14 **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: October 5, 2011, 10:00 a.m. – 12:00 Noon (Central Time)

PLACE: Holmes County Chamber of Commerce Large Conference Room at "The Log Cabin", 106 E. Byrd Avenue, Bonifay, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly Circuit 14 Community Alliance Meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Rebecca Siebert at (850)872-7648 or via email: [Rebecca\\_Siebert@dcf.state.fl.us](mailto:Rebecca_Siebert@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, Circuit 14 Community Alliance Chair at (850)872-4455 or via email: Julia\_Ruschmann@doh.state.fl.us.

The **Tampa Bay Refugee Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 27, 2011, 1:30 p.m. – 3:30 p.m.

PLACE: Good Shepherd Lutheran Church, 501 S. Dale Mabry Hwy., Tampa, FL 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Tampa Bay 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: Janet Blair at (813)558-5841 or Taddese Fessehaye at (407)317-7335.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Janet Blair at (813)558-5841 or Taddese Fessehaye at (407)317-7335. If you are 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: Janet Blair at (813)558-5841 or Taddese Fessehaye at (407)317-7335.

The **Collier Refugee Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 28, 2011, 10:00 a.m. – 12:00 Noon

PLACE: Catholic Charities, 2210 Santa Barbara Blvd., Naples, FL 34116

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Collier 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: Janet Blair at (813)558-5841 or Taddese Fessehaye at (407)317-7335.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: Janet Blair at (813)558-5841 or Taddese Fessehaye at (407)317-7335. If you are 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: Janet Blair at (813)558-5841 or Taddese Fessehaye at (407)317-7335.

The **Department of Children and Families**, Council on Homelessness announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 28, 2011, 10:15 a.m. – 11:45 a.m.

PLACE: Salons A & B, Hilton Clearwater Beach Resort, 400 Mandalay Avenue, Clearwater Beach, FL 33767; Conference Call: 1(888)808-6959, Code: 9229760

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will hold a public forum to take public comments from advocates, service providers, homeless persons and other interested parties on the unmet needs, as well as best practices to end homelessness. This input will help the Council set its 2011-2012 work agenda to develop legislative recommendations.

A copy of the agenda may be obtained by contacting: Office on Homelessness by calling (850)922-4691.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office on Homelessness by calling (850)922-4691. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office on Homelessness by calling (850)922-4691.

## DEPARTMENT OF FINANCIAL SERVICES

The **Fire & Emergency Incident Information System**, Technical Advisory Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 6, 2011, 2:00 p.m.

PLACE: Florida State Fire College, Ocala, FL; Conference Call: (850)413-1591, Conference ID: 347307

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

A copy of the agenda may be obtained by contacting: MaryAnn.Benson@myfloridacfo.com.

The **Firefighters Employment, Standards & Training Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 6, 2011, 10 minutes after the adjournment of the Fire & Emergency Incident Information System Technical Advisory Panel meeting which begins at 2:00 p.m.

PLACE: Florida State Fire College, Ocala, FL; Conference Call: (850)413-1591, Conference ID: 347307

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

A copy of the agenda may be obtained by contacting: MaryAnn.Benson@myfloridacfo.com.

### FLORIDA E-FILING AUTHORITY

The **Florida Courts E-Filing Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: September 28, 2011, 10:00 a.m.

PLACE: 23rd Floor, Gene Medina Conference Room, Orange County Courthouse, 425 N. Orange Avenue, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Courts E-Filing Authority will hold an meeting for the purpose of discussing the on-going implementation of the Florida eFiling portal.

A copy of the agenda may be obtained by contacting: Beth Allman at (850)921-0808 or allman@flclerks.com. Additionally, materials maybe downloaded from the Authority website: [http://www.flclerks.com/eFiling\\_authority.html](http://www.flclerks.com/eFiling_authority.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 5 days before the workshop/meeting by contacting: Beth Allman at (850)921-0808. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

### MOFFITT CANCER CENTER

The **Moffitt Cancer Center** with Florida **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: September 21, 2011, 4:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Pass Code: 5088661795

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cancer Control Research Advisory Council (CCRAB) Goal IV Committee Survivorship meeting to discuss agenda itemized outlined from last call.

