

**Section I**

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

RULE CHAPTER NO.: RULE CHAPTER TITLE:

5E-1 Fertilizers

RULE NO.: RULE TITLE:

5E-1.003 Labels and Tags

PURPOSE AND EFFECT: The purpose of this rule modification is twofold. First is the clarification of existing verbiage, and second to establish labeling criteria for urban lawn or turf fertilizer products.

SUBJECT AREA TO BE ADDRESSED: Establishes labeling criteria for fertilizer products distributed in Florida.

SPECIFIC AUTHORITY: 576.181 FS.

LAW IMPLEMENTED: 576.021 FS.

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

DATE AND TIME: December 5, 2006, 1:00 p.m.

PLACE: Bob Crawford Agricultural Ctr., 615 E. Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Mr. Dale W. Dubberly, Chief, Bureau of Compliance Monitoring, Division of Agricultural Environmental Services, Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-8731

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

RULE NO.: RULE TITLE:

5F-10.001 Standards

PURPOSE AND EFFECT: The purpose of the amending of Rule 5F-10.001, F.A.C., is to adopt the most recent version of the chemical and physical standards set forth in ASTM International for antifreeze (engine coolant) products and to alter the language so as to require all such products to conform to the ASTM International standards adopted in this section. The effect of the adoption of the most recent version of the standards is to maintain up-to-date nationally recognized standards. The purpose of altering the language is to eliminate any possible ambiguity regarding product quality specifications for non-glycol base engine coolants. The effect

of these changes will be to ensure that all antifreeze products sold or distributed in the State of Florida meet the ASTM International specifications adopted in this section.

SUBJECT AREA TO BE ADDRESSED: Proposed Rule 5F-10.001, F.A.C., will specify that the most recent Annual Book of ASTM International Standards is the accepted standard for implementation of Section 501.91, F.S. It will also specify needed rewording of the rule to address possible ambiguity regarding product quality specifications for non-glycol base engine coolants.

SPECIFIC AUTHORITY: 570.07(23), 501.921 FS.

LAW IMPLEMENTED: 501.913, 501.917, 501.921 FS.

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

DATE AND TIME: Tuesday, November 28, 2006, 1:00 p.m.

PLACE: Bureau of Petroleum Inspection's Conference Room, 3125 Conner Boulevard, Bldg. #1, Tallahassee, Florida 32399-1650

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of 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: Nancy Fischer, Environmental Manager, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650

Phone: (850)488-9740 If you are 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: Matthew D. Curran, Ph.D., Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, phone: (850)488-9740

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-10.001 Standards.

(1) The performance specifications and standards for all non-recycled glycol-base antifreeze products are hereby incorporated by reference: ASTM D 3306-0503, "Standard Specification for Glycol Base Engine Coolant for Automobile and Light Duty Service," (approved October 1, 2005).

(2) The performance specifications and standards for all recycled glycol-base antifreeze products are hereby incorporated by reference: ASTM D 6471-0603, "Standard Specification for Recycled Prediluted Aqueous Glycol Base Engine Coolant (50 Volume % Minimum) for Automobile and Light Duty Service," (approved June 1, 2006) and ASTM D 6472-0603, "Standard Specification for Recycled Glycol Base Engine Coolant Concentrate for Automobile and Light Duty Service," (approved May 1, 2006).

Specific Authority 570.07(23), 501.921 FS. Law Implemented 501.913, 501.917, 501.921 FS. History--New 10-6-93, Amended 7-5-95, 12-9-98, 6-25-00, 10-22-01, 12-9-02, 12-7-04,\_\_\_\_\_.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6B-4.010 RULE TITLE: Instructional Personnel Assessment Systems

PURPOSE AND EFFECT: The purpose of the rule development is to review current practices and requirements for district instructional personnel assessment systems to determine amendments to be proposed that take account of applicable performance-based pay regimes. The effect of the amendment will be the development of district-based assessment systems that fulfill current requirements for assessment and performance-based pay.

SUBJECT MATTER TO BE ADDRESSED: Instructional personnel assessment systems.

SPECIFIC AUTHORITY: 1001.02, 1012.22, 1012.34 FS.

LAW IMPLEMENTED: 1012.22, 1012.34 FS., Ch. 2006-26, s. 3, Laws of Florida.

IF REQUESTED IN WRITING BY ANY AFFECTED PERSON AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A DATE, TIME AND PLACE TO BE ANNOUNCED IN THE FLORIDA ADMINISTRATIVE WEEKLY.

Requests for the rule development workshop should be addressed to Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pam Stewart, Deputy Chancellor, Educator Quality, Department of Education, 325 West Gaines Street, Room 514, Tallahassee, Florida 32399-0400

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

**DEPARTMENT OF LAW ENFORCEMENT**

**Division of Criminal Justice Information Systems**

RULE CHAPTER NO.: 11C-7 RULE CHAPTER TITLE: Criminal History Records; Expunction and Sealing Policy and Procedures

RULE NO.: 11C-7.008 RULE TITLE: Administrative Expunction Procedures

PURPOSE AND EFFECT: Implements new requirements for the administrative expunction of Florida criminal history arrest records that are made contrary to law or by mistake.

SUBJECT AREA TO BE ADDRESSED: Administrative expunction procedures.

SPECIFIC AUTHORITY: 943.051 FS.

LAW IMPLEMENTED: 943.051 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: Martha Wright, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308, (850)410-7000

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

**DEPARTMENT OF REVENUE**

RULE NO.: 12-6.0015 RULE TITLE: Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12-6.0015, F.A.C., is to: (1) adopt, by reference, changes to the form used by taxpayers to grant a representative authority to perform certain acts on behalf of the taxpayer and to receive and inspect confidential information from the Department; and (2) update information on how to obtain the form from the Department.

SUBJECT AREA TO BE ADDRESSED: The subject area of this rule development is the proposed adoption of changes to Form DR-835, Power of Attorney and Declaration of Representative.

SPECIFIC AUTHORITY: 213.06(1), 213.21(1) FS.

LAW IMPLEMENTED: 72.011, 120.54(5), 120.569, 120.57, 213.21 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: November 27, 2006, 9:30 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Jamie Peate, Operations Analyst, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4726

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12-6.0015 Public Use Forms.

The following forms are employed by the Department in its dealings with the public. These forms are hereby incorporated by reference in this rule. Copies of these forms are available, without cost, by using one or more of the following methods: 1) downloading the form from the Department's Internet site at [www.myflorida.com/dor/forms](http://www.myflorida.com/dor/forms); or, 2) faxing a forms request to the Distribution Center at (850)922-2208; or, 3) calling the Distribution Center at (850)488-8422; or, 4) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or, 5) ~~2) faxing the Distribution Center at (850)922-2208; or, 3) using a fax machine telephone handset to call the Department's automated Fax On Demand system at (850)922-3676; or, 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or, 6) downloading selected forms from the Department's Internet site stated in the parentheses ([www.myflorida.com/dor](http://www.myflorida.com/dor)).~~ Persons with hearing or speech impairments may call the Department's TDD at 1(800)367-8331.

Form Number	Title	Effective Date
DR-835	Power of Attorney and Declaration of Representative (R. 06/06 <del>r. 01/00</del> )	3/6/03

Specific Authority 213.06(1), 213.21(1) FS. Law Implemented 72.011, 120.54(5), 120.569, 120.57, 213.21 FS. History—New 3-6-03, Amended \_\_\_\_\_.

DEPARTMENT OF REVENUE

RULE NO.: 12-22.007  
 RULE TITLE: Registration Information Sharing and Exchange Program

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12-22.007, F.A.C. (Registration Information Sharing and Exchange Program), is to: (1) provide that the scope of the rule is to provide guidelines regarding the Registration Information Sharing and Exchange Program (RISE Program) authorized under Section 213.0535, F.S.; (2) provide who in the Department to contact for information regarding the program; (3) update the data elements relating to the licensing or registration activity during each period that will be exchanged consistent with the data elements that are currently exchanged under the program; (4) incorporate, by reference, the agreements used by the Department in administering the program; (5) clarify that any employee authorized by the participating government agency is required to execute a certificate of familiarity with the confidentiality requirements of Section 213.053, F.S., by January 31 of year each; and (6) clarify that Level-one participants in the program are required to exchange the required data on a monthly or quarterly basis.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the administration by the Department of the RISE Program and the incorporation, by reference, of the agreements executed between the participating government agency and the Department.

SPECIFIC AUTHORITY: 213.0535(4), 213.06(1) FS.

LAW IMPLEMENTED: 213.053(8)(j), 213.0535 FS.

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

DATE AND TIME: November 27, 2006, 9:30 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Gary Gray, Revenue Program Administrator, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4729

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12-22.007 Registration Information Sharing and Exchange Program.

(1)(a) ~~The Registration Information Sharing and Exchange Program, or "RISE Program", is authorized under Section 213.0535, F.S., to allow government agencies who participate in the program to periodically exchange specified tax information with the Department. This rule provides guidelines regarding this program, section prescribes the data elements to be shared, in the Registration Information Sharing and Exchange Program and the frequency of sharing those data elements. This exchange of registration information between the Department, other state agencies, and units of local government is designed to improve the enforcement of specific state and local taxes, license, and permits.~~

(b) ~~General information regarding the Registration Information Sharing and Exchange ("RISE") Program and specific questions regarding the status of any data supplied by the Department should be directed to may be obtained by contacting the General Tax Administration (GTA) RISE Coordinator, Compliance Enforcement Process Manager's Office, 4070 Esplanade Esplande Way, Room 315N 335U, Tallahassee, Florida 32399-5139 or by telephone, (850)487-2544 or by visiting the Department's Internet site at <http://www.myflorida.com/dor/governments/rise.html> the address shown inside the parenthesis (<http://myflorida.com/dor/governments/rise.html>).~~

(c) ~~Specific questions regarding the status of any data supplied by the Department of Revenue should be directed to the RISE Coordinator, General Tax Administration, Compliance Support Process, 4070 Esplande Way, Room 335U, Tallahassee, Florida 32399-5139 or by telephone at (850)487-2544.~~

(2) RISE Agreements and Information Subject to Sharing.

(a) Level-one Participants. To participate in the Level-one RISE Program, each government agency is required to enter into an agreement with the Department to share information with With regard to the taxes, licenses, and permits enumerated in Section 213.0535(4)(a), F.S., participants in this category exchange and share data regarding new registrants, new filers, or initial reporters, permittees, or licensees. The agreement, including attachments, specifies the data elements relating to the licensing or registration activity during each period that will be exchanged and the frequency of exchange of the information. The information subject to such exchange includes:

1. Registrant's, licensee's, or taxpayer's name (name of business and owner);
2. Business mailing address, including zip code;
3. Business location address, including zip code;
4. Telephone number (business and owner);
5. Federal employer identification number or Social Security number (where authorized under the Federal Privacy and Confidentiality Act);

6.5. Business type kind code (NAICS or SIC code);

7.6. County code (as provided by the Department);

8.7. Applicable state or local license or registration number and any other unique identifying number;

9.8. Business opening date; and

9. Telephone number, if available.

10. Indication whether new or re-issuance (not renewals or address changes).

(b) Level-two Participants. To participate in the Level-one RISE Program, each government agency is required to enter into an agreement with the Department to share information with With regard to the taxes enumerated in Section 213.0535(4)(b), F.S., participants in this category share and exchange data as specified in paragraph (a). The agreement, including attachments, specifies the data elements relating to the licensing or registration activity during each period that will be exchanged and the frequency of exchange of the information. In addition to the data shared by Level-one participants, Level-two participants shall exchange data relating to tax payment history, audit assessments, and registration cancellations of sales and use tax, tourist development tax, tourist impact tax, municipal resort tax, and/or convention development tax dealers engaging in transient rentals.

(c) The Department hereby incorporates the following agreements used in the administration of the RISE Program:

1. Registration and Information Sharing and Exchange Program – Level-One Agreement (R. 10/06);

2. Registration and Information Sharing and Exchange Program – Level-Two Agreement (R. 10/06);

3. RISE Attachment B (R. 10/06); and

4. RISE Attachment C. Program Participant Certification for Access to Confidential State Tax Information (R. 10/06).

(d) Each government agency participating in the RISE Program is required to transmit its shared data to the Department within 20 days after the close of the reporting period, using the format specified in RISE Attachment B of the executed RISE agreement.

(e) Section 213.053(8)(j), F.S., provides that the Department may provide the information authorized under Section 213.0535, F.S., to eligible participants and certified public accountants for such participants in the RISE Program. As a part of the Level-One RISE Agreement, or the Level Two Agreement, each authorized employee of the participating government agency is required to execute a certification of familiarity with the confidentiality requirements of Section 213.053, F.S., and Rule Chapter 12-22, F.A.C., by January 31 of each year. Any person who becomes an authorized employee subsequent to January 31 must execute a separate certification of familiarity with the confidentiality requirements. Executed certifications must be forwarded to the RISE Coordinator within 15 business days of the date of hire or the date of change in employment status.

(3)(a) Methods for Transmitting Data. The Department provides for the transmission of data between eligible participants of the RISE program. When submitting data to the Department, the participant is required to indicate the format in which the data is provided to the Department. Data is transmitted to the eligible participant by the Department in the same format as the format in which the participant provides data to the Department.

(b) Eligible participants who are required to transmit information under the RISE program and who are unable to make a timely exchange, because of system failure, incomplete data, or other reasons that are beyond the participant's control, should contact the General Tax Administration RISE Coordinator, General Tax Administration, Compliance Support Process, 4070 Esplande Way, Room 335U, Tallahassee, Florida 32399-5139 or by telephone at (850)487-2544.

(4) Frequency of Exchange.

(a) Units of state and local government that are Level-one participants are required to exchange, on a monthly or quarterly basis, the data enumerated in paragraph (2)(a) of this rule for each new registrant, new filer, or initial reporter, permittee, or licensee with respect to the taxes, licenses, or permits specified in Section 213.0535(4), F.S. Each RISE participant is required to select either a monthly or quarterly reporting period and to notify the Department of its selection.

(b) The Department of Revenue and local officials who are Level-two participants are required to comply with the monthly or quarterly exchange requirements imposed on Level-one participants. Additionally, Level-two participants are required to exchange, on a quarterly basis, information as provided in paragraph (2)(b) of this rule. Audit assessments and registration cancellation information will be exchanged on a quarterly basis. Tax payment history information will be exchanged only upon a written request.

(c) Any requests for tax information outside of the monthly or quarterly exchange provided in this rule should be addressed to the General Tax Administration RISE Coordinator, General Tax Administration, Compliance Support Process, 4070 Esplande Way, Room 335U, Tallahassee, Florida 32399-5139 or by telephone at (850)487-2544.

Specific Authority 213.0535(4), 213.06(1) FS. Law Implemented 213.053(8)(j), 213.0535 FS. History—New 3-17-93, Amended 4-2-00, \_\_\_\_\_.

**DEPARTMENT OF REVENUE**

RULE NO.: 12-26.008  
 RULE TITLE: Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12-26.008, F.A.C., is to (1) adopt, by reference, changes to forms used by the Department in the processing of applications for refunds; and (2) update information on how to obtain the forms from the Department.

SUBJECT AREA TO BE ADDRESSED: The subject area of this rule development is the proposed adoption of changes to the forms used by the Department in the processing of applications for refunds.

SPECIFIC AUTHORITY: 213.06(1) FS.

LAW IMPLEMENTED: 72.011, 199.183, 199.185, 199.218(5), 201.11, 202.125, 202.23, 206.41, 206.64, 206.8745, 206.97, 206.9815, 206.9875, 206.9941, 206.9942, 212.02(15)(a), (19), 212.05(1)(a)1.b., 212.06(5)(a)1., (7), 212.07(1), 212.08(2)(j), (5)(f), (g), (h), (q), (7), 212.09, 212.11(4), (5), 212.12(6)(a), (c), 212.13(1), (2), 212.12(4), 212.17(1), (2), (3), 212.183, 213.255(2), (3), (4), (12), 213.34, 215.26, 220.725, 220.727, 624.5092, 681.104 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: November 27, 2006, 9:30 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Jamie Peate, Operations Analyst, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4726.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12-26.008 Public Use Forms.

(1)(a) The following public use forms are used by the Department in the processing of refunds and are hereby incorporated by reference.

(b) These forms are available, without cost, by one or more of the following methods: 1) downloading the form from the Department's Internet site at [www.myflorida.com/dor/forms](http://www.myflorida.com/dor/forms); or, 2) faxing a forms request to the Distribution Center at (850)922-2208; or, 3) calling the Distribution Center at (850)488-8422; or, 4) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or, 5) ~~2) faxing the Distribution Center at (850)922-2208; or, 3) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 4) calling the Forms Request Line during regular office hours at (800) 352-3671 (in Florida only) or (850)488-6800; or, 5)~~

downloading selected forms from the Department's Internet site stated in the parentheses ([www.myflorida.com/dor](http://www.myflorida.com/dor)). Persons with hearing or speech impairments may call the Department's TDD at 1(800)367-8331.

Form Number	Title	Effective Date
(2) DR-26	Application for Refund (R. <del>10/06 06/03</del> )	___ 09/04
(3) DR-26I	Application for Refund- Intangible Personal Property Tax (R. <del>07/06 N. 06/03</del> )	___ 09/04
(4) DR-26S	Application for Refund- Sales and Use Tax (R. <del>07/06 01/03</del> )	___ 09/04
(5) DR-370026	Mutual Agreement to Audit or Verify Refund Claim (R. <del>02/06 07/02</del> )	___ 09/04

Specific Authority 213.06(1) FS. Law Implemented 72.011, 199.183, 199.185, 199.218(5), 201.11, 202.125, 202.23, 206.41, 206.64, 206.8745, 206.97, 206.9815, 206.9875, 206.9941, 206.9942, 212.02(15)(a), (19), 212.05(1)(a)1.b., 212.06(5)(a)1., (7), 212.07(1), 212.08(2)(j), (5)(f), (g), (h), (q), (7), 212.09, 212.11(4), (5), 212.12(6)(a), (c), 212.13(1), (2), 212.12(4), 212.17(1), (2), (3), 212.183, 213.255(2), (3), (4), (12), 213.34, 215.26, 220.725, 220.727, 624.5092, 681.104 FS. History--New 11-14-91, Amended 4-18-93, 10-4-01, 9-28-04,\_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE NO.:

RULE TITLE:

12A-1.097

Public Use Forms

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

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

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

LAW IMPLEMENTED: 92.525(1)(b), (3), 95.091, 125.0104, 125.0108, 201.01, 201.08(1)(a), 201.133, 201.17(1)-(5), 202.11(2), (3), (6), (16), (24), 202.17, 202.22(3)-(6), 202.28(1), 203.01, 212.02, 212.03, 212.0305, 212.031, 212.04, 212.05, 212.0501, 212.0515, 212.054, 212.055, 212.06, 212.0606, 212.07(1), (8), (9), 212.08, 212.084(3), 212.085, 212.09, 212.096, 212.11(1), (4), (5), 212.12(1), (2), (9), (13), 212.13, 212.14(5), 212.17, 212.18(2), (3), 213.235, 213.29, 213.37,

219.07, 288.1258, 376.70, 376.75, 403.717, 403.718, 403.7185, 443.036, 443.121(1), (3), 443.131, 443.1315, 443.1316, 443.171(2), (7) FS.

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DATE AND TIME: November 27, 2006, 9:30 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Jamie Peate, Operations Analyst, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)488-8026

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-1.097 Public Use Forms.

(1) The following public use forms and instructions are employed by the Department in its dealings with the public related to the administration of Chapter 212, F.S. These forms are hereby incorporated by reference in this rule.

(a) through (b) No change.

Form Number	Title	Effective Date
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(2) through (4) No change.

(5)(a) DR-7	Consolidated Sales and Use Tax Return (R. <del>01/07 01/06</del> )	___ 04/06
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(b) DR-7N	Instructions for Consolidated Sales and Use Tax Return (R. <del>01/07 01/06</del> )	___ 04/06
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(6)(a) DR-15	Sales and Use Tax Return (R. <del>01/07 01/06</del> )	___ 04/06
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(b) DR-15CS	Sales and Use Tax Return (R. <del>01/07 01/06</del> )	___ 04/06
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(c) DR-15CSN	DR-15 Sales and Use Tax - Instructions (R. <del>01/07 01/06</del> )	___ 04/06
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- (d) DR-15EZ Sales and Use Tax Return (R. ~~01/07 01/06~~) \_\_\_\_\_ ~~04/06~~
- (e) DR-15EZCSN DR-15EZ Sales and Use Tax Return – Instructions (R. ~~01/07 01/06~~) \_\_\_\_\_ ~~04/06~~
- (f) DR-15EZN Instructions for 2007 ~~2006~~ DR-15EZ Sales and Use Tax Returns (R. ~~01/07 01/06~~) \_\_\_\_\_ ~~04/06~~
- (g) No change.
- (h) DR-15MO Florida Tax on Purchases (R. ~~02/06 09/04~~) \_\_\_\_\_ ~~06/05~~
- (i) DR-15N Instructions for 2007 ~~2006~~ DR-15 Sales and Use Tax Returns (R. ~~01/07 01/06~~) \_\_\_\_\_ ~~04/06~~
- (j) DR-15ZC Application for Florida Enterprise Zone Jobs Credit for Sales Tax Effective June 7, 2006 ~~January 1, 2003~~ (R. ~~06/06 01/03~~) \_\_\_\_\_ ~~05/03~~
- (k) DR-15ZCN Instructions for Completing the Sales and Use Tax Return, form DR-15, when taking the Enterprise Zone Jobs Tax Credit under New Law (R. ~~06/06 01/03~~) \_\_\_\_\_ ~~05/03~~
- (l) through (m) No change.
- (7) through (8) No change.
- (9) DR-18 Application for Amusement Machine Certificate (R. ~~03/06 01/05~~) \_\_\_\_\_ ~~06/05~~
- (10) DR-26RP Florida Neighborhood Revitalization Program (R. ~~01/06 04/04~~) \_\_\_\_\_ ~~06/04~~
- (11) through (23) No change.

443.121(1), (3), 443.131, 443.1315, 443.1316, 443.171(2), (7) FS. History–New 4-12-84, Formerly 12A-1.97, Amended 8-10-92, 11-30-97, 7-1-99, 4-2-00, 6-28-00, 6-19-01, 10-2-01, 10-21-01, 8-1-02, 4-17-03, 5-4-03, 6-12-03, 10-1-03, 9-28-04, 6-28-05, 5-1-06,\_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

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

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

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

SPECIFIC AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS.  
 LAW IMPLEMENTED: 212.0606, 212.12(2), 213.235, 376.70, 403.717, 403.718, 403.7185 FS.

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

DATE AND TIME: November 27, 2006, 9:30 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Jamie Peate, Operations Analyst, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4726

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

12A-16.008 Public Use Forms.

(1)(a) The following public use forms and instructions are employed by the Department of Revenue in its dealings with the public in administering the rental car surcharge, as provided in this rule chapter, and the solid waste fees, as provided in Rule Chapter 12A-12, F.A.C. These forms are hereby incorporated by reference in this rule.

Specific Authority 201.11, 202.17(3)(a), 202.22(6), 202.26(3), 212.0515(7), 212.07(1)(b), 212.08(5)(b)4., (7), 212.11(5)(b), 212.12(1)(b)2., 212.17(6), 212.18(2), (3), 213.06(1), 376.70(6)(b), 376.75(9)(b), 403.718(3)(b), 403.7185(3)(b), 443.171(2), (7) FS. Law Implemented 92.525(1)(b), (3), 95.091, 125.0104, 125.0108, 201.01, 201.08(1)(a), 201.133, 201.17(1)-(5), 202.11(2), (3), (6), (16), (24), 202.17, 202.22(3)-(6), 202.28(1), 203.01, 212.02, 212.03, 212.0305, 212.031, 212.04, 212.05, 212.0501, 212.0515, 212.054, 212.055, 212.06, 212.0606, 212.07(1), (8), (9), 212.08, 212.084(3), 212.085, 212.09, 212.096, 212.11(1), (4), (5), 212.12(1), (2), (9), (13), 212.13, 212.14(5), 212.17, 212.18(2), (3), 213.235, 213.29, 213.37, 219.07, 288.1258, 376.70, 376.75, 403.717, 403.718, 403.7185, 443.036,

(b) No change.		
Form Number	Title	Effective Date
(2) DR-15SWCS	Solid Waste and Surcharge Return (DR-15SW)(R. <u>01/07</u> <del>01/06</del> )	_____ <u>07/06</u>
(3) DR-15SWN	Instructions for DR-15SW Solid Waste and Surcharge Returns (R. <u>01/07</u> <del>01/06</del> )	_____ <u>07/06</u>
(4) No change.		

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.0606, 212.12(2), 213.235, 376.70, 403.717, 403.718, 403.7185 FS. History—New 11-14-89, Amended 7-7-91, 8-10-92, 3-21-95, 6-19-01, 4-17-03, 9-28-04, 6-28-05, 7-25-06,\_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE NOS.:	RULE TITLES:
12A-19.030	Communications Services Tax Direct Pay Permits
12A-19.100	Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-19.030, F.A.C., (Communications Services Tax Direct Pay Permits), is to: (1) require a permit holder whose permit will expire to file an application for renewal of the permit with the Department; (2) require that direct pay permit holders whose communications services tax certificate of registration has been canceled must surrender their direct pay permit to the Department; (3) clarify that permit holders must issue a copy of their permit to the dealer in lieu of paying the communications services taxes identified on the permit; and (4) clarify how the amount of tax due by permit holders is to be paid to the Department.

The purpose of the proposed amendments to Rule 12A-19.100, F.A.C. (Public Use Forms) is to: (1) adopt, by reference, the new form used by permit holders to renew their direct pay permit; (2) provide which version of Form DR-700016, Florida Communications Services Tax Return, is to be used to report communications services tax on services billed during specified months; and (3) adopt, by reference, revisions to Form DR-700016, Communications Services Tax Return.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is: (1) the proposed guidelines regarding communications services tax direct pay permits; and (2) the adoption, by reference of a new form and revisions to forms currently used by the Department in the administration of the communications services tax.

SPECIFIC AUTHORITY: 202.15, 202.151, 202.16(2), 202.26(3)(a), (c), (d), (e), (i), (j), 202.27(7) FS.

LAW IMPLEMENTED: 202.11(3), (10), (11), 202.12(1), (3), 202.13(2), 202.15, 202.151, 202.16(2), (4), 202.17(6), 202.19(1), (7), 202.22(6), 202.27, 202.28(1), (2), 202.30~~(3)~~, 202.33, 202.34(3), (4)(c), 202.35(1), (2) FS.

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

DATE AND TIME: November 27, 2006, 9:30 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any rulemaking proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least 48 hours before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Gary Gray, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4729

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-19.030 Communications Services Tax Direct Pay Permits.

(1) Persons who purchase communications services may apply for a communications services tax direct pay permit from the Department to assume the obligation of self-accruing and remitting to the state the tax due on their purchases of communications services when:

(a) The majority of the communications services purchased for use by a person are for communications that originate outside of Florida and terminate within Florida; or

(b) The taxable status of sales of communications services will be known only upon use.

(2) For purposes of this rule, the term "person" means a single legal entity and does not mean a group or combination of affiliated entities or entities controlled by one (1) person or group of persons.

(3)(a) To request a Communications Services Tax Direct Pay Permit, a person must file Form DR-700030, Application for Self-Accrual Authority/Direct Pay Permit Communications Services Tax (incorporated by reference in Rule 12A-19.100, F.A.C.), with the Department, in the manner provided on the form.



(b) Each permit holder must hold a valid dealer's Communications Services Tax Certificate of Registration (Form DR-700014) issued by the Department. Persons that are not registered with the Department for the communications services tax must file an Application to Collect and/or Report Tax in Florida (Form DR-1) with the Department. If Form DR-700030, Application for Self-Accrual Authority/Direct Pay Permit Communications Services Tax accompanies Form DR-1, then Form DR-700020, Notification of Method Employed to Determine Taxing Jurisdiction (Communications Services Tax) (incorporated by reference in Rule 12A-19.100, F.A.C.), is only required to be filed if an applicant will be responsible for collecting and remitting local communications services taxes on sales of communications services.

(4)(a) The effective date of a Communications Services Tax Direct Pay Permit is the postmark date of the application or, when delivered by means other than the United States Postal Service, the date the application is received by the Department.

(b) The Department will specify on each communications services tax direct pay permit the specific taxes for which the Dealer is authorized to self-accrue and remit tax directly to the Department. When a direct pay permit authorizes self-accrual of any local communications services taxes, each service address that a direct pay permit applies to will be identified.

(c)1. A communications services tax direct pay permit expires five (5) years from the effective date. The expiration date shall be the end of the month preceding five years from the effective date, if the effective date is on or before the 15th of the month. The expiration date shall be the end of the month that is five (5) years from the effective date, if the effective date is after the 15th of the month. The Department will provide a Renewal Notice and Application for Self-Accrual Authority/Direct Pay Permit – Communications Services Tax (Form DR-700032, incorporated by reference in Rule 12A-19.100, F.A.C.) renewal notice to a permit holder sixty (60) days prior to the expiration date of a permit.  Holders of a communications services tax direct pay permit whose certificate will expire must complete Form DR-700032 prior to expiration of their current direct pay permit. Persons that fail to receive Form DR-700032 a renewal notice or who that need more information regarding the notice may contact the Department at Account Management Central Registration, Florida Department of Revenue, P. O. Box 6480, Tallahassee, Florida 32314-6480.

2. When the registration of a permit holder has been canceled, and the permit holder no longer holds a valid dealer's Communications Services Tax Certificate of Registration, the permit holder must surrender the permit to the Department for cancellation. To surrender a permit, the permit holder must forward the permit to Account Management, Florida Department of Revenue, P. O. Box 6480, Tallahassee, Florida 32314-6480.

~~3.2.~~ Upon expiration of the purchasing customer's communications services tax direct pay permit, a dealer is required to collect and remit the applicable communications services tax from that customer.

(5) COMMUNICATIONS SERVICES TAX DIRECT PAY PERMIT FOR INTERSTATE COMMUNICATIONS SERVICES.

(a) Persons issued a direct pay permit under the provisions of this subsection will receive Form DR-700031, Communications Services Tax Direct Pay Permit. Permit holders must provide a copy of Form DR-700031 to the communications services dealer to purchase communications services identified on the permit tax-exempt at the time of purchase.

(b) Permit holders are required to pay each calendar year to the Department an amount not to exceed the following:

1. \$100,000 in communications services taxes, imposed under Sections 202.12 and 203.01(1)(a)2., F.S., on all charges for interstate communications services that originate outside Florida and terminate inside Florida that are billed to a single entity; or

2. \$100,000 in communications services taxes, imposed under Sections 202.12 and 203.01(1)(a)2., F.S., on all charges for interstate communications services that originate outside Florida and terminate inside Florida that are billed to a single entity and \$25,000 in local communications services tax, imposed under Section 202.19(1), F.S., on charges for interstate communications services that originate outside Florida and terminate inside Florida that are billed to each individual service address identified on a permit in any municipality or county imposing a local communications services tax.

(c) The filing of the returns for the taxes identified on a direct pay permit must be made on a monthly basis, and the tax may be remitted in one (1) of the following manners:

1. The tax due may be prorated throughout the calendar year;

2. The tax due, based on a permit holder's purchases, may be paid to the Department as the applicable tax is accrued; or

3. The total amount of the tax due, not to exceed the amount of the partial exemption authorized under the permit, may be paid in full as a single payment with the first return of each calendar year, ~~followed by returns indicating that no tax is due in subsequent months.~~ Subsequent returns must be filed indicating that that no tax is due with the return.

(d) A return must be filed by a direct pay permit holder even if no tax is due.

(e) A permit holder must pay its tax obligation to the Department using electronic funds transfer, as required by Section 202.30(1), F.S., and Rule Chapter 12-24, F.A.C., and must submit its return using electronic data interchange, as required by Section 202.30(2), F.S., and Rule Chapter 12-24, F.A.C.

(f) In the calendar year of issuance, any amounts of communications services taxes paid by a permit holder to its provider(s) after the effective date of a direct pay permit will be included in credited against the total amount of communications services tax due to the Department for that calendar year. When ~~in~~ remitting the remaining amounts ~~required to be paid~~ to the Department, the amount paid directly to communications services provider(s) after the effective date of a permit may be deducted from the total amount due to the Department. In the event that a permit holder has paid to its provider(s) ~~after the effective date of a direct pay permit~~ an amount that exceeds results in total payments in excess of the amount of tax allowed ~~required~~ by the a permit, the a permit holder must obtain the applicable refund or credit from its provider(s).

(g) Communications services taxes and local communications services taxes are due and must be paid to the selling dealer or directly to the Department on all charges for intrastate communications services and charges for interstate communications services that originate inside Florida and terminate outside Florida.

**(6) COMMUNICATIONS SERVICES TAX DIRECT PAY PERMIT FOR TAX DUE UPON DETERMINATION OF USE.**

(a) Persons that are issued a direct pay permit under the provisions of this subsection will receive Form DR-700031, Communications Services Tax Direct Pay Permit. Permit holders must provide a copy of Form DR-700031 to the communications services dealer to purchase communications services identified on the permit tax-exempt at the time of purchase.

(b) Permit holders are required to file tax returns on a monthly basis and pay to the Department the amount of the state communications services tax, imposed under Sections

202.12 and 203.01(1)(a)2., F.S., and the amount of local communications services taxes, imposed under Section 202.19, F.S., due upon the determination of the use of such communications services.

(7) In the event that an original communications services tax direct pay permit is lost or destroyed, a permit holder may request a replacement ~~by visiting any local Department of Revenue Service Center to personally obtain a copy or~~ by contacting the Department at (800)352-3671 ~~(in Florida only)~~ or (850)488-6800. Persons with hearing or speech impairments may call the Department's TDD; at (800)367-8331. Written requests should be addressed to Account Management Central Registration, Florida Department of Revenue, P. O. Box 6480, Tallahassee, Florida 32314-6480.

(8) through (9) No change.

Specific Authority 202.26(3)(e), (i), 202.27(~~7~~)(~~6~~) FS. Law Implemented 202.12(3), 202.16(4), 202.19(~~7~~)(~~8~~), 202.27(~~7~~)(~~6~~)(b), 202.30, 202.34(3) FS. History—New 1-31-02, Amended 4-17-03,\_\_\_\_\_.

Cross-Reference: Rules 12A-19.010 and 12A-19.060, F.A.C.

12A-19.100 Public Use Forms.

(1)(a) The Department employs the following public-use forms and instructions in the administration of Chapter 202, F.S., Communications Services Tax. These forms are hereby incorporated by reference in this rule.

(b) No change.

(2) The following versions of Form DR-700016, Florida Communications Services Tax Return, are applicable to the reporting periods and service billing dates indicated:

REVISION DATE	REPORTING PERIODS
01/07	January 2007 –
06/06	June 2006 – December 2006
01/06	January 2006 – May 2006
11/05	November 2005 – December 2005
06/05	June 2005 – October 2005
01/05	January 2005 – May 2005
11/04	November 2004 – December 2004
10/04	October 2004
06/04	June 2004 – September 2004
01/04	January 2004 – May 2004
12/03	December 2003
11/03	November 2003
10/03	October 2003
06/03	June 2003 – September 2003
03/03	March 2003 – May 2003
01/03	January 2003 – February 2003
12/02	December 2002
11/02	November 2002
10/02	October 2002
01/02	January 2002 – September 2002
12/01	October 2001 – December 2001

SERVICE BILLING DATES
January 1, 2007 –
June 1, 2006 – December 31, 2006
January 1, 2006 – May 31, 2006
November 1, 2005 – December 31, 2005
June 1, 2005 – October 31, 2005
January 1, 2005 – May 31, 2005
November 1, 2004 – December 31, 2004
October 1, 2004 – October 31, 2004
June 1, 2004 – September 30, 2004
January 1, 2004 – May 31, 2004
December 1, 2003 – December 31, 2003
November 1, 2003 – November 30, 2003
October 1, 2003 – October 31, 2003
June 1, 2003 – September 30, 2003
March 1, 2003 – May 31, 2003
January 1, 2003 – February 28, 2003
December 1, 2002 – December 31, 2002
November 1, 2002 – November 30, 2002
October 1, 2002 – October 31, 2002
January 1, 2002 – September 30, 2002
October 1, 2001 – December 31, 2001

Form Number	Title	Effective Date
(3) No change.		
(4)(a) <u>DR-700016</u>	<u>Florida Communications Services Tax Return (R. 01/07)</u>	_____
(b) <u>DR-700016</u>	<u>Florida Communications Services Tax Return (R. 06/06)</u>	_____
(a) through (s) renumbered (c) through (u) No change.		
(5) through (11) No change.		
(12)(a) <u>DR-700030</u>	Application for Self-Accrual Authority/Direct Pay Permit Communications Services Tax <u>(R. 06/06)</u> <del>N. 07/04</del>	_____ <u>04/03</u>
(b) <u>DR-700032</u>	<u>Renewal Notice and Application for Self-Accrual Authority/ Direct Pay Permit – Communications Services Tax (R. _____)</u>	_____

Specific Authority 202.151, 202.16(2), 202.26(3)(a), (c), (d), ~~(e)~~, (j), 202.27(7) FS. Law Implemented 202.11(3), (10), (11), 202.12(1), (3), 202.13(2), 202.151, 202.16(2), (4), 202.17(6), 202.19(1), (7), 202.22(6), 202.27, 202.28(1), (2), 202.30~~(3)~~, 202.33, 202.34(3), (4)(c), 202.35(1), (2) FS. History–New 4-17-03, Amended 7-31-03, 10-1-03, 9-28-04, 6-28-05, 11-14-05, 7-16-05, \_\_\_\_\_.

**DEPARTMENT OF REVENUE**

**Miscellaneous Tax**

RULE NO.: RULE TITLE:

12B-5.150 Public Use Forms

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

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

SPECIFIC AUTHORITY: 206.14(1), 206.59(1), 213.06(1) FS.

LAW IMPLEMENTED: 206.02, 206.021, 206.022, 206.025, 206.026, 206.027, 206.028, 206.05, 206.055, 206.095, 206.404, 206.43, 206.86, 206.877, 206.90, 206.91, 206.92, 206.9931, 206.9943 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: November 27, 2006, 9:30 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Jamie Peate, Operations Analyst, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4726

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12B-5.150 Public Use Forms.

(1)(a) The following public use forms and instructions are utilized by the Department and are hereby incorporated by reference in this rule.

(b) Copies may be obtained, without cost, by one (1) or more of the following methods: 1) downloading the form from the Department’s Internet site at [www.myflorida.com/dor/forms/](http://www.myflorida.com/dor/forms/); or, 2) faxing a forms request to the Distribution Center at (850)922-2208; or 3) calling the Distribution Center at (850)488-8422; or, 4) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or, 5) visiting any local Department of Revenue Service Center to personally obtain a copy. Persons with hearing or speech impairments may call the Department’s TDD at (800)367-8331.