A copy of the agenda may be obtained by contacting: Kimberley.buccini@moffitt.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 1 day before the workshop/meeting by contacting: Kimberley.buccini@moffitt.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kimberley.buccini@moffitt.org.

### H. LEE MOFFITT CANCER CENTER & RESEARCH INSTITUTE, INC.

The **H. Lee Moffitt Cancer Center & Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: September 26, 2011, 11:30 a.m.

PLACE: Stabile Trustees Boardroom, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Joint Finance and Planning Committee.

A copy of the agenda may be obtained by contacting: Kris Butler, Moffitt Cancer Center, 12902 Magnolia Drive, MCC-VP, Tampa, FL 33612.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Kris Butler at (813)745-1888. If you are 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 **H Lee Moffitt Cancer Center & Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: September 27, 2011, 1:30 p.m.

PLACE: Moffitt Cancer Center, Stabile Trustees Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board of Directors.

A copy of the agenda may be obtained by contacting: Lori Payne, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, SRB-ADM, Tampa, FL 33612.

Pursuant to the provisions of 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: Lori Payne at (813)745-1798. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY (TRDA)**

The **Technological Research and Development Authority (TRDA)** announces a public meeting to which all persons are invited.

DATE AND TIME: September 28, 2011, 2:00 p.m.

PLACE: 1050 West NASA Boulevard, Melbourne, FL 32901

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting of the Board of Directors.

A copy of the agenda may be obtained by contacting: Brenda McMillan at [bmcmillan@trda.org](mailto:bmcmillan@trda.org).

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**NORTHWOOD SHARED RESOURCE CENTER**

NOTICE OF CHANGE –The **Northwood Shared Resource Center**, Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 29, 2011, 1:30 p.m. (Previously scheduled 9/15/2011)

PLACE: Department of Business and Professional Regulation, 1940 N. Monroe Street, Professions Board Room, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Matters.

A copy of the agenda may be obtained by contacting: [monica\\_cash@nsrc.myflorida.com](mailto:monica_cash@nsrc.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 3 days before the workshop/meeting by contacting: Monica Cash, (850)921-4479. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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**FLORIDA LEAGUE OF CITIES, INC.**

The **Florida League of Cities, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 22, 2011, 3:00 p.m.

PLACE: The Shores, Daytona Beach Shores, 2637 South Atlantic Avenue, Daytona Beach Shores, FL 32118

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Construction Trust.

A copy of the agenda may be obtained by contacting: Linda Bridges, [lbridges@flcities.com](mailto:lbridges@flcities.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Linda Bridges, [lbridges@flcities.com](mailto:lbridges@flcities.com). If you are

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

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

For more information, you may contact: Jeannie Garner, Director of Insurance and Financial Services, email: [jgarner@flcities.com](mailto:jgarner@flcities.com).

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**TAMPA BAY ESTUARY PROGRAM**

The **Tampa Bay Estuary Program** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 23, 2011, 10:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Pinellas Park, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issuance of Final Order – Dynamic Solutions v. Tampa Bay Estuary Program and Janicki Environmental (DOAH Case No. 11-002816BID).

A copy of the agenda may be obtained by contacting: [ron@tbep.org](mailto:ron@tbep.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ronald Hosler, (727)893-2765. If you are 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: [ron@tbep.org](mailto:ron@tbep.org).

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**SOIL AND WATER CONSERVATION DISTRICTS**

The **Hendry Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: September 22, 2011, 1:00 p.m.

PLACE: 1085 Pratt Blvd., LaBelle, Florida 33935

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board meeting.

For more information, you may contact: Barbara Tillis at (863)674-4160.

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**FLORIDA SURPLUS LINES SERVICE OFFICE**

The **Florida Surplus Lines Service Office**, Budget Committee announces a telephone conference call to which all persons are invited.

DATE AND TIMES: September 21, 2011, 10:00 a.m. and 3:00 p.m.

PLACE: 1441 Maclay Commerce Drive, Suite 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed 2012 FSLSO Budget.

A copy of the agenda may be obtained by contacting: Georgie Barrett at gbarrett@fslso.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: Georgie Barrett at gbarrett@fslso.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 **Florida Surplus Lines Service Office**, Board of Governors' announces a telephone conference call to which all persons are invited.