Form Number	Title	Effective Date
(1) through (12) renumbered (2) through (13) No change.		
<u>(14)(13)</u> DR-182	Florida Air Carrier Fuel Tax Return (R. <u>01/07</u> <del>04/06</del> )	_____ <u>05/06</u>
(14) through (16) renumbered (15) through (17) No change.		
<u>(18)(17)</u> DR-191	Application for Aviation Fuel Refund – Air Carriers (R. <u>07/06</u> <del>03/06</del> )	_____ <u>05/06</u>
(18) through (19) renumbered (19) through (20) No change.		
<u>(21)(20)</u> DR-309631	Terminal Supplier Fuel Tax Return (R. <u>01/07</u> <del>04/06</del> )	_____ <u>05/06</u>

<p><del>(22)</del>(21) DR-309631N Instructions for Filing Terminal Supplier Fuel Tax Return (R. <u>01/07 01/06</u>) _____ 05/06</p> <p><del>(23)</del>(22) DR-309632 Wholesaler/Importer Fuel Tax Return (R. <u>01/07 01/06</u>) _____ 05/06</p> <p><del>(24)</del>(23) DR-309632N Instructions for Filing Wholesaler/Importer Fuel Tax Return (R. <u>01/07 01/06</u>) _____ 05/06</p> <p><del>(25)</del>(24) DR-309633 Mass Transit System Provider Fuel Tax Return (R. <u>01/07 01/06</u>) _____ 05/06</p> <p><del>(26)</del>(25) DR-309633N Instructions for Filing Mass Transit System Provider Fuel Tax Return (R. <u>01/07 01/06</u>) _____ 05/06</p> <p><del>(27)</del>(26) DR-309634 Local Government User of Diesel Fuel Tax Return (R. <u>01/07 01/06</u>) _____ 05/06</p> <p><del>(28)</del>(27) DR-309634N Instructions for Filing Local Government User of Diesel Fuel Tax Return (R. <u>01/07 01/06</u>) _____ 05/06</p> <p><del>(29)</del>(28) DR-309635 Blender/Retailer of Alternative Fuel Tax Return (R. <u>01/07 01/06</u>) _____ 05/06</p> <p><del>(30)</del>(29) DR-309635N Instructions for Filing Blender/Retailer of Alternative Fuel Tax Return (R. <u>01/07 01/06</u>) _____ 05/06</p> <p><del>(31)</del>(30) DR-309636 Terminal Operator Information Return (R. <u>01/07 01/06</u>) _____ 05/06</p> <p><del>(32)</del>(31) DR-309636N Instructions for Filing Terminal Operator Information Return (R. <u>01/07 01/06</u>) _____ 05/06</p>	<p><del>(33)</del>(32) DR-309637 Petroleum Carrier Information Return (R. <u>01/07 01/06</u>) _____ 05/06</p> <p><del>(34)</del>(33) DR-309637N Instructions for Filing Petroleum Carrier Information Return (R. <u>01/07 01/06</u>) _____ 05/06</p> <p><del>(35)</del>(34) DR-309638 Exporter Fuel Tax Return (R. <u>01/07 01/06</u>) _____ 05/06</p> <p><del>(36)</del>(35) DR-309638N Instructions for Filing Exporter Fuel Tax Return (R. <u>01/07 01/06</u>) _____ 05/06</p> <p><del>(37)</del>(36) DR-309639 Application for Return of Tax Paid on Undyed Diesel Used for Off-Road or Other Exempt Purposes (with Instructions) (R. <u>07/06 04/06</u>) _____ 05/06</p> <p><del>(38)</del>(37) No change.</p> <p><del>(39)</del>(38) DR-309645 2006 Refundable Portion of Local Option and SCETS Tax (R. <u>06/06 01/06</u>) _____ 05/06</p> <p><del>(40)</del>(39) No change.</p>	<p>Specific Authority 206.14(1), 206.59(1), 213.06(1) FS. Law Implemented 206.02, 206.021, 206.022, 206.025, 206.026, 206.027, 206.028, 206.05, 206.055, 206.095, 206.404, 206.43, 206.86, 206.877, 206.90, 206.91, 206.92, 206.9931, 206.9943 FS. History—New 11-21-96, Amended 10-27-98, 5-1-06,_____.</p> <p><b>DEPARTMENT OF REVENUE</b></p> <p><b>Miscellaneous Tax</b></p> <p>RULE NO.:                      RULE TITLE:</p> <p>12B-8.003                      Tax Statement; Overpayments</p> <p>PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12B-8.003, F.A.C. (Tax Statement; Overpayments), is to adopt, by reference, changes to forms used by the Department in the administration of the insurance premium tax.</p>
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SUBJECT AREA TO BE ADDRESSED: The subject area of this rule development is the proposed adoption of changes to forms used by the Department in the administration of the insurance premium tax.

SPECIFIC AUTHORITY: 213.06(1) FS.

LAW IMPLEMENTED: 213.05, 213.37, 624.5092, 624.511, 624.518 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: November 27, 2006, 9:30 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS: Jamie Peate, Operations Analyst, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4726

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12B-8.003 Tax Statement; Overpayments.

(1) Tax returns and reports shall be made by insurers on forms prescribed by the Department. These forms are hereby incorporated by reference in this rule.

(2) through (4) No change.

Form Number	Title	Effective Date
(5)(a) DR-907	Florida Insurance Premium Installment Payment (R. <u>01/07</u> <del>01/06</del> )	___ <del>06/06</del>
(b) DR-907N	Information for Filing Insurance Premium Installment Payment (Form DR-907) (R. <u>01/07</u> <del>01/06</del> )	___ <del>06/06</del>
(6)(a) DR-908	Insurance Premium Taxes and Fees Return for Calendar Year <u>2006</u> <del>2005</del> (R. <u>01/07</u> )	

(b) DR-908N	Instructions for Preparing Form DR-908 Florida Insurance Premium Taxes and Fees Return (R. <u>01/07</u> <del>01/06</del> )	___ <del>06/06</del>
(7) DR-350900	<u>2006</u> <del>2005</del> Insurance Premium Tax Information for Schedules XII and XIII, DR-908 (R. <u>01/07</u> <del>01/06</del> )	___ <del>06/06</del>

Specific Authority 213.06(1) FS. Law Implemented 213.05, 213.37, 624.5092, 624.511, 624.518 FS. History—New 2-3-80, Formerly 12B-8.03, Amended 3-25-90, 3-10-91, 2-18-93, 6-16-94, 12-9-97, 3-23-98, 7-1-99, 10-15-01, 8-1-02, 5-4-03, 9-28-04, 6-28-05, 6-20-06.

**DEPARTMENT OF REVENUE**

**Corporate Income Tax**

RULE NOS.:	RULE TITLES:
12C-1.0187	Credits for Contributions to Nonprofit Scholarship Funding Organizations
12C-1.0191	Capital Investment Tax Credit Program
12C-1.051	Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12C-1.0187, F.A.C. (Credits for Contributions to Nonprofit Scholarship Funding Organizations), is to incorporate changes to Section 220.187, F.S., as amended by Section 2, Chapter 2006-75, L.O.F., which provides for rescindments of the tax credit for contributions to nonprofit scholarship organizations and removes the limitation on the amount of donation that may be contributed by an entity to such organizations. The proposed amendments remove language that specifically disallowed a rescindment of an allocated credit and provides guidance on the rescindment process and when such rescindments of credit will be approved by the Department. The proposed amendments also provide that, in lieu of a specific threshold requiring taxpayers to file an application for credit against the corporate income tax online, taxpayers who are required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., will be required to file the applications online via the Department's online Internet site.

The purpose of the proposed amendments to Rule 12C-1.0191, F.A.C. (Capital Investment Tax Credit Program), is to provide information and the requirements of the approval process for a new qualifying project that is located in an enterprise zone and brownfield area, as provided in Section 220.191(1)(h)3., F.S.,

created by Section 1, Chapter 2006-55, L.O.F., for purposes of the capital investment tax credit applied against the corporate income tax.

The purpose of the proposed amendments to Rule 12C-1.051, F.A.C. (Forms), is to adopt, by reference, new forms and changes to the forms used by the Department in the administration of the corporate income tax and to remove obsolete forms no longer used by the Department.

**SUBJECT AREA TO BE ADDRESSED:** The subject area of the workshop is: (1) the proposed guidelines for rescinding a previously approved tax credit allocation for contributions to nonprofit scholarship funding organizations authorized pursuant to Section 220.187, F.S.; (2) the proposed guidelines for obtaining approval for a new qualifying project under s. 220.191(1)(h)3., F.S., for purposes of the capital investment tax credit applied against the corporate income tax; and (3) the proposed adoption of new forms and changes to forms used by the Department in the administration of the corporate income tax and the repeal of forms no longer used by the Department.

**SPECIFIC AUTHORITY:** 213.06(1), 220.187, 220.191(7), 220.51 FS.

**LAW IMPLEMENTED:** 213.05, 213.35, 213.755, 220.03(1), 220.11, 220.12, 220.13(1), (2), 220.131, 220.14, 220.15, 220.16, 220.181, 220.182, 220.183, 220.184, 220.1845, 220.185, 220.186, 220.187, 220.1895, 220.19, 220.191, 220.21, 220.211, 220.22, 220.221, 220.222, 220.23, 220.24, 220.241, 220.31, 220.32, 220.33, 220.34, 220.41, 220.42, 220.43, 220.44, 220.51, 220.721, 220.723, 220.725, 220.737, 220.801, 220.803, 220.805, 220.807, 220.809, 221.04 FS.

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

**DATE AND TIME:** November 27, 2006, 9:30 a.m.

**PLACE:** Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

**NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT:** Any person requiring special accommodations to participate in any proceeding before the Technical Assistance and Dispute Resolution Office is asked to advise the Department at least five (5) calendar days before such proceeding by contacting Larry Green at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT WORKSHOP IS:** Robert DuCasse, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4715

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

12C-1.0187 Credits for Contributions to Nonprofit Scholarship Funding Organizations.

(1) An application for Corporate Income Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (SFOs) (Form F-1160, incorporated by reference in Rule 12C-1.051, F.A.C.) must be filed with the Department to receive such credit.

(a) Taxpayers required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., that paid \$30,000 or more in corporate income tax in the state fiscal year prior to application must apply online via the Department's Internet site at [www.myflorida.com/dor](http://www.myflorida.com/dor). When the application for credit has been completed and submitted electronically, a confirmation screen will provide a confirmation number and will confirm receipt of the electronic application for credit.

(b) Taxpayers who are not required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., that paid less than \$30,000 in corporate income tax in the state fiscal year prior to application are encouraged to apply online via the Department's Internet site at [www.myflorida.com/dor](http://www.myflorida.com/dor). However, such taxpayers a taxpayer that paid less than \$30,000 in corporate income tax in the state fiscal year prior to application may apply for an allocation of credit by filing mailing a paper version of Form F-1160 with the Department to: Florida Department of Revenue, Revenue Accounting—CIT SFO Credit, 5050 W. Tennessee Street, Building I, Tallahassee, FL 32399-0100.

(c) No change.

(2) through (3) No change.

(4) A taxpayer is required to make a separate application for each SFO scholarship funding organization it intends to support or any carry forward credit it would like to use. Any credit, including carry forward credits, allocated to a taxpayer cannot be rescinded by the taxpayer or returned to the Department for reallocation to another taxpayer.

(5) through (6) No change.

(7) Effective for tax years beginning on or after January 1, 2006, a taxpayer may apply to the Department for rescindment of all or part of a previously approved credit allocation for a contribution to an SFO, or a credit carryforward. The rescindment will be approved unless: (1) the taxpayer has had more than one approved rescindment of this credit within the last three (3) tax years; (2) the previously approved credit allocation amount to be rescinded has been claimed as a credit on a previously filed Florida corporate income tax return; or (3) the allocation year is closed for all taxpayers. The allocation for a particular year is closed for all taxpayers at the end of the subsequent calendar year. For example, the allocation year beginning January 1, 2006, closes for all taxpayers on December 31, 2007, regardless whether the

annual allotment has been reached, because there are no more tax years remaining open that began in calendar year 2006 as of December 31, 2007.

(a) An Application for Rescindment of Corporate Income Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (SFOs) (Form F-1161, incorporated by reference in Rule 12C-1.051, F.A.C.) must be filed with the Department to rescind all or part of a previously approved credit allocation or credit carryforward allocation.

(b)1. Taxpayers required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., must apply for rescindment of all or part of a previously approved credit allocation for a contribution to an SFO, or a credit carryforward, online via the Department's Internet site at [www.myflorida.com/dor](http://www.myflorida.com/dor). When the application for rescindment has been completed and submitted electronically, a confirmation screen will provide a confirmation number and will confirm receipt of the electronic application for rescindment.

2. Taxpayers who are not required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Rule Chapter 12-24, F.A.C., are encouraged to apply for the rescindment of a credit allocation for a contribution to an SFO by applying online via the Department's Internet site. However, such taxpayers may apply for a rescindment by filing a paper version of Form F-1161 with the Department.

(c) The Department will send written correspondence to each rescindment applicant within ten working days of receipt of the application for rescindment regarding the amount of the rescindment or the reason the rescindment could not be approved.

(d) If the approval of a rescindment reopens the credit allocation for a year in which the annual allotment had previously been reached, the Department will notify each SFO that additional credit is available for allocation for that year.

(8)(7) No change.

Specific Authority 213.06(1), 220.187, 220.51 FS. Law Implemented 213.05, 213.35, 213.755, 220.03(1), 220.131, 220.187, 220.44 FS. History—New 3-15-04, Amended \_\_\_\_\_.

12C-1.0191 Capital Investment Tax Credit Program.

(1) Qualifying projects defined in Section 220.191(1)(h)1. and 2., F.S.

(a)(1) Section 220.191, F.S., requires an application process for the capital investment tax credit, which includes review and recommendation by Enterprise Florida (EFI), and a certification from the Office of Tourism, Trade, and Economic Development (OTTED). Once the applicant has been recommended by EFI and certified by OTTED, the applicant is required to reach a written agreement with the Florida Department of Revenue (Department) on how the taxable income from the qualifying project is to be determined or

calculated. The Department adopts a Technical Assistance Advisement (TAA), which the applicant requests from the Department, as the method for entering into such written agreement. When requesting the TAA, the applicant is required to ~~should~~ follow the guidelines provided in Rule 12-11.003, F.A.C., and in addition, to include how the applicant proposes they propose to determine the taxable income generated by or arising out of the qualifying project.

1.(a) In situations where the applicant is using a separate corporate entity to account for the activities of the qualifying project, the taxable income generated by that entity as reported on the return filed pursuant to Section 220.22(1), F.S., will be used to determine the amount of income tax due, and the subsequent amount of the credit that will be available for use. If the applicant has other activities not related to the project reported on this return, a pro forma attachment will be required to separately account for the taxable income generated by the project, the resulting amount of tax due, and the subsequent amount of the credit that will be available for use.

2.(b) Where the activities of the qualifying project are included within preexisting multiple corporate structures, such as several affiliates or divisions, or the activities of the project are included within a corporation or corporations that are included in ~~filling~~ a consolidated income tax return filed pursuant to Section 220.131, F.S., the applicant will be required to separately account for, using a "pro forma" format, the qualifying project's taxable income, the amount of income tax due, and subsequent credit. This pro-forma attachment will indicate separately all revenues, expenses, either direct or indirect, and any other adjustments made in the determination of the project's annual taxable income, and the subsequent annual amount of the Capital Investment Tax Credit that may be claimed on ~~in~~ the Florida corporate income tax return. This computation requires the qualifying project's annual taxable income to be determined by generally accepted accounting principles (GAAP) and; to conform to the provisions contained in Florida Corporate Income Tax Law under Chapter 220, F.S.

3.(e) In situations where the activities of the project are included within other types of corporate structures, the applicant will be required to separately account for, using a "pro forma" format, the qualifying project's taxable income, the amount of income tax due, and subsequent credit. This pro-forma attachment will indicate separately all revenues, expenses, either direct or indirect, and any other adjustments made in the determination of the project's annual taxable income, and the subsequent annual amount of the Capital Investment Tax Credit that may be claimed on ~~in~~ the Florida corporate income tax return. This computation requires the qualifying project's annual taxable income to be determined by generally accepted accounting principles (GAAP) and; to conform to the provisions contained in Florida Corporate Income Tax Law under Chapter 220, F.S.

(b)(2) The maximum annual amount of Capital Investment Tax Credit is limited to 5 percent of the certified eligible capital costs of the qualifying project, for a period not to exceed 20 years, beginning with the commencement of the project's operations. The tax credit may not be carried forward or backward. The sum of all capital investment tax credits cannot exceed 100 percent of the eligible capital costs of the project.

(2) Qualifying projects defined in Section 220.191(1)(h)3., F.S.

(a) Section 220.191, F.S., requires an application process for the capital investment tax credit, which includes review and recommendation by Enterprise Florida (EFI) and a certification from the Office of Tourism, Trade, and Economic Development (OTTED). The maximum annual amount of Capital Investment Tax Credit is limited to the lesser of \$15 million or 5 percent of the certified eligible capital costs of the qualifying project, for a period not to exceed 20 years, beginning with the commencement of the project's operations. If the tax credit is not fully used in any one year, the unused amount may be carried forward for a period not to exceed 20 years after the commencement of operations of the project. The tax credit may be used in whole or in part by the qualifying business or by any corporation that is a member of that qualifying business' affiliated group of corporations, is a related entity taxable as a cooperative under subchapter T of the Internal Revenue Code, or, if the qualifying business is an entity taxable as a cooperative under subchapter T of the Internal Revenue Code, is related to the qualifying business. The sum of all capital investment tax credits cannot exceed 100 percent of the eligible capital costs of the project.

(b) When the capital investment tax credit is used in whole or in part by a member of the qualifying business's affiliated group or by a related entity that is taxable as a cooperative under subchapter T of the Internal Revenue Code, the qualifying business and the entities claiming the qualifying business's tax credit must attach a schedule reconciling the amount of capital investment tax credit claimed by each entity. The name, federal identification number, and amount of capital investment tax credit claimed by each entity must be included in the schedule.

(3) A copy of the OTTED certification, EFI documents, and, as appropriate, any "pro forma" attachment required by the written agreement to provide the calculations used in the determination of the annual taxable income generated by or arising out of the qualifying project, is required to ~~should~~ be included with the Florida Corporate Income Tax Return (Form ~~form~~ F-1120) when filing for, and claiming the Capital Investment Tax Credit.

(4) A taxpayer that claims the capital investment tax credit against the insurance premium tax may not claim credit for the same qualifying project against the corporate income

tax. For qualifying projects defined in Section 220.191(1)(h)3., F.S., the capital investment tax credit may only be applied against corporate income tax.

(5) No change.

Specific Authority 213.06(1), 220.191(7), 220.51 FS. Law Implemented 220.191 FS. History--New 8-4-05, Amended.

12C-1.051 Forms.

(1)(a) The following forms and instructions are used by the Department in its administration of the corporate income tax and franchise tax. These forms are hereby incorporated by reference in this rule.

(b) No change.

Form Number	Title	Effective Date
(2) No change.		
(3) F-851	Corporate Income/ Franchise and Emergency Excise Tax Affiliation Schedule (R. <u>01/07 01/06</u> )	____ 04/06
(4)(a) F-1065	Florida Partnership Information Return (R. <u>01/07 01/06</u> )	____ 04/06
(b) F-1065N	Instructions for Preparing Form F-1065 Florida Partnership Information Return (R. <u>01/07 01/05</u> )	____ 04/06
(5) F-1120A	Florida Corporate Short Form Income Tax Return (R. <u>01/07 01/06</u> )	____ 04/06
(6)(a) F-1120	Florida Corporate Income/Franchise and Emergency Excise Tax Return (R. <u>01/07 01/05</u> )	____ 04/06
(b) F-1120N	F-1120 Instructions – Corporate Income/ Franchise and Emergency Excise Tax Return for taxable years beginning on or after January 1, <u>2006 2005</u> (R. <u>01/07 01/06</u> )	____ 04/06
(7) F-1120ES	Declaration/Installment of Florida Estimated Income/Franchise and/or Emergency Excise Tax for Taxable	



	Year Beginning on or after January 1, <u>2007</u> <del>2006</del>		Income Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (SFOs) (R. <u>10/06</u> <del>07/04</del> )	
(8)(a) F-1120X	(R. <u>01/07</u> <del>01/06</del> )	___ 04/06		___ 09/04
	Amended Florida Corporate Income/ Franchise and Emergency Excise Tax Return		(b) F-1161	Application for Rescindment of Corporate Income Tax Credit for Contributions to Nonprofit Scholarship Funding Organizations (SFOs) (R. <u>07/06</u> )
(b) F-1120XN	(R. <u>01/07</u> <del>01/06</del> )	___ 04/06		
	Instructions for Preparing Form F-1120X Amended Florida Corporate Income/Franchise and Emergency Excise Tax Return		(14)(15) No change.	
(9) No change.	(R. <u>01/07</u> <del>01/06</del> )	___ 04/06	(15)(16) F-7004	Florida Tentative Income/Franchise and/or Emergency Excise Tax Return and Application for Extension of Time to File Return (R. <u>01/07</u> <del>01/06</del> )
(10)(a) F-1156Z	Florida Enterprise Zone Jobs Credit Certificate of Eligibility for Corporate Income Tax (R. <u>07/06</u> <del>07/05</del> )	___ 04/06		
(b) F-1156ZN	Instructions for Completing Form F-1156Z Florida Enterprise Zone Jobs Credit Certificate of Eligibility for Corporate Income Tax (R. <u>07/06</u> <del>07/05</del> )	___ 04/06		Specific Authority 213.06(1), 220.51 FS. Law Implemented 220.11, 220.12, 220.13(1), (2), 220.14, 220.15, 220.16, 220.181, 220.182, 220.183, 220.184, 220.1845, 220.185, 220.186, 220.187, 220.1895, 220.19, 220.191, 220.21, 220.211, 220.22, 220.221, 220.222, 220.23, 220.24, 220.241, 220.31, 220.32, 220.33, 220.34, 220.41, 220.42, 220.43, 220.44, 220.51, 220.721, 220.723, 220.725, 220.737, 220.801, 220.803, 220.805, 220.807, 220.809, 221.04 FS. History—New 9-26-77, Amended 12-18-83, Formerly 12C-1.51, Amended 12-21-88, 12-31-89, 1-31-91, 4-8-92, 12-7-92, 1-3-96, 3-18-96, 3-13-00, 6-19-01, 8-1-02, 6-19-03, 3-15-04, 9-24-04, 6-28-05, 5-1-06, _____.
(11)(a) F-1158	Enterprise Zone Property Tax Credit (R. <u>01/00</u> )	08/02		
(b) F-1158N	Instructions for Form F-1158 Enterprise Zone Property Tax Credit (R. <u>01/00</u> )	___ 08/02		
(11)(12)(a) F-1158Z	Enterprise Zone Property Tax Credit —Effective July 1, 1995 (R. <u>01/07</u> <del>01/03</del> )	___ 06/03		
(b) F-1158ZN	Instructions for Form F-1158Z (Effective July 1, 1995) Enterprise Zone Property Tax Credit (R. <u>01/07</u> <del>01/03</del> )	___ 06/03		
(12)(13) No change.				
(13)(a)(14) F-1160	Application for Corporate			

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-208.101  
 RULE TITLE: Employee Grooming, Uniform and Clothing Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to limit the styles of beards that are authorized and to provide that employees shall notify in writing their supervisors prior to either growing facial hair or removing previously authorized facial hair.

SUBJECT AREA TO BE ADDRESSED: Employee uniform and clothing requirements.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dorothy M. Ridgway or Sherry Toothman, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-208.101 Employee Grooming, Uniform and Clothing Requirements.

(1) No change.

(2) In addition to the standards set forth in subsection (1), all male employees shall comply with the following grooming standards:

(a) No change.

(b) Facial hair for staff is authorized as follows: Staff shall be permitted to wear a neatly trimmed 1/4 inch beard, unless the wearing of facial hair would interfere with the performance of assigned duties.

1. Staff must notify the correctional office chief or, in the case of non-uniformed staff, their immediate supervisor, in writing, of their intention to grow authorized facial hair. Conversely, staff must also notify the correctional officer chief or, in the case of non-uniformed staff, their immediate supervisor, in writing, of their intent to shave previously authorized facial hair;

2. Any authorized facial hair as described below in subparagraph (2)(b)5. shall not exceed ¼ inch in length;

3. The wearing of authorized facial hair must not interfere with the performance of assigned duties;

4. Staff must obtain a new staff photo ID within one-week of the completion of growing or shaving of authorized facial hair;

5. Authorized facial hair is defined as:

a. A moustache that does not protrude below the top of the upper lip or past the corner of the mouth on the side; or

b. A full-face beard; or

c. A goatee with or without a moustache.

6. The growing of variations of the above, i.e. chin curtain, soul patch, handlebar moustache, mutton chops, and other similar styles are not authorized.

(3) through (7) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History–New 2-27-85, Amended 6-19-85, Formerly 33-4.07, Amended 3-6-88, 8-15-89, 2-12-91, 10-13-91, 4-19-98, 12-7-98, Formerly 33-4.007, Amended 10-5-99, 3-21-00, 12-18-00, 4-30-02, 2-20-03, 6-26-03, 10-27-03, 12-28-03, 12-12-04, 9-11-06,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-208.401  
 RULE TITLE: Personal Vehicle Damage Reimbursement Claims

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify that employees using a personal vehicle while on duty must have automobile insurance to include property or collision coverage in order to seek reimbursement for a deductible claim when the vehicle is damaged while on duty and provide that the deductible reimbursement shall not exceed six hundred dollars.

SUBJECT AREA TO BE ADDRESSED: employee claims for personal vehicle damage

SPECIFIC AUTHORITY: 944.0611 FS.

LAW IMPLEMENTED: 944.0611 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: Dorothy M. Ridgway, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-208.401 Personal Vehicle Damage Reimbursement Claims.

(1) No change.

(2) Responsibilities.

(a) No change.

(b) To qualify to be reimbursed for any deductible claim, the claimant shall have in effect, prior to any accident under which a deductible reimbursement is sought, an automobile insurance policy issued by an insurance company authorized to operate by Florida law. Such policy shall be inclusive of property damage or collision coverage upon his or her vehicle for which he or she seeks to claim reimbursement of a deductible amount. The Department shall not be required to pay any deductible reimbursement in excess of six hundred dollars (\$600).

~~(c)(b)~~ To request reimbursement for damage to his or her personal vehicle, an employee must submit the following documentation to his or her immediate supervisor within 30 days following the incident.

1. through 5. No change.

Specific Authority 944.0611 FS. Law Implemented 944.0611 FS. History--New 3-17-96, Amended 11-16-97, Formerly 33-4.014, Amended \_\_\_\_\_.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of State Purchasing**

RULE NOS.:	RULE TITLES:
60A-1.002	Purchase of Commodities or Contractual Services
60A-1.012	Purchasing Categories and Adjustments Thereto
60A-1.043	Request for Quotes
60A-1.048	Renewal and Extension

PURPOSE AND EFFECT: To amend 60A-1, Florida Administrative Code, to update the rule that addresses purchasing categories and adjustments thereto. Also, as to all of the above-mentioned rules and forms, to clarify these rules and incorporate additional information regarding current practices and procedures related to purchases made by state offices.

SUBJECT AREA TO BE ADDRESSED: Artistic services; determining amounts for purposes of applying purchasing categories; requests for quotes; contract extensions; General Contract Conditions; and General Instructions to Respondents.

SPECIFIC AUTHORITY: 287.042(3), 287.042(12) FS.  
LAW IMPLEMENTED: 287.017, 287.042, 287.056, 287.057, 287.058 FS.

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

DATE AND TIME: December 4, 2006, 9:00 a.m.  
PLACE: Department of Management Services, 4050 Esplanade Way, Room 101, Tallahassee, Florida 32399-0950

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony W. Garcia, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, (850)488-8440, garciaa@dms.state.fl.us

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NOS.:	RULE TITLES:
61-24.009	Grounds for Disciplinary Proceedings
61-24.010	Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is to provide accurate statutory references for disciplinary authority and procedures.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed by these rules is the grounds for disciplinary proceedings and disciplinary guidelines of athlete agents.

SPECIFIC AUTHORITY: 468.457 FS.  
LAW IMPLEMENTED: Chapter 468, Part IX, 455.227 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. IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD.

DATE AND TIME: Friday, December 1, 2006, 2:30 p.m. – 4:00 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY DRAFT IS: Tiffany A. Harrington, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Jennifer A. Tschetter at (850)488-0062. If you are hearing or speech impaired, please contact the Commission office using the Florida Dual Party Relay System which can be reached at 1(800)955-8700 (Voice) or 1(800)955-8771 (TTD).

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.:	RULE TITLE:
61J2-10.025	Advertising

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove “and phone number” of the brokerage firm from advertising requirements.

SUBJECT AREA TO BE ADDRESSED: Advertising.  
SPECIFIC AUTHORITY: 475.05, 475.25(1)(c) FS.

LAW IMPLEMENTED: 475.01, 475.25, 475.42, 475.4511 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 N. Robinson Street, Suite N801, Orlando, Florida 32801

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: 61J2-10.029  
 RULE TITLE: Advance Fee Accounting and Reporting Procedures

PURPOSE AND EFFECT: The Commission proposes the rule repeal as Section 475.452, Florida Statutes, no longer exists.

SUBJECT AREA TO BE ADDRESSED: Advance fee accounting and reporting procedures.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.452(1),(2),(3) 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: 62-302.530  
 RULE TITLE: Table: Surface Water Quality Criteria

PURPOSE AND EFFECT: Surface water quality criteria for fecal coliform bacteria are intended to protect the public health, safety and welfare. Coliform bacteria serve as indicator organisms that can help identify contamination of waters by human pathogens. Florida's fecal coliform criteria for surface waters has differed from recommended Federal criteria. The Department proposes to make Florida's criteria consistent with the Federal criteria.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment will revise the surface water quality criteria for fecal coliform bacteria to be consistent with recommended Federal criteria.

SPECIFIC AUTHORITY: 403.061, 403.062, 403.087, 403.504, 403.704, 403.804 FS.

LAW IMPLEMENTED: 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 FS.

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

DATE AND TIME: November 28, 2006 (Tuesday), 1:00 p.m.  
 PLACE: Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Suite 232, Conference Room A and B, Orlando, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Eric Shaw, Division of Water Resource Management, Mail Station 3560, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8429, email: Eric.Shaw@dep.state.fl.us, or facsimile (850)205-8429

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: 62-302.800  
 RULE TITLE: Site Specific Alternative Criteria

PURPOSE AND EFFECT: On March 29, 2006, the Orange County Water Reclamation Division submitted a petition to initiate rulemaking to establish a Site Specific Alternative Criterion (SSAC) for pH of not greater than 8.5 standard units in the Orange County Eastern Water Reclamation Facility wetlands discharge system. The water body is classified as Class III waters with a designated use of "Recreation, Propagation and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife." The proposed site specific alternative criterion for pH is designed to protect this designated use.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment will revise the surface water quality criterion for pH in the Orange County Eastern Water Reclamation Facility wetlands discharge system.

SPECIFIC AUTHORITY: 403.061, 403.062, 403.087, 403.504, 403.704, 403.804, 403.805 FS.

LAW IMPLEMENTED: 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.201, 403.502 FS.

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

DATE AND TIME: November 28, 2006 (Tuesday), 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Suite 232, Conference Room A and B, Orlando, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Eric Shaw, Division of Water Resource Management, Mail Station 3560, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8429, email: Eric.Shaw@dep.state.fl.us, or facsimile (850)205-8429

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

#### **DEPARTMENT OF JUVENILE JUSTICE**

##### **Detention Services**

RULE CHAPTER NO.: RULE CHAPTER TITLE:

63G-1	Detention Cost Sharing
RULE NOS.:	RULE TITLES:
63G-1.005	Fiscally Constrained Counties
63G-1.007	Quarterly Reporting
63G-1.008	Annual Reconciliation
63G-1.009	Dispute Resolution and Collection

PURPOSE AND EFFECT: The proposed rule amendments revise the methodology by which fiscally constrained counties are proportionately assessed for predisposition detention care when costs exceed the legislative appropriation. Amendments are also required to modify the timing of quarterly reporting and reconciliation.

SUBJECT AREA TO BE ADDRESSED: Standards and procedures for apportioning and collecting counties' responsibility for pretrial secure detention costs.

SPECIFIC AUTHORITY: 20.316, 985.405, 985.2155 FS.

LAW IMPLEMENTED: 985.2155 FS.

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

DATE AND TIME: Friday, December 1, 2006, 10:00 a.m. – 12:00 Noon

PLACE: DJJ Headquarters, Knight Building, Room 108, 2737 Centerview Dr., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Beth Davis, Chief, Department of Juvenile Justice Bureau of Finance and Accounting, 2737 Centerview Dr., Ste. 208, Tallahassee, FL 32399-3100; Tel. (850)921-2045

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

#### **DEPARTMENT OF HEALTH**

##### **Board of Opticianry**

RULE NO.:	RULE TITLE:
64B12-8.008	Probable Cause Panel

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the number of members on a probable cause panel.

SUBJECT AREA TO BE ADDRESSED: Members on a probable cause panel.

SPECIFIC AUTHORITY: 456.073(4), 484.005 FS.

LAW IMPLEMENTED: 456.073(3) 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: Sue Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

#### **DEPARTMENT OF HEALTH**

##### **Board of Opticianry**

RULE NO.:	RULE TITLE:
64B12-9.001	Examination for Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the five parts of the examination for licensure.

SUBJECT AREA TO BE ADDRESSED: Examination for licensure.

SPECIFIC AUTHORITY: 456.017(1),(5), 484.005 FS.

LAW IMPLEMENTED: 456.017(1),(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, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

RULE NO.: 64B12-9.0016  
 RULE TITLE: Demonstrating Knowledge of Laws and Rules for Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and add new language to clarify the determination of eligibility of individuals licensed in another state.

SUBJECT AREA TO BE ADDRESSED: Eligibility of individuals licensed in another state.

SPECIFIC AUTHORITY: 484.005 FS.

LAW IMPLEMENTED: 484.007(1)(d)2. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-13.001  
 RULE TITLE: Continuing Education for Biennial Renewal

PURPOSE AND EFFECT: The purpose and effect of the amendment is to update the rule to comply with new legislation regarding continuing education requirements relating to HIV/AIDS and domestic violence.

SUBJECT AREA TO BE ADDRESSED: Continuing Education for Biennial Renewal.

SPECIFIC AUTHORITY: 459.005, 459.008(4) FS.

LAW IMPLEMENTED: 456.013(5), (6), (7), 459.008, 459.008(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-13.001 Continuing Education for Biennial Renewal.

(1)(a) Every person licensed pursuant to Chapter 459, F.S., except those licensed as physician assistants pursuant to Section 459.022, F.S., shall be required to complete forty (40) hours of continuing medical education courses approved by the Board in the twenty-four (24) months preceding each biennial renewal period as established by the Department. Five of the continuing medical education hours for renewal shall include a Seven of the continuing medical education hours required for renewal shall be one hour HIV/AIDS course, one hour Domestic Violence, one hour Risk Management Course, one hour Florida Laws and Rules, one hour on the laws regarding the use and abuses of controlled substances, and two hours Prevention of Medical Errors Course. The completion of the seven required continuing medical education hours set forth above shall be obtained as set forth in paragraph (3)(b) of this rule.

(b) No change.

(c) A licensee shall complete a two (2) hour Domestic Violence Course as part of every third biennial renewal of licensure.

(d) A licensee shall complete a one (1) hour HIV/AIDS course no later than upon first biennial renewal of licensure.

(2) No change.

(3)(a) No change.

(b) The continuing medical education found in paragraph 64B15-13.001(1)(a), F.A.C., with regard to Risk Management, Florida Laws and Rules, controlled substances and the prevention of medical errors shall be obtained by the completion of live, participatory attendance courses. However, the continuing medical education found in paragraphs 64B15-13.001(1)(c) and (d)(~~a~~), F.A.C., with regard to HIV/AIDS and; domestic violence, ~~or the alternative end-of-life/palliative care as set forth in subsection (7) of this rule~~ may be obtained by the completion of non-live/participatory attendance.

(c) through (e) No change.

(4) through (6) No change.

~~(7) In lieu of the domestic violence course or the HIV/AIDS course, a licensee may complete a course in end of life care and palliative health care if the licensee has completed an approved domestic violence course in the immediately preceding biennium.~~

~~(8) All applicants for an initial license, reactivation or reinstatement of their license who obtained the required domestic violence, end of life and palliative health care, or HIV/AIDS course for initial licensure, reactivation or reinstatement within six (6) months immediately preceding licensure renewal may use the same domestic violence, end of life palliative health care, or HIV/AIDS hours obtained for initial licensure, reactivation or reinstatement to meet the requirements for licensure renewal.~~

Specific Authority 459.005, 459.008(4) FS. Law Implemented 456.013(5), (6), (7), 459.008, 459.008(4) FS. History—New 10-23-79, Amended 1-29-86, Formerly 21R-13.01, Amended 12-5-89, 4-8-91, 2-16-92, Formerly 21R-13.001, Amended 1-10-94, Formerly 61F9-13.001, Amended 10-25-95, Formerly 59W-13.001, Amended 1-19-98, 6-3-98, 4-14-99, 5-26-02, 5-10-04, 7-27-04, 2-9-05, 2-14-06, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-11.005  
 RULE TITLE: Supervised Experience Requirements  
 PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Supervised Experience Requirements.

SPECIFIC AUTHORITY: 490.004(4) FS.

LAW IMPLEMENTED: 490.005(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253

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

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-12.002  
 RULE TITLE: Application and Examination Fee for Licenses by Examination; Review Fee

PURPOSE AND EFFECT: The Board proposes to decrease the laws and fees examination fee to \$75.00.

SUBJECT AREA TO BE ADDRESSED: The reduction of the laws and fees examination fee from \$200.00 to \$75.00.

SPECIFIC AUTHORITY: 456.013(2), 491.004(4), 490.005(1)(a) FS.

LAW IMPLEMENTED: 456.013(2), 456.017, 490.005(1)(a) 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: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B19-12.002 Application and Examination Fee for Licensure by Examination; Review Fee.

(1) through (2) No change.

(3) In addition to the application fee specified above, each applicant for certification for examination shall submit a laws and rules examination fee of \$75.00 ~~\$200.00~~.

(4) through (5) No change.

Specific Authority 456.013(2), 490.004(4), 490.005(1)(a) FS. Law Implemented 456.013(2), 456.017, 490.005(1)(a) FS. History—New 2-22-82, Amended 7-2-84, Formerly 21U-12.02, Amended 11-21-88, 8-12-90, 1-16-92, Formerly 21U-12.002, Amended 10-12-93, 6-14-94, Formerly 61F13-12.002, Amended 1-7-96, 6-26-97, Formerly 59AA-12.002, Amended 12-3-98, 6-28-00, 8-8-01, 2-12-04, 10-31-05, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-12.003  
 RULE TITLE: Reexamination Fee  
 PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Reexamination Fee.

SPECIFIC AUTHORITY: 456.017(2), 490.004(4) FS.

LAW IMPLEMENTED: 456.017(1)(c), (2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-17.004      RULE TITLE: Citations

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.077 FS.

LAW IMPLEMENTED: 456.072(4), 456.077 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: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-18.008      RULE TITLE: Board Approval of Specialty Certifying Bodies

PURPOSE AND EFFECT: The Board proposes to promulgate this rule to implement new legislation.

SUBJECT AREA TO BE ADDRESSED: Board Approval of Specialty Certifying Bodies.

SPECIFIC AUTHORITY: 490.0149 FS.

LAW IMPLEMENTED: 490.0149 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: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NO.: 64E-2.032      RULE TITLE: Certificate of Public Convenience and Necessity

PURPOSE AND EFFECT: Announce workshop to open discussion with the EMS community regarding rule promulgation.

SUBJECT AREA TO BE ADDRESSED: Certificate of Public Convenience and Necessity.

SPECIFIC AUTHORITY: 401.35 FS.

LAW IMPLEMENTED: 401.23, 401.25, 401.251, 401.252, 401.33, 401.35, 401.411, 401.414, 401.421 FS.

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

DATE AND TIME: December 5, 2006, 1:30 p.m – 4:30 p.m.

PLACE: Hillsborough County Emergency Management Emergency Operations Center Building, 2711 East Hannah Ave., Tampa, FL 33610

Pursuant to the provisions of 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: Alexander Macy: Fax: (850)488-2512 or Email: alexander\_macy@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alexander Macy: Fax: (850)488-2512 or Email: alexander\_macy@doh.state.fl.us

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE NO.: 65A-4.203      RULE TITLE: Personal Care of a Disabled Family Member

PURPOSE AND EFFECT: The proposed rule amendment is required to comply with federal regulations issued by the Department of Health and Human Services, Administration for Children and Families, to implement the Temporary Assistance for Needy Families (TANF) provisions of the Deficit Reduction Act of 2005. The rule amendment will clarify when a parent or caretaker relative who is totally responsible for the care of a disabled family member is exempt, in accordance



with 45 CFR 261.2(n)(2)(i), from mandatory work participation and the time limit under the TANF/Temporary Cash Assistance (TCA) program.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule amendment will provide clarification, in accordance with 45 CFR 261.2(n)(2)(i), that full-time school attendance by a disabled family member will be considered an "alternative care arrangement" and as such, a parent or caretaker relative will not receive a time limit or work exemption.

**SPECIFIC AUTHORITY:** 414.45 FS.

**LAW IMPLEMENTED:** 414.105 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:** December 5, 2006, 1:30 p.m.

**PLACE:** 1317 Winewood Boulevard, Building 3, Room 100, Tallahassee, Florida 32399-0700

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS:** Lonna Cichon, Government Operations Consultant II, TANF/Food Stamp Policy, Economic Self-Sufficiency, 1317 Winewood Blvd., Bldg. 3, Room 406, Tallahassee, Florida 32399-0700, telephone 488-8004

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

#### **DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

##### **Agency for Persons with Disabilities**

**RULE CHAPTER NO.:** RULE CHAPTER TITLE:

65G-1 Application for Services

**PURPOSE AND EFFECT:** During the 2006 legislative session (Ch. 2006-227, Laws of Florida), Section 393.065, Florida Statutes, was amended to direct the Agency for Persons with Disabilities to place children with developmental disabilities who are in the child welfare system at the top of the waitlist for Home and Community-Based Services (HCBS) Medicaid waiver after persons deemed to be in a crisis status who shall have the highest priority. The purpose of the proposed rule development is, therefore, to provide a procedure and criteria for enrolling such children on a HCBS waiver.

**SUBJECT AREA TO BE ADDRESSED:** Enrollment of children in the child welfare system on the Florida Supported Living or Developmental Disabilities Home and Community-Based Medicaid waivers.

**SPECIFIC AUTHORITY:** 393.501(1), 393.065 FS.

**LAW IMPLEMENTED:** 20.197(3), 393.065 FS.

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

**DATE AND TIME:** Thursday, November 30, 2006, 1:00 p.m.

**PLACE:** Agency for Persons with Disabilities, Rm. 301, 4030 Esplanade Way, Tallahassee, FL

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Terri McGarrity, Senior Management Analyst Supervisor, Division of Operations, Suite 360, 4030 Esplanade Way, Tallahassee, Florida, 32399-0950; e-mail: terri\_mcgarrity@apd.state.fl.us

#### **DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

##### **Agency for Persons with Disabilities**

**RULE CHAPTER NO.:** RULE CHAPTER TITLE:

65G-2 Licensure of Residential Facilities

**PURPOSE AND EFFECT:** The purpose of this rule revision is to update and make substantive revisions to the rules regulating the licensure of residential facilities serving persons with developmental disabilities.

**SUBJECT AREA TO BE ADDRESSED:** The regulation of foster care facilities, group home facilities, residential habilitation centers, and comprehensive transitional education programs housing persons with developmental disabilities.

**SPECIFIC AUTHORITY:** 393.501, 393.067 FS.

**LAW IMPLEMENTED:** 393.063, 393.067, 393.0673, 393.0655, 393.0657, 393.13, 393.501, 393.135, 393.506 FS.

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

**DATE AND TIME:** Tuesday, December 5, 2006, 10:00 a.m.

**PLACE:** Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301C, 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 4 days before the workshop/meeting by contacting: Vicki McCrary, (850)921-3061. If you are 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:** Vicki McCrary, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, vicki\_mccrary@apd.state.fl.us

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

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

<b>RULE NOS.:</b>	<b>RULE CHAPTER TITLE:</b>
66B-1.003	Definitions
66B-1.004	Policy
66B-1.005	Funds Allocation
66B-1.006	Application Process
66B-1.008	Project Eligibility
66B-1.015	Small-Scale Derelict Vessel Removal Projects

**PURPOSE AND EFFECT:** The purpose of the proposed rule development is to include the following provisions in the program rule: update and correctly identify the eligible waterways of the District; Update and correctly identify the required forms for the grant application process; and further define the funding eligibility for the small-scale derelict vessel removal.

The effect of the rule development is to implement changes in the administration of the District's Waterways Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

**SUBJECT AREA TO BE ADDRESSED:** Cooperative Assistance Program rule sections: Definitions, Funds Allocation, Application Process, and Small-Scale Derelict Vessel Removal Projects.

**SPECIFIC AUTHORITY:** 374.976(2) FS.

**LAW IMPLEMENTED:** 374.976(1)-(3) FS.

**IF REQUESTED 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:** November 16, 2006, 11:00 a.m.

**PLACE:** The District Office, 1314 Marcinski Road, Jupiter, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, Telephone Number: (561)627-3386

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

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

<b>RULE NOS.:</b>	<b>RULE CHAPTER TITLE:</b>
66B-2.003	Definitions
66B-2.004	Policy
66B-2.005	Funds Allocation

66B-2.006	Application Process
66B-2.015	Small-Scale Derelict Vessel Removal Projects

**PURPOSE AND EFFECT:** The purpose of the proposed rule development is to include the following provisions in the program rule: Update and correctly identify the eligible waterways and projects of the District; Update and correctly identify the required forms for the grant application process; and further define the funding eligibility for small-scale derelict vessel removal.

The effect of the rule development is to implement changes in the administration of the District's Waterways Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

**SUBJECT AREA TO BE ADDRESSED:** Waterways Assistance Program rule sections: Definitions, Funds Allocation, Application Process, Emergency Applications, Small-scale Spoil Island Restoration and Enhancement Projects, Small-Scale Derelict Vessel Removal Projects.

**SPECIFIC AUTHORITY:** 374.976(2) FS.

**LAW IMPLEMENTED:** 374.976(1)-(3) FS.

**IF REQUESTED 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:** November 16, 2006, 11:00 a.m.

**PLACE:** The District Office, 1314 Marcinski Road, Jupiter, Florida.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, telephone number: (561)627-3386

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

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
69O-125.003	Unfair Discrimination Because of Travel Plans

**PURPOSE AND EFFECT:** To implement the provisions of recent legislation regarding potentially discriminatory treatment of individuals traveling.

**SUBJECT AREA TO BE ADDRESSED:** Limitations on when an insurer may refuse to issue, renew, or have a different rate for an individual who has previously or plans to travel.

**SPECIFIC AUTHORITY:** 626.9611 FS.

**LAW IMPLEMENTED:** 626.951, 626.9521, 626.9541(1)(g) 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: December 1, 2006, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com

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

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NO.: 69O-138.002  
 RULE TITLE: Financial, Rate, and Market Conduct Examination Reimbursement Expenses

PURPOSE AND EFFECT: The amendment states that the daily exam fee for market conduct employees is that which is published in the NAIC Market Conduct Examiners Handbook.  
 SUBJECT AREA TO BE ADDRESSED: Examination Reimbursement.

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.316, 624.3161, 624.320 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: November 28, 2006, 1:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Sam Binnun, Director, Market Investigations, Office of Insurance Regulation, E-mail: Sam.Binnun@fldfs.com.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sam Binnun, Director, Market Investigations, Office of Insurance Regulation, E-mail: Sam.Binnun@fldfs.com.

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

**Section II  
 Proposed Rules**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-1.09401  
 RULE TITLE: Student Performance Standards

PURPOSE AND EFFECT: The purpose of the rule amendment is to adopt the revised K-12 reading and language arts standards. The effect will be standards for reading which are in alignment with the current expectations for grades K-12.

SUMMARY: The reading and language arts academic standards have been revised and updated to maintain rigor, relevance, and articulation among grade levels.

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

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

SPECIFIC AUTHORITY: 1001.02 FS.

LAW IMPLEMENTED: 1001.03 FS.

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

DATE AND TIME: December 12, 2006, 8:30 a.m.

PLACE: 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Chancellor Cheri Pierson-Yecke, K-12 Public Schools, 325 West Gaines Street, Room 514, Tallahassee, Florida, (850)245-0509

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09401 Student Performance Standards.

(1) Standards to benchmark student achievement serve as guides to best practices for local curriculum designers to help schools implement school improvement strategies to raise student achievement. Beginning with the 2007-2008 school

year, the reading and language arts benchmarked standards for reading and language arts referenced below in paragraph (1)(a), describe what students should know and be able to do at grade level progression. The benchmarked standards in paragraphs (1)(b)(~~a~~)-(g) of this rule describe what students should know and be able to do at four progression levels (grades Prek-2, 3-5, 6-8, 9-12) in the subjects of the arts, health/physical education, foreign languages, ~~language arts~~, mathematics, science, and social studies. Sunshine State Standards for Special Diploma as incorporated by reference in paragraph (1)(h)(~~a~~) of this rule describe what certain students with a disability should be able to do at three (3) proficiency levels (independent, supported, and participatory). Public schools shall provide appropriate instruction to assist students in the achievement of these standards. These standards and benchmarks are contained in the following publications and are hereby incorporated by reference and made a part of this rule.

- (a) Sunshine State Standards – Reading and Language Arts, 2007 1996,
  - (b) Sunshine State Standards – Mathematics, 1996,
  - (c) Sunshine State Standards – Science, 1996,
  - (d) Sunshine State Standards – Social Studies, 1996,
  - (e) Sunshine State Standards – Foreign Languages, 1996,
  - (f) Sunshine State Standards – The Arts, 1996, and
  - (g) Sunshine State Standards – Health/Physical Education, 1996, and
  - (h) Sunshine State Standards for Special Diploma, 1999.
- Copies of these publications may be obtained from the Division of Public Schools ~~and Community Services~~, Department of Education, 325 W. Gaines St., Tallahassee, Florida 32399-0400.

(2) Each district school board shall incorporate the Sunshine State Standards contained herein into the district Pupil Progression Plan.

(3) The Sunshine State Standards shall serve as the basis for statewide assessments.

Specific Authority 1001.02 229.565 FS. Law Implemented 1001.03 229.565, 229.57, 232.245, 232.2454 FS. History–New 6-18-96, Amended 9-28-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pam Stewart, Deputy Chancellor for K-12 Educator Quality, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Cheri Yecke, Chancellor K-12 Education, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 17, 2006

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NOS.:	RULE TITLES:
6A-1.09412	Course Requirements – Grades 6-12 Basic and Adult Secondary Programs
6A-1.09441	Requirements for Programs and Courses Which Are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation

**PURPOSE AND EFFECT:** These rules are amended to incorporate the course descriptions for new courses into the “Course Code Directory and Instructional Personnel Assignments” for 2007-2008, and the “2007-2008 Florida Course Descriptions for Grades 6-12/Adult, Basic Education” to include new courses, align teacher certification, and revise the narrative section to reflect recent changes in state laws. The new courses and course descriptions direct school and district personnel by providing the essential content and course requirements for each course in grades 6-12 contained in the “Course Code Directory and Instructional Personnel Assignments” and ensure consistency and alignment with the Sunshine State Standards.

**SUMMARY:** These rules are amended to adopt revisions to the “Course Code Directory and Instructional Personnel Assignments” and the “2007-2008 Florida Course Descriptions for Grades 6-12/Adult, Basic Education” to include new courses, align teacher certification, and revise the narrative section to reflect recent changes in state laws. The new courses and course descriptions direct school and district personnel by providing the essential content and course requirements for each course in grades 6-12 contained in the “Course Code Directory and Instructional Personnel Assignments” and ensure consistency and alignment with the Sunshine State Standards.

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

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

**SPECIFIC AUTHORITY:** 1001.02(1), 1011.62(1)(r) FS.

**LAW IMPLEMENTED:** 10011.62(1) FS.

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

**DATE AND TIME:** December 12, 2006, 8:30 a.m.

**PLACE:** 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary Jane Tappen, Vice Chancellor for Student Achievement, K-12 Public Schools, Department of Education, 325 West Gaines Street, Room 514, Tallahassee, Florida

THE FULL TEXT OF THE PROPOSED RULES IS:

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

A course description directs district personnel by providing the essential content and course requirements for each course in grades 6-12 contained in the “Course Code Directory and Instructional Personnel Assignments” adopted by Rule 6A-1.09441, F.A.C. Course requirements approved by the State Board of Education are contained in the publication “~~2007-2008~~ ~~2006-2007~~ Florida Course Descriptions for Grades 6-12/Adult, Basic Education,” and “~~Addendum to the 2006-2007 Florida Course Descriptions for Grades 6-12/Adult, Basic Education,~~” which ~~is~~ ~~are~~ hereby incorporated by reference and made a part of this rule. District school boards of education are authorized, through local rules, to approve a variance of up to ten (10) percent of the course requirements of each course description. Copies of approved course descriptions may be obtained from K-12 Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

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

6A-1.09441 Requirements for Programs and Courses Which Are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation.

For student membership in a program or course to generate funding through the Florida Education Finance Program and for the student to receive elective or required credit toward high school graduation for such a program or course, the following conditions shall be met:

(1) through (4) No change.

(5) The “Course Code Directory and Instructional Personnel Assignments ~~2007-2008~~ ~~2006-2007~~,” ~~is~~ ~~and~~ “~~Addendum to the Course Code Directory and Instructional Personnel Assignments 2006-2007~~” ~~are~~ hereby incorporated by reference and made a part of this rule. The Commissioner may publish the document in appropriate and useful formats such as printed copy, electronic database access, or electronic disc. The ~~directory~~ ~~directories~~ may be obtained from K-12 Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The Commissioner of Education may approve additional courses for which funding

could be generated through the Florida Education Finance Program. Such additional course listings will be made available as approved.

Specific Authority 1001.02(1), 1011.62(1)(r) FS. Law Implemented 1011.62(1) FS. History–New 12-20-83, Formerly 6A-1.9441, Amended 2-6-86, 12-28-86, 4-4-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 7-13-93, 10-18-94, 8-28-95, 4-18-96, 7-17-97, 8-12-98, 5-3-99, 5-3-01, 10-15-01, 7-30-02, 4-21-05, 11-21-05, 7-27-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mary Jane Tappen, Deputy Chancellor for Student Achievement, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Cheri Yecke, Chancellor K-12 Education, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 9, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 25, 2006

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NOS.:	RULE TITLES:
6A-6.03013	Exceptional Student Education Eligibility for Students Who Are Deaf or Hand-of-Hearing
6A-6.030151	Exceptional Student Education Eligibility for Students Who Are Physically Impaired With Orthopedic Impairment
6A-6.030152	Exceptional Student Education Eligibility for Students Who Are Physically Impaired With Other Health Impairment
6A-6.030153	Exceptional Student Education Eligibility for Students Who Are Physically Impaired With Traumatic Brain Injury
6A-6.03016	Exceptional Student Education Eligibility for Students With Emotional/Behavioral Disabilities
6A-6.03023	Exceptional Student Education Eligibility for Students With Autism Spectrum Disorder

PURPOSE AND EFFECT: The purpose of these revisions is to incorporate the revisions required for programs for students with disabilities by the amendments to the federal law, the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. Chapter 33, and its implementing regulations and to update rule language to reflect current knowledge in the field. The effect of these revisions will be consistency with the federal requirements and current knowledge in the respective fields.

SUMMARY: The rules listed above are amended (or in some cases new rules) to implement changes in the Individuals with Disabilities Education Act 20 U.S.C. The rules have been streamlined to be specific to conditions and reflect current knowledge in the respective fields.

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

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

SPECIFIC AUTHORITY: 1001.02(1), 1003.57(1)(e) FS.

LAW IMPLEMENTED: 1001.03, 1003.57, 1003.01, 1003.21, 1011.62 FS.

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

DATE AND TIME: December 12, 2006, 8:30 a.m.

PLACE: 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, Florida Department of Education, 325 West Gaines Street, Room 601, Tallahassee, Florida 32399-0400, (850)245-0475

THE FULL TEXT OF THE PROPOSED RULES IS:

6A-6.03013 Exceptional Student Education Eligibility Special Programs for Students Who Are Deaf or Hard-of-Hearing.

(1) Definition. Students who are deaf or hard-of-hearing. A student who is deaf or hard-of-hearing has a hearing loss impairment aided or unaided, that impacts the interferes in processing of linguistic information and which adversely affects performance in the educational environment communication, developmental skills, academic achievement, vocational career skills, or social emotional adjustment. The degree of loss may range from mild to profound.

(2) Activities prior to referral. Prior to referral for evaluation, the requirements in subsections 6A-6.0331(1)-(3), F.A.C., must be met.

(3) Evaluation. In addition to the provisions of subsection 6A-6.0331(4), F.A.C., the evaluation for a student must also include the procedures identified in the district's Policy and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students as required by Rule 6A-6.03411, F.A.C.

(4)(2) Criteria for eligibility. A student who is deaf or hard-of-hearing is eligible for exceptional student education if the following criteria are met a special program for students who are deaf or hard of hearing if both criteria in paragraphs (2)(a) and (2)(b) of this rule are met.

(a) An audiological evaluation documents a Evidence of a documented permanent or fluctuating hearing threshold level that interferes with progress in any one (1) of the following areas: developmental skills or academic performance, social-emotional development, or linguistic and communicative skills as evidenced by ~~of~~:

1. 25 decibel (dB) + ~~dB~~ ± 5 dB or greater based on pure tone average of average of 500, 1000, and 2000 Hz (~~re: ANSI, 1989~~) unaided in the better ear; or

2. A high frequency hearing threshold level of 25 dB ± 5 dB or greater based on pure tone average of 1000, 2000, and 3000 Hz (~~re: ANSI, 1989~~) unaided in the better ear; or

3. A unilateral hearing threshold level of 50 dB ± 5 dB or greater based on pure tone average of 500, 1000, and 2000 Hz (~~re:ANSI, 1989~~) unaided; or

4. Auditory Evoked Potential responses evidencing permanent hearing loss at multiple frequencies equivalent to or in excess of the decibel hearing loss threshold criteria for pure tone audiometric testing specified in subparagraphs (4)(a)1., 2., and 3., above; and

(b) The student needs special education as defined in paragraph 6A-6.03411(1)(c), F.A.C. Evidence that the hearing threshold level interferes with progress in any one of the following areas: developmental skills or academic performance, social-emotional development, or linguistic and communicative skills, and that the student requires special education and/or related services in order to benefit from education.

(3) Procedures for student evaluation.

(a) Tests to determine cognitive functioning and learning abilities shall be selected from non-verbal performance scales standardized on, or adapted for, students who are deaf or hard of hearing. Evaluation of academic achievement and communication skills shall take into consideration the student's intellectual functioning, degree of hearing loss and method of communication.

(b) The minimum evaluation shall include:

1. Audiological evaluation,
2. Evaluation of developmental skills or academic achievement, including information on the student's academic strengths and weaknesses,
3. Evaluation of social development,
4. Evaluation of receptive and expressive communication, and

5. Individual assessment of intellectual functioning, or developmental scales if more appropriate for students under age seven (7).

(c) Re-evaluation shall occur at least every three (3) years and shall include a minimum of an audiological evaluation, and, if appropriate, any other formal evaluations addressed in the initial evaluation in accordance with subparagraph 6A-6.03411(2)(i)1., F.A.C.

~~(5)(d)~~ A screening for Usher's Syndrome shall be administered to each student who is deaf or hard-of-hearing at least once during grades 6-12.

~~(4) Instructional programs.~~

~~(a) The district shall implement a written course of study for the program, updated as necessary, with sufficient scope and depth needed for individual educational plans.~~

~~(b) Classes shall be taught by teachers using communication skills appropriate to meet individual needs of students. Each student who is deaf or hard-of-hearing shall have the opportunity to learn speech and to learn to use residual hearing through modern amplification equipment.~~

~~(c) Districts shall implement daily monitoring procedures for ensuring proper functioning of personal hearing aids and district auditory amplification equipment.~~

~~(d) The grouping of students who are deaf or hard of hearing for special and resource room classes shall facilitate each student's development of appropriate methods of communication.~~

~~(5) Supportive services.~~ The district shall have or purchase the services of professionals in the areas of audiology, school psychology, guidance, educational assessment, social services and interpreting. These services shall support the instructional program.

~~(6) Facilities and Equipment.~~

~~(a) The program shall be established in conjunction with a regular school appropriate to the age and grade level of students who are deaf or hard-of-hearing.~~

~~(b) Each special class and resource classroom shall be acoustically treated.~~

~~(c) Each special class and resource classroom shall have auditory amplification equipment available.~~

~~(d) Auditory equipment shall be calibrated annually, maintained, and considered for replacement on a five (5) year cycle.~~

~~(e) Visual alarm devices shall be provided in all areas where students who are deaf or hard-of-hearing may be separated from persons with normal hearing; i.e., group toilet rooms, corridors, specific areas designated for the deaf, etc., in accordance with paragraph 6A-2.088(6)(d), F.A.C.~~

~~(7) Continued eligibility.~~ Students eligible for and enrolled in a special program for students who are deaf or hard of hearing prior to the effective date of this rule may continue in the special program and, as appropriate, subsequently be dismissed based on dismissal criteria contained in the approved Special Program and Procedures for Exceptional Students Document as provided in Rule 6A-6.03411, F.A.C.

~~(6) This rule shall become effective July 1, 2007.~~

Specific Authority 1001.02(1), 1003.57(1)(e), 229.053(1), 230.23(4)(m), 228.041(18) FS. Law Implemented 1001.03, 1003.57(1)(e), 1003.01(3), 1003.21(1), 1011.62 ~~228.041(18), (19),~~

~~229.565(3)(b), (c), 230.23(4)(m), 232.01(1)(e), 236.081(1)(e)~~ FS. History—New 7-1-77, Amended 9-11-84, Formerly 6A-6.3013, Amended 7-1-94, ~~7-1-07.~~

6A-6.030151 Exceptional Student Education Eligibility for Students Who Are Physically Impaired With Orthopedic Impairment.

(1) Definition. Orthopedic impairment means a severe skeletal, muscular, or neuromuscular impairment. The term includes impairments resulting from congenital anomalies (e.g. including but not limited to skeletal deformity or spina bifida), and impairments resulting from other causes (e.g., including but not limited to cerebral palsy or amputations).

(2) Activities prior to referral. Prior to referral for evaluation, the requirements in subsections 6A-6.0331(1)-(3), F.A.C., must be met.

(3) Evaluation. In addition to the provisions in paragraph 6A-6.0331(4), F.A.C., the evaluation for a student must also include the procedures identified in the district's Policies and Procedures for the Provision of Specially Designed Instruction and Related Services as required by Rule 6A-6.03411, F.A.C.

(4) Criteria for eligibility. A student with an orthopedic impairment is eligible for exceptional student education, if the following criteria are met:

(a) Evidence of an orthopedic impairment that adversely affects the student's performance in the educational environment in any of the following: ambulation, hand movement, coordination, or daily living skills, and

(b) The student needs special education as defined in paragraph 6A-6.03411(1)(c), F.A.C.

(5) This rule shall become effective July 1, 2007.

Specific Authority 1001.02(1), 1003.57(1)(e) FS. Law Implemented 1001.03, 1003.01(3), 1003.21(1), 1003.57(1)(e), 1011.62 FS. History—New 7-1-07.

6A-6.030152 Exceptional Student Education Eligibility for Students Who Are Physically Impaired With Other Health Impairment.

(1) Definition. Other health impairment means having limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems. This includes, but is not limited to, asthma, attention deficit disorder or attention deficit hyperactivity disorder, Tourette syndrome, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and acquired brain injury.

(2) Activities prior to referral. Prior to referral for evaluation, the requirements in subsections 6A-6.0331(1)-(3), F.A.C., must be met.

(3) Evaluation. In addition to the provisions in subsection 6A.60331(4), F.A.C., the evaluation for a student must also include the procedures identified in the district's Policies and Procedures for the Provision of Specially Designed Instruction and Related Services as required by Rule 6A-6.03411, F.A.C.

(4) Criteria for eligibility. A student with an other health impairment is eligible for exceptional student education if the following criteria are met:

(a) Evidence of an other health impairment that results in reduced efficiency in schoolwork and adversely affects the student's performance in the educational environment, and

(b) The student needs special education as defined in paragraph 6A-6.03411(1)(c), F.A.C.

(5) This rule shall become effective July 1, 2007.

Specific Authority 1001.02(1), 1003.57(1)(e) FS. Law Implemented 1001.03, 1003.01(3), 1003.21(1), 1003.57(1)(e), 1011.62 FS. History—New 7-1-07.

6A-6.030153 Exceptional Student Education Eligibility for Students Who are Physically Impaired With Traumatic Brain Injury.

(1) Definition. A traumatic brain injury means an acquired injury to the brain caused by an external physical force resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects educational performance. The term applies to mild, moderate, or severe, open or closed head injuries resulting in impairments in one (1) or more areas such as cognition language, memory, attention, reasoning, abstract thinking, judgment, problem-solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, information processing, or speech. The term includes anoxia due to trauma. The term does not include brain injuries that are congenital, degenerative, or induced by birth trauma.

(2) Activities prior to referral. Prior to referral for evaluation, the requirements in subsections 6A-6.0331(1)-(3), F.A.C., must be met.

(3) Evaluation. In addition to the provisions in subsection 6A.60331(4), F.A.C., the evaluation for a student must also include the procedures identified in the district's Policies and Procedures for the Provision of Specially Designed Instruction and Related Services as required by Rule 6A-6.03411, F.A.C.

(4) Criteria for eligibility. A student with a traumatic brain injury is eligible for exceptional student education, if the following criteria are met:

(a) Evidence of a traumatic brain injury that impacts one or more of the areas identified in subsection (1) of this rule.

(b) The student needs special education as defined in paragraph 6A-6.03411(1)(c), F.A.C.

(5) This rule shall become effective July 1, 2007.

Specific Authority 1001.02(1), 1003.57(1)(e) FS. Law Implemented 1001.03, 1003.01(3), 1003.21(1), 1003.57(1)(e), 1011.62 FS. History—New 7-1-07.

(Substantial rewording of Rule 6A-6.03016 follows. See Florida Administrative Code for present text.)

6A-6.03016 Exceptional Student Education Eligibility for Students With Emotional/Behavioral Disabilities Special Programs for Students Who Are Emotionally Handicapped.

(1) Definition. Students with an emotional/behavioral disability (E/BD). A student with an emotional/behavioral disability has persistent (is not sufficiently responsive to implemented evidenced based interventions) and consistent emotional or behavioral responses that adversely affect performance in the educational environment that cannot be attributed to age, culture, gender, or ethnicity.

(2) Activities prior to referral. Prior to referral for evaluation, the requirements in subsections 6A-6.0331(1)-(3), FAC., must be met.

(3) Evaluation. In addition to the provisions in subsection 6A-6.0331(4), F.A.C., the evaluation for a student must also include the procedures identified in the district's Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students as required by Rule 6A-6.03411, F.A.C.

(4) Criteria for eligibility. A student with an emotional/behavioral disability must demonstrate an inability to maintain adequate performance in the educational environment that cannot be explained by physical, sensory, socio-cultural, developmental, medical, or health (with the exception of mental health) factors; and must demonstrate one or more of the following characteristics described in paragraph (4)(a) or (4)(b) of this rule and meet the requirements of paragraphs (4)(c) and (4)(d) of this rule:

(a) Internal factors characterized by:

1. Feelings of sadness, or frequent crying, or restlessness, or loss of interest in friends and/or school work, or mood swings, or erratic behavior; or

2. The presence of symptoms such as fears, phobias, or excessive worrying and anxiety regarding personal or school problems; or

3. Behaviors that result from thoughts and feelings that are inconsistent with actual events or circumstances, or difficulty maintaining normal thought processes, or excessive levels of withdrawal from persons or events; or

(b) External factors characterized by:

1. An inability to build or maintain satisfactory interpersonal relationships with peers, teachers, and other adults in the school setting; or

2. Behaviors that are chronic and disruptive such as noncompliance, verbal and/or physical aggression, and/or poorly developed social skills that are manifestations of feelings, symptoms, or behaviors as specified in subparagraph (4)(a)1-3. of this rule.



(c) The characteristics described in paragraph (4)(a) or (b) of this rule must be present for a minimum of six (6) months duration and in two (2) or more settings, including but not limited to, school, educational environment, transition to and/or from school, or home/community settings. At least one (1) setting must include school.

(d) The student needs special education as defined in paragraph 6A-6.03411(1)(c), F.A.C.

(e) In extraordinary circumstances, activities prior to referral for evaluation as described in subsection (2) of this rule and criteria for eligibility described in paragraph(4)(c) of this rule may be waived when immediate intervention is required to address an acute onset of an internal emotional/behavioral characteristic as listed in paragraph (4)(a) of this rule.

(5) Characteristics not indicative of a student with an emotional/behavioral disability:

(a) normal, temporary (less than six (6) months) reactions to life event(s) or crisis, or

(b) Emotional/behavioral difficulties that improve significantly from the presence of evidenced based implemented interventions, or

(c) Social maladjustment unless also found to have an emotional/behavioral disability.

(6) This rule shall become effective July 1, 2007.

Specific Authority 1001.02(1), 1003.57(1)(e), 229.053(1), 230.23(4)(m), 228.041(18) FS. Law Implemented 1001.03, 1003.57(1)(e), 1003.01(3), 1003.21(1), 1011.62, 228.041(18), (19), 229.565(3)(b), (c), 230.23(4)(m), 236.081(1)(e) FS. History—New 7-1-77, Amended 10-23-79, 11-25-80, 1-6-83, 9-27-84, 3-10-85, Formerly 6A-6.3016, Amended 7-1-07.

(Substantial rewording of Rule 6A-6.03023 follows. See Florida Administrative Code for present text.)

6A-6.03023 Exceptional Student Education Eligibility Special Programs for Students With Autism Spectrum Disorder who are Autistic.

(1) Definition. Students with Autism Spectrum Disorder. Autism Spectrum Disorder is defined to be a range of pervasive developmental disorders that adversely affects a student's functioning and results in the need for specially designed instruction and related services. Autism Spectrum Disorder is characterized by an uneven developmental profile and a pattern of qualitative impairments in social interaction, communication, and the presence of restricted repetitive, and/or stereotyped patterns of behavior, interests, or activities. These characteristics may manifest in a variety of combinations and range from mild to severe. Autism Spectrum Disorder may include Autistic Disorder, Pervasive Developmental Disorder Not Otherwise Specified, Asperger Syndrome, or other related pervasive developmental disorders.

(2) Activities prior to referral. Prior to referral for evaluation the requirements in subsections 6A-6.0331(1)-(3), F.A.C., must be met.

(3) Evaluation. In addition to the procedures identified in subsection 6A-6.0331(4), F.A.C., the evaluation must also include the procedures identified in the district's Policies and Procedures for the Provision of Specially Designed Instruction and Related Services for Exceptional Students as required by Rule 6A-6.03411, F.A.C.

(4) Criteria for eligibility. A student with Autism Spectrum Disorder is eligible for exceptional student education if all of the following criteria are met:

(a) Evidence of all of the following:

1. Uneven developmental profile as evidenced by inconsistencies across or within the domains of language, social interaction, adaptive behavior, and/or cognitive skills; and

2. Impairment in social interaction as evidenced by delayed, absent, or atypical ability to relate to people or the environment; and

3. Impairment in verbal and/or nonverbal language or social communication skills, and

4. Restricted repetitive, and/or stereotyped patterns of behavior, interests, or activities; and

(b) The student needs special education as defined in paragraph 6A-6.03411(1)(c), F.A.C.

(5) This rule shall become effective July 1, 2007.

Specific Authority 1001.02(1), 1003.57(1)(e), 229.053(1), 230.23(4)(m), 228.041(18), (19) FS. Law Implemented 1001.03, 1003.57(1)(e), 1003.01(3), 1003.21(1), 1011.62, 228.041(19), (20), 229.565(2)(b), (c), 230.23(4)(m)4., 232.01(1)(f), 236.081(1)(e) FS. History—New 7-2-79, Formerly 6A-6.3023, Amended 7-1-07.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mary Jane Tappen, Deputy Chancellor for Student Achievement, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Cheri Yecke, Chancellor K-12 Education, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 9, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 18, 2005 and August 25, 2006

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.03015  
 RULE TITLE: Special Programs for Students Who are Physically Impaired

PURPOSE AND EFFECT: The purpose of this action is to repeal the rule. Three rules specific to students who are physically impaired with orthopedic impairment, other health impairment, or traumatic brain injury are proposed to replace this rule. The effect will be rules that are streamlined and specific for students with special needs.

SUMMARY: This rule is to be repealed.

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

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

SPECIFIC AUTHORITY: 229.053(1), 230.23(4)(m), 228.041(18), (19) FS.

LAW IMPLEMENTED: 228.041(18), (19), 230.23(4)(m), 232.01, 236.081(1)(c) FS.

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

DATE AND TIME: December 12, 2006, 8:30 a.m.

PLACE: 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, Florida Department of Education, 325 West Gaines Street, Room 601, Tallahassee, Florida 32399-0400, (850)245-0475

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.03015 Special Programs for Students who are Physically Impaired.

PROPOSED EFFECTIVE DATE July 1, 2007.

Specific Authority 229.053(1), 230.23(4)(m), 228.041(18), (19) FS. Law Implemented 228.041(18), (19), 230.23(4)(m), 232.01, 236.081(1)(c) FS. History—New 7-1-77, Amended 8-16-82, 7-13-83, Formerly 6A-6.3015, Amended 2-12-91, 7-13-93, Repealed 7-1-07.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mary Jane Tappen, Deputy Chancellor for Student Achievement, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Cheri Yecke, Chancellor K-12 Education, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 9, 2006

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:	RULE TITLE:
6A-6.03021	Exceptional Student Education Special Programs for Students Who are Profoundly Handicapped

PURPOSE AND EFFECT: This rule is being repealed because it is obsolete. The authority in this rule is no longer required in order to claim weighted funding for the provision of special education and related services for students with disabilities. This rule gave districts authority to utilize weighted cost

factors based on certain categories of exceptionality. Because of the revised Exceptional Student Education/Florida Education Finance Program (ESE/FEFP) funding model instituted by the Florida Legislature in 1998 and the required use of the Matrix of Services form based on students' individual educational plans (IEP), cost factors are tied directly to the severity of the students' needs and the intensity of the support required rather than the disability category.

SUMMARY: The rule is to be repealed.

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

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

SPECIFIC AUTHORITY: 229.053(1), 230.23(4)(m), 228.041(18), (19) FS.

LAW IMPLEMENTED: 228.041(19), (20), 229.565(2)(b), (c), 230.23(4)(m)4., 232.01(1)(f), 236.081(1)(c) FS.

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

DATE AND TIME: December 12, 2006, 8:30 a.m.

PLACE: 400 South Monroe Street, Room LL03, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, Florida Department of Education, 325 West Gaines Street, Room 601, Tallahassee, Florida 32399-0400, (850)245-0475

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.03021 Special Programs for Students who are Profoundly Handicapped.

PROPOSED EFFECTIVE DATE July 1, 2007.

Specific Authority 229.053(1), 230.23(4)(m), 228.041(18), (19) FS. Law Implemented 228.041(19), (20), 229.565(2)(b), (c), 230.23(4)(m)4., 232.01(1)(f), 236.081(1)(c) FS., Item 315, Section 1, Chapter 79-212, Laws of Florida. History—New 7-2-79, Amended 10-23-79, Formerly 6A-6.3021, Repealed 7-1-07.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mary Jane Tappen, Deputy Chancellor for Student Achievement, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Cheri Yecke, Chancellor K-12 Education, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 9, 2006

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

RULE NO.: 6A-6.03315  
 RULE TITLE: Private School Scholarship  
 Compliance

**PURPOSE AND EFFECT:** The purpose of the proposed rule is to amend reporting requirements by which private schools participating in Florida's K-12 state scholarship programs must submit compliance documentation to the Florida Department of Education. The effect of this rule is to provide consistency to private schools, students, and families during the school year to prevent possible disruptions in private school eligibility, in scholarship payments, and in the provision of educational services to children.

**SUMMARY:** The proposed rule modifies an existing rule and outlines compliance requirements, requirements for new and renewing schools, and timelines for submitting private school scholarship compliance information.

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

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

**SPECIFIC AUTHORITY:** 1002.39, 1002.42, 1002.421 FS.

**LAW IMPLEMENTED:** 220.187, 316.615, 381.006, 381.0072, 404.056, 440.02, 443.1216, 607.0128, 617.0128, 623.03, 1002.39, 1003.22, 1003.23, 1002.42, 1002.421 FS.

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

**DATE AND TIME:** December 12, 2006, 8:30 a.m.

**PLACE:** 400 South Monroe Street, Room LL24, The Capitol, Tallahassee, Florida 32399

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Virginia Gentles, Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Room 522, Tallahassee, Florida 32399-0400, (850)245-0502

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

6A-6.03315 Private School Scholarship Compliance Form.

Compliance reporting requirements for the participation of a Florida private school registered with the Department of Education to be determined eligible to participate in one or more state scholarship program(s) are specified in Form IEPC SCF-1, Scholarship Compliance Form for Private School Participants in State Scholarship Programs, hereinafter Scholarship Compliance Form, which is hereby incorporated by reference to become a part of this rule effective upon the effective date of this rule ~~September 2005~~.

(1) Definitions related to this rule and the Scholarship Compliance Form:

(a) Renewing school – Schools that had scholarship students during the current or previous school year.

(b) New school – Schools that did not have scholarship students during the current or previous school year. A school removed from the program pursuant to a Notice of Proposed Action from the Commissioner may not reapply during the same school year it was removed from the program. In addition, a school that had scholarship students during the current or previous school year but is opening an additional location may apply as a new school for that location only.

(c) Regular and direct contact – A program of instruction that provides for a minimum of one hundred seventy (170) actual school instruction days with the required instructional hours (determined by grade level per state board Rule 6A-1.09512, F.A.C.) under the direct instruction of the private school teacher at the school's physical location with occasional off-site activities under the supervision of the private school teacher.

(d) School's physical location – The location where regular and direct contact with the private school teacher occurs and must meet applicable state and local health, safety, and welfare laws, codes, and rules.

(2) Renewing schools. The signed, notarized Scholarship Compliance Form must be postmarked received by ~~March~~ the Office of Independent Education and Parental Choice no later than 5:00 p.m. on May 1 of each year for participation in the subsequent school year. Following the timely submission of the Scholarship Compliance Form, any outstanding compliance issues, including submission of the annual survey required by Section 1002.42, Florida Statutes, must be resolved by the private school prior to ~~May~~ July 1 of each year or within forty-five (45) days of receipt of notification from the Department of any noncompliance issue, whichever is later, for the school to remain eligible to participate in the scholarship programs. Renewing schools as a part of the renewal process are required to have a review of compliance documentation every third year. The Department shall mail notice to renewing schools subject to the compliance documentation review by December 1 of each year. This does not limit the Department's ability to request compliance related documentation at other times.

(3) New schools. When the signed, notarized Scholarship Compliance Form is submitted by a new school, the school shall have sixty (60) days to resolve any outstanding compliance issues, including submission of the annual survey required by Section 1002.42, Florida Statutes, to become eligible to participate in the scholarship programs. If the outstanding issues have not been resolved after sixty (60) days, the application shall be administratively closed. The application can be reopened, at any time during the same school year, by request of the private school. At no time can a

new private school that has not met and adequately demonstrated compliance with all requirements, register or enroll scholarship students.

(4) The Scholarship Compliance Form ~~This form~~ delineates private school reporting requirements specified pursuant to Section 1002.42, Florida Statutes, and statutory and regulatory requirements related to the areas of school location and contact information; school ownership; affiliation; financial solvency; school administration; school staffing; school program; student health, safety, and welfare; student records; school facility; and submission of the scholarship compliance form.

(5) Copies of the Scholarship Compliance Form ~~this form~~ may be obtained from the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

Specific Authority ~~1002.38~~, 1002.39, 1002.42, 1002.421 FS. Law Implemented 220.187, 316.615, 381.006, 381.0072, 404.056, 440.02, 443.1216, 607.0128, 617.0128, 623.03, ~~1002.38~~, 1002.39, 1003.22, 1003.23, 1002.42, 1002.421 FS. History—New 10-13-04, Amended 9-20-05, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Virginia Gentles, Executive Director, Office of Independent Education and Parental Choice, Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: John L. Winn, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 11, 2006

**DEPARTMENT OF EDUCATION  
State Board of Education**

RULE NO.: 6A-6.0960  
RULE TITLE: Corporate Tax Credit Scholarship Program

PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify administrative procedures and establish requirements for student and nonprofit scholarship-funding organization participation in a scholarship program for children of families with limited financial resources supported by tax credit contributions from eligible taxpayers. The proposed rule also identifies the nationally norm-referenced tests that participating private schools may select to administer annually to assess the academic improvements of scholarship students. The effect will be a rule which is consistent with requirements set forth in statute for the administration and implementation of the scholarship program as authorized by Section 220.187, Florida Statutes.

SUMMARY: The proposed rule outlines eligibility and participation requirements for scholarship funding organizations, students, and private schools, the measurement

of student achievement, the complaint and inquiry process, and responsibilities of the Commissioner of Education for the Corporate Tax Credit Scholarship Program.

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

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

SPECIFIC AUTHORITY: 220.187(9)(i), 220.187(12)(e) FS.  
LAW IMPLEMENTED: 220.187 FS.

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

DATE AND TIME: December 12, 2006, 8:30 a.m.

PLACE: 400 South Monroe Street, Room LL24, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Virginia Gentles, Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Room 522, Tallahassee, Florida 32399-0400, (850)245-0502

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0960 Corporate Tax Credit Scholarship Program.