DATE AND TIMES: September 29, 2011, 10:00 a.m. and 3:00 p.m.

PLACE: 1441 Maclay Commerce Drive, Suite 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: FSLSO Proposed 2012 Budget.

A copy of the agenda may be obtained by contacting: Georgie Barrett at gbarrett@fslso.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: Georgie Barrett at gbarrett@fslso.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 **Florida Surplus Lines Service Office**, National Clearinghouse Committee announces a telephone conference call to which all persons are invited.

DATES AND TIME: October 4, 6, 11, 13, 18, 20, 25, 27, 2011, 10:00 a.m.

PLACE: 1441 Maclay Commerce Drive, Suite 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: General matters to come before the Committee.

A copy of the agenda may be obtained by contacting: Georgie Barrett at gbarrett@fslso.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: Georgie Barrett at gbarrett@fslso.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).

**FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.**

The **FWCJUA**, Annual Membership and Board of Governors announces a public meeting to which all persons are invited.

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

PLACE: FWCJUA Office, 6003 Honore Avenue, Suite 204, Sarasota, FL 34238

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FWCJUA announces an Annual Membership meeting and a Board of Governors meeting. Agenda topics may include 2010 overview with Q&A; approval of minutes; legislative update; recognition of Board service; 2011 meeting schedule; ethics & sunshine matters; election of vice chair and officers; operations and financial reports; and committee reports on the preliminary 2012 business plan & forecast; service provider audit results; IT audit selection process; disaster recovery; document management; 2012 rate indication; Operations Manual; Audit Committee Charter procedures checklist; compliance review of current investment portfolio; 2012 reinsurance program goals and market strategy; and commutation matters.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

**AMERICAN CONSULTING PROFESSIONALS, LLC**

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

DATE AND TIME: October 11, 2011, 5:30 p.m. – 6:30 p.m. (CST)

PLACE: Carmel Assembly of God Church, 1485 Carmel Church Road, Bonifay, FL 32425

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) invites you to attend a public information meeting concerning the proposed bridge replacement project on Malcolm Taylor Road over Rice Machine Branch in Holmes County. The meeting will be conducted in an open house format (no formal presentation is scheduled). FDOT representatives will be available to discuss the project, answer questions, and receive comments.

A copy of the agenda may be obtained by contacting: Department of Transportation, General Consultant Project Manager, Sandra Lamb, P.E. (Atkins) at (850)638-2288.

Pursuant to the provisions of 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: Sandra Lamb, P.E. at the number listed above or email: sandra.lamb@atkinsglobal.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sandra Lamb, P.E. at the number listed above or email at: sandra.lamb@atkinsglobal.com.

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

DATE AND TIME: October 13, 2011, 5:30 p.m. – 6:30 p.m. (CST)

PLACE: Carmel Assembly of God Church, 1485 Carmel Church Road, Bonifay, FL 32425

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) invites you to attend a public information meeting concerning the proposed bridge replacement project on Liberty School Road over Gum Branch in Holmes County. The meeting will be conducted in an open house format (no formal presentation is scheduled). FDOT representatives will be available to discuss the project, answer questions, and receive comments.

A copy of the agenda may be obtained by contacting: Department of Transportation, General Consultant Project Manager, Sandra Lamb, P.E. (Atkins) at (850)638-2288.

Pursuant to the provisions of 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: Sandra Lamb, P.E. at the number listed above or email at: sandra.lamb@atkinsglobal.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sandra Lamb, P.E. at the number listed above or email at: sandra.lamb@atkinsglobal.com.

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#### JACOBS ENGINEERING GROUP, INC.

The Florida **Department of Transportation**, District Four announces a workshop to which all persons are invited.

Open House

DATE AND TIME: Tuesday, October 11, 2011, 5:30 p.m.

PLACE: West Regional Library, Plantation, Multi-purpose Room, 8601 W. Broward Blvd., Plantation, FL 33324

Open House

DATE AND TIME: Thursday, October 13, 2011, 6:00 p.m.

PLACE: International Game Fish Association Hall of Fame, Events Hall, 300 Gulf Stream Way, Dania Beach, FL 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the open houses is to review the Central Broward East-West Transit project alignment and station options. At this meeting, participants will have the opportunity to review and comment on the project.