The Corporate Tax Credit Scholarship Program will be implemented as required by Section 220.187, Florida Statutes, to allow nonprofit scholarship-funding organizations to provide scholarships from eligible contributions to qualified students attending eligible private schools or public schools outside the school district in which the student resides or in a laboratory school.

(1) Eligibility of nonprofit scholarship-funding organizations.

(a) A nonprofit charitable organization may apply to be an eligible scholarship-funding organization by having its principal officer or legal representative submit documentation to the Department of Education as specified in Form IEPC SFO-1, Nonprofit Scholarship-Funding Organization Participation Renewal for State Scholarship Programs, or Form IEPC SFO-2, Nonprofit Scholarship-Funding Organization Participation Application for State Scholarship Programs, which are hereby incorporated by reference to become a part of this rule to become effective upon the effective date of this rule. The appropriate Nonprofit Scholarship-Funding Organization Form must be signed by the owner or operator, submitted annually, and be postmarked no later than February 1.

(b) By December 1 of each year, beginning in 2006, the Department of Education shall make available the forms for organizations to use pursuant to paragraph (1)(a) of this rule.

(c) Each application to be listed shall be reviewed by the Department to determine compliance with Section 220.187, Florida Statutes, and requirements in this rule.

(d) By March 1, the Department shall send to each nonprofit scholarship-funding organization applicant, at the address listed on the Nonprofit Scholarship-Funding Organization Form, a notice of its eligibility to participate in the program for the next school year.

(e) No later than March 15 of each year, the Department shall submit to the Florida Department of Revenue a list of organizations that it has determined to be eligible to be listed as a nonprofit scholarship-funding organization for participation in the Corporate Tax Credit Scholarship Program.

(f) If, at any point during the school year, a nonprofit scholarship-funding organization no longer meets the eligibility requirements for nonprofit scholarship-funding organizations, the Commissioner shall:

1. Issue a notice of noncompliance that gives the nonprofit scholarship-funding organization a reasonable time to meet the requirements; or

2. Issue a notice of proposed action to suspend the nonprofit scholarship-funding organization or to remove the nonprofit scholarship-funding organization from the list of eligible nonprofit scholarship-funding organizations where the health, safety, or welfare of students is involved or the nonprofit scholarship-funding organization has failed to meet requirements specified in a notice of noncompliance pursuant to this paragraph.

(g) Nonprofit scholarship-funding organizations suspended or removed pursuant to paragraph (1)(f) of this rule shall have fifteen (15) days from receipt of the notice of proposed action to file with the Department's agency clerk a request for a proceeding pursuant to Sections 120.569 and 120.57, Florida Statutes. All resulting proceedings shall be conducted in accordance with Chapter 120, Florida Statutes.

(h) Upon removal of an approved nonprofit scholarship-funding organization, the Department shall notify the Department of Revenue that the organization is no longer approved to participate in the program.

(2) Nonprofit scholarship-funding organization requirements. Eligible nonprofit scholarship-funding organizations shall:

(a) Beginning with the 2007-2008 school year, upon each first-time scholarship student's entry to the scholarship program, obtain a written statement that the parent has informed the student's school district that the child will be attending an eligible private school. The written statement shall be maintained on file by each nonprofit scholarship-funding organization for no less than three (3) years or until such time as the student graduates or otherwise exits the program. This requirement shall not apply to a

kindergarten or first grade student who was not enrolled in a Florida public school prior to entering the scholarship program.

(b) Four (4) times a year, no later than August 15, October 15, January 15, and March 15 of each year, submit in a format to be specified by the Department an electronic list of all participating scholarship students. The list shall include the following information:

1. Demographic information for each student, including name, date of birth, social security number, grade level, gender, race, parent's name, and address;

2. Information on the student's school of attendance, including tuition, fees, and transportation amounts; and

3. The amount of each student's scholarship.

(c) No later than thirty (30) days after the last payment date of the school year, provide a summary to the Department detailing the amount paid for each scholarship student during the school year and the school attended. If a student attended more than one school during the year, the summary shall detail the amount of the scholarship payments that the student generated by each school.

(3) Nothing in this rule shall abrogate the Department's authority to request any other information related to the scholarship program.

(4) Qualified students. Applications for a Corporate Tax Credit Scholarship shall be made by parents directly through an eligible nonprofit scholarship-funding organization. The nonprofit scholarship-funding organization shall identify qualified students and award all scholarships consistent with the requirements of Section 220.187, Florida Statutes. The process used to identify qualified students and award scholarships is subject to the annual financial and compliance audit required by law.

(5) Private school participation. To participate in the Corporate Tax Credit Scholarship Program, a school must meet the definition of an "eligible private school" as defined in Section 220.187(2)(d), Florida Statutes, and:

(a) Register its intent to participate in the scholarship program with the Department using the Department's website;

(b) Complete the annual survey of private schools required by Section 1002.42(2), Florida Statutes, using the Department's website, and submit it to the Department in both an electronic format and by mail. The survey that is mailed to the Department must include a notarized statement verifying that the private school owner has complied with the background check requirements of Section 1002.42(2)(c), Florida Statutes.

(c) Annually meet all scholarship compliance requirements for private schools pursuant to Rule 6A-6.03315, FAC.

(d) Continue to adhere to all statutory and rule requirements after determined eligible to participate in the program.

(6) Measurement of student achievement. Private schools participating in the program are responsible for ensuring that all students receiving scholarships are assessed annually and the results reported as required by Section 220.187(8)(c)2., Florida Statutes. Achievement data for scholarship students shall not be used to rate publicly the performance of private schools that participate in the program.

(a) Pursuant to Section 220.187(9)(i), Florida Statutes, relating to the identification and selection of nationally norm-referenced tests for the measurement of student achievement, participating private schools must annually administer one of the following approved assessments in grades K-12 to students receiving Corporate Income Tax Credit Scholarships:

1. Basic Achievement Skills Inventory (BASIS) – Comprehensive Version.
2. Florida Comprehensive Assessment Test (FCAT) – NRT Reading and Mathematics.
3. Iowa Tests of Basic Skills® (ITBS®) Forms A and B – Core Battery.
4. Metropolitan Achievement Tests®, Eighth Edition (METROPOLITAN8) – Short Form.
5. Stanford Achievement Test, Tenth Edition (Stanford 10) – Basic Battery.
6. TerraNova (CTBS/5) – Basic Battery.
7. TerraNova, Second Edition (CAT/6) – Basic Battery.

(b) The Department of Education may approve the use of another assessment if it meets the following criteria:

1. Internal consistency reliability coefficients of at least 0.8;
2. High validity evidenced by the alignment of the test with nationally recognized content standards, as well as specific evidence of content, concurrent, or criterion validity;
3. Norming studies within the last five (5) to ten (10) years, with norming within five (5) years being preferable; and
4. Serves as a measure of K-12 student achievement in core academic areas.

(7) Commissioner's duties. The Commissioner may deny, suspend, or revoke a private school's participation in the scholarship program pursuant to Section 220.187(10), Florida Statutes.

(a) If the Commissioner issues a notice of noncompliance:

1. Private schools shall be given a reasonable period from the date of the notice, as determined by the Commissioner, to demonstrate compliance.
2. The notice shall state the reasons for the noncompliance, provide instructions on how to demonstrate compliance, and give a deadline for demonstrating compliance to the Commissioner.
3. The private school's participation status shall be unaffected by the above notice of noncompliance process.

4. A copy of the notice shall be provided to the appropriate nonprofit scholarship-funding organization.

(b) If the Commissioner issues a notice of proposed action denying, suspending, or revoking a private school's participation:

1. The notice shall state the reasons for the action and specify the private school's right to appeal.
2. The private school's participation status shall be unaffected until the proposed action becomes final and all relevant appeals have expired.
3. A copy of the notice shall be provided to the appropriate nonprofit scholarship-funding organization.

(c) If the Commissioner immediately suspends payment of scholarship funds:

1. The Commissioner shall issue a notice of proposed action suspending payment of scholarship funds to the private school;
2. The notice shall state the reasons for the suspension and the rights the private school has to appeal; and
3. The private school's participation status will be adjusted so that it will be unable to receive payments or utilize the Department's website and its functionalities to participate in the scholarship program in any way; and
4. A copy of the notice shall be provided to the appropriate nonprofit scholarship-funding organization.

(8) Complaint process. The following process is established to allow individuals to notify the Department of any violation by parents, private schools, or school districts of laws or rules related to scholarship program participation.

(a) Persons interested in filing a complaint should contact the Department through the toll-free hotline, established pursuant to Section 220.187, Florida Statutes, or through the Department's website.

(b) An initial complaint shall include, at a minimum, the complainant's name, phone number, address, and details of the situation.

(c) After receipt of the initial complaint, the Department shall offer to provide a formal complaint form to the complainant.

(d) To register a formal complaint, the complainant must complete the formal complaint form, sign it, and mail or fax it to the Department within 30 days of making the initial complaint.

(e) Upon receipt of a formal complaint, the Department shall review the complaint for legal sufficiency. If the complaint is legally sufficient, the Department shall conduct an inquiry, as described in subsection (9) of this rule, or refer the matter to the appropriate agency for investigation. If the complaint is not legally sufficient, the Department may close the complaint.

(f) The Department shall notify the complainant of the final result of all formal complaints.

(9) Inquiry Process. If an inquiry is made as to the conduct of an individual or entity participating in the program:

(a) A letter of inquiry will be delivered using regular and certified mail that alerts the individual or entity to the inquiry and provides the opportunity to respond. The letter of inquiry shall detail any alleged violations of program rules or law, the response required, any documentation requested, and the deadline for responding to the department. A copy of the letter of inquiry shall be provided to the appropriate nonprofit scholarship-funding organization.

(b) Failure to respond to a letter of inquiry, in a timely manner by:

1. A parent, then the Department shall notify the appropriate nonprofit scholarship-funding organization of the nature of the inquiry and the parent's deemed admission of alleged violation due to a failure to respond to the letter of inquiry. The nonprofit scholarship-funding organization can use that information to reconsider its determination of student eligibility.

2. A private school, then the Department shall proceed with the noncompliance procedures related to the Commissioner's authority established pursuant to Section 220.187(10), Florida Statutes, and this rule.

3. A school district, then a formal notice will be sent from the Commissioner to the district's Superintendent stating that failure to respond within five (5) working days shall be deemed to be an admission of the stated violation or allegation.

(c) The Department shall review the response to the letter of inquiry and:

1. If satisfied that no violation of laws or rules related to scholarship program participation occurred, notify the parent, private school, or school district and complainant that the inquiry will be closed.

2. If more information is needed, request additional information related to the inquiry from the complainant, parent, private school, or school district as appropriate.

3. If a violation of laws or rules related to scholarship program participation has been committed by:

a. A parent, then the Department shall notify the appropriate nonprofit scholarship-funding organization of the violation which it may use to reconsider its determination of student eligibility.

b. A private school, then the Department shall proceed with the noncompliance procedures related to the Commissioner's authority established pursuant to Section 220.187(10), Florida Statutes, and this rule.

c. A school district, then the Department shall take any actions allowable under law to compel school district compliance with program requirements and to ameliorate the effect of the violation on the parent, student, or private school as appropriate.

(d) The Department may at any point refer an inquiry to another appropriate agency for investigation.

(e) Notwithstanding any other provisions of this rule, the Commissioner may at any point during the inquiry process exercise the authority given under Section 220.187(10), Florida Statutes, to immediately suspend payments to a private school if there is probable cause to believe that there is an imminent threat to the health, safety, and welfare of students or suspected fraudulent activity on the part of the private school.

Specific Authority 220.187(9)(i), 220.187(12)(c) FS. Law Implemented 220.187 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Virginia Gentles, Executive Director, Office of Independent Education and Parental Choice, Department of Education  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: John L. Winn, Commissioner of Education  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2006  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 11, 2006

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.0970  
 RULE TITLE: John M. McKay Scholarships for Students with Disabilities Program

PURPOSE AND EFFECT: The purpose of the proposed rule is to clarify and establish specific student, school, school district, and state requirements for eligibility, participation, and administration of the John M. McKay Scholarships for Students with Disabilities Program. The effect will be a rule which is consistent with requirements set forth in statute for administration and implementation of the program.

SUMMARY: The proposed rule outlines application procedures, administrative requirements, the public school option, development of a matrix of services, scholarship payments, student and private school program eligibility, the complaint and inquiry process, and duties of the Commissioner of Education for the John M. McKay Scholarships for Students with Disabilities Program.

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

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

SPECIFIC AUTHORITY: 1002.39(10) FS.

LAW IMPLEMENTED: 1002.39 FS.

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

DATE AND TIME: December 12, 2006, 8:30 a.m.

PLACE: 400 South Monroe Street, Room LL24, The Capitol, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Virginia Gentles, Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400, (850)245-0502

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0970 John M. McKay Scholarship for Students with Disabilities Program.

The John M. McKay Scholarship for Students with Disabilities Program will be implemented as required by Section 1002.39, Florida Statutes, in an effective and equitable manner that will maintain the integrity of the program.

(1) Scholarship application procedure.

(a) To receive a McKay Scholarship the parent of a public school student must first request a scholarship by filing a notice of intent with the Department by fully completing an online application for a McKay Scholarship using the Department's website.

1. A school district, a private school, or the Department may assist a parent in filing the notice of intent.

2. A notice of intent must be filed before a student withdraws from public school and must include the student's: name, date of birth, current public school district, last attended public school, parent's name, telephone number, mailing address, and email address (if applicable).

3. Upon filing a notice of intent the parent shall receive immediate online filing confirmation including: a confirmation number, a notice of potential eligibility or ineligibility, and, if ineligible, reasons for the ineligibility and instructions on contacting the public school district to correct any errors in information that may have caused the ineligibility.

(b) After receipt of a notice of intent, the Department shall, in cooperation with the school district, determine the student's eligibility for a scholarship by verifying that the student:

1. Meets the prior school year in attendance definition in Section 1002.39(2)(a), Florida Statutes, or is exempt because he or she is a dependent child of a member of the United States Armed Forces who transferred to a school in this state from out of state or from a foreign country pursuant to a parent's permanent change of station orders and such transfer occurred less than one (1) full academic year from the time the notice of intent was filed;

2. Filed a valid notice of intent; and

3. Meets one (1) of the following requirements:

a. Is a current public school student with a disability and has an individual education plan; or

b. Is not a current public school student but filed a notice of intent while a public school student, and was a student with a disability and individual education plan at the time he or she left the public school.

(2) Public school McKay Scholarship option. Pursuant to Section 1002.39(5), Florida Statutes, a student meeting the McKay eligibility requirements may choose to attend another public school in the student's school district or in an adjacent school district.

(a) The McKay Scholarship public school options available are determined by the school district and may be subject to both capacity limitations and the ability of the public school to provide the required services for the individual student.

(b) Pursuant to Section 1002.39(4), Florida Statutes, the parent of a student receiving a McKay Scholarship to attend a private school may upon giving notice choose to exercise the public school McKay option.

1. Notice shall be no less than thirty (30) days prior to entering the public school, unless agreed to by the school district.

2. Notice shall be given to the Department and the school district through use of the Department's website.

3. Public school options are still determined by the school district and may be subject to both capacity limitations and the ability of the public school to provide the required services for the individual student.

4. After exercising the educational choice described in this paragraph, a student seeking to reenter a private school under the McKay Scholarship must re-establish initial eligibility requirements including the prior year public school attendance requirement.

(3) Term of McKay Scholarship. Pursuant to Section 1002.39(4)(a), Florida Statutes, a McKay Scholarship remains in effect until one of the following occurs. The student:

(a) Returns to a public school. A return to public school is the enrollment of a McKay Scholarship student in a public school or public school program.

1. For purposes of this paragraph, a public school or public school program is one in which students are reported for funding through the Florida Education Finance Program.

2. Notwithstanding subparagraph (3)(a)1., the following situations are not a return to public school:

a. Admission to a residential hospital for medical reasons.

b. Entry into a Department of Juvenile Justice detention center for a period of less than fifteen (15) days.

c. Entry into a public school for a period of less than thirty (30) days pursuant to placement by or while in the custody of the Department of Children and Families.

d. Completion of virtual school classes if limited to no more than two (2) courses per year.



e. Completion of dual enrollment or adult education courses that are not funded through the Florida Education Finance Program.

(b) Graduates from high school. The student may continue in the program until such time as he or she receives a GED, standard diploma, or the private school's equivalent. Certificates of completion or attendance do not constitute graduation from high school for purposes of this paragraph.

(c) Reaches the age of twenty-two (22). The student may complete the school year in which he or she reaches the age of twenty-two (22).

(4) Matrix of services.

(a) A matrix of services developed for purposes of the McKay Scholarship Program shall be consistent with the services described in the student's individual education plan at the time the student withdraws from the public school. The student's matrix of services may not be changed by the Department and may only be changed by the school district, pursuant to Section 1002.39(5)(b)2.c., Florida Statutes, to correct a technical, typographical, or calculation error.

(b) The process for development of a matrix of services for a student with a disability who is a dependent child of a member of the United States Armed Forces transferring from another state or country pursuant to the parent's permanent change of station orders shall be expedited as follows:

1. Upon receipt of the parent's notice of intent, the Department shall provide the parent's contact information to the appropriate school district.

2. The school district shall contact the parent and arrange for the student's current individual education plan to be submitted to the school district to develop a matrix of services. The parent will be responsible for providing the school district with a copy of the student's current individual education plan.

3. The school district shall have fifteen (15) days from receipt of the student's individual education plan to develop a matrix of services and communicate that information to the Department.

4. If the district is unable to complete the matrix of services within the fifteen (15) days required by this rule, the calculation shall be made as provided for in Section 1002.39(10)(a)4., Florida Statutes, until such time as the matrix of services is completed.

5. A matrix of services developed pursuant to this paragraph shall be developed by school district personnel responsible for developing a matrix of services required by Section 1011.62(1)(e), Florida Statutes.

(5) Scholarship payments. The following provisions detail information related to scholarship payments including timeframes, eligibility, and Departmental procedures.

(a) Scholarship payments will be made on or before September 1, November 1, February 1, and April 1 of each year. For purposes of statutory deadlines associated with payment dates, the above listed dates shall be considered the official payment dates.

(b) The following payment periods are established for administration of the scholarship payments:

<u>Payment</u>	<u>Payment Period</u>
<u>September 1</u>	<u>July 1 – September 30</u>
<u>November 1</u>	<u>October 1 – December 31</u>
<u>February 1</u>	<u>January 1 – February 28</u>
<u>April 1</u>	<u>March 1 – June 30</u>

(c) The following requirements must be met to qualify for a scholarship payment:

1. The notice of intent, described in subsection (1) of this rule, must be filed sixty (60) days before the first scholarship payment. This is a one-time requirement that applies to scholarship students entering the program for the first time, and no payment can be earned until such time as the notice requirement has been met.

2. A student must have an enrollment date thirty (30) days before the first scholarship payment is made. The submission of the school and student fee schedules are required to establish the enrollment date and are completed using the Department's website. A student that changes private schools after meeting the enrollment date requirement may still qualify for payment for that payment period.

3. A student must not be enrolled in a public school or violate any of the prohibitions found in Section 1002.39(3), Florida Statutes.

4. The private school must verify each student's continued enrollment and attendance using the Department's website three (3) times per year before the November, February, and April scholarship payments. Failure to verify a student's continued enrollment and attendance will result in a delayed payment until the next payment period. To receive payment at that time, the private school must verify student attendance for the delayed payment's payment period and, if the student is still enrolled in the program, for the current payment period.

(d) Private schools are responsible for the return of all scholarship funds to the Department that were received in error, including: for students that were not in attendance, or for services listed on a student's fee schedule that were not provided. If the Department identifies scholarship funds that should be returned, it shall send a letter via both regular and certified mail requesting the return of the funds. The letter shall state the reason the funds are being requested, the student or students involved, instructions on returning the funds, and the procedure to be followed if the private school believes that return of the funds is being requested in error or wishes to provide additional information related to the requested funds.

1. Private school shall respond to such letter within thirty (30) days by either returning the funds or detailing in writing why its retention of the funds is proper.

2. If the Department receives a letter detailing why the funds were properly retained, it shall determine whether the explanation is sufficient and thereafter alert the private school to any funds still due and a timeframe for the return of those funds. The response shall give the private school or parent at least twenty (20) additional days to repay the funds.

3. Failure to return the funds due back to the Department within the time period allotted shall result in the initiation of noncompliance procedures pursuant to the Commissioner's authority described in Section 1002.39(7), Florida Statutes, and this rule.

(e) Where a scholarship student attends multiple private schools or a private school and the public school in the same payment period, the right to retain the scholarship payment shall be given to the first private school the student attends for ten (10) or more school days during that payment period. If the student does not attend a private school for at least ten (10) days and attends a public school, then the funding generated, if any, shall be retained by the school district and no scholarship payment shall be generated.

(f) To ensure proper administration of scholarship funds, all claims by private schools for missed scholarship payments must be made within one (1) year of the date the payment was originally due.

(6) Private school participation. To participate in the John M. McKay Scholarship for Students with Disabilities Program, a school must:

(a) Register its intent to participate in the scholarship program with the Department using the Department's website;

(b) Complete the annual survey of private schools required by Section 1002.42(2), Florida Statutes, using the Department's website, and submit it to the Department in both an electronic format and by mail. The survey that is mailed to the Department must include a notarized statement verifying that the private school owner has complied with the background check requirements of Section 1002.42(2)(c), Florida Statutes.

(c) Annually meet all scholarship compliance requirements for private schools pursuant to Rule 6A-6.03315, F.A.C.

(d) Continue to adhere to all statutory and rule requirements after determined eligible to participate in the program.

(7) Commissioner's duties. The Commissioner may deny, suspend, or revoke a private school's participation in the scholarship program pursuant to Section 1002.39(7), Florida Statutes.

(a) If the Commissioner issues a notice of noncompliance:

1. Private schools shall be given a reasonable period from the date of the notice, as determined by the Commissioner, to demonstrate compliance.

2. The notice shall state the reasons for the noncompliance, provide instructions on how to demonstrate compliance, and give a deadline for demonstrating compliance to the Commissioner.

3. The private school's participation status shall be unaffected by the above notice of noncompliance process.

(b) If the Commissioner issues a notice of proposed action denying, suspending, or revoking a private school's participation:

1. The notice shall state the reasons for the action and specify the private school's right to appeal.

2. The private school's participation status shall be unaffected until the proposed action becomes final and all relevant appeals have expired.

(c) If the Commissioner immediately suspends payment of scholarship funds:

1. The Commissioner shall issue a notice of proposed action suspending payment of scholarship funds to the private school;

2. The notice shall state the reasons for the suspension and the rights the private school has to appeal; and

3. The private school's participation status will be adjusted so that it will be unable to receive payments or utilize the Department's website and its functionalities to participate in the scholarship program in any way.

(8) Complaint process. The following process is established to allow individuals to notify the Department of any violation by parents, private schools, or school districts of laws or rules related to scholarship program participation.

(a) Persons interested in filing a complaint should contact the Department through the toll-free hotline, established pursuant to Section 1002.39, Florida Statutes, or through the Department's website.

(b) An initial complaint shall include, at a minimum, the complainant's name, phone number, and address, and details of the situation.

(c) After receipt of the initial complaint, the Department shall offer to provide a formal complaint form to the complainant.

(d) To register a formal complaint, the complainant must complete the formal complaint form, sign it, and mail or fax it to the Department within thirty (30) days of making the initial complaint.

(e) Upon receipt of a formal complaint, the Department shall review the complaint for legal sufficiency. If the complaint is legally sufficient, the Department shall conduct an inquiry, as described in subsection (9) of this rule, or refer the

matter to the appropriate agency for investigation. If the complaint is not legally sufficient, the Department may close the complaint.

(f) The Department shall notify the complainant of the final result of all formal complaints.

(9) Inquiry Process. If an inquiry is made as to the conduct of an individual or entity participating in the program:

(a) A letter of inquiry will be delivered using regular and certified mail that alerts the individual or entity to the inquiry and provides the opportunity to respond. The letter of inquiry shall detail any alleged violations of program rules or law, the response required, any documentation requested, and the deadline for responding to the Department.

(b) Failure to respond to a letter of inquiry in a timely manner by:

1. A parent, then the Department shall notify the parent that the parent's failure to respond to the letter of inquiry is deemed to be an acceptance of the allegations made in the formal complaint and may affect student eligibility.

2. A private school, then the Department shall proceed with the noncompliance procedures related to the Commissioner's authority established pursuant to Section 1002.39(7), Florida Statutes, and this rule.

3. A school district, then a formal notice will be sent from the Commissioner to the district's Superintendent stating that failure to respond within five (5) working days shall be deemed to be an admission of the stated violation or allegation.

(c) The Department shall review the response to the letter of inquiry and:

1. If satisfied that no violation of laws or rules related to scholarship program participation occurred, notify the parent, private school, or school district and complainant that the inquiry will be closed.

2. If more information is needed, request additional information related to the inquiry from the complainant, parent, private school, or school district as appropriate.

3. If a violation of laws or rules related to scholarship program participation has been committed by:

a. A parent, then the Department shall notify the parent of any violation of laws or rules committed and any effect it will have on student eligibility.

b. A private school, then the Department shall proceed with the noncompliance procedures related to the Commissioner's authority established pursuant to Section 1002.39(7), Florida Statutes, and this rule.

c. A school district, then the Department shall take any actions allowable under law to compel school district compliance with program requirements and to ameliorate the effect of the violation on the parent, student, or private school as appropriate.

(d) The Department may at any point refer an inquiry to another appropriate agency for investigation.

(e) Notwithstanding any other provision of this rule, the Commissioner may at any point during the inquiry process exercise the authority given under Section 1002.39(7), Florida Statutes, to immediately suspend payments to a private school if there is probable cause to believe that there is an imminent threat to the health, safety, and welfare of students or suspected fraudulent activity on the part of the private school.

Specific Authority 1002.39(13) FS. Law Implemented 1002.39 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Virginia Gentles, Executive Director, Office of Independent Education and Parental Choice, Department of Education  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: John L. Winn, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 11, 2006

#### **DEPARTMENT OF EDUCATION**

##### **Florida School for the Deaf and the Blind**

RULE NO.: 6D-9.007  
RULE TITLE: Health Care Policies

PURPOSE AND EFFECT: This rule addresses maintaining written policies and procedures of quality health services to meet the needs of students served at the Florida School for the Deaf and the Blind.

SUMMARY: This rule establishes policies and procedures manual for the Health Care Center of the Florida School for the Deaf and the Blind

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(1), 1003.49 FS.

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

DATE AND TIME: December 9, 2006, 9:00 a.m.

PLACE: Center for Leadership Development, Moore Hall FSDB campus, St. Augustine, 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: Elmer Dillingham, Jr., President, Florida School

for the Deaf and the Blind If you are 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: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-9.007 Health Care Policies.

(1) through (2) No change.

(3) The Florida School for the Deaf and the Blind Health Care Policies revised September, 2006, adopted by the Board of Trustees pursuant to the provisions of Section 1002.36(4)(c), F.S. shall be incorporated by this rule and made a part of the rules of the Board of Trustees.

Specific Authority 1002.36(4)(c) 242.331(3) FS. Law Implemented 1002.36(4)(d) 120.53(1)(a), 242.331(4) FS. History--New 12-6-92, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elmer Dillingham, Jr., President Florida School for the Deaf and the Blind

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Florida School for the Deaf and the Blind

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 21, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 32, No. 39, September 29, 2006

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE NO.: 6D-14.002 RULE TITLE: Transportation Policies and Procedures

PURPOSE AND EFFECT: The purpose of this Rule is to establish written Policies and Procedures to be followed by the Transportation Department of the Florida School for the Deaf and the Blind.

SUMMARY: This rule establishes guidelines and directives for the Transportation Department of the Florida School for the Deaf and the Blind.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(4)(d) FS.

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

DATE AND TIME: December 9, 2006, 9:00 a.m.

PLACE: Center for Leadership and Development, Moore Hall, FSDB Campus, St. Augustine, 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: Elmer Dillingham, President, Florida School for the Deaf and the Blind If you are 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: Elaine Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, Florida 32084

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-14.002 Transportation Policies and Procedures.

(1) through (2) No change.

(3) The Florida School for the Deaf and the Blind Transportation Manual revised July 1, 2006, adopted by the Board of Trustees pursuant to the provisions of Section 1002.36(4)(c), F.S., shall be incorporated by this rule and made a part of the rules of the Board of Trustees.

Specific Authority 1002.36(4)(c) FS. Law Implemented 1002.36(4)(d) FS. History--New 12-20-92, Amended 5-19-03, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elmer Dillingham, Jr., President Florida School for the Deaf and the Blind

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Florida School for the Deaf and the Blind

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 19, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 32, No. 29, July 21, 2006

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE NO.: 6D-16.002 RULE TITLE: Human Resources, Management and Development

PURPOSE AND EFFECT: The purpose of this Rule is to establish the role of the Human Resource Management and Development Department of the Florida School for the Deaf and the Blind.

SUMMARY: This rule establishes guidelines for the Florida School for the Deaf and the Human Resource Management and Development Department.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(4)(d) FS.

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

DATE AND TIME: December 9, 2006, 9:00 a.m.

PLACE: Center for Leadership Development, Moore Hall, FSDB Campus, St. Augustine, 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: Elmer Dillingham, Jr., President, Florida School for the Deaf and the Blind If you are 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: Elaine Ocuto Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-16.002 Human Resources, Management and Development.

(1) through (4) No change.

(5) The Human Resources Management and Development Policies and procedures Manual revised, August 2006, ~~August 2004~~; adopted by the Board of Trustees pursuant to the provisions of sections 1002.36(4)(c), FS shall be incorporated by this rule and made a part of the rules of the Board of trustees.

(6) No change.

Specific Authority 1002.36 (4)(c) FS. Law Implemented 1002.36(4)(f)2. FS. History—New 10-26-94, Amended 11-30-98, 9-29-99, 7-30-01, 1-19-04, 3-21-05,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elmer Dillingham, Jr., President Florida School for the Deaf and the Blind

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Florida School for the Deaf and the Blind

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 32, No. 29, July 21, 2006

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

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

PURPOSE AND EFFECT: To update the Florida Prepaid College Plan and Florida College Investment Plan New Account Application form and the Master Covenant form by reference.

SUMMARY: This rule change is being made to update the Florida Prepaid College Plan and Florida College Investment Plan New Account application form and Master Covenant form.

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

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

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

LAW IMPLEMENTED: 1009.98 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: December 4, 2006, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE FULL TEXT OF THE PROPOSED RULE 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 2006-10, 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 Program Master Covenant, Form No. FPCB 20065-02, is hereby incorporated by reference and may be obtained from the Board by calling (800)552-GRAD (4723) (prompt 1).

Specific 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,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida Prepaid College Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 6, 2006

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE NO.: 19B-5.002  
RULE TITLE: Contract Benefits

PURPOSE AND EFFECT: To amend the Florida Prepaid College Plan Contract Benefits to permit the use of prepaid benefits for graduate coursework.

SUMMARY: This rule change is being made to expand the Florida Prepaid College Plan Contract Benefits to permit beneficiaries the use of prepaid benefits to pay for graduate coursework.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory cost was prepared.

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

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

LAW IMPLEMENTED: 1009.98 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: December 4, 2006, 2:00 a.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-5.002 Contract Benefits.

(1) A qualified beneficiary may begin to receive benefits during the Summer Semester of the scheduled matriculation year. The fees contracted for by the purchaser shall be paid at the time of enrollment of the qualified beneficiary in a state postsecondary institution except in the event of legislative action pursuant to Section 1009.98(5), F.S. The credit hours purchased may be used during any semester of postsecondary ~~undergraduate~~ enrollment. To receive benefits under this program, a qualified beneficiary whose contract is in good standing will be issued an identification card prior to each postsecondary Fall enrollment period. No identification card will be issued to a beneficiary unless the beneficiary submits a social security number. Benefits under each contract are available for use by the specified beneficiary for one matriculation each semester, however, a beneficiary may matriculate more than once a semester if required by law or policy of the postsecondary institution.

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

(3) No change.

Specific 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-5.002, Amended 5-31-95, 6-20-96, 2-18-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida Prepaid College Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 6, 2006

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE NO.: 19B-7.001  
RULE TITLE: Beneficiary Defined

PURPOSE AND EFFECT: To amend the Florida Prepaid College Plan beneficiary definition to require each beneficiary to have a valid social security number for plan participation.

SUMMARY: This rule change is being made to the Florida Prepaid College Plan beneficiary definition to require beneficiaries to have a valid social security number.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory cost was prepared.

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

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

LAW IMPLEMENTED: 1009.98 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: December 4, 2006, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE FULL TEXT OF THE PROPOSED RULE IS:

**19B-7.001 Beneficiary Defined.**

For each annual application period, a qualified beneficiary is defined as an individual who is under the age of 21 on the first day of the month in which the application period begins, has not completed the 11th grade, and is either:

- (1) A resident of Florida, or
- (2) A non-resident who is the child of a non-custodial parent who is a resident of this state. Documentation shall be in such form as required by the Board and may include a copy of the court order.

The qualified beneficiary must be either a United States citizen or a resident alien with a valid social security number.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.971, 1009.98 FS. History—New 3-29-89, Amended 2-6-90, Formerly 4G-7.001, Amended 11-27-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Prepaid College Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 6, 2006

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

RULE NO.: 19B-8.003                      RULE TITLE: Scholarship Programs

PURPOSE AND EFFECT: To add a rule permitting the transfer of a prepaid college scholarship to any qualified beneficiary who meets the residency requirements at the time of substitution, and to codify the I.R.S. regulations permitting the transfer of a prepaid college scholarship to a qualified beneficiary who is not a member of the family of the original beneficiary.

SUMMARY: The addition of this Rule permits the substitution of Florida Prepaid College Plan scholarships to beneficiaries.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory cost was prepared.

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

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

LAW IMPLEMENTED: 1009.98 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: December 4, 2006, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-8.003 Scholarship Programs.

Advance payment contracts purchased through an approved non-profit organization as provided in Rule 19B-5.007, F.A.C., or the Florida Prepaid College Foundation Inc., may transfer the Prepaid benefits to any qualified beneficiary who meets the residency requirements at the time of substitution. An authorized representative for the scholarship donor organization will be required to sign and notarize any request to substituted beneficiaries on advance payment contracts.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.98 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Prepaid College Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 6, 2006

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

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

**PURPOSE AND EFFECT:** To amend the rule to require the applicant and beneficiary for have valid social security numbers to participate in the Florida College Savings Program, and to update the New Account Application effective date and form number.

**SUMMARY:** This rule change is being made to update the Florida College Savings Program application and to require the applicant and beneficiary to have valid social security numbers for participation.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** No Statement of Estimated Regulatory cost was prepared.

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

**SPECIFIC AUTHORITY:** 1009.971(1), (4), (6) FS.

**LAW IMPLEMENTED:** 1009.981 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:** December 4, 2006, 2:00 p.m.

**PLACE:** Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

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

19B-16.002 Application for Participation in the Program.

(1) Any person may apply for participation in the Program by submitting a completed Florida Prepaid College Plan and Florida College Investment Plan New Account Application, along with an initial contribution to the Program that meets the requirements of Rule 19B-16.004, F.A.C. Benefactors and designated beneficiaries do not have to be residents of the State of Florida. Any natural person named as the benefactor in a completed application must have reached the age of majority and must be a citizen or resident alien of the United States with a valid social security number. Any person named as the beneficiary in a completed application must be a citizen or resident alien of the United States with a valid social security number.

(2) The Florida Prepaid College Plan and Florida College Investment Plan New Account Application, Form No. FPCB 2006-10, is hereby incorporated by reference. The form may be obtained from the Board by calling (800)552-GRAD (4723) (prompt 1).

(3) No change.

Specific 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,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Florida Prepaid College Board

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** Florida Prepaid College Board

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** September 18, 2006

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** October 6, 2006

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid College Board**

**RULE NO.:** 19B-16.011 **RULE TITLE:** Unclaimed Refunds

**PURPOSE AND EFFECT:** To amend the rule by correcting the references to the Florida Statutes which permit the transfer of unclaimed funds to the Florida Prepaid Tuition Scholarship Program.

**SUMMARY:** This Rule change is being made to correct the references regarding the Florida College Savings Program's disposition of unclaimed refunds

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** No Statement of Estimated Regulatory cost was prepared.

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

**SPECIFIC AUTHORITY:** 1009.971(1), (4), (6) FS.

**LAW IMPLEMENTED:** 1009.981(4) 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:** December 4, 2006, 2:00 p.m.

**PLACE:** Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

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

19B-16.011 Unclaimed Refunds.

(1) The Board shall mail written notice to any benefactor of an account terminated pursuant to Rule 19B-16.010, F.A.C., when the benefactor has not negotiated the refund check for such account after a period of six (6) years. The notice shall indicate the procedure which the benefactor must follow to obtain a refund of the monies held by the Board for said



accounts and that if a claim for a refund is not made within seven (7) years of the termination of the account that the funds shall be subject to disposition as provided under Section Chapter 1009.981(2)(b)10, 747, F.S. An alphabetical list of the names of the account owners of such accounts shall be posted on the Board's website on the Internet. Any such refund for any account terminated pursuant to Rule 19B-16.010, F.A.C., which remains unclaimed after seven (7) years shall be subject to disposition pursuant to Section Chapter 1009.981(2)(b)10, 747, F.S.

(2) The Board shall annually review and approve the list of unclaimed refunds which have remained unclaimed for the periods required under this rule and are subject to disposition pursuant to Section Chapter 1009.981(2)(b)10, 747, F.S.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981(4) FS. History--New 5-30-02, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida Prepaid College Board  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Prepaid College Board  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2006  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 6, 2006

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.717  
RULE TITLE: Visiting Denial

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide that permission to visit shall be denied where an individual's criminal record demonstrates a release from incarceration for a felony conviction within the last two years, a release from incarceration for felony conviction within the last five years if the individual was incarcerated in the facility in which visitation is requested, a release from incarceration for a misdemeanor conviction within the last one year or termination from community supervision in any jurisdiction within the past one year.

SUMMARY: Amends the rule to provide that permission to visit shall be denied where an individual's criminal record demonstrates a release from incarceration for a felony conviction within the last two years, a release from incarceration for felony conviction within the last five years if the individual was incarcerated in the facility in which visitation is requested, a release from incarceration for a misdemeanor conviction within the last one year or termination from community supervision in any jurisdiction within the past one year.

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

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.23 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: Dorothy M. Ridgway or Sherry Toothman, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

- 33-601.717 Visiting Denial.
- (1) through (4) No change.
- (5) Any person shall be denied permission to visit based upon the following criteria:
  - (a) through (b) No change.
  - (c) The nature and extent of the individual's criminal record, consideration of which includes:
    1. Release from incarceration in any jurisdiction for a felony conviction within the last two years if the prospective visitor was not incarcerated at any time in the facility in which visitation is requested. ~~Felony convictions for drug offenses within the last 5 years, convictions for violent felony offenses within the last 3 years' convictions for non-violent offenses within the last 2 years, withholds of adjudication, adjudications of delinquency, active warrant, and criminal history dispositions in any jurisdiction.~~
    2. Release from incarceration for a felony conviction within the last five years if the prospective visitor was incarcerated at any time in the facility in which visitation is requested. If an inmate transfer results in visitation in a facility in which an approved visitor was previously incarcerated and released within the last five years, the warden shall, on a case by case basis, determine if the approved visitor shall be allowed to visit, if the visitor was released from incarceration within the last five years. Factors to be considered shall include, but are not limited to, the visitor's adjustment during incarceration, the relationship of the inmate to the visitor, institutional security, and public safety.
    3. Release from incarceration in any jurisdiction for a misdemeanor conviction within the last one year;
    4. Termination from community supervision in any jurisdiction within the past one year.
    5. If the disposition of an arrest is not reflected, the disposition shall be ascertained prior to approval of the application. If additional documentation of the charge is

necessary, the prospective visitor shall be responsible for providing official documentation of the disposition or circumstances of the offense in question;

~~2. Community supervision and prior incarceration in any jurisdiction.~~

(d) through (l) No change.

(6) No change.

Specific Authority 944.09, FS. Law Implemented 20.315, 944.09, 944.23 FS. History--New 11-18-01, Formerly 33-601.706 and 33-601.707, Amended 5-27-02, 9-29-03, 6-15-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Franchatta Barber, Deputy Assistant Secretary of Institutions - Programs

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: George Sapp, Assistant Secretary of Institutions

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 29, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 13, 2006

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-602.205 RULE TITLE: Inmate Telephone Use

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Form DC6-223, Inmate Telephone Agreement and Number List, to clarify how the form should be used to make additions/changes to the inmate telephone number list.

SUMMARY: Form DC6-223, Inmate Telephone Agreement, is amended to clarify how the form should be used to make additions or changes to the inmate telephone number list.

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

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dorothy M. Ridgway or Sherry Toothman, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.205 Inmate Telephone Use.

(1) No change.

(2) Inmate telephone procedures will be conducted as follows:

(a) No change.

(b) The reception center classification staff shall compile the inmate calling list through use of Form DC6-223, in conjunction with the acquisition of the inmate visiting list. Form DC6-223 shall become part of the inmate's permanent file and shall accompany the inmate with each subsequent transfer. Form DC6-223 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, FL 32399-2500. The effective date of this form is \_\_\_\_\_ ~~11-25-04~~.

(c) through (l) No change.

(3) through (15) No change.

Specific Authority 944.09 FS. Law Implemented ~~20.315~~, 944.09 FS. History--New 11-19-81, Formerly 33-3.125, Amended 11-21-86, 1-6-92, 3-24-97, 7-22-97, 12-21-98, Formerly 33-3.0125, Amended 2-7-00, 6-18-02, 2-4-03, 12-30-03, 11-25-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Franchatta Barber, Deputy Assistant Secretary of Institutions - Programs

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: George Sapp, Assistant Secretary of Institutions

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 28, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 13, 2006

**LAND AND WATER ADJUDICATORY COMMISSION**

**Villages of Westport Community Development District**

RULE CHAPTER NO.: 42QQ-1 RULE CHAPTER TITLE: Villages of Westport Community Development District

RULE NO.: 42QQ-1.002 RULE TITLE: Boundary

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to amend the boundaries of the Villages of Westport Community Development District ("CDD") pursuant to Chapter 190, F.S.

SUMMARY: The Petition, as supplemented and amended, was filed by the Villages of Westport Community Development District with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The Petition, as supplemented and amended, proposes to modify the land area presently serviced by the District by amending its boundary to delete approximately 41.66 acres and add approximately 195.16 acres to the District. The District currently covers approximately 1,340 acres of land and after amendment the

District will encompass approximately 1,493.006 acres. There is one excluded parcel within the proposed amended boundary of the District. The last known addresses of the owners of the excluded parcel are: Beverly R. Wilton, 6816 Keyes Road, Jacksonville, Florida 32219 and Charles K. and Joyce Roundtree, 6818 Keyes Road, Jacksonville, Florida 32219. Petitioner has written consent to include the expansion parcels into the District from 100% of the landowners. The expansion parcels proposed to be included within the boundary of the District are owned by Morteza Hosseini Kargar and Mitchell R. Montgomery. Pursuant to section 190.046(1)(e), F.S., the filing of the Petition, as supplemented and amended, for amendment by the District Board of Supervisors constitutes consent of the landowners. The development plan for the District includes construction of approximately 1,900 single family units, 500 multi-family units, and 200,000 square feet of non-residential mixed use space. No additional residential or non-residential development is anticipated due to the amendment of the District's boundary.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** In association with the Petition, as supplemented, the Petitioner has caused a Statement of Estimated Regulatory Costs ("SERC") to be prepared in compliance with section 120.541, F.S. The complete text of the SERC is contained at Exhibit "12" to the Petition. By way of summary, the SERC estimates the principal individuals and entities likely to be required to comply with the amended rule are the state, the City of Jacksonville, Florida, the current property owners within the existing District and the landowners within the District's proposed amended boundary. The SERC estimates the households and businesses that locate within the proposed expansion area and within the current District boundaries would be under the jurisdiction of the District. The SERC estimates that rule amendment implementation and enforcement costs to the above-described entities will be minimal and/or are offset by the payment of requisite filing and annual fees; and, estimates there will be no negative impact on state and local revenues from the proposed amendment of the rule. With respect to an estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the rule, the SERC indicates that to fund the cost of maintaining infrastructure, operation and maintenance assessments will be imposed on the District property owners. The SERC notes, prospective landowners in the District will be required to pay non-ad valorem assessments levied by the District to secure the debt incurred through bonds. Finally, the SERC concludes that the amendment of the District's boundary will have no impact on small businesses and should not have negative impact on small cities. The City of Jacksonville is not a "small" city as defined by Section 120.52, F.S. According to the SERC, the SERC analysis is based on a straightforward application of economic theory. Input was received from the developer's engineer and other professionals associated the developer.

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.

SPECIFIC AUTHORITY: 190.046 FS.

LAW IMPLEMENTED: 190.005, 190.046 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: Wednesday, December 6, 2006, 10:00 a.m.

PLACE: Room 2107, The Capitol, Tallahassee, Florida 32399-0001

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least two days before the workshop/meeting by contacting: Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884. If you are 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: Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

THE FULL TEXT OF THE PROPOSED RULE IS:

42QQ-1.002 Boundary.

The boundaries of the district are as follows:

~~PARCEL "A":~~

~~(RESIDENTIAL PORTION)~~

~~A PORTION OF THE SOUTHWEST 3/4 OF THE NORTHWEST 1/4 OF SECTION 25; A PART OF THE SOUTH 1/2 OF GOVERNMENT LOT 2, SECTION 25; A PORTION OF SOUTHWEST 1/4 OF SECTION 36; TOGETHER WITH A PORTION OF THE A portion of Sections 25, 26, 35, 36 and the D. BLOODWORTH DONATION, SECTION 38, ALL BEING IN TOWNSHIP 1 NORTH, RANGE 25 EAST, together with a portion of 31, Township 1 North, Range 26 East, all lying in the City of Jacksonville, DUVAL COUNTY, FLORIDA, AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:~~

~~FOR A POINT OF BEGINNING COMMENCE AT THE NORTHEAST CORNER OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 25 EAST; THENCE NORTH 01°29'30" WEST ALONG THE EAST LINE OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 25 EAST, A DISTANCE OF 2,603.51 FEET TO THE NORTHWEST CORNER OF SAID~~

BLOODWORTH DONATION, SECTION 38; THENCE NORTH 00°01'57" EAST ALONG THE WEST LINE OF SAID SECTION 25, A DISTANCE OF 2,095.58 FEET TO THE NORTHWEST CORNER OF SAID SOUTH 3/4 OF THE NORTHWEST 1/4 OF SECTION 25; THENCE NORTH 88°35'23" EAST ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 25, A DISTANCE OF 2,709.56 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 00°16'17" WEST ALONG THE WEST LINE OF GOVERNMENT LOT 2, SAID SECTION 25, A DISTANCE OF 665.00 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF SAID GOVERNMENT LOT 2; THENCE NORTH 89°17'07" EAST ALONG THE NORTH LINE OF SAID SOUTH 1/2 OF GOVERNMENT LOT 2, A DISTANCE OF 1,013.00 FEET TO ITS INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF BRADDOCK ROAD (A 66 FOOT RIGHT OF WAY); THENCE THE FOLLOWING NINE (9) COURSES AND DISTANCES ALONG SAID WESTERLY RIGHT OF WAY LINE OF BRADDOCK ROAD; FIRST COURSE: SOUTH 87°36'21" WEST, A DISTANCE OF 232.16 FEET TO A POINT OF CURVATURE; SECOND COURSE: IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 988.40 FEET, AN ARC DISTANCE OF 1,341.26 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 48°43'50" WEST, 1,240.69 FEET; THIRD COURSE: SOUTH 09°51'18" WEST, 1,332.49 FEET TO A POINT OF CURVATURE; FOURTH COURSE: IN A SOUTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE WESTERLY, AND HAVING A RADIUS OF 5,696.60 FEET, AN ARC DISTANCE OF 561.75 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 12°40'48" WEST, 561.52 FEET; FIFTH COURSE: SOUTH 15°30'18" WEST, 564.38 FEET TO A POINT OF CURVATURE; SIXTH COURSE: IN A SOUTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE EASTERLY, AND HAVING A RADIUS OF 1,943.10 FEET, AN ARC DISTANCE OF 495.95 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 08°11'35" WEST, 494.60 FEET; SEVENTH COURSE: SOUTH 00°52'52" WEST, A DISTANCE OF 2,599.00 FEET TO A POINT OF CURVATURE; EIGHTH COURSE: IN A SOUTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE EASTERLY, AND HAVING A RADIUS OF 5,762.60 FEET, AN ARC DISTANCE OF 141.81 FEET TO A POINT OF

TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 00°10'34" WEST, 141.80 FEET; NINTH COURSE: SOUTH 00°31'43" EAST, 227.25 FEET TO ITS INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF KEYES ROAD (A 60 FOOT RIGHT OF WAY); THENCE NORTH 89°54'20" WEST; ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 591.63 FEET TO THE WESTERLY TERMINUS OF SAID KEYES ROAD; THENCE SOUTH 00°20'28" WEST, ALONG SAID WESTERLY TERMINUS, A DISTANCE OF 30.00 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF SAID SECTION 36; THENCE NORTH 89°54'20" WEST ALONG SAID NORTH LINE, A DISTANCE OF 496.00 FEET TO THE NORTHWEST CORNER OF DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN VOLUME 3930, PAGE 603; THENCE SOUTH 00°04'32" EAST ALONG THE WEST LINE OF SAID DEED ALSO ALONG A WESTERLY LINE OF DEED RECORDED IN SAID OFFICIAL RECORDS IN VOLUME 6693, PAGE 1952, A DISTANCE OF 336.03 FEET; THENCE NORTH 89°30'08" WEST ALONG A NORTHERLY LINE OF SAID OFFICIAL RECORDS VOLUME 6693, PAGE 1952, A DISTANCE OF 953.20 FEET TO THE WEST LINE OF SAID SECTION 36; THENCE NORTH 02°05'31" EAST ALONG SAID WEST LINE, A DISTANCE OF 329.52 FEET TO THE SOUTHWEST CORNER OF SAID BLOODWORTH DONATION, SECTION 38; THENCE NORTH 03°20'30" EAST ALONG THE EAST LINE OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 25 EAST, A DISTANCE OF 2,608.40 FEET TO THE POINT OF BEGINNING.

CONTAINING 424.50 ACRES, MORE OR LESS.

TOGETHER WITH; PARCEL "B":

A PORTION OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR POINT OF BEGINNING COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF KEYES ROAD (A 60 FOOT RIGHT OF WAY) WITH THE WESTERLY RIGHT OF WAY LINE OF BRADDOCK ROAD (A 66 FOOT RIGHT OF WAY); THENCE SOUTH 00°31'43" EAST ALONG SAID WESTERLY RIGHT OF WAY LINE OF BRADDOCK ROAD, A DISTANCE OF 2,467.31 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF A 150 FOOT WIDE JACKSONVILLE ELECTRIC AUTHORITY RIGHT OF WAY BY DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN VOLUME 2738, PAGE 557 (PARCEL "C"); THENCE SOUTH 89°42'00" WEST ALONG SAID NORTH LINE OF RIGHT OF WAY, A DISTANCE OF 2,143.60 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 36; THENCE NORTH

02°05'31" EAST ALONG SAID WEST LINE, A DISTANCE OF 1,724.16 FEET; THENCE SOUTH 89°38'04" EAST ALONG A SOUTHERLY LINE OF DEED RECORDED IN SAID OFFICIAL RECORDS IN VOLUME 6693, PAGE 1952, A DISTANCE OF 1,025.39 FEET; THENCE SOUTH 00°10'33" WEST ALONG A WESTERLY LINE OF LAST MENTIONED DEED, A DISTANCE OF 139.72 FEET; THENCE SOUTH 89°35'54" EAST ALONG THE MOST SOUTHERLY LINE OF SAID DEED, A DISTANCE OF 435.00 FEET; THENCE NORTH 00°20'28" EAST ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/2 OF SAID SECTION 36, A DISTANCE OF 905.72 FEET TO ITS INTERSECTION WITH PREVIOUSLY MENTIONED SOUTHERLY RIGHT OF WAY LINE OF KEYES ROAD; THENCE SOUTH 89°54'20" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 592.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 91.79 ACRES, MORE OR LESS, AND SUBJECT TO A 100 FOOT WIDE EASEMENT TO JACKSONVILLE ELECTRIC AUTHORITY OVER THE SOUTHERLY 100 FOOT OF THE ABOVE DESCRIBED PROPERTY PER DEED RECORDED IN SAID OFFICIAL RECORDS IN VOLUME 5762, PAGE 352.

TOGETHER WITH; PARCEL "C":

A PORTION OF THE SOUTH 3/4 OF THE NORTHWEST 1/4 OF SECTION 25; PART OF THE SOUTH 1/2 OF GOVERNMENT LOT 2, SAID SECTION 25; PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 36; PART OF THE BLOODWORTH DONATION, SECTION 38, ALL IN TOWNSHIP 1 NORTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA, TOGETHER WITH THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 31; THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 31; AND PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 31, TOWNSHIP 1 NORTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 2, SECTION 25, ALSO BEING THE SOUTHWEST CORNER OF FOREST VIEW ESTATES, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 49, PAGES 52 THROUGH 52C, CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 01°24'17" WEST ALONG THE WEST LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SAID BLOODWORTH DONATION, SECTION 38, A DISTANCE OF 2,707.55 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 88°50'25" EAST ALONG THE SOUTH LINE OF SAID EAST 1/2 OF THE NORTHEAST 1/4, A DISTANCE OF 1,351.88 FEET TO THE NORTHWEST CORNER OF SAID SECTION 31; THENCE NORTH 89°58'41" EAST ALONG THE NORTH

LINE OF SAID SECTION 31, A DISTANCE OF 1,321.03 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 31; THENCE SOUTH 00°10'52" EAST ALONG THE EAST LINE OF SAID WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 31, A DISTANCE OF 2,648.06 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 88°57'35" EAST ALONG THE NORTH LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 31, A DISTANCE OF 637.55 FEET TO THE NORTHWEST CORNER OF SIMMONS ROAD (A 60 FOOT RIGHT OF WAY PER DEED BOOK 730, PAGE 189); THENCE SOUTH 00°19'18" EAST ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID SIMMONS ROAD, A DISTANCE OF 2,537.14 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF A 150 FOOT JACKSONVILLE ELECTRIC AUTHORITY RIGHT OF WAY BY DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN VOLUME 2738, PAGE 557 (PARCEL "B"); THENCE SOUTH 89°23'14" WEST ALONG SAID NORTH LINE OF RIGHT OF WAY, A DISTANCE OF 633.03 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 31; THENCE THE FOLLOWING THREE (3) COURSES AND DISTANCES AROUND SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31; FIRST COURSE: NORTH 00°59'05" WEST, 1,170.15 FEET TO THE NORTHEAST CORNER THEREOF; SECOND COURSE: SOUTH 89°22'15" WEST, 1,315.81 FEET TO THE NORTHWEST CORNER THEREOF; THIRD COURSE: SOUTH 00°40'33" EAST, 1,169.75 FEET TO A POINT ON THE NORTH LINE OF SAID 150 FOOT JACKSONVILLE ELECTRIC AUTHORITY RIGHT OF WAY BY DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN VOLUME 2738, PAGE 557 (PARCEL "A"); THENCE SOUTH 89°42'00" WEST ALONG SAID NORTH LINE OF RIGHT OF WAY, A DISTANCE OF 3,367.45 FEET TO THE EASTERLY RIGHT OF WAY LINE OF BRADDOCK ROAD (A 66 FOOT RIGHT OF WAY); THENCE THE FOLLOWING NINE (9) COURSES AND DISTANCES ALONG SAID EASTERLY RIGHT OF WAY LINE OF BRADDOCK ROAD; FIRST COURSE: NORTH 00°31'43" WEST, 2,754.83 FEET TO A POINT OF CURVATURE; SECOND COURSE: IN A NORTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE EASTERLY, AND HAVING A RADIUS OF 5,696.60 FEET, AN ARC DISTANCE OF 140.18 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 00°10'34" EAST, 140.18 FEET; THIRD COURSE: NORTH 00°52'52" EAST, 2,599.00 FEET TO A POINT OF CURVATURE; FOURTH COURSE: IN A NORTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE

EASTERLY, AND HAVING A RADIUS OF 1,877.10 FEET, AN ARC DISTANCE OF 479.10 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 08°11'35" EAST, 477.80 FEET; FIFTH COURSE: NORTH 15°30'18" EAST, 564.38 FEET TO A POINT OF CURVATURE; SIXTH COURSE: IN A NORTHERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE WESTERLY, AND HAVING A RADIUS OF 5,762.60 FEET, AN ARC DISTANCE OF 568.25 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 12°40'48" EAST, 568.02 FEET; SEVENTH COURSE: NORTH 09°51'18" EAST, 1,332.49 FEET TO A POINT OF CURVATURE; EIGHTH COURSE: IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY, AND HAVING A RADIUS OF 922.40 FEET, AN ARC DISTANCE OF 1,251.70 FEET TO THE POINT OF TANGENCY OF SAID CURVE, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 48°43'50" EAST, 1,157.85 FEET; NINTH COURSE: NORTH 87°36'21" EAST, 607.94 FEET TO A POINT ON THE EAST LINE OF SAID SOUTH 1/2 OF GOVERNMENT LOT 2, SECTION 25, THENCE SOUTH 00°22'11" WEST ALONG SAID EAST LINE (ALSO BEING PARTIALLY ALONG THE WEST LINE OF SAID FOREST VIEW ESTATES), A DISTANCE OF 1,275.51 FEET TO THE POINT OF BEGINNING. CONTAINING 709.07 ACRES, MORE OR LESS, AND SUBJECT TO A 100 FOOT WIDE EASEMENT TO JACKSONVILLE ELECTRIC AUTHORITY OVER THE SOUTHERLY 100 FEET OF THE ABOVE DESCRIBED PROPERTY, PER DEEDS RECORDED IN OFFICIAL RECORDS IN VOLUME 5762, PAGE 351 AND VOLUME 5762, PAGE 352.

TOGETHER WITH; PARCEL "D":

A PORTION OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31, AND A PORTION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 31, TOWNSHIP 1 NORTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF BEGINNING COMMENCE AT THE INTERSECTION OF THE WEST LINE OF ANGEL LAKES PHASE 1, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 53, PAGES 87 THROUGH 87B, CURRENT PUBLIC RECORDS OF SAID COUNTY WITH THE NORTH LINE OF A 150 FOOT WIDE JACKSONVILLE ELECTRIC AUTHORITY RIGHT OF WAY BY DEED RECORDED IN THE OFFICIAL RECORDS OF SAID COUNTY IN VOLUME 2738, PAGE 557 (PARCEL "B"); THENCE SOUTH 88°54'50" WEST ALONG SAID NORTH LINE OF RIGHT OF WAY, A DISTANCE OF 1,315.68 FEET TO A POINT ON THE WEST LINE OF SAID WEST 1/2 OF

THE SOUTHEAST 1/4 OF SECTION 31; THENCE SOUTH 89°23'14" WEST, CONTINUING ALONG SAID NORTH LINE OF JACKSONVILLE ELECTRIC AUTHORITY RIGHT OF WAY, A DISTANCE OF 628.63 FEET TO ITS INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF SIMMONS ROAD (A 60 FOOT RIGHT OF WAY PER DEED BOOK 730, PAGE 189); THENCE NORTH 00°19'18" WEST ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 2,537.59 FEET TO THE NORTHEAST CORNER OF SAID ROAD RIGHT OF WAY; THENCE NORTH 88°57'35" EAST ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 31 AND THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 31, A DISTANCE OF 1,969.33 FEET TO THE NORTHEAST CORNER OF THE SAID WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 31; THENCE SOUTH 00°14'31" WEST ALONG THE EAST LINE OF SAID WEST 1/2 OF THE SOUTHEAST 1/4 (ALSO PARTIALLY ALONG THE WEST LINE OF SAID ANGEL LAKES PHASE 1, A DISTANCE OF 2,541.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 114.15 ACRES, MORE OR LESS AND SUBJECT TO A 100 FOOT WIDE EASEMENT TO JACKSONVILLE ELECTRIC AUTHORITY OVER THE SOUTHERLY 100 FEET OF THE ABOVE DESCRIBED PROPERTY PER DEEDRECORDED IN SAID OFFICIAL RECORDS IN VOLUME 5762, PAGE 351.

Beginning at the common corner of said Sections 25, 26 and 38, Township 1 North, Range 25 East, said point being the POINT OF BEGINNING; thence North 00°01'57" East, along the East line of said Section 26, Township 1 North, Range 25 East, a distance of 2,095.58 feet to the Northwest corner of the South 3/4 of the Southwest 1/4 of said Section 25; thence North 88°35'23" East, along the North line of the said South 3/4 of the Southwest 1/4 of said Section 25 distance of 2,709.56 feet to the Northeast corner thereof, said point also being on the West line of Government Lot 2, said Section 25, thence South 00°16'17" West, along said West line of Government Lot 2, a distance of 665.00 feet to the Northwest corner of the South 1/2 of Government Lot 2 of said Section 38; thence North 89°17'07" East along the North line of said South 1/2 of Government Lot 2, a distance of 1,013.00 feet to its intersection with the Westerly right of way line of Braddock road (a 66 foot right of way); thence North 87°36'21" East, along said Northerly right of way line, a distance of 378.97 feet; thence South 00°22'12" West, along the Easterly line of said Government Lot 2, a distance of 1,341.58 feet to the Southeast corner of said Government Lot 2, Section 25, also being the Southwest corner of Forest View Estates, as shown on plat recorded in Plat Book 49, Pages 52 through 52C, Current Public Records of said county; thence South 01°24'17" West along the West line of the East 1/2 of the Northeast 1/4 of said Bloodworth Donation, Section 38, a distance of 2,707.55 feet to the Southwest corner thereof; thence North 88°50'25"

East, along the South line of said East 1/2 of the Northeast 1/4, a distance of 1,351.88 feet to the Northwest corner of said Section 31; thence North 89°58'41" East along the north line of said Section 31, a distance of 1,321.03 feet to the Northeast corner of the West 1/2 of the Northwest 1/4 of said Section 31; thence South 00°10'52" East along the East line of said West 1/2 of the Northwest 1/4 of Section 31, a distance of 2,648.06 feet to the Southeast corner thereof; thence North 88°57'35" East along the north line of the East 1/2 of the Southwest 1/4 and the West 1/2 of the Southeast 1/4, said Section 31, a distance of 2,666.89 feet to a point on the West line of Angel Lakes Phase I, as shown on plat recorded in Plat Book, 53, Pages 87 through 87b, of said Current Public Records; thence South 00°14'31" West, along said West line, distance of 2,541.97 feet to the intersection of said West line of Angel Lakes Phase I with the Northerly right of way line of a 150 foot wide Jacksonville Electric Authority (now JEA) right of way by deed recorded in the said Current Public Records in Official Records Volume 2738, Page 557; thence South 88°54'50" West, along said Northerly right of way line, a distance of 1,278.77 feet; thence South 89°23'14" West, continuing along said Northerly right of way line, a distance of 2,680.74 feet; thence South 89°42'00" West, continuing along said Northerly right of way line, a distance of 5,576.99 feet to a point situate on the West line of said Section 36; thence North 02°05'32" East, along the West line of said Section 36, a distance of 738.81 feet; thence South 67°10'46" West, a distance of 518.48 feet; thence North 29°01'19" West, a distance of 1,057.47 feet; thence North 25°55'03" East, a distance of 930.98 feet; thence North 89°57'08" East, a distance of 616.58 feet; thence North 01°39'01" East, a distance of 262.86 feet; thence North 59°03'21" West, a distance of 639.85 feet to the point of curvature of a non-tangent curve to the right, being concave Northerly and having a radius of 1,040.00 feet; thence westerly along the arc of said curve to the right, through a central angle of 03°48'40", a arc distance of 69.18 feet, said curve being subtended by an chord bearing and distance of North 82°35'28" West, 69.16 feet to the point of tangency; thence North 80°41'08" West, a distance of 1,206.62 feet to the point of curvature of a curve concave Southeasterly and having a radius of 895.00 feet; thence Westerly along the arc of said curve to the left, through a central angle of 30°41'03", an arc distance of 479.31 feet, said curve being subtended by a chord bearing and distance of South 83°58'21" West, 473.60 feet to the point of tangency; thence South 68°37'50" West, a distance of 349.75 feet; thence South 23°37'50" West, a distance of 35.87 feet to a point on the Easterly right of way line of U.S. Highway No. 1 (New Kings Road); thence North 21°22'10" West, along said Easterly right of way line, a distance of 314.01 feet; thence North 69°40'05" East, departing said Easterly right of way line, a distance of 242.46 feet ; thence South 00°06'48" East, a distance of 176.24 feet; thence North 68°37'50" East, a distance of 196.59 feet to the point of curvature of curve concave Southeasterly and having a radius of 1,015.00 feet;

thence Easterly along the arc of said curve to the right, through a central angle of 30°41'03" an arc distance of 543.57 feet, said curve being subtended by a chord bearing and distance of North 83°58'21" East, 537.10 feet to the point of tangency; thence South 80°41'08" East, a distance of 1,206.62 feet to the point of curvature of a curve concave Northerly and having a radius of 920.00 feet; thence Easterly along the arc of said curve to the left, having a central angle of 43°06'26" an arc distance of 692.17 feet, said curve being subtended by a chord bearing and distance of North 77°45'39" East, 675.96 feet to a point on the West boundary of said Bloodworth Donation, Section 38; thence North 03°20'25" East, along said West boundary, a distance of 560.39 feet; thence North 66°18'16" West, departing said West boundary, a distance of 1,638.30 feet; thence North 01°28'41" West, a distance of 1,500.00 feet; thence North 88°31'19" East, a distance of 1,599.81 feet to a point on said West boundary of said Bloodworth Donation, Section 38; thence North 01°29'30" West, along said West boundary, a distance of 1,105.18 feet; thence South 88°27'17" West, departing said West boundary, a distance of 847.98 feet; thence North 01°51'50" East, a distance of 742.26 feet; thence South 88°08'10" East, a distance of 805.91 feet to the POINT OF BEGINNING.

LESS AND EXCEPT (EXCEPTION TO PARCEL "B")

A PARCEL OF LAND BEING A PORTION OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 26 EAST, CITY OF JACKSONVILLE, DUVAL COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF BRADDOCK ROAD (A 66 FOOT PUBLIC ROAD RIGHT OF WAY) AND THE NORTHERLY LINE OF A 100 FOOT JEA EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 6752, PAGE 352 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; RUN THENCE NORTH 29°27'58" WEST A DISTANCE OF 1,680.27 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THUS DESCRIBED RUN THENCE NORTH 00°16'20" EAST A DISTANCE OF 609.45 FEET; RUN THENCE SOUTH 89°51'20" WEST A DISTANCE OF 288.63 FEET; RUN THENCE SOUTH 00°08'40" EAST A DISTANCE OF 10.00 FEET; RUN THENCE SOUTH 06°58'23" EAST A DISTANCE OF 461.07 FEET; RUN THENCE SOUTH 00°06'24" WEST A DISTANCE OF 139.72 FEET; RUN THENCE SOUTH 89°40'03" EAST A DISTANCE OF 230.00 FEET TO THE POINT OF BEGINNING. LANDS DESCRIBED ABOVE CONTAIN 154,062 SQUARE FEET OR 3.54 ACRES, MORE OR LESS IN AREA.

Overall parcel containing 65,189,638 square feet or 1,493.01 acres, more or less (after exception above).

Specific Authority 190.005, 190.046 FS. Law Implemented 190.004, 190.005, 190.046 FS. History--New 6-14-04, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission, Room 1801, The Capitol, Tallahassee, Florida 32399-0001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 31, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 15, 2006

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:	RULE TITLE:
59G-4.055	County Health Department Clinic Services

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the revised Florida Medicaid County Health Department Clinic Services Coverage and Limitations Handbook, January 2007. The revised handbook contains updated policies for the services that are provided by county health department clinics. The effect will be to incorporate by reference in the rule the Florida Medicaid County Health Department Clinic Services Coverage and Limitations Handbook, January 2007.

In the Notice of Rule Development that was published on April 14, 2006, we stated that the Florida Medicaid County Health Department Clinic Services Coverage and Limitations Handbook was effective March 2006. We changed the effective date to January 2007.

SUMMARY: The purpose of this rule amendment is to incorporate by reference in the rule the Florida Medicaid County Health Department Clinic Services Coverage and Limitations Handbook, January 2007.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of regulatory costs has been prepared.

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

SPECIFIC AUTHORITY 409.919 FS.

LAW IMPLEMENTED 409.905, 409.906, 409.908 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: Monday, December 4, 2006, 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room D, Tallahassee, Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Glen Davis, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7305

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.055 County Health Department Clinic Services.

(1) No change.

(2) All county health department clinic services providers enrolled in the Medicaid program must comply with the Florida Medicaid County Health Department Clinic Services Coverage and Limitations Handbook, January 2007 ~~October 2003~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com> ~~agent.~~ Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling Provider Inquiry at (800)377-8216.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.906, 409.908 FS. History--New 6-27-93, Formerly 10P-4.350, Amended 4-16-95, 6-4-96, 6-24-98, 7-18-01, 11-17-03, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Glen Davis

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Christa Calamas, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 26, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 14, 2006

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:	RULE TITLE:
59G-4.230	Physician Services

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2007. The handbook revisions include policy clarifications and updated billing information. The effect will be to incorporate by reference in the rule the Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2007.

In the Notice of Rule Development that was published on March 31, 2006, we stated that the Florida Medicaid Physician Services Coverage and Limitations Handbook was effective January 2006. We changed the effective date to January 2007.



**SUMMARY:** The purpose of the proposed rule amendment is to incorporate by reference the revised Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2007. The effect will be to incorporate by reference in the rule the Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2007.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** No statement of regulatory costs has been prepared.

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

**SPECIFIC AUTHORITY** 409.919 FS.

**LAW IMPLEMENTED** 409.905, 409.907, 409.908, 409.9081 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:** Monday, December 4, 2006, 2:00 p.m.

**PLACE:** Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room F, Tallahassee, Florida  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Eleanor Cofer, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, MS 20, Tallahassee, Florida 32308, (850)922-7331

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

59G-4.230 Physician Services.

(1) No change.

(2) All physician services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2007 ~~2004, updated January 2005 1, January 2005 2, and September 2006~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling Provider Inquiry at 1(800)377-8216.

(3) through (4) No change.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.907, 409.908, 409.9081 FS. History—New 1-1-77, Revised 2-1-78, 4-1-78, 1-2-79, 1-1-80, Amended 2-8-82, 3-11-84, Formerly 10C-7.38, Amended 1-10-91, 11-5-92, 1-7-93, Formerly 10C-7.038, Amended 6-29-93, 9-6-93, Formerly 10P-4.230, Amended 6-13-94, 2-9-95, 3-10-96, 5-28-96, 3-18-98, 9-22-98, 8-25-99, 4-23-00, 8-5-01, 2-20-03, 8-5-03, 8-3-04, 8-18-05, 8-31-05, 10-26-06,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Eleanor Cofer

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** Christa Calamas

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** October 26, 2006

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** March 31, 2006

**DEPARTMENT OF MANAGEMENT SERVICES**

**Agency for Workforce Innovation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
60BB-2.032	Employing Unit Records
60BB-2.037	Public Use Forms

**PURPOSE AND EFFECT:** The Agency for Workforce Innovation seeks to amend Rules 60BB-2.032 and 60BB-2.037, Florida Administrative Code rules by prescribing a new form by which employers may designate a power of attorney in tax matters.

**SUMMARY:** The rule amendments set forth in this Notice of Proposed Rulemaking update the present rules by substituting a new form by which employers may designate a power of attorney in tax matters for the old power of attorney form.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** 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.

**SPECIFIC AUTHORITY:** 443.1317(1)(b) FS.

**LAW IMPLEMENTED:** 443.071(2),(3), 443.141(2), 443.171 FS.

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

Pursuant to the provisions of 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: If you are 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:** John R. Perry, Senior Attorney, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128, (850)245-7150

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

60BB-2.032 Employing Unit Records.

(1) Retention of Records. Each employing unit will maintain all records pertaining to remuneration for services performed. Such records must be maintained for a period of five years following the calendar year in which the services were rendered and must also be made available to the Agency or Department upon request. If the records are maintained outside of Florida, a resident agent must be designated in Florida, through which the records may be obtained by the Agency or the Department.

(2) Record Contents. Records must contain true and accurate information regarding each worker as follows:

(a) Name and social security number; and

(b) Place of employment within the State. For the purpose of this rule, the place of employment is to be recorded as the county in Florida in which the work was performed. The place of employment of a worker who performed work in more than one county is to be recorded as the county in Florida which serves as the worker's base of operation; or, if the worker has no base of operations in Florida, the place of employment is to be recorded as the State of Florida at large; and

(c) Beginning and ending dates of each pay period and dates on which work was performed during each pay period; and

(d) Amount of remuneration paid to each worker for each pay period and dates of payment. If paid on an hourly or piece rate basis, the records must state for each day the remuneration earned on such basis and the date of payment. If paid on an hourly basis, the number of hours worked in each pay period must be recorded; and

(e) Date(s) hired, re-hired, and returned to work after temporary separation from work, and the date(s) of separation; and

(f) Special payments of any kind. All special payments, including bonuses, gifts, prizes, etc., must be recorded separately. The record must include the amount of money payments, reasonable cash value of other remuneration, the nature of such payments and, if appropriate, the period during which services were performed for such payments; and

(g) The address of each location where payroll records are maintained.

(3) Failure to Maintain Records. An employing unit that fails to maintain and/or provide required records of employment will be determined liable effective on the date employment first occurred, as established by the Department using the best available information.

(4) Power of Attorney. An employing unit may authorize its representative to receive confidential tax records or information by submitting a power of attorney with the Department. The Department prescribes Form DR-835, "Power of Attorney and Declaration of Representative" (Rev. 07/06) ~~DOR Form UCT-62~~, incorporated by reference in Rule 60BB 2.037, F.A.C.

Specific Authority 443.1317 FS. Law Implemented 443.071(2), (3), 443.141(2), 443.171 FS. History--New 8-25-92, Formerly 38B-2.032, Amended 1-19-03, 7-18-06,\_\_\_\_\_.

60BB-2.037 Public Use Forms.

(1) The following forms are incorporated into this Chapter by reference.

(a) Form DR-1, Application to Collect and/or Report Tax in Florida (Rev. 07/06).

(b) Form DR-835, Power of Attorney and Declaration of Representative (Rev. 07/06).

~~(c)~~(b) Form UCS-2A, Questionnaire for Voluntary Election of Unemployment Compensation Coverage (Rev. 09/01).

~~(d)~~(e) Form UCS-1S, Report to Determine Succession and Application for Transfer of Experience Rating Records (Rev. 01/06).

~~(e)~~(d) Form UCS-1SA, List of Employees Employed in the Transferred Unit (05/06).

~~(f)~~(e) Form UCS-2, Voluntary Election to Become an Employer Under the Florida Unemployment Compensation Law (Rev. 08/01).

~~(g)~~(f) Form UCS-3, Employer Account Change Form (Rev. 01/06).

~~(h)~~(g) Form UCS-6, Employers Reciprocal Coverage Election (Rev. 12/00).

~~(i)~~(h) Form UCS-6061, Independent Contractor Analysis (Rev. 11/05).

~~(j)~~(i) Form UCS-70, Application for Common Paymaster (Rev. 08/01).

~~(k)~~(j) Form UCT-1, Notice of Benefits Paid (Rev. 05/03).

~~(l)~~(k) Form UCT-6, Employer's Quarterly Report (Rev. 01/06).

~~(m)~~(l) Form UCT-7, Annual Report for Employers of Domestic Employees Only (Rev. 08/04).

~~(n)~~(m) Form UCT-7A, Application to Select Filing Period for Employers who Employ ONLY Employees who Perform Domestic Services (Rev. 06/03).

~~(o)~~(n) Form UCT-8A, Correction to Employer's Quarterly or Annual Domestic Report (UCT-6) (Rev. 05/04).

~~(p)~~(o) Form UCT-18, Notice of Tax Lien (Rev. 07/04).

~~(q)~~(p) Form UCT-20, Unemployment Compensation Tax Rate Notice (Rev. 01/06).

~~(r)~~(q) Form UCT-27, Unemployment Tax Notice of Tax Action (Rev. 09/04).

~~(s)~~(r) Form UCT-28T Indian Tribe Election of Payment Method Under the Unemployment Compensation Law (Rev. 08/02).

~~(t)~~(s) Form UCT-29, Unemployment Compensation Reimbursement Invoice (Rev. 01/05).

~~(u)~~(t) Form UCT-40 Indian Tribe Unemployment Surety Bond (Rev. 05/03).

~~(v)(t)~~ Form UCT-50T, Magnetic Media Reporting Transmittal (Rev. 01/01).

~~(w)(v)~~ Form UCTFL06A, Incomplete Report Notice (Rev. 05/01).

~~(x)(w)~~ Form UCTFL16F, Notification of Audit Results (Rev. 01/04).

~~(y)(t)~~ Form UCT-FL13A, Missing Wage Report (Rev. 05/01).

~~(y)~~ Form UCT 62, Power of Attorney for Unemployment Tax (Rev. 11/05).

(z) Form UCS-8, Firm's Statement of Claimant's Work and Earnings (Rev. 07/03).

(2) Copies of forms. Forms incorporated in this rule are available, by one or more of the following methods:

(a) Writing to the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304;

(b) Faxing a request to the Forms Distribution Center at (850)922-2208;

(c) Visiting any local Department of Revenue Service Center to personally obtain a copy;

(d) Calling the Forms Request Line Monday-Friday from 8:00 AM to 5:00 PM Eastern Time at (800)352-3671 (in Florida only) or (850)488-6800;

(e) Downloading selected forms from the Department of Revenue's Internet site ([www.myflorida.com/dor](http://www.myflorida.com/dor));

(f) Dialing the TDD number for the Department of Revenue at (800)367-8331 for persons with hearing or speech impairments.

Specific Authority 443.1317 FS. Law Implemented 443.131, 443.141, 443.171(5) FS. History—New 1-19-03, Amended 7-18-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: John R. Perry, Senior Attorney, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mindy K. Raymaker, Deputy General Counsel, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 13, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Professions – Asbestos Licensing Unit**

RULE NO.: 61E1-1.002  
 RULE TITLE: Continuing Education Requirements for Asbestos Consultants/Contractors

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to create consistency between the continuing education monitoring requirements of the Asbestos Licensing Unit Rules and those requirements of Section 455.2177(1), Florida Statutes.

SUBJECT AREA: The subject area to be addressed in this rule is the regulatory scope of the Asbestos Licensing Unit over the monitoring of the continuing education requirements for Asbestos Consultants and Asbestos Contractors.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs was prepared.

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

SPECIFIC AUTHORITY: 469.011 FS.

LAW IMPLEMENTED: 469.004(3), 469.012(4) 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: Monday, December 4, 2006, 4:00 p.m. – 5:00 p.m.

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

Those persons who cannot attend in person may submit their comments in writing to: Jennifer A. Tschetter, Assistant General Counsel, 1940 North Monroe Street, Tallahassee, Florida 32399, within 21 days of this notice. Written comments received after the hearing may not be considered.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Jennifer A. Tschetter at (850)488-0062. If you are hearing or speech impaired, please contact the Commission office using the Florida Dual Party Relay System which can be reached at 1(800)955-8700 (Voice) or 1(800)955-8771 (TTD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jennifer A. Tschetter, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

THE FULL TEXT OF THE PROPOSED RULE IS:

61E1-1.002 Continuing Education Requirements for Asbestos Consultants/Contractors

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

(a) through (b) No change.

~~(3) The Department shall perform random audits of not less than five (5%) percent of asbestos contractors and five (5%) percent of asbestos consultants in accordance with Rule 61-6.010, Florida Administrative Code, to verify compliance with continuing education required for license renewal.~~

Specific Authority 469.011 FS. Law Implemented 469.004(3), 469.012(4), FS. History--New 8-13-90, Formerly 21-25.002, Amended 11-11-97, 5-25-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tiffany A. Harrington, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Simone Martstiller, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 8, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Building Code Administrators and Inspectors Board**

RULE NO.: 61G19-6.0035  
RULE TITLE: Application for Provisional and/or Standard Certification

PURPOSE AND EFFECT: The proposed rule amendment clarifies the specific requirements for certification as a 1 and 2 family dwelling inspector.

SUMMARY: The proposed rule amendment clarifies the specific requirements for certification as a 1 and 2 family dwelling inspector.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 468.606, 468.609 FS.

LAW IMPLEMENTED: 468.609 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-6.0035 Application for Provisional and/or Standard Certification.