A copy of the agenda may be obtained by contacting: Ms. Khalilah Ffrench, PE, Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, FL 33309, (954)677-7898, Toll Free at 1(866)336-8435, extension 7898 or by email: khalilah.fffrench@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: Florida Department of Transportation, Project Manager, Khalilah Ffrench, whose contact information is provided above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Department of Transportation, Project Manager, Khalilah Ffrench, at the address, phone number and email provided above or by visiting the project website: [www.centralbrowardtransit.com](http://www.centralbrowardtransit.com).

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#### HATCH MOTT MACDONALD

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

DATE AND TIME: Tuesday, September 27, 2011, 5:30 p.m. – 6:30 p.m.

PLACE: Fairfield Inn & Suites, 4966 Whitetail Drive, Marianna, FL 32448

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public information meeting is being held concerning the resurfacing of S.R. 71 from the Calhoun County Line to Malloy Plaza Drive, Jackson County, Florida (Financial Project ID Number: 423065-1-52-01). The project involves resurfacing the existing travel lanes, pedestrian safety upgrades and Americans with Disabilities Act (ADA) accessibility improvements. Also included in the project is the reconstruction of the existing pavement using concrete in the area of the Interstate 10 interchange for a distance of 0.6 miles. The total project length is approximately nine miles.

A copy of the agenda may be obtained by contacting: Clay Hunter, P.E., FDOT Project Manager at 1(888)638-0250, ext. 479, by e-mail: [clay.hunter@dot.state.fl.us](mailto:clay.hunter@dot.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven days before the workshop/meeting by contacting: Clay Hunter, FDOT, Project Manager, P. O. Box 607, Chipley, FL 32428, Toll-Free: 1(888)638-0250, ext. 479 or via e-mail: clay.hunter@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).

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**GEORGE & ASSOCIATES CONSULTING ENGINEERS, INC.**

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

**DATES AND TIME:** Tuesday, October 11, 2011, 6:00 p.m. – 7:00 p.m. (EST)

**PLACE:** Havana Public Library, 203 East Fifth Avenue, Havana, FL

**DATE AND TIME:** Thursday, October 13, 2011, 6:00 p.m. – 7:00 p.m. (EST)

**PLACE:** City of Quincy, City Hall, 404 West Jefferson Street, Quincy, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Department is holding two Public Meetings to inform the public of the Resurfacing, Restoration & Rehabilitation of State Road 12 from State Road 10 (US 90/Jefferson Street in Quincy) to State Road 63 (US 27/Main Street in Havana) & State Road 159 from State Road 12 to State Road 63 (US 27) in Gadsden County. Identical information will be presented at each meeting to update interested parties on the project's progress, schedule, and to receive input. The project consists of the proposed resurfacing of the existing travel lanes, parking lanes and paved shoulders along State Road 12 as well as improvements that include repairing deficient sidewalks, replacing curb ramps and upgrading pedestrian signal features to meet the current standards set by the American with Disabilities Act (ADA).

These meetings are being held in accordance with Federal Executive Orders 11990 and 11988. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Donald Rogers, P.E., Florida Department of Transportation, Project Manager, 1074 Highway 90 East, Chipley, FL, (850)415-9478 or via email: donald.rogers@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: Donald Rogers, P.E., Florida Department of Transportation, Project Manager, 1074 Highway 90 East, Chipley, Florida, (850)415-9478 or via email: donald.rogers@dot.state.fl.us.

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## Section VII

### Notices of Petitions and Dispositions Regarding Declaratory Statements

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**DEPARTMENT OF MANAGEMENT SERVICES**

NOTICE IS HEREBY GIVEN that the Public Employees Relations Commission has declined to rule on the petition for declaratory statement filed by United Correctional Officers Federation, Inc., Case No. DS-2011-001, on July 25, 2011. The following is a summary of the agency's declination of the petition: The Commission declined to issue a declaratory statement because it involved disputed facts.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4050 Esplanade Way, Suite 150, Tallahassee, Florida 32399-0950.

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**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that the Board of Chiropractic Medicine has issued an order disposing of the petition for declaratory statement filed by Ed Feinberg, D.C., on June 1, 2011. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement published on June 17, 2011, in Vol. 37, No. 24, of the Florida Administrative Weekly. Petitioner sought the Board's interpretation of Section 460.403(9), Florida Statutes, entitled, "Definitions," concerning whether it is within the chiropractic scope of practice to manually reduce a shoulder dislocation. The Board of Chiropractic Medicine considered the Petition at its meeting held on August 12, 2011, in Palm Beach, Florida. The Board's Order filed on August 31, 2011, answered the petitioner's question in the affirmative. It is the Board's opinion that it is within the scope of practice of chiropractic medicine to manually reduce a shoulder separation. The Board added that only those chiropractors who have been trained in the procedure should perform the manual reduction.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Bruce Deterding, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

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NOTICE IS HEREBY GIVEN that the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling has received the petition for declaratory statement

from Irina Fredericks, LMHC on behalf of Florida International University on September 6, 2011. The petition seeks the agency’s opinion as to the applicability of Section 491.003(9), F.S. as it applies to the petitioner.

The petition seeks the Board’s interpretation of “appropriately trained” as referenced in Section 491.003(9)(b), Florida Statutes. The petition also asks the following question to the Board regarding Section 491.003(9), F.S. “Is a LMHC who is a Qualified Supervisor for LMHC’s and who completed the majority of his or her 1000 hours of Practicum and Internship specifically in psychological testing eligible to (1) charge for and sign off reports of psychological testing and (2) supervise the PCP student who are interested in receiving the Graduate Certificate in Psychological Assessment?”

A copy of the Petition for Declaratory Statement may be obtained by contacting: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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**Section VIII**

**Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

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**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

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**Section IX**

**Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

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**Section X**

**Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

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**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**FLORIDA LEGISLATIVE/OPPAGA**

**NOTICE OF REQUEST FOR PROPOSALS**

**Statement of Work:** The Florida Legislature’s Office of Program Policy Analysis and Government Accountability (OPPAGA) is requesting proposals from an independent enrolled actuary, as defined in Section 112.625(3), Florida Statutes, to assist OPPAGA in the determination of compliance of the Florida Retirement System with the provisions of the Florida Protection of Public Employee Retirement Benefits Act, Chapter 112, Part VII, Florida Statutes, as directed in Section 112.658, Florida Statutes. This work entails review of the actuarial valuation of the Florida Retirement System pension plan for Fiscal Years ending June 30, 2011 through June 30, 2013. Interested and qualified firms may submit a proposal to conduct this review annually for a contract period of three years.

The purpose of the actuarial analysis is to inform the Florida Legislature about whether the Department of Management Services’ consulting actuary conducted annual actuarial valuations of the Florida Retirement System pension plan using generally accepted and statutorily required standards, methods, and procedures; whether the valuation results were reasonable; and whether the plan continued to have sufficient assets to pay future benefits when due.

**Proposals:** Proposals must be submitted in accordance with the content set forth in the “Solicitation for Actuarial Services Annually for Three Years to Review the Valuation of the Florida Retirement System as of July 1, 2011; July 1, 2012; and July 1, 2013,” dated September 16, 2011. Copies of this document are available electronically from the contact persons.

**Contact Persons:** Ms. Debra Waters or Ms. Kim Gilley, Office of Program Policy Analysis and Government Accountability, 111 West Madison Street, Suite 312, Tallahassee, Florida 32399-1475; (850)487-0577 or (850)488-0021; email: waters.debra@oppaga.fl.gov and gilley.kim@oppaga.fl.gov.

**Dates:** All interested actuaries are required to submit a mandatory but non-binding letter of intent to propose, which must be received by OPPAGA no later than 3:30 p.m. (Eastern Time), Monday, September 26, 2011. OPPAGA will have further communications after that date only with those persons who indicate their initial intent to submit a proposal on this project. The closing date and time to receive proposals is 3:30 p.m. (Eastern Time), Tuesday, October 11, 2011. One of the contact persons must receive the written proposal prior to the closing date and time. Proposals that for any reason are not so received will not be considered. OPPAGA reserves the right to



reject any and all proposals. Unless all proposals are rejected, it is anticipated the contract will be awarded in late October 2011.