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

(c) Each applicant for certification as an inspector or plans examiner shall demonstrate that he or she has at least one (1) year of hands-on experience in the category of certification sought, with the exception of 1 and 2 family dwelling inspector. For 1 and 2 family dwelling inspector certification, refer to the specific requirements in Rule 61G19-6.017, F.A.C.

(d) through (3) No change.

Specific Authority 468.606, 468.609 FS. Law Implemented 468.609 FS. History--New 11-28-95, Amended 10-1-97, 2-23-99, 6-3-03,\_\_\_\_\_.

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

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 4, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 22, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida State Boxing Commission**

RULE NO.: 61K1-1.001  
RULE TITLE: Purpose, Applicability and Scope of Rules

PURPOSE AND EFFECT: This technical change to Rule 61K1-1.001, F.A.C., updates the rule to reflect a statutory change that brings amateur boxing within the regulatory scope of the Florida State Boxing Commission as required by Section 548.006, Florida Statutes.

SUMMARY OF RULE: Paragraph 61K1-1.001(2)(a), F.A.C., exempts amateur boxing and kickboxing from the regulatory scope of the Florida State Boxing Commission. Section 548.006(4), Florida Statutes, clearly makes amateur events subject to Chapter 548, Florida Statutes as well as any rules adopted by the Florida State Boxing Commission. A repeal of paragraph 61K1-1.001(2)(a), F.A.C., will create consistency between the rules and statutes applicable to amateur boxing and kickboxing.

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

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

SPECIFIC AUTHORITY: 548.003(8), 548.006(4) FS.  
 LAW IMPLEMENTED: 548.004, 548.006, 548.007, 548.061 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: Monday, December 4, 2006, 1:00 p.m. – 2:30 p.m.

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

Those persons who cannot attend in person may submit their comments in writing to: Jennifer A. Tschetter, Assistant General Counsel, 1940 North Monroe Street, Tallahassee, Florida 32399, within 21 days of this notice. Written comments received after the hearing may not be considered.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Jennifer A. Tschetter at (850)488-0062. If you are hearing or speech impaired, please contact the Commission office using the Florida Dual Party Relay System which can be reached at 1(800)955-8700 (Voice) or 1(800)955-8771 (TTD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jennifer A. Tschetter, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

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

61K1-1.001 Purpose, Applicability and Scope of Rules.

(1) No change.

(2) Chapter 548, F.S., and these rules do not apply to any:

~~(a) Match in which the participants are amateurs;~~

~~(a)(b)~~ Match conducted or sponsored by a university, college, or secondary school if all the participants are students regularly enrolled in the institution;

~~(b)(e)~~ Match conducted or sponsored solely by a nationally chartered veterans’ organization registered with the state;

~~(c)(d)~~ Match conducted or sponsored solely by any company or detachment of the Florida National Guard; or

~~(d)(e)~~ Official Olympic event.

(3) No change.

Specific Authority 548.003(8), 548.006(4) FS. Law Implemented 548.004, 548.006, 548.007, 548.061 FS. History—New 2-7-85, Formerly 7F-1.01, Amended 4-6-89, 1-1-90, Formerly 7F-1.001, Amended 9-10-95, 4-3-00, 6-1-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jennifer A. Tschetter, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Simone Marsteller, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 31, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 8, 2006

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-303.150	Relationship Between Planning and Verified Lists
62-303.351	Nutrients in Streams
62-303.410	Determination of Aquatic Life Use Support
62-303.600	Evaluation of Pollution Control Mechanisms
62-303.810	Impairment of Interstate and Tribal Waters

PURPOSE AND EFFECT: The purpose of the proposed rulemaking is to allow the above five (5) rules in Chapter 62-303, F.A.C., to be re-promulgated as new or revised water quality standards. Because there were no revisions to the sections identified above, they were not noticed in the August 31, 2006, Notice of Proposed Rulemaking or identified at the ERC hearing on September 28, 2006, wherein the ERC adopted the entire Chapter 62-303, F.A.C. as new or revised water quality standards.

SUMMARY: This rulemaking includes the remaining rules of Chapter 62-303, F.A.C. that are to be repromulgated as new or revised water quality standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.021(11), 403.062, 403.067 FS.

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

DATE AND TIME: December 5, 2006, 9:00 a.m.

PLACE: Department of Environmental Protection, Conference Room A, Major Stoneman Douglas Building, 3900 Commonwealth Blvd., 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: Nancy Mould, 3900 Commonwealth Blvd., Tallahassee, Florida 32399 or by calling her at (850)245-2242. If you are 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: Daryll Joyner, Division of Water Resource Management, Bureau of Watershed Management, Mail Station 3510, Florida Department of Environmental Protection, 2600 Blairstone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8431

THE FULL TEXT OF THE PROPOSED RULES IS:

62-303.150 Relationship Between Planning and Verified Lists.

(1) The Department shall follow the methodology in Rule 62-303.300, F.A.C. to develop a planning list pursuant to subsection 403.067(2), F.S. As required by subsection 403.067(2), F.S., the planning list shall not be used in the administration or implementation of any regulatory program, and shall be submitted to EPA for informational purposes only. Waters on this planning list will be assessed pursuant to subsection 403.067(3), F.S., as part of the Department's watershed management approach. During this assessment, the Department shall determine whether the water body is impaired and whether the impairment is due to pollutant discharges using the methodology in Part III. The resultant verified list of impaired waters, which is the list of waters for which TMDLs will be developed by the Department pursuant to subsection 403.067(4), will be adopted by Secretarial Order and will be subject to challenge under subsection 120.569 and 120.57, F.S. Once adopted, the list will be submitted to the EPA pursuant to paragraph 303(d)(1) of the CWA.

(2) Consistent with state and federal requirements, opportunities for public participation, including workshops, meetings, and periods to submit comments on draft lists, will be provided as part of the development of planning and verified lists.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History–New 6-10-02, Repromulgated.

62-303.351 Nutrients in Streams.

A stream or stream segment shall be included on the planning list for nutrients if the following biological imbalances are observed:

(1) Algal mats are present in sufficient quantities to pose a nuisance or hinder reproduction of a threatened or endangered species, or

(2) Annual mean chlorophyll a concentrations are greater than 20 ug/l or if data indicate annual mean chlorophyll a values have increased by more than 50% over historical values for at least two consecutive years.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History–New 6-10-02, Repromulgated.

62-303.410 Determination of Aquatic Life Use Support.

Failure to meet any of the metrics used to determine aquatic life use support listed in Rules 62-303.420-.450, F.A.C., shall constitute verification that there is an impairment of the designated use for propagation and maintenance of a healthy, well-balanced population of fish and wildlife.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History–New 6-10-02, Repromulgated.

62-303.600 Evaluation of Pollution Control Mechanisms.

(1) Upon determining that a water body is impaired, the Department shall evaluate whether existing or proposed technology-based effluent limitations and other pollution control programs under local, state, or federal authority are sufficient to result in the attainment of applicable water quality standards.

(2) If, as a result of the factors set forth in (1), the water segment is expected to attain water quality standards in the future and is expected to make reasonable progress towards attainment of water quality standards by the time the next 303(d) list is scheduled to be submitted to EPA, the segment shall not be listed on the verified list. The Department shall document the basis for its decision, noting any proposed pollution control mechanisms and expected improvements in water quality that provide reasonable assurance that the water segment will attain applicable water quality standards.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History–New 6-10-02, Repromulgated.

62-303.810 Impairment of Interstate and Tribal Waters.

The Department shall work with Alabama, Georgia, and federally recognized Indian Tribes in Florida to share information about their assessment methodology and share water quality data for waters that form state boundaries or flow into Florida. In cases where assessments are different for the same water body, the Department shall, to the extent practical, work with the appropriate state, Indian Tribe and EPA to determine why the assessments were different.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History–New 6-10-02, Repromulgated.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Jerry Brooks, Deputy Director, Division of Water Resource  
 Management, Department of Environmental Protection  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: Mike Sole, Deputy Secretary,  
 Department of Environmental Protection  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: October 18, 2006  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: July 1, 2005

**DEPARTMENT OF JUVENILE JUSTICE**

**Prevention Programs**

RULE CHAPTER NO.: RULE CHAPTER TITLE:  
 63C-1 Children/Families in Need of  
 Service Programs  
 RULE NOS.: RULE TITLES:  
 63C-1.001 Purpose and Scope  
 63C-1.002 Nonjudicial Procedures for Families  
 Needing Services  
 63C-1.003 Coordinating Children-in-  
 Need-of-Services Programs

PURPOSE AND EFFECT: The proposed rule is intended to  
 implement requirements relating to children/families in need of  
 services, including standards for administering the programs  
 and coordinating services.

SUMMARY: The rule establishes the procedure by which  
 children in need of services and their families may receive  
 available services to preserve the unity and integrity of the  
 family, while emphasizing parental responsibility, and along a  
 continuum of increasing intensity and participation by the  
 parent and child.

SUMMARY OF STATEMENT OF ESTIMATED  
 REGULATORY COST: 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.

SPECIFIC AUTHORITY: 20.316, 985.405, 985.404(8),  
 984.04(3) FS.

LAW IMPLEMENTED: 984.04(3), 985.404(8) FS.

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

DATE AND TIME: Friday, December 1, 2006, 1:00 p.m.  
 PLACE: Department of Juvenile Justice Headquarters, 2737  
 Centerview Dr., General Counsel's Conference Room 312,  
 Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE  
 PROPOSED RULES IS: John Milla, Asst. General Counsel,  
 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100;  
 Tel. (850)921-4129

THE FULL TEXT OF THE PROPOSED RULES IS:

63C-1.001 Purpose and Scope.

The rule establishes the procedure by which children in need of  
 services and their families may receive available services to  
 preserve the unity and integrity of the family, while  
 emphasizing parental responsibility, and along a continuum of  
 increasing intensity and participation by the parent and child.

Specific Authority 20.316, 985.405, 985.404(8), 984.04(3) FS. Law  
 Implemented 984.04(3), 985.404(8) FS. History--New

63C-1.002 Nonjudicial Procedures for Families Needing  
 Services.

(1) The department or its designated provider shall offer  
 and refer services to families in need of services as available in  
 the community. Where available, services may include, but are  
 not limited to, crisis counseling, parent training, group and/or  
 family counseling, community mental health services, referrals  
 to other community services, access to short-term shelter for  
 the youth, a case staffing committee meeting, and other  
 services as set forth in Section 984.11, F.S.

(2) When a family seeks help or upon referral from a  
 source outside the family, the following procedure shall  
 govern:

(a) An intake counselor shall conduct a screening to  
 determine if the family is eligible for services pursuant to  
 Section 984.03(25), F.S. All available family members shall be  
 interviewed as appropriate or relevant to the current needs of  
 the child.

(b) If the family meets the definition of a "Family in need  
 of services" pursuant to Section 984.03(25), F.S., referral for  
 services shall be made for the family.

(c) If the family is not eligible for services, the family shall  
 be notified and the family shall be referred to other community  
 resources to assist the family.

Specific Authority 20.316, 985.405, 985.404(8), 984.04(3) FS. Law  
 Implemented 984.04(3), 985.404(8) FS. History--New

63C-1.003 Coordinating Children-in-Need-of-Services  
 Programs.

(1) The department shall coordinate its efforts with those  
 of the Federal Government, state agencies, county and  
 municipal government, private agencies and child advocacy  
 groups to ensure the administering program and service  
 delivery to children in need of services in the following ways:

(a) The department shall establish an agreement and work  
 in concert with the Department of Children and Families to  
 claim federal Title IV-E maintenance funds for children served  
 in shelters contracted to provide services to children and  
 families in need of services. The department shall also comply  
 with federal and state mandated monitoring of such funds.

(b) Subject to appropriations, the department shall establish programs and services for children/families in need of services through a provider or providers. The department, through this provider or providers, shall be responsible for ensuring coordinated use of resources at the local, state and federal levels as relevant by providing support and oversight through technical assistance, training, interagency agreements, contract management, data collection and advocacy.

(c) The department shall work with the local juvenile justice boards and councils throughout Florida's judicial circuits to compile a list of available resources. These boards and councils shall coordinate local community resources.

(2) The department shall develop Quality Assurance Standards and conduct Quality Assurance site visits to ensure that children/families in need of services programs meet the following performance objectives:

(a) Provide a continuum of non-residential and residential services which have increasing levels of intensity and participation by youth and families.

(b) Provide services to youth and families that focus on resolution of family problems and conflicts in order to reduce or avoid the need for judicial intervention.

(c) Provide community outreach and education to the public at large and at-risk groups designed to increase public awareness of the needs of troubled youth and families and the services offered by children/families in need of services programs.

(d) Provide safe, humane and therapeutic temporary residential care for youth with a focus on family reunification or permanency in living arrangements.

(e) Provide follow-up, short-term aftercare services and/or referrals to longer term community services to address family reunification and presenting problems.

Specific Authority 20.316, 985.405, 985.404(8), 984.04(3) FS. Law Implemented 984.04(3), 985.404(8) FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kareemah Muhammad, Department of Juvenile Justice, Prevention and Victim Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Greg Johnson, Assistant Secretary, Department of Juvenile Justice Prevention and Victim Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 17, 2006

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy**

RULE NO.: 64B4-31.007

RULE TITLE: Definition of a “Licensed Mental Health Counselor, or the Equivalent, Who is a Qualified Supervisor”

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the meaning of “accredited” and to expand who can serve as a qualified supervisor.

SUMMARY: The rule amendment will clarify the meaning of “accredited” and to expand who can serve as a qualified supervisor.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 491.004(5), 491.005(4)(c) FS.

LAW IMPLEMENTED: 491.005(4)(c) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: 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 FULL TEXT OF THE PROPOSED RULE IS:

64B4-31.007 Definition of a “Licensed Mental Health Counselor, or the Equivalent, Who is a Qualified Supervisor.”

(1) A “licensed mental health counselor, or the equivalent, who is a qualified supervisor,” as used in Section 491.005(4)(c), F.S., is defined as an individual who, during the period for which the applicant claims supervision, meets one of the following:

(a) through (b) No change.

(c) Is licensed as a clinical social worker or marriage and family therapist in Florida or in the state in which the supervision took place and can demonstrate a three semester or four quarter hour graduate level course in three of the following six content areas: counseling theories, counseling practice, assessment, career counseling, substance abuse, or legal, ethical, and professional standards from a clinical counseling program in an institution fully accredited by an accrediting body recognized by the Council for Higher



Education Accreditation and/or the U.S. Department of Education an accredited graduate program in mental health counseling;

- (d) No change.
- (2) through (3) No change.

Specific Authority 491.004(5), 491.005(4)(c) FS. Law Implemented 491.005(4)(c) FS. History--New 8-14-88, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 13, 2006

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

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

PURPOSE AND EFFECT: The purpose and effect of this rule development is to implement the provisions of Section 456.035, F.S.

SUMMARY: The proposed rule amendment implements the provisions of Section 456.035, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 456.035 FS.

LAW IMPLEMENTED: 456.035 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: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) Each person holding a license issued pursuant to Chapter 468, Part XIV, F.S., must maintain on file with the Board of Orthotists and Prosthetists the current address at which any notice required by law may be served by the Board

or its agent. Within 30 days of changing this address, whether or not within this state, the licensee shall change his or her address at the Board's website [www.doh.state.fl.us/mqa/OrthPros/index.html] or notify the Board by e-mail or in writing of the new address at which the licensee may be served with notices or other documents.

(2) Each person holding a license issued pursuant to Chapter 468, Part XIV, F.S., must maintain on file with the Board of Orthotists and Prosthetists the current primary place of practice.

Specific Authority 456.035 FS. Law Implemented 456.035 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 22, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 13, 2006

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: 64B14-3.001  
 RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose and effect of this rule development is to limit approved supervisors to those licensees who have not had disciplinary action taken against their licenses.

SUMMARY: The proposed rule amendment limits approved supervisors to those licensees who have not had disciplinary action taken against their licenses.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 456.035 FS.

LAW IMPLEMENTED: 456.035 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: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-3.001 Definitions.

(1) through (24) No change.

(25) Qualified Supervisor – an individual licensed or certified as required by the applicable rule who has not had action taken against his or her license or certification by a licensing jurisdiction or certifying body.

~~(26)(25)~~ Residency – a training program that meets the requirements of Rule 64B14-4.100, F.A.C.

~~(27)(26)~~ Shoe Modification – additions to footwear that alter the forces applied to the foot, making the footwear therapeutic.

~~(28)(27)~~ Soft – composed of materials such as fabric or foams having a porous cellular structure without any rigid support either internal or external other than flexible supports used to maintain proper fit.

~~(29)(28)~~ Therapeutic – applying forces to the body to modify structural alignment, correct a deformity or alleviate pain.

Specific Authority 468.802 FS. Law Implemented 468.802, 468.803 FS. History—New 10-21-99, Amended 2-19-04, 5-5-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 22, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 20, 2006

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NOS.:	RULE TITLES:
64B14-4.100	Requirements for Prosthetic or Orthotic Residency or Internship
64B14-4.110	Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthic

PURPOSE AND EFFECT: In Rule 64B14-4.100, F.A.C., the purpose and effect of the rule development is to provide a more comprehensive description of the elements of approved training for applicants for licensure as orthotists and prosthetists, and to set a limit on the amount of time an intern/resident can practice without a license in the state of Florida. In Rule 64B14-4.110, F.A.C., the purpose and effect of the rule development is to delete references to specific providers of the approved education for orthotic fitter and orthotic fitter assistant candidates, because the previously identified providers have changed titles and other providers are anticipated who will meet the statutory and rule requirements for training programs.

SUMMARY: In Rule 64B14-4.100, F.A.C., a more comprehensive description of the elements of approved training for applicants for licensure as orthotists and prosthetists is provided, and a limit is set on the amount of time an intern/resident can practice without a license in the state of Florida. In Rule 64B14-4.110, F.A.C., references to specific providers of the approved education for orthotic fitter and orthotic fitter assistant candidates are deleted.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 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: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) To meet the requirements for licensure as an orthotist or prosthetist, the applicant must document an internship that meets the requirements of this rule, or must complete a residency program accredited by NCOPE. An applicant for combined licensure as a prosthetist/orthotist must document a discrete internship or residency in each field.

(2) An internship must consist of ~~1900 hours of~~ orthotic or prosthetic clinical experience practicing under the supervision of a licensed or ABC-certified orthotist or prosthetist, respectively. The internship must consist of a minimum of 1900 hours and may not exceed 2700 hours. The intern is eligible to take the approved licensure examination upon completion of 1900 hours. If the intern has not taken and passed the applicable licensure examination at the expiration of 2700 hours of clinical experience, the intern may not practice as an orthotist or prosthetist in the state.

(3) Internships must be completed at facilities primarily engaged in providing orthotic and prosthetic patient care. Interns must provide direct patient care, but only under the supervision of a licensed orthotist or prosthetist; the educational mission must not be compromised by an excessive reliance on residents to fulfill facility service obligations.

Students should progress from observing to actually providing direct patient care. Sufficient amounts of lab and technical experience must accompany the clinical training.

(4) The internship must require the intern to meet the following objectives:

(a) Clinical Assessment. Determine the orthotic or prosthetic needs of the patient by integrating the information obtained from history, examination, measurement and observation; develop a treatment protocol for the patient through review of patient data in order to formulate an orthotic or prosthetic recommendation and treatment plan.

(b) Patient Management. Apply a properly fitting prosthetic/orthotic device by using accepted prosthetic/orthotic techniques to achieve optimum outcomes; inform the patient of the various procedures to be performed by using appropriate communication skills; provide continuing patient care and periodic evaluation to ensure proper fit and function of the prosthetic/orthotic device.

(c) Professional Responsibility. Select the most appropriate course of action when faced with patient-related problems while adhering to the laws and rules applicable to practice in Florida and the standards of care of the profession.

(d) Practice Management. Demonstrate proper documentation of a patient's history and financial records by using established record-keeping techniques and demonstrate an understanding of the facility's financial and safety policies and procedures.

(e) Technical Implementation. Interpret patient data and modify a patient model to ensure optimal fit and function; demonstrate the ability to fabricate or repair a prescribed device, selecting appropriate materials and components based on patient criteria to ensure optimum strength, durability and function.

(5) The objectives must include experience in the acute, rehabilitative and chronic phases of the care of pediatric, adult and geriatric populations, and shall include experience in lower and upper extremity and spinal orthoses or lower and upper extremity prostheses.

(6) Each intern shall keep a daily patient log, subject to review by the Board. Each intern shall be evaluated by his/her supervising practitioner on a quarterly basis and at the conclusion of the internship.

~~The internship must be of sufficient variety and volume to afford the intern adequate educational experience in orthotics or prosthetics to include clinical assessment, patient management, technical implementation, practice management and professional responsibility in the acute, rehabilitative and chronic phases of the care of pediatric, adult and geriatric populations. This shall include experience in lower extremity, upper extremity and spinal orthoses, or upper and lower extremity prostheses. Each intern shall keep a daily patient log, subject to audit by the Board.~~

~~(7)(3) Clinical experience in prosthetics and orthotics, to satisfy the requirements of internship or to satisfy the experience requirements of Section 468.803(4), F.S., may not be achieved concurrently.~~

Specific Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History--New 11-1-99, Amended \_\_\_\_\_.

64B14-4.110 Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthic.

(1) Requirements for Licensure as an Orthotic Fitter. The applicant must demonstrate:

~~(a) Successful completion of 40 hours of training in orthotics that meets the requirements of Rule 64B14-4.111, F.A.C., the 32-hour Trulife Healthcare or the 32-hour Surgical Appliance Industries orthotics course and examination, and completion of an approved eight hour course in custom molded shoes.~~

(b) No change.

(2) Requirements for Licensure as an Orthotic Fitter Assistant. The applicant must demonstrate successful completion of 40 hours of training in orthotics that meets the requirements of Rule 64B14-4.111, F.A.C. ~~the 32-hour Trulife Healthcare or the 32-hour Surgical Appliance Industries orthotics course and examination, and completion of an approved eight hour course in custom molded shoes.~~

(3) No change.

Specific Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History--New 11-1-99, Amended 1-16-06, 9-21-06, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 22, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 20, 2006

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.:  
64B16-28.303

RULE TITLE:  
Destruction of Controlled Substances  
All Permittees (excluding Nursing  
Homes)

PURPOSE AND EFFECT: The Board proposes the rule amendment to allow for more flexibility in the destruction of controlled substances by permittees.

SUMMARY: The rule amendment will provide more flexibility for permittees in the destruction of controlled substances.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.022, 465.018 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: Rebecca R. Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.303 Destruction of Controlled Substances All Permittees (excluding Nursing Homes).

(1) through (2) No change.

(3) Another method of destruction requires the pharmacist of record for the permit, ~~one other pharmacist~~, a licensed physician, pharmacist, mid-level practitioner, or nurse, and a sworn law enforcement office to serve as the witnesses. A copy of the completed D.E.A. Form 41 and a letter providing the proposed date of destruction, the proposed method of destruction and the names and titles of the proposed witnesses must be received by D.E.A. at least two weeks prior to the proposed date of destruction which shall constitute a request for destruction. The drugs may not be destroyed until D.E.A. grants approval of the request for destruction. A copy of the completed and witnessed D.E.A. Form 41 shall be mailed to D.E.A. immediately after destruction.

(4) No change.

Specific Authority 465.005, 465.022 FS. Law Implemented 465.022, 465.018 FS. History--New 4-24-87, Formerly 21S-19.003, Amended 7-31-91, Formerly 21S-28.303, 61F10-28.303, Amended 1-30-96, Formerly 59X-28.303, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pharmacy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 7, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 22, 2006

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-28.451 RULE TITLE: Pharmacy Common Database

PURPOSE AND EFFECT: The Board proposes the rule promulgation in order to create instructions concerning pharmacies that utilize a common database.

SUMMARY: The creation of the rule will provide instructions concerning pharmacies that utilize a common database.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 465.05, 465.022 FS.

LAW IMPLEMENTED: 465.0266 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: Rebecca R. Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.451 Pharmacy Common Database.

(1) A pharmacy licensed under this chapter may perform prescription drug processing for other pharmacies, provided that all pharmacies are under common ownership, utilize a common database, and are properly licensed, permitted or registered in this state or another state. Nothing in this subsection shall prohibit a pharmacist employee of said pharmacies who is licensed in Florida from remotely accessing the pharmacy's electronic database from outside the pharmacy in order to process prescriptions, provided the pharmacy establishes controls to protect the privacy and security of confidential records.

(2) Prescription drug processing does not include the dispensing of a prescription drug but includes any of the following:

- (a) Receiving, interpreting, or clarifying a prescription;
- (b) Entering prescription data into the pharmacy's record;
- (c) Verifying or validating a prescription;
- (d) Performing prospective drug review as defined by the Board;
- (e) Obtaining refill and substitution authorizations;
- (f) Interpreting or acting on clinical data;
- (g) Performing therapeutic interventions;
- (h) Providing drug information concerning a patient's prescription;
- (i) Providing patient counseling.

(3) Each pharmacy performing prescription drug processing pursuant to this section must maintain a policy and procedure manual, which shall be made available to the Board or its agent upon request. The policy and procedures manual shall include the following information:

(a) A description for how each pharmacy will comply with federal and state laws, rules and regulations;

(b) The procedure for maintaining appropriate records to identify the pharmacies and pharmacists responsible for the prescription drug processing and dispensing of the prescription;

(c) The policy and procedure for providing adequate security to protect the confidentiality and integrity of patient information;

(d) The procedure to be used by the pharmacy in implementing and operating a quality assurance program designed to objectively and systematically monitor, evaluate, and improve the quality and appropriateness of patient care.

(4) The prescription drug processing of a prescription by one pharmacy for another pursuant to this section shall not be construed as the transferring of a prescription as set forth in Section 465.026, F.S.

(5) In addition to all record requirements of Rule 64B16-28.140, F.A.C., all pharmacies participating in prescription drug processing, shall maintain appropriate records which identify, by prescription, the name(s), initials, or identification code(s) of each pharmacist or pharmacy technician who performs a processing function for a prescription. Such records shall be maintained:

(a) Separately by each pharmacy and pharmacist; or

(b) In a common electronic file, as long as the records are maintained in such a manner that the data processing system can produce a printout which lists the functions performed by each pharmacy, pharmacist, pharmacy intern and pharmacy technician.

Specific Authority 465.05, 465.022 FS. Law Implemented 465.0266 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Pharmacy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pharmacy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 15, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 15, 2006

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-11.004  
RULE TITLE: Licensure by Examination: Additional Educational Requirements for Initial Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete language regarding compliance of the requirements of Section 456.031, Florida Statutes.

SUMMARY: The rule amendment will cause language to be deleted concerning the licensee's compliance of requirements of Section 456.031, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 456.013(7), 456.031, 490.004(4) FS.

LAW IMPLEMENTED: 456.013(7), 456.031 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: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-11.004 Licensure by Examination: Additional Educational Requirements for Initial Licensure.

~~(1) Before licensure, each applicant shall comply with the requirements of Section 456.031, F.S., and shall demonstrate compliance by completing and submitting PY FORM 3.domviol (rev. 12/01), "Domestic Violence Affirmation Form," effective 3-24-02, which is incorporated herein by reference and which may be obtained from the Board office. Courses on domestic violence approved by any Board within the Division of Medical Quality Assurance of the Department of Health pursuant to Section 456.031, F.S., are approved by this Board.~~

(2) Before licensure, each applicant shall comply with the requirements of Section 456.013(7), F.S., regarding instruction on prevention of medical errors.

Specific Authority 456.013(7), 456.031, 490.004(4) FS. Law Implemented 456.013(7), 456.031 FS. History--New 8-12-90, Amended 11-18-92, 7-14-93, Formerly 21U-11.0063, Amended 6-14-94, Formerly 61F13-11.0063, Amended 1-7-96, Formerly 59AA-11.004, Amended 8-3-97, 3-24-02, 6-26-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Psychology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Psychology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 11, 2006

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-13.003  
 RULE TITLE: Continuing Psychological Education Credit

PURPOSE AND EFFECT: The Board proposes the rule amendment to change some of the requirements for earning continuing psychological education credit.

SUMMARY: The rule amendment will change some requirements for earning continuing psychological education credit.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 456.013(7), 490.004(4), 490.0085(4) FS.

LAW IMPLEMENTED: 456.013(7), 490.007(2), 490.0085(1), (3) 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: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-13.003 Continuing Psychological Education Credit.

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

(f) Attainment of diplomate status in a specialty area from the American Board of Professional Psychology, for which thirty-seven (37) continuing psychological education credits, not including the ~~two one~~-hour continuing education course on domestic violence required by Section 456.031(1), F.S., and the two-hour continuing education course on the prevention of medical errors required by Section 456.013(7), F.S., will be allowed only during the biennium during which the diplomate is first awarded;

(g) through (2) No change.

(3) As a condition of biennial licensure renewal, each licensee must complete forty (40) hours of continuing psychological education.

~~(a) One (1) of the forty (40) hours must be on domestic violence or on end-of-life and palliative health care consistent with Section 456.031(1)(a), F.S.,~~

~~(a)(b)~~ Three (3) of the forty (40) hours must be on professional ethics and Florida Statutes and rules affecting the practice of psychology.

~~(b)(e)~~ Two (2) of the forty (40) hours must relate to prevention of medical errors. In addition to the study of root-cause analysis, error reduction and prevention, and patient safety, the course content shall also be designed to discuss potential errors within a psychological setting, such as inadequate assessment of suicide risk, failure to comply with mandatory abuse reporting laws, and failure to detect medical conditions presenting as a psychological disorder. If the course is offered by a facility licensed pursuant to Chapter 395, F.S., for its employees, the Board will approve up to one (1) hour of the two (2) hour course to be specifically related to error reduction and prevention methods used in that facility.

~~(c)(d)~~ Passage of the laws and rules examination of the Board constitutes forty (40) hours of continuing education credit, including credit for professional ethics and Florida Statutes and rules affecting the practice of psychology. Passage of the laws and rules examination, however, does not satisfy the requirement for the two (2) ~~one (1)~~ credit hours of continuing education on domestic violence required every third biennial licensure renewal period, nor the requirement for two (2) hours relating to prevention of medical errors.

(4) The licensee shall maintain, and make available upon request, documentation to substantiate continuing psychological education credit required by the Board. The licensee shall retain such documentation for two (2) years following the renewal period during for which the continuing psychological education credit was required ~~obtained~~.

(5) No change.

(6) Every third biennial licensure renewal, two (2) of the forty (40) hours of continuing psychological education must be on domestic violence as defined in Section 741.28, F.S.

Specific Authority 456.013(7), 490.004(4), 490.0085(4) FS. Law Implemented 456.013(7), 490.007(2), 490.0085(1), (3) FS. History—New 1-28-93, Amended 7-14-93, Formerly 21U-13.0042, Amended 6-14-94, Formerly 61F13-13.0042, Amended 2-8-96, 11-18-96, Formerly 59AA-13.003, Amended 1-10-01, 8-5-01, 5-21-02, 6-3-04, 1-2-06, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Psychology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 11, 2006

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-17.002  
 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule amendment to implement new legislation.

SUMMARY: The rule amendment implements new legislation.  
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 456.079, 490.004(4) FS.

LAW IMPLEMENTED: 456.072, 456.079, 490.009 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: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-17.002 Disciplinary Guidelines.  
 (1)(a) through (z) No change.

(aa) Performing or attempting to perform wrong health care services (Section 456.072(1)(bb)(aa), FS.	From Reprimand and a \$1,000 fine to Revocation and a fine up to \$10,000.	From Reprimand, Suspension, and a \$5,000 fine to Revocation and a fine up to \$10,000.	Revocation and a \$10,000 fine.
(bb) Termination from impaired practitioner treatment program (Section 456.072(1)(hh)(gg), F.S.)	From Suspension and a fine up to \$10,000. Revocation.	From Suspension and a fine up to \$10,000 to Revocation.	Revocation

(2) through (3) No change.

Specific Authority 456.079, 490.004(4) FS. Law Implemented 456.072, 456.079, 490.009 FS. History—New 11-24-86, Amended 7-18-88, 4-26-93, Formerly 21U-18.003, Amended 6-14-94, Formerly 61F13-18.003, Amended 1-9-96, Formerly 59AA-17.002, Amended 9-18-97, 9-26-01, 3-25-02, 4-3-05, 1-2-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Psychology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 13, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 11, 2006

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE NO.: 64B32-4.002  
 RULE TITLE: Reactivation of Retired Status License

PURPOSE AND EFFECT: The Board proposes the promulgation of the rule to provide language for reactivation of retired status licenses.

SUMMARY: The promulgation of the rule will provide language for reactivation of retired status license.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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.

SPECIFIC AUTHORITY: 456.036(7), (9), 468.353(1) FS.

LAW IMPLEMENTED: 456.036(7) 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: Susan Love, Executive Director, Board of Respiratory Care/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-4.002 Reactivation of Retired Status License.

(1) A retired status licensee for less than five years may change to active status provided:

(a) A licensee pay any renewal fees imposed on an active status license for all biennial licensure periods during which the licensee was on retired status.

(b) A licensee must provide evidence of licensure as either a Certified Respiratory Therapist (CRT) or a Registered Respiratory Therapist (RRT), pursuant to Section 468.358, Florida Statutes.

(c) A licensee must meet the continuing educational requirements for Rule 64B32-6.001, F.A.C., for each biennium the licensee was in retired status.

(d) A licensee must attend HIV and medical errors courses pursuant to Rule 64B32-6.007, F.A.C.

(2) A retired status licensee for five years or more may change to active status provided:

(a) A licensee pay any renewal fees imposed on an active status license for all biennial licensure periods during which the licensee was on retired status.

(b) A licensee must provide evidence of licensure as either a Certified Respiratory Therapist (CRT) or a Registered Respiratory Therapist (RRT), pursuant to Section 468.358, Florida Statutes.

(c) A licensee must meet the continuing educational requirements for Rule 64B32-6.001, Florida Administrative Code for each biennium the licensee was in retired status.

(d) A licensee is required to provide evidence of attendance of a Board-approved comprehensive review course, within six months prior to reactivation of license, in order to ensure that he or she has the sufficient skills to re-enter the profession.

(e) A licensee must attend HIV and medical errors courses pursuant to Rule 64B32-6.007, F.A.C.

(3) Board-approved comprehensive review course means any curriculum topic required by the Commission on Accreditation for Respiratory Care (COARC).

Specific Authority 456.036(7), (9), 468.353(1) FS. Law Implemented 456.036(7), (9) FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Respiratory Care  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Respiratory Care  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2006  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 17, 2006

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Mental Health Program Office**

RULE NOS.:	RULE TITLES:
65E-5.100	Definitions
65E-5.115	Mental Health Personnel
65E-5.260	Transportation
65E-5.280	Involuntary Examination
65E-5.285	Involuntary Outpatient Placement
65E-5.290	Involuntary Inpatient Placement
65E-5.300	Continued Involuntary Inpatient Placement at Treatment Facilities
65E-5.400	Baker Act Funded Services Standards

PURPOSE AND EFFECT: Chapter 65E-5, Florida Administrative Code, is being amended to comply with the new Chapter 2006-171, Laws of Florida, (amends Chapter 394, Part I, the Baker Act) which adds mental health counselors, and marriage and family therapists to certain sections of the

Act. The amendments to Chapter 65E-5, Florida Administrative Code, are being proposed to bring it into compliance with Chapter 2006-171, Laws of Florida.

SUMMARY: In order to comply with the new statutory amendment the Department of Children and Families, Mental Health Program Office, is amending eight rules in Chapter 65E-5, Florida Administrative Code (Mental Health Act Regulation-commonly referred to as the Baker Act rule) to include mental health counselors, and marriage and family therapists. In addition, five Baker Act forms are being amended to include mental health counselors, and marriage and family therapists, as well as technical changes.

SUMMARY OF THE STATEMENT OF ESTIMATED REGULATORY COST: An estimate of the regulatory cost was not requested nor prepared for this rule.

Any person who wishes to provide information regarding the statement of estimated regulatory costs must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: Chapter 2006-171, L.O.F., 394.457, 394.46715 FS.

LAW IMPLEMENTED: 316, 394.455, 394.457, 394.4573, 394.459, 394.4599, 394.4615, 394.462, 394.4625, 394.463, 394.4655, 394.467, 395, 397.675, 400, 491, 765 FS.

IF REQUESTED WITHIN 21 DAYS 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: Thursday, November 30, 2006, 9:00 a.m.

PLACE: Building 6, Conference Room A, Winewood Office Complex, 1317 Winewood Blvd., Tallahassee, Florida

Persons with disabilities requiring accommodations contact Linda Henshaw, Department of Children and Families, Mental Health Program Office, 1317 Winewood Blvd., Building 6, Room 239, Tallahassee, Florida 32399, (850)921-5724, (Voice) or (850)921-8880 (TDD), no later than five full working days prior to the hearing.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ron Kizirian, Medical/Healthcare Program Analyst, Mental Health Program Office, 1317 Winewood Blvd., Building 6, Room 211, Tallahassee, Florida 32399-0700. Telephone: (850)413-0928

THE FULL TEXT OF THE PROPOSED RULES IS:

65E-5.100 Definitions.

As used in this chapter the following words and phrases have the following definitions:

(1) through (9) No change.

~~(10) Mental Health Counselor means an individual who is licensed as a mental health counselor under Chapter 491, F.S.~~

~~(10)(11) Person means an individual of any age, unless statutorily restricted, with a mental illness served in or by a mental health facility or service provider.~~



~~(11)~~~~(12)~~ PRN means an individualized order for the care of an individual person which is written after the person has been seen by the practitioner, which order sets parameters for attending staff to implement according to the circumstances set out in the order.

~~(12)~~~~(13)~~ Protective medical devices mean a specific category of restraint that includes devices, or combinations of devices, to restrict movement for purposes of protection from falls or complications of physical care, such as geri-chairs, posey vests, mittens, belted wheelchairs, sheeting, and bed rails. The requirements for the use and documentation of use of these devices are for specific medical purposes rather than for behavioral control.

~~(13)~~~~(14)~~ Restraint means the immobilization of a person's body in order to restrict free movement or range of motion, whether by physical holding or by use of a mechanical device. For purposes of this chapter, restraint includes all applications of such procedures, specifically including emergency treatment orders and emergency medical procedures which includes protective medical devices for ambulating safety, or furniture used to protect mobility-impaired persons from falls and injury. The use of walking restraints when used during transportation under the supervision of trained staff is not considered restraint.

~~(14)~~~~(15)~~ Seclusion means an emergency response in which, as a means of controlling a person's immediate symptoms or behavior, the person's ability to move about freely has been limited by staff or in which a person has been physically segregated in any fashion from other persons. Seclusion requires a written emergency treatment order by a physician except as described and authorized in Rule 65E-5.1602, F.A.C., of this rule chapter.

~~(15)~~~~(16)~~ Standing order means a broad protocol or delegation of medical authority that is generally applicable to a group of persons, hence not individualized. As limited by this chapter, it prohibits improper delegations of authority to staff that are not authorized by the facility, or not permitted by practice licensing laws, to independently make such medical decisions; such as decisions involving determination of need, medication, routes, dosages for psychotropic medication, or use of restraints or seclusion upon a person.

Specific Authority 394.457(5), 494.46715 FS. Law Implemented 394.455(1), 394.457, 394.4573(1)(b), 394.459(2), 394.4625, 394.4655, 394.467, 491, 765.101, 765.401 FS. History–New 11-29-98, Amended 4-4-05,\_\_\_\_\_.

#### 65E-5.115 Mental Health Personnel.

Whenever the term physician, psychiatrist, clinical psychologist, clinical social worker, psychiatric nurse, marriage and family therapist, or mental health counselor is used in these rules, the term is as defined in Section 394.455, F.S., ~~or this rule chapter.~~

Specific Authority 394.457(5), 394.46715 FS. Law Implemented 394.455, 394.457(5)(a) FS. History–New 4-4-05, Amended  
\_\_\_\_\_.

#### 65E-5.260 Transportation.

(1) Each law enforcement officer who takes a person into custody upon the entry of recommended form CF-MH 3001, Feb. 05, "Ex Parte Order for Involuntary Examination," which is incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of this rule chapter, or other form provided by the court, or the execution of mandatory form CF-MH 3052b, Sept. 06 ~~Feb. 05~~, "Certificate of Professional Initiating Involuntary Examination," which is hereby incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of this rule chapter or completion of mandatory form CF-MH 3052a, Sept. 06 ~~Feb. 05~~, "Report of a Law Enforcement Officer Initiating Involuntary Examination," which is incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of this rule chapter shall ensure that such forms accompany the person to the receiving facility for inclusion in the person's clinical record.

(2) No change.

Specific Authority 394.457(5) FS. Law Implemented 394.462, 394.462(1) FS. History–New 11-29-98, Amended 4-4-05,\_\_\_\_\_.

#### 65E-5.280 Involuntary Examination.

(1) No change.

(2) Law Enforcement.

(a) If a law enforcement officer, in the course of his or her official duties, initiates an involuntary examination, the officer shall complete the mandatory form CF-MH 3052a, ~~Feb. 05~~, "Report of Law Enforcement Officer Initiating Involuntary Examination," as referenced in subsection 65E-5.260(1), F.A.C.

(b) No change.

(3) through (4) No change.

(5) In order for the department to implement the provisions of Section 394.463(2)(e), F.S., and to ensure that the Agency for Health Care Administration will be able to analyze the data it receives pursuant to that section, designated receiving facilities shall forward copies of each recommended form CF-MH 3001, "Ex Parte Order for Involuntary Examination," as referenced in subsection 65E-5.260(1), F.A.C., or other order provided by the court, mandatory form CF MH 3052a, "Report of Law Enforcement Officer Initiating Involuntary Examination," as referenced in subsection 65E-5.260(1), F.A.C., mandatory form CF-MH 3052b, "Certificate of Professional Initiating Involuntary Examination," as referenced in subsection 65E-5.260(1), F.A.C., accompanied by mandatory form CF-MH 3118, Sept. 06 ~~Feb. 05~~, "Cover Sheet to Agency for Health Care Administration," which is hereby incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of

this rule chapter to: BA Reporting Center, FMHI-MHC 2737, 13301 Bruce B. Downs Boulevard, Tampa, Florida 33612-3807.

(6) through (8) No change.

Specific Authority 394.457(5) FS. Law Implemented 394.463, 394.463(2)(e), (h), 400 FS. History—New 11-29-98, Amended 4-4-05,

65E-5.285 Involuntary Outpatient Placement.

(1) Petition for Involuntary Outpatient Placement.

(a) No change.

(b) Petition Filed by Receiving Facility Administrator.

1. through 2. No change.

3. The administrator of the receiving facility or a designated department representative shall identify the service provider that will have the responsibility of developing a treatment plan and primary responsibility for service provision under an order for involuntary outpatient placement, unless the person is otherwise participating in outpatient psychiatric treatment and is not in need of public financing for that treatment. Recommended form CF-MH 3140, Sept. 06 Feb. 05, “Designation of Service Provider for Involuntary Outpatient Placement,” which is incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of this rule chapter may be used for this purpose.

4. A treatment plan, complying with the requirements of Section 394.4655, F.S., and this rule, shall be attached to the petition, along with a certification from the service provider that:

- a. The proposed services are available in the person’s local community;
- b. There is space available in the program or service for the person;
- c. Funding is available for the program or service;
- d. The service provider agrees to provide those services; and
- e. Proposed services have been deemed to be clinically appropriate by a physician, clinical psychologist, clinical social worker, mental health counselor, marriage and family therapist, or psychiatric nurse, as defined in Section 394.455 394.4599, F.S., who consults with, is employed by, or has a contract with the service provider.

5. Recommended form CF-MH 3145, Sept. 06 Feb. 05, “Proposed Individualized Treatment Plan for Involuntary Outpatient Placement and Continued Involuntary Outpatient Placement”, which is incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of this rule chapter may be used for the development of a treatment plan.

6. through 7. No change.

(c) Petition Filed by Treatment Facility Administrator

1. through 3. No change.

4. The petition shall have attached an individualized treatment or service plan that addresses the needs identified in the discharge plan developed by the treatment facility as represented by form CF-MH 3145, ~~Feb. 05~~, “Proposed Individualized Treatment Plan for Involuntary Outpatient Placement and Continued Involuntary Outpatient Placement,” as referenced in subparagraph 65E-5.285(1)(b)5.4., F.A.C. The plan must have been deemed to be clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker, as defined in Section 394.455, F.S.

5. No change.

(2) No change.

(3) Court Order.

(a) No change.

(b) Upon receipt of the court order for Involuntary outpatient placement, the administrator of a treatment facility will provide a copy of the court order and adequate documentation of a person’s mental illness to the service provider, including any advance directives, a psychiatric evaluation of the person, and any evaluations of the person performed by a clinical psychologist, mental health counselor, marriage and family therapist, or clinical social worker.

(c) In order for the department to implement the provisions of Section 394.463(2)(e), F.S., and to ensure that the Agency for Health Care Administration will be able to analyze the data it receives pursuant to that section, service providers shall forward copies of each recommended form CF-MH 3155, “Order for Involuntary Outpatient Placement or Continued Involuntary Outpatient Placement,” as referenced in paragraph 65E-5.285(3)(a), F.A.C., or other order provided by the court, accompanied by mandatory form CF-MH 3118, ~~Feb. 05~~, “Cover Sheet to Agency for Health Care Administration,” as referenced in subsection 65E-5.280(5), F.A.C., to: BA Reporting Center, FMHI-MHC 2637, 13301 Bruce B. Downs Boulevard, Tampa, Florida 33612-3807.

(d) No change.

(e) If a physician has determined the person who is subject to a court order for involuntary outpatient placement has failed or has refused to comply with the treatment ordered by the court, and in his or her clinical judgment, efforts were made to solicit compliance and the person meets the criteria for involuntary examination, the person may be brought to a receiving facility pursuant to Section 394.463, F.S. Mandatory form CF-MH 3052b, ~~Feb. 05~~, “Certificate of a Professional Initiating Involuntary Examination,” as referenced in subsection 65E-5.260(1), F.A.C., shall be used.

(4) Continued Involuntary Outpatient Placement.

(a) through (h) No change.

(i) In order for the department to implement the provisions of Section 394.463(2)(e), F.S., and to ensure that the Agency for Health Care Administration will be able to analyze the data it receives pursuant to that section, service providers shall

forward copies of each recommended form CF-MH 3155, "Order for Involuntary Outpatient Placement or Continued Involuntary Outpatient Placement," as referenced in paragraph 65E-5.285(3)(a), F.A.C., or other order provided by the court, accompanied by mandatory form CF-MH 3118, ~~Feb. 05~~, "Cover Sheet to Agency for Health Care Administration," as referenced in subsection 65E-5.280(5), F.A.C., to: BA Reporting Center, FMHI-MHC 2637, 13301 Bruce B. Downs Boulevard, Tampa, Florida 33612-3807.

(j) No change.

(k) If a physician has determined the person who is subject to a court order for involuntary outpatient placement has failed or has refused to comply with the treatment ordered by the court, and in his or her clinical judgment, efforts were made to solicit compliance and the person meets the criteria for involuntary examination, the person may be brought to a receiving facility pursuant to Section 394.463, F.S. Mandatory form CF-MH 3052b, ~~Feb. 05~~, "Certificate of a Professional Initiating Involuntary Examination," as referenced in subsection 65E-5.260(1), F.A.C., shall be used.

(5) No change.

Specific Authority 394.46715 FS. Law Implemented 394.455, 394.455(18), 394.4599, 394.463, 394.4655, 394.4655(2)(a), 397.675 FS. History--New 4-4-05, Amended \_\_\_\_\_.

65E-5.290 Involuntary Inpatient Placement.

(1) through (9) No change.

(10) In order for the department to implement the provisions of Section 394.463(2)(e), F.S., and to ensure that the Agency for Health Care Administration will be able to analyze the data it receives pursuant to that section, designated receiving facilities and treatment facilities shall forward copies of each recommended form CF-MH 3008, "Order for involuntary Inpatient Placement," as referenced in paragraph 65E-5.1302(1)(b), F.A.C., or other order provided by the court, accompanied by mandatory form CF-MH 3118, ~~Feb. 05~~, "Cover Sheet to Agency for Health Care Administration," as referenced in subsection 65E-5.280(5), F.A.C., to: BA Reporting Center, FMHI-MHC 2637, 13301 Bruce B. Downs Boulevard, Tampa, Florida 33612-3807.

Specific Authority 394.457(5), 394.46715 FS. Law Implemented 394.463(2)(e), 394.467, 397.675 FS. History--New 11-29-98, Amended 4-4-05, \_\_\_\_\_.

65E-5.300 Continued Involuntary Inpatient Placement at Treatment Facilities.

(1) through (5) No change.

(6) In order for the department to implement the provisions of Section 394.463(2)(e), F.S., and to ensure that the Agency for Health Care Administration will be able to analyze the data it receives pursuant to that section, designated receiving facilities and treatment facilities shall forward copies of each recommended form CF-MH 3031, "Order for

Continued Involuntary Inpatient Placement or Release," as referenced in subsection 65E-5.300(5), F.A.C., accompanied by mandatory form CF-MH 3118, ~~Feb. 05~~, "Cover Sheet to Agency for Health Care Administration," as referenced in subsection 65E-5.280(5), F.A.C., to: BA Reporting Center, FMHI-MHC 2637, 13301 Bruce B. Downs Boulevard, Tampa, Florida 33612-3807.

Specific Authority 394.457(5), 394.46715 FS. Law Implemented 394.463(2)(e), 394.467(6), (7) FS. History--New 11-29-98, Amended 4-4-05, \_\_\_\_\_.

65E-5.400 Baker Act Funded Services Standards.

(1) through (5) No change.

(6) Mobile Crisis Response Service and Mental Health Overlay Program Requirements.

(a) through (b) No change.

(c) Procedures must require employee's clinical activities and performance, as opposed to primarily administrative functions, are supervised by one of the following: a psychiatrist, physician, clinical psychologist, clinical social worker, mental health counselor, marriage and family therapist, or psychiatric nurse, as defined in Section 394.455, F.S.

(d) through (e) No change.

(7) No change.

Specific Authority 394.457(3), (5)(c), (6)(a) FS. Law Implemented 316, 394, Part I, 394.455(2), (4), (17), (19), (21), (23), (25), (34), (35), 394.4615, 394.462, 394.4625, 394.463, 395 FS. History--New 11-29-98, Amended 4-4-05, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Ron Kizirian

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Roderick L. Hall, Ph.D., Director, Mental Health Program Office

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 25, 2006

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Consumer Services**

RULE NO.: 69J-7.004  
RULE TITLE: Participating Contractors

PURPOSE AND EFFECT: This rule implements Section 215.5586, F.S., by incorporating a pamphlet which contains procedures relating to participation as a Participating Contractor under the Florida Comprehensive Hurricane Damage Mitigation Program.

SUMMARY: The rule would adopt as a form a document entitled "Guide for Participating Contractors and Participating Contractor Applicants." The Guide has a Frequently Asked Questions section, explains how to apply to be a Participating

Contractor with examples of the forms to be used, and sets out the Participation Agreement which Participating Contractor must consent to in order to become Participating Contractors  
**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** 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.

**SPECIFIC AUTHORITY:** 215.5586(6) FS.

**LAW IMPLEMENTED:** 215.5586 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:** December 13, 2006, 9:30 a.m.

**PLACE:** Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ray Wenger, (850)413-5660 If you are 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, 4th Floor Larson Building, 200 E Gaines St., Tallahassee, FL 32399-0333; Email ray.wenger@FLDFS.com

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

69J-7.004 Participating Contractors.

The standards and procedures for participation as a Participating Contractor pursuant to Section 215.5586(2)(c), F.S., are set forth in Florida Department of Financial Services Florida Comprehensive Hurricane Damage Mitigation Program My Safe Florida Home Program Guide for Participating Contractors and Applicants for Participating Contractor Status (Eff. \_\_\_\_\_), which is hereby incorporated by reference into this rule.

Specific Authority 215.5586(6) FS. Law Implemented 215.5586 FS. New \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Ray Wenger, Senior Management Analyst Supervisor, Bureau of Investigations, Division of Agent & Agency Services

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** Phil Fountain, Assistant Director, Division of Agent & Agency Services

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** October 25, 2006

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** October 6, 2006

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

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

**RULE CHAPTER NO.:** RULE CHAPTER TITLE:

40D-2 Water Use Permitting

**RULE NOS.:** RULE TITLES:

40D-2.091 Publications Incorporated By Reference

40D-2.801 Water-Use Caution Areas

**NOTICE OF CHANGE**

Notice is hereby given in accordance with subparagraph 120.54(3)(d)1., F.S., that the following changes have been made to the proposed Rule 40D-2.801, F.A.C., and the Basis of Review published in Vol. 32, No. 19, May 12, 2006, issue of the Florida Administrative Weekly, page 2110.

Proposed amendments to 40D-2.801(3)(b)2. are now as follows:

40D-2.801 Water-Use Caution Areas.

~~4.2.~~ Regulations applicable to this Water Use Caution Area are specified in this Chapter and in the Basis described in Rule 40D-2.091, F.A.C., and are incorporated into this rule. Amendments to those regulations adopted \_\_\_\_\_, shall become effective on \_\_\_\_\_. Those amendments and rRegulations relating to SWUCA effective January 1, 2003 and \_\_\_\_\_, are not intended to affect, and shall not be construed to affect, any water use permit that does not have a withdrawal point within the SWUCA.

The Basis of Review incorporated in 40D-2.091 is changed as described below:

**BASIS OF REVIEW PROVISIONS**

**CHAPTER 1 OF THE BASIS OF REVIEW**

Changes proposed to Section 1.12, new paragraph 2.b. are shown to the proposed language in an underline and strikethrough format below:

**1.12 MODIFICATION OF PERMITS**

2. Letter Modification.

- b. A letter modification shall be used to activate a Standby ~~Quantities Alternative Water Supply Permit~~ where there is a loss of Alternative Water Supplies as described in Section 3.1, Chapter 3 of this Basis of Review, in the paragraph titled “Loss of Alternative Supplies.”

CHAPTER 2 OF THE BASIS OF REVIEW

Changes proposed to Section 2.1 paragraph 1. are as follows:

2.1 APPLICANT CONTROL OF PROPERTY AND ACTIVITIES

- 1. Applicants must demonstrate ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are or will be located. Except for Self-Relocations as described below, ~~a~~Applications for leased property, except property leased from the District, must be either a joint application in the name of the lessee and the property owner(s) or be only in the name of the property owner(s). If there are multiple property owners, all owners must sign the permit application form or sign an attachment to the permit application form indicating their joinder in the permit application, and all property owners will be permittees on the water use permit, when issued. In the case of an application for Self-Relocation, a permit may be issued solely to the lessee if the lessee and the permittee on the permit to be Self-Relocated are the same person or entity. For related rules on this issue, see Rules 40D-1.6105, 40D-2.351, and 40D-2.381(3)(p) and (q), F.A.C., and Section 1.10 and 6.1, Basis of Review for Water Use Permit Applications.

Changes proposed to Section 2.5, the new subsection titled “PUBLIC WATER SUPPLY SERVICE AREA WITHIN THE SWUCA” are shown to the proposed language in an underline and strikethrough format below:

2.5 PUBLIC WATER SUPPLY SERVICE AREA PUBLIC WATER SUPPLY SERVICE AREA WITHIN THE SWUCA

In addition to the paragraph above, ~~a~~A public supply utility permit Applicant must define the entire area proposed to be serviced by the public supply system or utility with potable water during the term of the permit. A public water supply utility may have separate, discreet service areas; however, if water is routinely transferred between service areas, the service areas are counted as one. An applicant’s public supply service area is composed of the following, unless the applicant demonstrates that factors unique to its utility make one or more of these situations inapplicable to the determination of the applicant’s service area:

- 1. The current and projected geographic retail area for which a public water supply utility intends to provide and bill for potable water for the duration of the permit.
- 2. The current and projected geographical retail areas of a public water supply utility that is not required to have a Wholesale Water Use Permit but which purchases water wholesale from the Applicant;
- 3. Areas where the Applicant bills for water use although another entity or utility has a Wholesale Water Use Permit for distribution of the water to the population.

The area for which a Wholesale Public Supply Permittee distributes potable water and bills customers for that water is not included in the wholesaler supplier’s service area.

Public water supply applicants and their wholesale customers that operate “community water systems” as that term is defined by the Florida Department of Environmental Protection in Rule 62-550.200, F.A.C., ~~and provide or propose to provide water to the public for compensation,~~ shall be considered public water supply “utilities.” For the purposes of this rule, an entity which submeters a master-metered connection to a utility and bills for the metered water use is not considered a public water supply utility.

Public supply permit Applicants with a defined service area must submit an up-to-date map of the service area with clearly marked, identifiable boundaries at the time of application for a new permit, permit modification (not letter modification) or permit renewal. The map submitted must clearly show any changes to the service area relative to the service area depicted in the District’s electronic public supply service area boundary map. The map must clearly delineate the current area served from any proposed service area(s) if the current and proposed areas are not the same, and the applicant is applying for quantities for the proposed service area. The map may be paper or District compatible electronic file format. During the term of the permit, for permits with durations longer than six years, an up-to-date service area map shall be submitted every six years. With each service area map submittal, the following information must be included:

- 1. A current general utility contact person name, title, email address and phone number.
- 2. A current contact person name, title, email address and phone number whom District staff may call concerning the service area map.
- 3. The metadata for the map if the map is submitted as an electronic file that is compatible with the District’s format.
- 4. The District permit numbers and Florida Department of Environmental Protection Public Water Supply Identifier (PWSI) numbers and area designation

- names for each service area or sub-service area, as applicable.
5. An indication of routine water transfer interconnections between service areas and other utilities or wholesale suppliers or recipients.
  6. The name, contact person, phone number, and District permit number(s) of each utility that purchases water from the permittee on a routine basis and the most recent year's purchase quantity in millions of gallons per day.
  7. The name, contact person, phone number, and District permit number(s) of each utility that the permittee purchase water from on a routine basis and the most recent year's purchase quantity in millions of gallons per day.

Definable areas within a service area which are served by domestic potable wells shall be delineated and designated by the permittee as non-served areas unless documentation such as a capital improvement plan is provided that demonstrates that the area will be supplied by the applicant within the term of the permit. Quantities shall not be permitted for overlapping service areas or service areas that are in dispute.

CHAPTER 3 OF THE BASIS OF REVIEW

Changes proposed to Section 3.1, REASONABLE DEMAND, the new subsection titled "Reasonable Water Needs In The SWUCA" are shown to the proposed language in an underline and strikethrough format below:

3.1 DETERMINING REASONABLE QUANTITIES  
REASONABLE DEMAND

Reasonable Water Needs In The SWUCA – The reasonable water needs of all applicants for permit renewals, New Quantities and Self-Relocation will be closely evaluated by the District. For renewals and Self-Relocations the evaluation period will be the previous permit term, taking into account climate variability, market conditions, and other factors that influence water withdrawals. Permittees who have not utilized the full previous allocation because circumstances prevented full implementation of the plan on which the allocation was based will be required to demonstrate that the need for the full allocation will occur within the next permit term. To support any future needs, this demonstration must include substantive documentation of the proposed need such as materials orders, construction plans or an operations or business analysis or plan that otherwise specifically justifies the requested quantities. In such cases, the permit ~~shall be restricted term may restricted to encompass the period over which the proposed need is projected to occur, or the permit may be conditioned~~ to reduce the permitted quantities should the proposed need not develop. For water uses affected by rainfall, the demonstration may include information showing the relationship between actual effective rainfall amounts affecting demand occurring over the previous permit term and any statistical rainfall analysis upon

which the previous permit allocation was based that contributed to the permittee's ability to use less than the full previous allocation. This paragraph shall be construed to provide for the allocation of sufficient quantities to meet the permittee's reasonable-beneficial needs during drought conditions as otherwise set forth in this Chapter 3 and consistent with the District's authority to address such uses during declared water shortages and emergency water shortages.

Proposed amendments to Section 3.1, the subsection titled "Alternative Water Supplies Within the SWUCA" are now as follows:

ALTERNATIVE WATER SUPPLIES SOURCES WITHIN THE SWUCA

Reuse Goal – Water Use Permittees within the SWUCA who generate treated domestic wastewater are encouraged to demonstrate that maximization of beneficial reuse is occurring such that ~~by September 30, 2004,~~ 50% or more of the total annual effluent flow is beneficially reused. Beneficial reuse is the use of reclaimed water for one of the activities described below. The calculation of the percentage beneficially reused shall be based on the Permittee's wastewater treatment plants with a capacity of 0.5 mgd or greater. Progress toward this goal shall be described in the Alternative Water Source Suppliers report described in Section 3.1, the paragraph titled "Alternative Source Suppliers Within The SWUCA," below.

1-1-03, \_\_\_\_\_

Proposed amendments to Section 3.1, the subsection titled "REPORTING ALTERNATIVE WATER SUPPLY QUANTITIES WITHIN THE SWUCA" are now as follows:

REPORTING ALTERNATIVE WATER SUPPLY SOURCE QUANTITIES WITHIN THE SWUCA

Alternative Water Source Suppliers Within The SWUCA – Governmental or other entities holding Water Use Permits within the SWUCA and which generate treated wastewater effluent or supply stormwater shall submit an annual Suppliers of Alternative Water Supplies Source Report. This requirement shall be implemented by attaching a permit condition to all applicable permits upon January 1, 2003. The Suppliers of Alternative Water Supplies Source Report will require the Permittee to provide information about locations and quantities of Alternative Water Supplies delivered sources supplied, effluent disposed and supplied as beneficial reuse, and information about individual customer reuse connections.

1-1-03, \_\_\_\_\_

Alternative Water Supply Source Receivers Within The SWUCA – All permitted uses within the SWUCA which receive reclaimed water or stormwater (e.g. golf courses, industrial/commercial uses, agricultural uses, etc.) shall be required to meter, record and report Alternative Water Supply source quantities and sources on a monthly basis. Permittees shall list the Alternative Water Supply source supplier's

name, location, and quantities obtained in gallons per day, for each source. This requirement shall be implemented by attaching a permit condition to all applicable permits.

1-1-03, \_\_\_\_\_

Changes proposed to Section 3.1, the new subsection titled “Permits With Alternative Water Supplies In The SWUCA” are shown to the proposed language in an underline and strikethrough format below:

Permits With Alternative Water Supplies In The SWUCA

New Permits – If an application includes the use of Alternative Water Supplies to supply all or a portion of the requested demand, and the applicant demonstrates that, through no fault of the applicant, the Alternative Water Supplies are vulnerable to becoming unavailable, insufficient or unsuitable for the authorized use, upon request by the applicant, a permit will be issued that puts use of the non-alternative source on standby status, provided the withdrawal and use of the non-alternative water supply source meets all the conditions for issuance. The standby quantity will be for an amount equal to the quantity offset by the Alternative Water Supplies. This standby quantity is to be used only when the Alternative Water Supplies become unavailable, insufficient or unsuitable; or economically, technically or environmentally infeasible for the authorized use. In no case will the standby quantity exceed the permitted quantity.

Proposed amendments to Section 3.3 AGRICULTURE, the paragraph titled “PASTURE IRRIGATION” are now as follows:

3.3 AGRICULTURE  
PASTURE IRRIGATION

Applications for the irrigation of unimproved pasture will not be approved. Authorization of water use for improved pasture shall may be given based on the three driest months of the year (~~April, May, October~~) if the Applicant documents that an operable irrigation system exists (or is proposed) and is capable of delivering the requested amount. Permitted quantities for pasture irrigation will be based on the assigned efficiency standards set forth in Table 3-2 or historical irrigation quantities or schedules, whichever is less.

Changes proposed to Section 3.3, AGRICULTURE, the subsection titled “REPORTING REQUIREMENTS FOR IRRIGATION WATER USE WITHIN THE SWUCA”, the paragraphs titled “Compliance Within The SWUCA” are now as follows:

Compliance Within The SWUCA – Permittees who exceed the allocated quantities, which include standard and drought quantities as applicable, shall submit a report to the District which shall include reasons why the allotted quantities were exceeded, measures taken to attempt meeting the allocated quantities, and a plan to bring the permit into compliance. Allocated quantities are determined by multiplying the total irrigated acres by the total allocated inches per acre per season

per crop. Reports for Permittees not achieving the allotted quantities are subject to District approval. ~~If the report is not approved, the Permittee is in violation of the Water Use Permit.~~ Transferred \_\_\_\_\_

The District will evaluate information submitted by Permittees who exceed their allocated quantities to determine whether the lack of achievement is justifiable and a variance is warranted. Permittees may justify lack of achievement by documenting unusual water needs, such as unusual soil or weather conditions creating greater irrigation needs than normal. However, even with such documented justification, phased reductions in water use shall be required unless the District determines that water usage was reasonable under the circumstances reported and that further reductions are not feasible. For such Permittees, on a case-by-case basis, individual efficiency criteria may be developed for each management period. Justification for the exceedance does not constitute a waiver of the District’s authority to enforce the terms and conditions of the permit.

Proposed amendments to Section 3.6, PUBLIC SUPPLY, the subsection titled “PER CAPITA DAILY WATER USE WITHIN THE SWUCA” are now as follows (last sentence added):

3.6 PUBLIC SUPPLY  
PER CAPITA DAILY WATER USE WITHIN THE SWUCA

Adjusted Gross Per Capita – Within the SWUCA permittees shall have an adjusted gross per capita daily water use rate no greater than 150 gallons per person per day (gpd). Permittees may deduct significant uses, treatment losses, and environmental mitigation. However significant uses must be reported if deducted and accounted for in a water conservation plan developed by the applicant/permittee which includes specific water conservation programs for each user or type of use, as described in the section “Deducted Water Uses Within the SWUCA”, below. Within the Southern Water Use Caution Area, Adjusted Gross per capita daily water use is defined as withdrawals associated with residential, business, institutional, industrial, miscellaneous metered, and unaccounted uses. Permittees with per capita daily water use which is increased skewed by the demands of significant water uses can deduct these uses provided that these uses are separately accounted. However, they must be reported. The formula used for determining adjusted gross per capita is as follows:

$$\frac{WD + IM - EX - TL - SU - EM}{FP \text{ Population}}$$

Where:

- WD = ground water and surface water withdrawals
- IM = water imported/bought from another supplier
- EX = water exported/sold to other suppliers
- TL = treatment loss (typically R/O or sand filtration)
- SU = significant uses

EM = environmental mitigation, if required as a District permit condition

FP = functional population is the permanent population as adjusted by the seasonal resident, tourist, group quarters and commuter population within a utility's service area as determined in accordance with "Requirements for the Estimation of Permanent and Temporal Service Area Populations," dated \_\_\_\_\_ 2006, as set forth in Part D of the Basis of Review For Water Use Permit Applications. See the paragraph titled "SERVICE AREA FUNCTIONAL POPULATION ESTIMATES WITHIN THE SWUCA" below for further information.

~~Population = functional population~~  
1-1-03, Amended \_\_\_\_\_

Changes proposed to Section 3.6, the new subsection titled "Significant Use Within The SWUCA" are shown to the proposed language in an underline and strikethrough format below:

Significant Use Within The SWUCA -Public supply utilities often supply water for non-residential customers. If this non-residential use complies with any of the following criteria (listed A through E below), the use may be termed a significant use by the applicant and be deducted from the utility's gross total water use prior to calculating their Compliance Per Capita Use. Whether or not any single significant use described in Part A below is deducted for compliance per capita calculation, all must be reported in the annual report. Golf course and multi-family residential use (whether classified by the utility as commercial customer or not) do not qualify as significant uses.

A. Single Significant Use – A single significant use is an industrial/commercial (I/C) facility or other non-residential, non-governmental facility (which may consist of one or more buildings under common ownership, maintenance and management control at a single site or campus) that is supplied with greater than or equal to 25,000 gpd of water on an annual average basis (calculated for a calendar year), or whose water use comprises more than five percent of the utility's annual water use (calculated for a calendar year). Facilities that are not related under common ownership, maintenance and management control shall not be combined to meet a single significant use threshold. For reporting purposes, each single significant use shall be identified by customer name, and the annual gallons per day supplied to that customer shall be provided. If the 25,000 gpd criteria is used for facility, the five percent criteria may not also be used, and vice-versa.

This significant use deduction can be used in conjunction with the significant use deductions associated with regional government, higher education, and regional health care facilities as described in Parts C. and D. below. All of the water provided to businesses where water itself is the primary ingredient in the product can be added to these deductions. Such businesses are described in E below.

Exclusions: This single significant use deduction shall not be used if the permittee:

1. Uses the District-Wide Percent I/C Use method described below, or
  2. Includes commuter population estimates in their service area population estimates.
- B. District-Wide Percent I/C Use – Utilities with a large number of I/C (industrial/commercial) accounts, ~~each of~~ which fall below the 25,000 gpd single significant use threshold or the five percent of total utility use threshold may combine these smaller uses and deduct the percent of their I/C use that is greater than the District-wide three-year average percent I/C use which will be available annually from the District. Documentation for this method shall include-completion and submittal to the District of the I/C Worksheet, contained in Part D, Appendix C, of the Basis of Review WUP Form No. \_\_\_\_\_ (mo, year) where commercial accounts are to be grouped by meter size, the total number of accounts shown as well as the total quantities supplied to each meter-size group. The deduction shall be calculated as follows:
- a. Sum the total actual use for these accounts and divide by the total Gross Water Use Form A of the Public Supply Per Capita Survey (supplied by the District) to determine the utility's percent I/C use.
  - b. From the Public Supply residential water use tables in the District's three most recently published "Estimated Water Use" reports, add the total for each of the three year's Public Supply District "Gross Use" and add each of the three year's District "I/C Use".
  - c. Divide the summed "I/C Use" by the summed "Gross Use" to derive the District-wide three-year average percent I/C use (to be referred to as the "District-Wide Percent I/C Use").
  - d. Compare the Permittee's percent I/C Use to the District-Wide Percent I/C Use. If the Permittees' percent is equal to or less than the District-Wide Percent I/C Use, no deduction may be taken. If the



Permittee's percent I/C use is higher, subtract the District-wide Percent I/C Use from the Permittee's percent I/C use to find the difference in percentages.

- e. Multiply the Permittee's Gross Use by the difference in percentages.

Example:

1. A permittee's Gross Use is 5 MGD, and their combined I/C Use is 1.5 MGD. Their percent I/C Use is  $(1.5 \text{ MGD} / 5 \text{ MGD}) = 30\%$ .
2. The sum of all Public Supply permittees' "Gross Use" for 2000, 2001, and 2002, as published in the District's 2000, 2001, and 2002 Estimated Water Use Reports, is 1,218 MGD, and the sum of all Public Supply permittees' "I/C Use" for the same three years is 283 MGD.
3. The District-wide Percent I/C Use is  $(283 \text{ MGD} / 1,218 \text{ MGD}) = 23.2\%$ .
4. The permittee's percent is higher, so  $30\% - 23.2\% = 6.8\%$
5.  $6.8\% \text{ times } 5 \text{ MGD} = 0.340 \text{ MGD}$ .

The permittee may deduct 340,000 gpd from their total gross water use prior to calculating the compliance per capita water use.

Exclusions: This method of significant use calculation may not be used if the permittee:

1. Uses any other significant use deduction method, or
2. Includes commuter population in its estimate of service area functional population.
- C. Combined Regional Government and Higher Education Facilities – Some of the water provided to regional governmental or higher educational facilities (which may consist of one or more buildings under common ownership, maintenance and management) that are located inside the utility's service area but also serve persons who live outside of the utility's service area may be deducted. The name and use for each facility deducted must be provided. The deduction shall be calculated as follows:
  1. Add the gallons per day of water provided to all of these facilities.
  2. Using the most recent U.S. Census for the county, determine the percent of the permanent county population not living in the utility's service area.
  3. Multiply the percent of county residents who do not live within the utility's service area times the combined use of the facilities. The amount calculated can be deducted.

Note: City parks, recreation centers, public and private K-through-12 schools, city or town governmental facilities, local vocational-technological schools and other facilities which generally only serve the service area population shall be excluded. The following are examples of facilities for which the water provided may be partially deducted:

- a. Community colleges, colleges and universities (public or private), and
- b. County, state, and federal regional administrative and maintenance facilities, ~~and~~
- e. ~~County, state and federal prisons if Group-Quarters population (as provided in the Census) is not calculated.~~

Exclusions: The water use of these facilities may not be deducted under the provisions of this section if the permittee:

- a. Uses the District-Wide Percent I/C Use method, or
- b. Includes commuter population estimates in service area population estimates.
- D. Individual Regional Health Facilities – Some of the water provided to health care facilities such as regional hospitals or specialty clinics (which may consist of one or more buildings at a single site or campus under common ownership, maintenance and management) that are inside the utility's service area but also serve persons living outside the utility service area boundaries may be deducted. The allowable deduction is calculated individually for each health care facility. It is the ratio of annual admissions with patient zip codes outside the service area to the total number of annual admissions times the water provided to the health care facility. The name and water use for each facility must be provided.

Exclusions: The water use of these facilities may not be deducted as an individual significant use under the provisions of this section if the permittee:

- 1. Uses the District-Wide Percent I/C Use method, or
- 2. Includes commuter population estimates in service area population estimates.
- E. Individual Industrial/Commercial Facilities Where Water is the Primary Ingredient of the Final Product – Individual facilities such as brewers, soft-drink bottlers, and juice reconstitution plants (which may consist of one or more buildings at a single site or campus under common ownership, maintenance and management) where water is the primary ingredient of the final product may deduct 100 percent of the water in the product.

The permittee may choose to also take single significant use deductions described in A. above or use commuter population in its estimate of the functional population, but not both.

Exclusions: The water use of such facilities cannot be deducted if the permittee uses the District-Wide Percent I/C Use method. Proposed amendments to Section 3.6, PUBLIC SUPPLY, the subsection titled "Deducted Water Uses Within The SWUCA" are now as follows:

Deducted Water Uses Within The SWUCA –

A water conservation plan and water survey specific to each business type (e.g., offices, restaurants, retail/wholesale, etc.) or group type (government or higher education) for each significant use type that is deducted as a significant use shall be provided in lieu of a water conservation plan for each individual I/C customer included pursuant to B. District-Wide Percent I/C Use, and C. Combined Regional Government and Higher Education Facilities above. This survey shall document the types of water uses that occur within the significant user's facility, the quantities associated with these uses, and any leak-detection or conservation activities undertaken by the user. ~~Environmental mitigation quantities permitted by the District and treatment losses such as desalination reject water and sand filtration backwash water shall be identified and reported separately, and shall not be included in the calculation of per capita use.~~ Water supplied to wholesale public supply customers that are not required to obtain a Wholesale Public Supply Water Use Permit shall be identified and reported separately, with a separate per-capita use calculated for each wholesale customer in addition to the wholesaler.

1-1-03, \_\_\_\_\_

Proposed amendments to Section 3.6, PUBLIC SUPPLY, the subsection titled "RESIDENTIAL WATER USE REPORTS WITHIN THE SWUCA" are now as follows:

RESIDENTIAL WATER USE REPORTS WITHIN THE SWUCA

Beginning January 1, 2003, public supply permittees in the ~~SWUCA Southern Water Use Caution Area~~ shall be required to annually report residential water use by type of dwelling unit, as required in "Annual Reports," items ~~9, 10, 11 and 12~~, below. Residential dwelling units shall be classified into single family, multi-family (two or more dwelling units), and mobile homes. Residential water use consists of the indoor and outdoor water uses associated with these classes of dwelling units, including irrigation uses, whether separately metered or not. The permittee shall document the methodology used to determine the number of dwelling units by type and their quantities used. Estimates of water use based upon meter size may be inaccurate and will not be accepted.

1-1-03, \_\_\_\_\_

Proposed amendments to Section 3.6, PUBLIC SUPPLY, the subsection titled "ANNUAL REPORTS WITHIN THE SWUCA" are now as follows:

ANNUAL REPORTS WITHIN THE SWUCA

Public supply utility permittees with a withdrawal point in the ~~SWUCA, Southern Water Use Caution Area~~, except those excluded by Rule 40D-2.801(b)(3), (5) and (6), F.A.C., whose permit requires the submittal of pumpage data shall submit the information specified below in an annual report covering the preceding calendar year, This report is due no later than on April 1.

Those public supply utility permittees with a permit for less than 100,000 gpd annual average quantities and who have an adjusted gross per capita rate less than 150 gpd ~~meet the applicable per capita requirements~~ are required to submit items 1 through 6 and items ~~10, 11 and 12~~ 10, 11 and 13 only.

1. Service area ~~f~~Functional population served and methodology for determining service area functional population (see related provision under the provisions of SERVICE AREA FUNCTIONAL POPULATION ESTIMATES WITHIN THE SWUCA below);
2. Significant deducted uses, the associated quantity, and conservation measures applied to these uses;
3. Total withdrawals (the permittee may use data from a master meter for this item);
4. Treatment losses;
5. Environmental mitigation quantities;
6. Sources and quantities of incoming and outgoing transfers of water and wholesale purchases and sales of water, with quantities determined at supplier's departure point;
7. A description of the current water rate structure;
8. Water audit report, if applicable;
9. Residential use information as follows:
  - ~~a.~~ The number of single family units served and their total water use;
  - ~~b.~~ The number of multi-family units served and their total water use;
  - ~~c.~~ The number of mobile homes served and their total water use, if not included in item a. or b. above;
  - ~~10.~~ The quantity of total reclaimed water or stormwater provided by the permittee for use on both a total annual average daily and monthly basis;
  - ~~11.~~ For all individual customer reuse connections with line sizes of four inches or greater:
    - a. Account name and address;
    - b. Location of connection by latitude-longitude;
    - c. Line size;
    - d. Whether metered; and
    - e. Metered quantities if metered; and

12.14- Annual average daily quantity of unaccounted water and the percentage of unaccounted water relative to total withdrawals.

13.15- With every sixth yearly report, a current service area map in accordance with Section 2.5 of this Basis of Review.

1-1-03, \_\_\_\_\_

Changes proposed to Section 3.6, the new subsection titled “SERVICE AREA FUNCTIONAL POPULATION ESTIMATES WITHIN THE SWUCA” are shown to the proposed language in an underline and strikethrough format below:

SERVICE AREA FUNCTIONAL POPULATION ESTIMATES WITHIN THE SWUCA

Permittees required to submit service area functional population estimates in the SWUCA shall estimate both permanent resident, ~~and~~ temporal resident, and group quarter populations. ~~Estimation of~~ Service area tourist and net commuter population may be estimated as well. All estimates must be prepared in accordance with “Requirements for the Estimation of Permanent and Temporal Service Area Populations,” dated \_\_\_\_\_, 2006, as set forth in Part D of the Basis of Review For Water Use Permit Applications. Public supply permittees whose permit requires the submittal of pumpage data shall submit the applicable Worksheets from Part D and supporting documentation for calculations of per capita rates utilizing this standardized methodology beginning two years from [the effective date of the rule].

New \_\_\_\_\_

CHAPTER 4 OF THE BASIS OF REVIEW

The changes proposed to Section 4.3, in the new subsection titled “B. Withdrawals Within the SWUCA That Affect Minimum Flows and Levels Water Bodies”, the new paragraphs titled “GENERAL” are shown to the proposed language in an underline and strikethrough format below:

4.3 Minimum Flows and Levels

B. Withdrawals within the SWUCA That Affect Minimum Flows and Levels Water Bodies  
GENERAL

In establishing Minimum Flows and Levels within the SWUCA as required by Section 373.042, F.S., and which are set forth in Chapter 40D-8, F.A.C, the District has determined that the actual flows and water levels for most of the water bodies for which Minimum Flows and Levels have been established are below the Minimum Flow and Level. The District is expeditiously implementing a recovery strategy for the SWUCA in keeping with the District’s legislative mandates pursuant to Sections 373.036, 373.0361, 373.0421 and 373.0831, F.S. The SWUCA provisions of Chapter 40D-2, F.A.C., the Basis of Review For Water Use Permit Applications. and Chapter 40D-80, F.A.C., set forth the regulatory portion of the recovery strategy for the SWUCA.

The District will conduct an annual assessment of water resource criteria and cumulative impacts and evaluate the status of the recovery strategy every five years prior to 2025, as provided in Rule 40D-80.074, F.A.C. Based on the annual assessment and five year evaluation, the District will ~~may~~ revise this Section 4.3 B. in accordance with 40D-80.074 as appropriate. Compliance with Section 4.3 B. does not, by itself, satisfy the requirements of Chapter 40D-2, F.A.C., for applications requesting new withdrawals submitted on or after [effective date of rule].