## Section XII Miscellaneous

### DEPARTMENT OF COMMUNITY AFFAIRS

#### NOTICE OF PROJECT APPROVAL AND FUNDING

The Florida Communities Trust (Trust) has approved funding applications submitted under the Florida Communities Trust Florida Forever Program, Series FF11 funding cycle. On August 25, 2011, applications were scored, ranked and selected for funding according to the criteria and procedures set forth in Rule Chapter 9K-7, F.A.C. In accordance with Rule 9K-7.009, F.A.C., the projects are considered to have received final approval for funding.

Certain applications were selected for funding contingent upon funds becoming available either through other projects terminating, projects closing under budget, or interest accruals. If funding becomes available for the contingent projects, then those projects will be approved for funding in the order in which they are currently ranked. Likewise, if funding becomes available for the non-funded projects, then those projects will be approved for funding in the order in which they are currently ranked.

Those applications approved for funding and the amounts of funding approved are listed below. The approval is subject to appeal and may change following the appeals process. If any Applicant files an appeal and the result of the appeal process changes the ranking of the funded applications, then another notice will be issued.

The following projects were approved for funding with funds currently available:

#### Selected/Funded

Project No.	Project Name	Applicant	Amount
11-012-FF11	Tucker Ranch Heritage Park	City of Winter Garden	\$840,252.00
11-001-FF11	Cypress Creek Natural Area Park v	Palm Beach County	\$5,000,000.00
11-044-FF11	Shingle Creek Park	Dixie County	\$1,341,000.00
11-015-FF11	Turkey Creek Walk Park, Phase IV	City of Niceville	\$3,450,000.00
11-021-FF11	Turkey Creek Hammock	Alachua County	\$1,500,000.00
11-031-FF11	Veteran's Memoria Park Expansion	Brevard County	\$800,000.00
11-037-FF11	Peace River Park	DeSoto County	\$1,350,000.00
11-020-FF11	Brooker Creek Preserve Wilde Lands	Pinellas County	\$3,344,000.00

#### Contingent funded projects

Project No.	Project Name	Applicant	Amount
11-054-FF11	Roberts Preserve (North Fork St. Lucie River)	St. Lucie County	\$639,535.00
11-014-FF11	Kelly Park 3rd Addition – Camp Joy Property)	Orange County	\$364,560.00
11-047-FF11	Morsani Ranch – Headwaters of the Pith	Pasco County	\$1,029,200.00

11-041-FF11	Bogey Creek Preserve	North Florida Land and Trust, Inc.	\$2,240,000.00
11-006-FF11	Pembroke Pines Raintree Park	City of Pembroke Pines	\$1,451,400.00
11-051-FF11	Presnell Bayside Park	Gulf County	\$4,500,000.00

The following projects were not approved for funding with funds currently available but could receive funding in the future if funds become available:

#### Non-Funded

Project No.	Project Name	Applicant	Amount
11-046-FF11	Lake Dan Preserve Phase Two	Hillsborough County	\$3,490,000.00
11-026-FF11	Bay Drive Park Phase II	Flagler County	\$2,342,334.00
11-052-FF11	Long Beach Park	City of Panama City Beach	\$4,650,000.00
11-045-FF11	Lake Eola Park Extension	City of Orlando	\$3,500,000.00
11-007-FF11	Lake May Reserve	Lake County	\$1,500,000.00
11-050-FF11	Sebastian Harbor Preserve	Indian River County	\$5,000,000.00
11-029-FF11	Halifax Riverfront Park	City of Daytona Beach	\$1,005,500.00
11-036-FF11	Rails to Trail Buffer Phase III	City of Jacksonville	\$212,500.00
11-053-FF11	V Bar 2 Preserve	St. Lucie County	\$1,404,749.60
11-022-FF11	Chambers Island	Town of Yankeetown	\$1,350,000.00
11-035-FF11	Thomas Creek Preserve	City of Jacksonville	\$1,200,000.00
11-038-FF11	Madden's Hammock	Town of Miami Lakes	\$4,987,500.00
11-028-FF11	Lake Chautauqua Nature Preserve Phase I	City of Clearwater	\$1,992,000.00
11-005-FF11	Ocean Hammock Park Phase II	City of St. Augustine Beach	\$5,000,000.00
11-042-FF11	Wetlands Park	City of Fellsmere	\$437,500.00
11-030-FF11	Smith Bayou Park	City of Dunedin	\$500,000.00
11-040-FF11	Waterfront Park	City of Seminole	\$410,000.00
11-032-FF11	Intracoastal Park	City of Sunny Isles Beach	\$3,760,000.00
11-055-FF11	Wooton Park	City of Tavares	\$1,500,000.00
11-003-FF11	Lakefront Expansion St. George Island Marine Park	Franklin County	\$4,219,000.00
11-033-FF11	Shingle Creek Regional Park Connector	Osceola County	\$1,500,000.00
11-023-FF11	Worthington Springs Nature Park	Town of Worthington Springs	\$380,000.00
11-010-FF11	Round Lake Park Addition	City of Oviedo	\$330,000.00
11-018-FF11	Hallandale Beach Post Office Property	City of Hallandale	\$2,500,000.00
11-049-FF11	Rivermont	City of Fort Lauderdale	\$1,500,000.00
11-017-FF11	Cedar Preserve at James Park	City of South Daytona	\$965,000.00
11-024-FF11	Crooked River Lighthouse Park Expansion	City of Carrabelle	\$250,000.00
11-002-FF11	Cane Slough	City of Port St. Lucie	\$1,500,000.00
11-008-FF11	Flatwoods Park	Town of Redington Shores	\$1,411,000.00
11-043-FF11	Del Bello Park Addition	City of Tamarac	\$686,800.00
11-009-FF11	Tamarac Reclamation Park 98th Street Park	Town of Bay Harbor Island	\$2,433,518.75
11-004-FF11	Eastpoint Landing Park	Franklin County	\$781,000.00
11-048-FF11	Boca Ciega Shoreline Restoration	City of Madeira Beach	\$652,800.00
11-016-FF11	School Board Property	City of Sanford	\$768,750.00
11-013-FF11	SE 5th Community Park	City of Delray Beach	\$1,383,000.00
11-027-FF11	Seminole Park Land Acquisition	City of Casselberry	\$138,657.75
11-019-FF11	Sunset Vista Park Addition	City of Treasure Island	\$1,600,000.00
11-056-FF11	Wakulla Heritage Project	Wakulla County	\$810,000.00
11-011-FF11	Sanders Beach Community Park	City of Pensacola	\$622,500.00
11-057-FF11	Blountstown Riverfront	City of Blountstown	\$1,020,000.00
11-025-FF11	Penney Farms Historical Center	Town of Penney Farms	\$66,000.00
<b>INELIGIBLE</b>			
Project No.	Project Name	Applicant	Amount
11-034-FF11	Snow Hill Horse Park	Friends of Winter Miles	\$1,458,000.00

WITHDRAWN

Project No.	Project Name	Applicant	
11-039-FF11	Cutler Bay Park	Town of Cutler Bay	withdrawn

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to Section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer's recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 18-106.201, F.A.C. A petition is filed when it is received by the Trust Clerk, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

**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 Bad Boy MTV, Inc., intends to allow the establishment of Lender Services, Inc., d/b/a Buggyworx, as a dealership for the sale of low-speed vehicles manufactured by Bad Boy MTV, Inc. (line-make BDBY) at 705 New Warrington Road, Pensacola (Escambia County), Florida 32506, on or after October 16, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Lender Services, Inc., d/b/a Buggyworx are dealer operator(s): Eddie Mercer, 705 New Warrington Road, Pensacola, Florida 32506; principal investor(s): Eddie Mercer, 705 New Warrington Road, Pensacola, Florida 32506.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Ryland Kieffer, Bad Boy MTV, Inc., 102 Industrial Drive, Batesville, Arkansas 72501.

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 Hanania FOP, LLP, d/b/a FIAT of Orange Park as a dealership for the sale of FIAT passenger cars manufactured by Chrysler (line-make FIAT) at 8105 Blanding Boulevard, Jacksonville (Duval County), Florida 32244, on or after October 16, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Hanania FOP, LLP, FIAT of Orange Park are dealer operator(s): Jack Hanania, 7200 Blanding Boulevard, Jacksonville, Florida 32244; principal investor(s): Hanania Imports, Inc., 7200 Blanding Boulevard, Jacksonville, Florida 32244, Hanania Automotive Corp. Seven, 7200 Blanding Boulevard, Jacksonville, Florida 32244.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: 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.

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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 Gorilla Motor Works, LLC, intends to allow the establishment of Motorsports of Tampa, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd., (line-make ZHNG) at 13521 North Florida Avenue, Tampa (Hillsborough County), Florida 33613, on or after October 16, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Motorsports of Tampa, LLC are dealer operator(s): John Hamer, 13521 North Florida Avenue, Tampa, Florida 33613; principal investor(s): John Hamer, 13521 North Florida Avenue, Tampa, Florida 33613, David Hamer, 13521 North Florida Avenue, Tampa, Florida 33613.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Diana Hammer, Gorilla Motor Works, LLC, 12485 44th Street North, Suite A, Clearwater, Florida 33762.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Polaris Sales, Inc., intends to allow the establishment of Ames/Detrick Truck Company, d/b/a Polaris of Gainesville as a dealership for the sale of low-speed vehicles manufactured by Polaris Industries, Inc. (line-make GEM) at 12556 Northwest US Highway 441, Alachua (Alachua County), Florida 32615, on or after October 16, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Ames/Detrick Truck Company, d/b/a Polaris of Gainesville are dealer operator(s): Michael Detrick, 13161 Northwest 172nd Avenue, Alachua, Florida 32615 and Carol Ames, 13161 Northwest 172nd Avenue, Alachua, Florida 32615, principal investor(s): Michael Detrick, 13161 Northwest 172nd Avenue, Alachua, Florida 32615 and Carol Ames, 13161 Northwest 172nd Avenue, Alachua, Florida 32615.

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: Michael W. Malone, Polaris Sales, Inc., 2100 Highway 55, Medina, Minnesota 55340.

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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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Office of Intergovernmental Programs

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://appprod.dep.state.fl.us/clearinghouse/>. For information, call: (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

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**DEPARTMENT OF HEALTH**

Notice of Order Lifting Emergency Action

On September 6, 2011, State Surgeon General, issued an Order Lifting Emergency Suspension Order with regard to the license of Daryl J. Russell, L.M.T., License #MA 48914. The Department orders that the emergency Suspension of License be lifted and your license be reinstated.

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Notice of Emergency Action

On September 6, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Valentina M. Dandrea, C.N.A., License #CNA 189020. 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 (2010). 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.

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Notice of Emergency Action

On September 6, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Emily Ann Hancock, L.P.N., License #PN 1316181. 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 (2010). 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.

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Notice of Emergency Action

On September 1, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Robert John Meek, D.O., License #OS 9670. 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 (2010). 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.

**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN August 29, 2011  
 and September 2, 2011

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**LAND AND WATER ADJUDICATORY COMMISSION**  
**Circle Square Woods Community Development District**

42S-1.001	8/31/11	9/20/11	37/26	
42S-1.002	8/31/11	9/20/11	37/26	
42S-1.003	8/31/11	9/20/11	37/26	

**Coastal Lake Community Development District**

42WW-1.001	8/31/11	9/20/11	37/26	
42WW-1.002	8/31/11	9/20/11	37/26	
42WW-1.003	8/31/11	9/20/11	37/26	

**Westchase Community Development District**

42OOO-1.001	8/31/11	9/20/11	37/23	
42OOO-1.002	8/31/11	9/20/11	37/23	
42OOO-1.003	8/31/11	9/20/11	37/23	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Medicaid Program Office**

59G-4.071	9/1/11	9/21/11	37/23	
59G-13.015	9/1/11	9/21/11	37/23	
59G-13.131	9/1/11	9/21/11	37/23	

**LIST OF RULES AWAITING LEGISLATIVE**  
**APPROVAL PURSUANT TO (CHAPTER 2010-279,**  
**LAWS OF FLORIDA)**

**DEPARTMENT OF AGRICULTURE AND CONSUMER**  
**SERVICES**

**Division of Standards**

5F-11.002	7/7/11	*****	37/14	
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