Changes proposed to Section 4.3, Minimum Flows and Levels, in the new subsection titled “B. Withdrawals within the SWUCA That Affect Minimum Flows and Levels Water Bodies”, in paragraph 3. “Applications For New Ground Water Quantities Submitted On Or After (effective date of rule), Below Minimum Flow or Level”, in subparagraphs c. Ridge Lakes and d. No Impact to Salt Water Intrusion Minimum Aquifer Level, are shown to the proposed language in an underline and strikethrough format below:

4.3 Minimum Flows and Levels

B. Withdrawals within the SWUCA that Affect Minimum Flows and Levels Water Bodies  
Below Minimum Flow Or Level

3. Applications For New Ground Water Quantities Submitted On Or After (effective date of rule)

c. Ridge Lakes and d. No Impact to Salt Water Intrusion Minimum Aquifer Level

c. Ridge Lakes – If the above conditions are not met, the withdrawal shall ~~can~~ be authorized only if the applicant proposes to implement a Net Benefit as described in paragraph 4., below. ....

d. No Impact to Salt Water Intrusion Minimum Aquifer Level., Upper Peace River and Ridge lakes – If the proposed withdrawal is determined to comply with 40D-2, F.A.C., and this Basis of Review, the withdrawal shall ~~can~~ be authorized.

Changes proposed to Section 4.3, Minimum Flows and Levels, in the new subsection titled “B. Withdrawals within the SWUCA That Affect Minimum Flows and Levels Water Bodies, Below Minimum Flow or Level”, in paragraph 3. “Applications For New Ground Water Quantities Submitted On Or After (effective date of rule), Below Minimum Flow or Level”, in subparagraph 4. “Net Benefits”, are shown to the proposed language in an underline and strikethrough format below:

4. Net Benefit

If an applicant must implement a Net Benefit to obtain the permit, a permit shall ~~can~~ be issued if the applicant provides reasonable assurance that implementation of its proposed Net Benefit will mitigate the predicted impacts by one of more of the options listed below.

The changes proposed to Section 4.3, Minimum Flows and Levels, in the new subsection titled “B. Withdrawals within the SWUCA That Affect Minimum Flows and Levels Water Bodies”, in paragraph 3. “Applications For New Ground Water Quantities Submitted On Or After (effective date of rule), Below Minimum Flow or Level”, in subparagraph 4. “Net Benefits”, c. Ground Water Replacement Credit in the SWUCA paragraph (3) are shown to the proposed language in an underline and strikethrough format below:

- (3) The Supplier and Receiver shall apply to the District for the credit and will indicate to the District which entity should obtain the credit quantity, or whether the credit quantity will be divided between them or assigned to a third party. ~~To apply for a credit an entity must submit the Ground Water Replacement Credit Application Form No. XXX, WUP \_\_\_\_\_ which must be signed by all involved parties.~~

CHAPTER 6 OF THE BASIS OF REVIEW

Proposed amendments to Section 6.1, STANDARD PERMIT CONDITIONS, No. 19, are now as follows:

6.1 STANDARD PERMIT CONDITIONS

- 19. Within the SWUCA Southern Water Use Caution Area, if the District determines that significant water quantity or quality changes, impacts to existing legal uses, or adverse environmental impacts are occurring, the permittee shall be provided with a statement of facts upon which the District based its determination and a opportunity to address the change or impact prior to a reconsideration by the Board of the quantities permitted or other conditions of the permit. ~~Board, upon reasonable notice to the permittee, including a statement of facts upon which the District based its determination, may reconsider the quantities permitted or other conditions of the permit as appropriate to address the change or impact, but only after an opportunity for the permittee to resolve or mitigate the change or impact or to request a hearing.~~

Proposed amendments to Section 6.6, SWUCA PERMIT CONDITIONS, Standard Condition are now as follows:

6.6 SWUCA PERMIT CONDITIONS

Standard Condition

Within the SWUCA Southern Water Use Caution Area, if the District determines that significant water quantity or quality changes, impacts to existing legal uses, or adverse environmental impacts are occurring, the permittee shall be provided with a statement of facts upon which the District based its determination and an opportunity to address the change or impact prior to a reconsideration by the Board of the quantities permitted or other conditions of the permit. ~~Board, upon reasonable notice to the permittee, including a statement~~

~~of facts upon which the District based its determination, may reconsider the quantities permitted or other conditions of the permit as appropriate to address the change or impact but only after an opportunity for the permittee to resolve or mitigate the change or impact or to request a hearing.~~

1-1-03, \_\_\_\_\_

PART D OF THE BASIS OF REVIEW

Requirements for the Estimation of Permanent and Temporal Service Area Populations in the Southern Water Use Caution Area

List of Acronyms and Definitions

The following Acronym and Definition is added:

CHOUSUNITS – Census total housing units – data from the most recent decennial Census (2000 Census SF1 File, Variable H001001/American Factfinder Table H1, or equivalent data for subsequent Census)

Changes proposed to new Part D, to the new proposed language, are shown in an underline and strikethrough format below:

- 2.2 Complete Worksheet C (Households & Group Quarters) by selecting the appropriate Census blocks and data to represent the retail water service area. Data shall be collected for blocks totally within and partially within the service area. The selection of Census blocks and data must be in accordance with Section 2.1 of Appendix A. Data sources are provided in Section 2.2 of Appendix A. Census geography identifier and county codes are defined in Section 2.3 of Appendix A. For each selected block, enter the following most recent Census data.
  - a. Census county name or code
  - b. Census tract number
  - c. Census block number
  - d. Census Population in Households (CPOPNNH)
  - e. Census Households (CHH)
  - f. Census Group Quarters Population (CGRUPPOP)
  - g. Census Housing Units (CHOUSUNITS)

Sum the data for CPOPNNH, CHH and CGRUPPOP and enter the appropriate sums under “CPOPNNH”, “CHH”, ~~and~~ “CGRUPPOP”, and CHOUSUNITS in Section 2 of Worksheet B. Utilities with large numbers of Census blocks in the service area may submit an electronic file such as a spreadsheet or the output of a database or statistical analysis software in lieu of Worksheet C so long as the utility and Census geographies are clearly identified, the same data are reported, and the data are clearly labeled.
- 2.3 Complete Worksheet D
  - a. District-Provided Seasonal and Permanent Resident Population Data: Estimated Census year peak seasonal and permanent resident population by ZCTA are available from the District’s website

or, if access to the website is not available or sufficient, from the District’s Planning Department, for the calculation of the SEASRR. Compare the service area to Geographic ZIP Code or ZCTA maps. See Section 3.2.1 of Appendix A for ZCTA map sources if not using geographic mapping software. Census ZCTAs are generally congruent with Geographic ZIP Codes. Where they are not, the District has assigned such new Geographic ZIP Codes to appropriate ZCTAs. Select the appropriate ZCTAs to represent the retail water service area in accordance with the provisions of Section 3.2.2 of Appendix A. Data from ZCTAs that are completely within the service area shall be utilized in the calculation of the SEASRR. If a service area is entirely within a ZCTA, then only the data from that ZCTA shall be used in the calculation of the SEASRR. For ZCTAs that are partially within the service area, any utility may use the 34% housing unit selection criteria described in i. below and Section 3.2.3 of Appendix A. Only small utilities may use the billing ZIP Code analysis methodology described in ii., below, and Section 3.2.4 of Appendix A.

- i. 34% Housing Unit ZCTA Selection Criteria: For those using the 34% selection method to determine whether ZCTAs that are partially in the service area must be included, complete Worksheet E by entering the ZCTA number, and then the total Census number of housing units (CHOUSUNITS) in the ZCTA under “A.” See Section 3.2.3 of Appendix A for Census housing unit data sources. Enter the number of Census housing units for each Census block that is both in the service area and the ZCTA under “B”. If the sum of the housing units from blocks both in the service area and the ZCTA (“C”) divided by the total the total housing units in the ZCTA (“A”) is equal to or greater than 0.34, then the estimated seasonal and permanent resident data from that ZCTA shall be used in the calculation of the SEASRR on Worksheet D (along with data from any ZCTAs that are wholly within the service area).

3.2 Completion of Worksheet G – Part 2 (Tourist Lodging Tax Method)

In Section a. of Part 2, enter the monthly or average monthly (annual divided by 12) tourist accommodations tax collections and the tourist accommodations tax rate for the area approximately congruent with the retail service area. See Section 5.2 of Appendix A for information on tax data availability and average daily room rates. The tax rate should

be entered for each month even if the rate does not change. Calculate the monthly room revenue as indicated in the formula. Next enter the average daily room rate for each month or the average annual daily room rate. Next, calculate the total room days per month as indicated in equation. Sum the monthly room days and enter the result under “L”.

In Section b. of Part 2, select the average guests per room as in Section c. of Part 1. Enter the selected value under “M”. See Section 5.1.3 of Appendix A for information on values.

- 4.2 Complete Worksheet I by entering District-provided net commuter and population in households data for tracts entirely within the service area and those partial tracts meeting the 34% criteria in Worksheet H.

Continuing with Worksheet I, sum the net commuters by Census tract and enter the result under “A”. Enter the corresponding Census housing units population in households by tract and sum the results under “B”. Calculate the ratio of net commuters to Census housing units population in households as indicated in the equation for “C”.

Estimate the number of net commuters for the service area as indicated in the equation for “D”. The RESUNITS PERMPOP (PERMANENT RESIDENT POPULATION OF THE SERVICE AREA (residential units served for the year of interest) is copied from Section 19 of Worksheet B.

Appendix A to Part D

Population Data Sources, Details & Examples For Worksheets A-I

Changes proposed to new Appendix A to Part D, to the new proposed language, are shown in an underline and strikethrough format below:

Table of Contents

1.0	Worksheet A: Residential Account Housing	A-4
1.1	Utility Data Required	A-4
2.0	Worksheet C: Households, <del>and</del> Group Quarters and Housing Units	A-4
1.	Worksheet A: Residential Account Housing	
1.1	Utility Data Required	

The number of actual or equivalent residential account housing units served in April of the year of interest for the retail water service area. Data from a month other than April may be used if included in regularly produced utility reports. However, data from the same month must be used on a consistent basis from year to year.

Equivalent housing units for master-metered residential accounts must be an actual count or must be estimated using Worksheet A (Residential Account Housing Unit Estimation Worksheet) and shall not include any accounts other than those that serve residential housing. No irrigation (residential or otherwise), commercial, industrial, institutional, government, etc. accounts shall be included. Nursing home, prison, dormitory, etc., populations shall be calculated according to the requirements for estimating group quarters population, as

specified in Section 2.11. The number of meters by customer class and size, and all other utility furnished data shall be documented.

2. Worksheet C: Households, and Group Quarters and Housing Units

2.1 Census Data Required<sup>1</sup>

For the Census blocks which fall either entirely or partially within the current retail water service area, the following most recently available decennial Census data must be used:

- a. Population in households (for the 2000 Census, data set SF1, table P16, or equivalent),
- b. Households (for the 2000 Census, data set SF1, table P15 or equivalent), and
- c. Group quarters population (for the 2000 Census, data set SF1, table P27 or equivalent)
- d. Housing units (for the 2000 Census, data set SF1, table H1 or equivalent

3.2 District-Provided Hospital Admissions to Generate Seasonal Population Data

Development of Hospital Admissions Data if Not Available from District – The Census year estimated seasonal population for the service area ZIP codes/ZCTAs is estimated as the 3-year average of the non-negative differences between 1st quarter and 3rd quarter emergency admissions for the 55 – 84 age group divided by an assumed District-wide admissions incidence (probability). The three years used to calculate the average difference shall be the year before the Census (Census – 1), the year of the Census (Census), and the year after the Census (Census + 1).

The first quarter of the year is when most seasonal residents reside in Florida and the third quarter is when the least reside in the State. The 55 – 84 age group is reflective of the age characteristics of the seasonal resident population.

The District-prescribed admissions incidence for seasonal residents is based on third quarter emergency hospital admissions for the age group ~~45 35 – 74 64~~. The emergency admissions incidence for seasonal residents is based on a younger age group because both anecdotal evidence and research indicate that the seasonal resident population is generally healthier than the equivalent age resident permanent resident population. The incidence is calculated as the 3-year average of 3rd quarter emergency admissions for the ~~45 35 =~~

1. See Section 3.2 for potential additional Census data requirements.

~~74 64~~ age group divided by the Census year total ~~45 35 – 74 64~~ age group population for the ZIP codes and ZCTA's in the District. Again, the three years used to estimate the average Census year admissions for this incidence are Census – 1, Census, and Census +1. For the 2000 Census, the District-wide ~~45 35 – 74 64~~ emergency admissions incidence to be used in estimating the Census year seasonal resident population is ~~0.015302 0.011656~~.

3.2.3 Worksheet E: Partial ZCTA Selection – 34% Housing Unit ZCTA Selection Criteria

“34%” Partial ZCTA Selection Example

Comparing a service area map to ZCTA maps reveals that ZIP Codes 335X1 and 335X3 are clearly within Acme Utility's service area. A good bit of ZIP code 335X2 also appears to be in the service area. A small portion of 335X5 appears to be in the service area. Should 335X2 and 335X5 be included? Selecting all the Census blocks in 335X2 that are totally or partially within the service area results in 2,462 housing units. The total number of housing units in ZCTA 335X2 is 4,774. Selecting all the Census blocks wholly or partially ~~entirely~~ in ZCTA 335X5 results in 1,231 housing units. The total number of housing units in ZCTA 335X5 is 3,817.

Partial ZIP Code	Housing Units In Service Area	Total Housing Units In ZCTA	Percent ZCTA Housing Units in Service Area	Include?
335X2	2,462	4,774	51.6%	Yes
335X5	1,231	3,817	32.3%	No

3.2.4 Worksheet F-Small Service Area ZIP Code Selection Step 2

– As it is very unlikely that the sum of Census block populations in households for the selected Census blocks will exactly match to totals in ~~the above Table A1 below~~, the minimum average annual third quarter admissions thresholds will have to be extrapolated as in ~~the Step 2b of Worksheet F and the~~ interpolation example below.

3.2.5 Example Calculation of Peak Seasonal Resident Ratio (SEASRR) – District Provided Data

The results of the following example Worksheet D Part 1 Peak Seasonal Resident Ratio will be used in subsequent Worksheet B example calculations.



Example Calculation of Estimated Census Year Peak Seasonal Resident Ratio

ZIP Codes/ZCTAs	Average Annual <del>Three-Year</del> Sum of 3rd Quarter Admissions by ZIP/ZCTA only if Small Service Area Partial ZCTA Selection Criteria Used	ZIP Code/ZCTA Estimated Census Year Peak Seasonal Resident Population	Census Year ZCTA Permanent Population
ZIP Codes/ZCTAs	A	B	C
335X1	163	<del>1,687</del> 1,687.256921	16,814
335X2	279	<del>829</del> 829.3296728	21,552
335X3	196	<del>1,001</del> 1,000.915122	25,920
Sum Seasonal (B) & Permanent (C) Populations		Sum of B = E 3,517	Sum of C = F 64,286

Peak Seasonal Resident Ratio (SEASRR) = (E + F) / F = ~~1.0547~~ 1.05471645

4.11 Worksheet B Section 13 – Calculation of Group Quarters Population

Calculate the ratio of Census group quarters population (CGRUPPOP) to Census housing units (CHOUSUNITS) ~~population in households. (CPOPNIH)~~ for the Census blocks wholly or partially within the service area. This ratio is then applied to the residential units served permanent resident population for the year of interest (RESUNITS) (~~PERMPOP~~) from Section 19 of Worksheet B. Permittees may also elect to survey group quarters population customers to determine the service area group quarters population. The survey must be conducted in accordance with the minimum sample size requirements of Appendix B of this document and the population must be estimated in a manner consistent with the Census definition of group quarters population. Since group quarters population is included in the service area population, the permittee may not treat group quarters accounts as commercial for purposes of deducting significant uses pursuant to “PER CAPITA WATER USE IN THE SWUCA,” Section 3.6 of the Basis of Review. Group quarters population for the year of interest (GRUPPOP) shall be calculated as follows:  
 (Census group quarters population/Census housing units population in households) x residential units served permanent resident population for the year of interest = GRUPPOP

Example:  
 (CGRUPPOP / CHOUSUNITS ~~CPOPNIH~~) x RESUNITS PERMPOP = GRUPPOP  
 = (300 / 15,000 32,500) x 17,746 41457 = 355 383

4.12 Worksheet B Section 14 – Calculation of Total Required Water Service Area Functional Populations for the Year of Interest (REQPOP)

The required service area population that must be submitted is the sum of the estimated permanent resident population (PERMPOP), functional seasonal resident population (FSEASPOP), and group quarters population for the year of interest (GRUPPOP). This calculation creates a functional population for the service area composed of functional seasonal, and permanent residents.

REQPOP Example:  
 PERMPOP + FSEASPOP + GRUPPOP = REQPOP = 41,457 41,232 + 1,754 1,743+ 355 383 = 43,566 43,594

5.1 Public Lodging Data Method

Functional tourist population in public lodging shall be calculated by multiplying the number of public lodging rooms within the service area times the average annual or monthly occupancy rate(s) times an average number of guests per room. Submitted lodging room inventory, monthly occupancy rate, and guests per room data shall be no more than six years old. Documentation shall be provided listing the facilities and their numbers of rooms.

5.1.1 Inventory of Service Area Public Lodging Rooms  
 For public lodging facilities such as hotels/motels, RV parks/campgrounds and short-term rental condominiums, “rooms”, “sites”, and “units” are used interchangeably. The number of available rooms in the service area shall be obtained from the Florida Department of Business and Professional Regulation (DBPR), local convention/visitor bureaus (if tailored to the service area), utility billing records or a survey of utility lodging customers (see Section 5.1.4 of this Appendix). The District intends to provide a periodically

updated electronic map of lodging facilities and numbers of rooms on its website. This file can be used with geographic information systems to determine the number of facilities and lodging units within a utility service area.

If not available from the District, the number of available public lodging rooms in the service area may be derived from data on the DBPR website (www.myflorida.com/dbpr/). The website provides information on the number of rooms along with the business name and location address that can be used to determine whether the lodging facility is located in the service area. Facilities are coded by type. The DBPR lodging facility codes to be used estimating available rooms are: 2001 (hotels), 2002 (motels), 2005 (bed and breakfast), 2006 (resort condominiums) and 2007 (resort dwellings). Note: If resort condominiums and dwellings are included in the utility's residential customer classes and are counted as public lodging units for tourist population estimation, then the number of such units shall be deducted from the dwelling unit counts in Worksheet A.

5.1.2 Average Annual Monthly Occupancy Rate

If monthly occupancy rates are not available from utility customer/consultant surveys, existing studies or sources such as conventions/visitor bureaus, the average monthly occupancy rate shall be calculated by averaging the monthly, quarterly or seasonal occupancy rates according to the available data. The average annual occupancy rate may also be used as the monthly occupancy rate. The shortest available duration occupancy rate data shall be utilized. Only data from source studies that include the service area shall be utilized. The geographic scope of average annual daily occupancy rate studies shall be no larger than county-wide unless the data are from a regional convention/visitors bureau. The example below shows the calculation of the average annual monthly occupancy rate from data other than utility lodging customer survey data. See Section 5.1.4 of this Appendix for an example of the calculation of occupancy rates from customer survey data.

6.0 Worksheets H & I – Functional Net Commuter Population (Optional)

The number of net commuters is then divided by the sum of Census housing units permanent population in households for the selected tracts. This results in a ratio of net commuters to total housing units permanent population in households (or percentage of population in households that are net commuters). This ratio is then applied to the Residential Permanent units served Population for the Year of Interest (RESUNITS) (PERMPOP) as calculated in Section 14.7 of this Appendix to estimate the year of interest net commuter population. The population is then multiplied by 8/24 (0.333) and 5/7 (0.714) to account for the length of the workday and the workdays of the week, respectively, to form a functional net commuter population.

6.3 If Not Using District Provided Commuter Data – Commuter Population and Population in Households Data to Be Collected Housing unit Population in households data (for the 2000 Census, data set SF1, table H1 P16, or equivalent) shall be collected for the selected tracts. Note: housing unit population in households data are not found in the CTPP but are found with regular Census data. See Section 2.1 of this Appendix.

6.4 Worksheet I – Calculation of Functional Net Commuter Population for the Year of Interest (FNETCOM)

The calculation of the net commuter population requires several steps. These are listed below. If using District-provided data, skip steps a, b, and c.

- a. *This step required only if not using District-provided net commuter data.* Sum the number of workers per tract from the CTPP Part III table 1 listing the number of workers per workplace census tract (QPOWTRACT). This total represents the number of workers that *work* in the service area tracts.
- b. *This step required only if not using District-provided net commuter data.* Sum the total number of resident workers per tract from the CTPP Part III table 1 listing the number of resident workers per residence census tract (TRACT). This total represents the number of workers that *live* in the service area tracts.
- c. *This step required only if not using District-provided net commuter data.* Subtract the total workers that live in the service area tracts (as determined in b. above) from the total workers that work in the service area tracts (as determined in a. above) to determine the total net commuter population for the service area. Enter the total under “A” in Worksheet I, or
- d. *Sum the District-provided net commuters by Census tract in Worksheet I under “A.”*
- e. Sum the Census housing units populations in households for the selected service area tracts under “B”.
- f. Divide the total net commuter population for the service area tracts (as determined in c. above or from District provided data in d) by the sum of the Census housing units populations in households for the selected tracts (as determined in e. above from Census sources or from District provided data). This ratio represents the ratio of net commuters to total housing units for the Census year (“C”) populations in households.
- g. Apply the ratio calculated in f. above to the residential units served Permanent Resident Population for the Year of Interest (RESUNITS) (as determined in Worksheet A) (PERMPOP) Section 9 of B to determine the year of interest net commuter



population. The net commuter population is assumed to grow in proportion with the service area housing units served ~~permanent resident population~~.

- h. As net commuters generally spend eight hours per day for five days in the service area, the net service area commuter population for the year of interest is reduced by factors of 8/24 hours (.333) and 5/7 days (.714) to estimate functional net commuter population for the year of interest (FNETCOM). The FNETCOM is then added to the total required functional population for the year of interest (REQPOP) and any other optional populations.

Example Functional Net Commuter Population Calculations for Year of Interest

Assume that the service area is located in County 000 and tracts 012600 and 013001 are selected to represent the service area. CTP Part III worker and resident worker data by tract is listed below. Further assume that the sum of the Census housing units (CHOUSUNITS) ~~population in households~~ for the two tracts is 15,000 ~~2400~~. Finally, assume that the residential units served ~~Permanent Resident Population~~ for the Year of Interest (RESUNITS) ~~(PERMPOP)~~ is 17,746 ~~2,600~~. Note: TRACT = TRACT: Census Tract Code and QPOWTRACT = QPOWTRACT: Workplace Census Tract Code.

Example Table 1. Workers

QPOWCO (work county)	QPOWTRACT (work tract)	TRACT (residence tract)	TAB301X1 (workers)
000	012600	012600	250
000	013001	012600	75
000	012600	013001	70
000	013001	013001	100
000	012600	013002	90
000	013001	013002	40
000	013001	013003	150
		TOTAL	775

Example Table 2. Resident Workers

COUNTY (residence county)	TRACT (residence tract)	QPOWTRACT (work tract)	TAB301X1 (workers)
000	012600	012600	250
000	012600	012800	75
000	012600	013001	75
000	013001	012600	70
000	013001	012800	25
000	013001	013001	100
		TOTAL	595

Net commuters in tracts 012600 and 013001 = 775 - 595 = 180  
 (or use District-provided net commuter population by tract)  
 Ratio of net commuters to selected tracts Census housing units ~~population in households~~ = 180/15,000 ~~2400~~ = .012 ~~.075~~  
 Net commuter population for year of interest = .012 ~~.075~~ x RESUNITS ~~PERMPOP~~ = .012 ~~.075~~ x 17,746 ~~2,600~~ = 213 ~~195~~  
 Functional net commuter population for year of interest =  
 FNETCOM = 213 ~~195~~ x .333 x .714 = 51 ~~46~~

The Supplement to Appendix A, Appendix C and Appendix D are substituted in their entirety as set forth below. It is not possible to show underlines and strikethroughs in these Excel files.

# OPTIONAL NET COMMUTER DATA

**DRAFT** 9/7/2006

## Southern Water Use Caution Area

Supplement To  
APPENDIX A  
Population Data Sources, Details & Examples  
For Worksheets A-I

Planning Department  
Southwest Florida Water Management District



Charlotte County  
 Workers, Resident Workers, Net Commuters, and Total Housing Units  
 Census 2000 Tracts

DRAFT 9/7/2006

State	County	ArcGIS Census Tract	American FactFinder Census Tract	Workers	Resident Workers	Net Commuters	Census 2000 Total Housing Units
Florida	Charlotte	10100	101	985	1,124	-139	1,487
Florida	Charlotte	10200	102	693	1,675	-982	2,767
Florida	Charlotte	10300	103	9,263	2,268	6,995	4,414
Florida	Charlotte	10400	104	1,574	2,324	-750	6,315
Florida	Charlotte	10500	105	2,296	2,742	-446	4,812
Florida	Charlotte	20100	201	1,863	3,673	-1,810	5,267
Florida	Charlotte	20201	202.01	552	2,951	-2,399	2,814
Florida	Charlotte	20202	202.02	446	3,124	-2,678	2,946
Florida	Charlotte	20301	203.01	3,034	1,641	1,393	2,529
Florida	Charlotte	20302	203.02	2,916	1,435	1,481	1,530
Florida	Charlotte	20303	203.03	786	2,003	-1,217	2,192
Florida	Charlotte	20400	204	1,080	2,256	-1,176	2,875
Florida	Charlotte	20500	205	356	2,385	-2,029	3,208
Florida	Charlotte	20600	206	2,063	2,305	-242	3,360
Florida	Charlotte	20700	207	4,679	1,270	3,409	2,805
Florida	Charlotte	20800	208	385	1,689	-1,304	2,252
Florida	Charlotte	20900	209	779	2,229	-1,450	2,546
Florida	Charlotte	21000	210	4,358	1,970	2,388	4,836
Florida	Charlotte	30100	301	232	2,229	-1,997	2,564
Florida	Charlotte	30200	302	965	2,864	-1,899	3,180
Florida	Charlotte	30300	303	2,989	1,668	1,321	5,863
Florida	Charlotte	30400	304	911	1,061	-150	3,627
Florida	Charlotte	30500	305	1,113	2,601	-1,488	5,569

Source: Census Transportation Planning Package Part III Table 1  
 Census 2000 Summary File 1 Table H1  
 Bureau of the Census

DeSoto County  
 Workers, Resident Workers, Net Commuters, and Total Housing Units  
 Census 2000 Tracts

DRAFT 9/7/2006

State	County	ArcGIS Census Tract	American FactFinder Census Tract	Workers	Resident Workers	Net Commuters	Census 2000 Total Housing Units
Florida	Desoto	980100	9801	143	2,614	-2,471	3,552
Florida	Desoto	980200	9802	484	1,863	-1,379	1,686
Florida	Desoto	980300	9803	270	3,691	-3,421	3,013
Florida	Desoto	980401	9804.01	315	2,203	-1,888	2,762
Florida	Desoto	980402	9804.02	350	2,130	-1,780	2,595

Source: Census Transportation Planning Package Part III Table 1  
 Census 2000 Summary File 1 Table H1  
 Bureau of the Census

Hardee County  
 Workers, Resident Workers, Net Commuters, and Total Housing Units  
 Census 2000 Tracts

DRAFT 9/7/2006

State	County	ArcGIS Census Tract	American FactFinder Census Tract	Workers	Resident Workers	Net Commuters	Census 2000 Total Housing Units
Florida	Hardee	970100	9701	389	3,106	-2,717	2,895
Florida	Hardee	970200	9702	343	2,007	-1,664	2,280
Florida	Hardee	970300	9703	628	2,425	-1,797	2,395
Florida	Hardee	970400	9704	403	2,292	-1,889	2,250

Source: Census Transportation Planning Package Part III Table 1  
 Census 2000 Summary File 1 Table H1  
 Bureau of the Census

Highlands County  
 Workers, Resident Workers, Net Commuters, and Total Housing Units  
 Census 2000 Tracts

DRAFT 9/7/2006

State	County	ArcGIS Census Tract	American FactFinder Census Tract	Workers	Resident Workers	Net Commuters	Census 2000 Total Housing Units
Florida	Highlands	960100	9601	1,227	2,573	-1,346	4,691
Florida	Highlands	960200	9602	1,231	1,470	-239	2,191
Florida	Highlands	960300	9603	975	1,676	-701	1,921
Florida	Highlands	960400	9604	345	2,263	-1,918	2,435
Florida	Highlands	960500	9605	986	1,471	-485	3,747
Florida	Highlands	960600	9606	355	2,241	-1,886	4,279
Florida	Highlands	960700	9607	373	1,235	-862	2,047
Florida	Highlands	960800	9608	1,348	995	353	1,282
Florida	Highlands	960900	9609	536	1,001	-465	1,518
Florida	Highlands	961000	9610	494	1,356	-862	2,332
Florida	Highlands	961100	9611	1,326	909	417	2,113
Florida	Highlands	961200	9612	1,510	1,447	63	2,552
Florida	Highlands	961300	9613	2,576	3,153	-577	5,312
Florida	Highlands	961400	9614	591	1,311	-720	2,470
Florida	Highlands	961500	9615	620	1,469	-849	2,852
Florida	Highlands	961600	9616	1,770	2,583	-813	4,088
Florida	Highlands	961700	9617	885	2,022	-1,137	3,016

Source: Census Transportation Planning Package Part III Table 1  
 Census 2000 Summary File 1 Table H1  
 Bureau of the Census

Hillsborough County  
 Workers, Resident Workers, Net Commuters, and Total Housing Units  
 Census 2000 Tracts

DRAFT

State	County	ArcGIS Census Tract	American FactFinder Census Tract	Workers	Resident Workers	Net Commuters	Census 2000 Total Housing Units
Florida	Hillsborough	100	1	8,820	3,739	5,081	3,390
Florida	Hillsborough	200	2	2,320	3,404	-1,084	3,543
Florida	Hillsborough	300	3	1,462	2,925	-1,463	2,780
Florida	Hillsborough	401	4.01	1,267	1,029	238	969
Florida	Hillsborough	402	4.02	1,913	885	1,028	1,249
Florida	Hillsborough	500	5	921	1,848	-927	1,684
Florida	Hillsborough	600	6	1,707	3,136	-1,429	3,039
Florida	Hillsborough	700	7	605	2,128	-1,523	2,354
Florida	Hillsborough	800	8	860	1,543	-683	1,407
Florida	Hillsborough	900	9	882	3,156	-2,274	3,226
Florida	Hillsborough	1000	10	2,998	2,657	341	2,872
Florida	Hillsborough	1100	11	532	1,178	-646	1,051
Florida	Hillsborough	1200	12	479	1,127	-648	1,220
Florida	Hillsborough	1300	13	2,071	2,192	-121	2,420
Florida	Hillsborough	1400	14	646	1,686	-1,040	1,826
Florida	Hillsborough	1500	15	461	1,366	-905	1,212
Florida	Hillsborough	1600	16	732	1,185	-453	1,010
Florida	Hillsborough	1700	17	1,883	1,803	80	1,878
Florida	Hillsborough	1800	18	949	1,103	-154	1,390
Florida	Hillsborough	1900	19	1,370	880	490	1,011
Florida	Hillsborough	2000	20	404	853	-449	925
Florida	Hillsborough	2100	21	463	1,167	-704	1,194
Florida	Hillsborough	2200	22	1,039	944	95	852
Florida	Hillsborough	2300	23	1,050	1,633	-583	1,438
Florida	Hillsborough	2400	24	1,550	1,626	-76	1,903
Florida	Hillsborough	2500	25	9,955	2,826	7,129	2,926
Florida	Hillsborough	2600	26	20,867	784	20,083	785
Florida	Hillsborough	2700	27	4,600	2,710	1,890	2,986
Florida	Hillsborough	2800	28	352	1,343	-991	1,358
Florida	Hillsborough	2900	29	631	751	-120	919
Florida	Hillsborough	3000	30	448	875	-427	1,233
Florida	Hillsborough	3100	31	692	736	-44	1,244
Florida	Hillsborough	3200	32	240	685	-445	1,008
Florida	Hillsborough	3300	33	274	530	-256	884
Florida	Hillsborough	3400	34	943	660	283	1,160
Florida	Hillsborough	3500	35	741	741	0	996
Florida	Hillsborough	3600	36	2,975	1,101	1,874	1,275
Florida	Hillsborough	3700	37	10,915	591	10,324	682
Florida	Hillsborough	3800	38	2,261	473	1,788	601
Florida	Hillsborough	3900	39	4,887	466	4,421	843
Florida	Hillsborough	4000	40	240	223	17	519
Florida	Hillsborough	4100	41	313	274	39	574
Florida	Hillsborough	4200	42	1,318	546	772	485
Florida	Hillsborough	4300	43	794	442	352	1,281

Florida	Hillsborough	4400	44	672	620	52	903
Florida	Hillsborough	4500	45	1,134	1,266	-132	1,562
Florida	Hillsborough	4600	46	30,458	1,075	29,383	1,095
Florida	Hillsborough	4700	47	5,787	1,396	4,391	1,435
Florida	Hillsborough	4800	48	4,899	1,756	3,143	1,877
Florida	Hillsborough	4900	49	2,695	1,995	700	1,930
Florida	Hillsborough	5000	50	6,341	662	5,679	1,071
Florida	Hillsborough	5101	51.01	35,934	142	35,792	303
Florida	Hillsborough	5102	51.02	1,651	1,119	532	1,112
Florida	Hillsborough	5300	53	4,658	819	3,839	817
Florida	Hillsborough	5400	54	4,702	3,006	1,696	2,699
Florida	Hillsborough	5500	55	3,595	1,066	2,529	1,158
Florida	Hillsborough	5700	57	4,079	2,460	1,619	2,406
Florida	Hillsborough	5800	58	4,090	2,303	1,787	2,101
Florida	Hillsborough	5900	59	6,009	2,446	3,563	2,230
Florida	Hillsborough	6000	60	2,109	2,529	-420	2,290
Florida	Hillsborough	6100	61	2,790	3,974	-1,184	4,257
Florida	Hillsborough	6200	62	1,160	1,932	-772	1,645
Florida	Hillsborough	6300	63	913	1,940	-1,027	1,561
Florida	Hillsborough	6400	64	574	1,862	-1,288	1,529
Florida	Hillsborough	6500	65	1,489	3,312	-1,823	3,818
Florida	Hillsborough	6600	66	1,907	1,788	119	1,970
Florida	Hillsborough	6700	67	1,953	2,826	-873	2,438
Florida	Hillsborough	6801	68.01	678	2,172	-1,494	2,045
Florida	Hillsborough	6802	68.02	664	1,634	-970	1,528
Florida	Hillsborough	6900	69	306	2,649	-2,343	2,231
Florida	Hillsborough	7000	70	2,205	2,847	-642	2,683
Florida	Hillsborough	7100	71	2,015	3,417	-1,402	2,864
Florida	Hillsborough	7200	72	760	1,399	-639	1,328
Florida	Hillsborough	7300	73	8,350	1,354	6,996	638
Florida	Hillsborough	10103	101.03	876	1,720	-844	1,450
Florida	Hillsborough	10105	101.05	280	1,849	-1,569	1,412
Florida	Hillsborough	10106	101.06	986	2,447	-1,461	1,693
Florida	Hillsborough	10107	101.07	277	984	-707	1,944
Florida	Hillsborough	10108	101.08	145	630	-485	745
Florida	Hillsborough	10203	102.03	558	903	-345	924
Florida	Hillsborough	10204	102.04	435	1,992	-1,557	1,508
Florida	Hillsborough	10205	102.05	238	2,390	-2,152	1,871
Florida	Hillsborough	10206	102.06	70	1,120	-1,050	1,192
Florida	Hillsborough	10207	102.07	1,180	2,925	-1,745	2,536
Florida	Hillsborough	10208	102.08	261	1,105	-844	936
Florida	Hillsborough	10303	103.03	506	1,188	-682	1,256
Florida	Hillsborough	10304	103.04	463	1,528	-1,065	1,276
Florida	Hillsborough	10305	103.05	2,295	1,180	1,115	1,113

Florida	Hillsborough	10401	104.01	327	3,007	-2,680	2,486
Florida	Hillsborough	10402	104.02	9,549	2,212	7,337	1,861
Florida	Hillsborough	10500	105	3,836	3,316	520	3,250
Florida	Hillsborough	10600	106	673	1,135	-462	1,169
Florida	Hillsborough	10701	107.01	3,244	3,024	220	2,383
Florida	Hillsborough	10702	107.02	1,088	1,562	-474	1,266
Florida	Hillsborough	10803	108.03	4,191	4,502	-311	4,415
Florida	Hillsborough	10804	108.04	5,417	5,911	-494	5,212
Florida	Hillsborough	10805	108.05	1,339	1,355	-16	1,716
Florida	Hillsborough	10806	108.06	6,239	3,411	2,828	4,059
Florida	Hillsborough	10807	108.07	1,161	2,562	-1,401	3,587
Florida	Hillsborough	10808	108.08	602	1,396	-794	1,717
Florida	Hillsborough	10900	109	11,024	97	10,927	8
Florida	Hillsborough	11003	110.03	1,877	2,404	-527	2,347
Florida	Hillsborough	11005	110.05	403	988	-585	750
Florida	Hillsborough	11006	110.06	593	2,484	-1,891	1,737
Florida	Hillsborough	11007	110.07	544	1,546	-1,002	1,175
Florida	Hillsborough	11008	110.08	3,082	1,954	1,128	1,563
Florida	Hillsborough	11009	110.09	537	1,273	-736	1,533
Florida	Hillsborough	11010	110.1	307	1,566	-1,259	1,342
Florida	Hillsborough	11011	110.11	2,864	4,311	-1,447	3,507
Florida	Hillsborough	11103	111.03	515	1,622	-1,107	1,198
Florida	Hillsborough	11104	111.04	288	838	-550	691
Florida	Hillsborough	11105	111.05	125	742	-617	484
Florida	Hillsborough	11106	111.06	34	1,231	-1,197	1,067
Florida	Hillsborough	11107	111.07	1,555	3,086	-1,531	2,426
Florida	Hillsborough	11108	111.08	899	522	377	911
Florida	Hillsborough	11203	112.03	299	1,916	-1,617	1,633
Florida	Hillsborough	11204	112.04	1,622	3,222	-1,600	2,764
Florida	Hillsborough	11205	112.05	538	1,253	-715	1,228
Florida	Hillsborough	11206	112.06	1,120	1,194	-74	1,344
Florida	Hillsborough	11301	113.01	2,187	1,571	616	1,205
Florida	Hillsborough	11302	113.02	2,617	4,254	-1,637	3,655
Florida	Hillsborough	11406	114.06	810	4,854	-4,044	3,903
Florida	Hillsborough	11407	114.07	1,685	1,140	545	1,204
Florida	Hillsborough	11408	114.08	461	1,541	-1,080	1,063
Florida	Hillsborough	11409	114.09	2,232	1,504	728	1,321
Florida	Hillsborough	11410	114.1	1,364	2,938	-1,574	1,910
Florida	Hillsborough	11411	114.11	141	679	-538	406
Florida	Hillsborough	11412	114.12	2,009	1,232	777	1,012
Florida	Hillsborough	11413	114.13	270	2,702	-2,432	2,094
Florida	Hillsborough	11414	114.14	604	2,364	-1,760	1,730
Florida	Hillsborough	11415	114.15	626	2,362	-1,736	1,755
Florida	Hillsborough	11416	114.16	2,210	3,754	-1,544	2,792



Florida	Hillsborough	11504	115.04	451	995	-544	821
Florida	Hillsborough	11505	115.05	2,874	3,197	-323	2,562
Florida	Hillsborough	11506	115.06	289	2,026	-1,737	1,565
Florida	Hillsborough	11507	115.07	529	2,308	-1,779	1,834
Florida	Hillsborough	11508	115.08	417	1,795	-1,378	1,343
Florida	Hillsborough	11509	115.09	360	2,429	-2,069	1,638
Florida	Hillsborough	11510	115.1	153	530	-377	471
Florida	Hillsborough	11511	115.11	789	3,897	-3,108	3,367
Florida	Hillsborough	11512	115.12	267	1,514	-1,247	1,114
Florida	Hillsborough	11513	115.13	1,312	3,182	-1,870	2,651
Florida	Hillsborough	11514	115.14	459	3,421	-2,962	2,122
Florida	Hillsborough	11515	115.15	693	2,209	-1,516	1,360
Florida	Hillsborough	11516	115.16	990	1,226	-236	884
Florida	Hillsborough	11603	116.03	581	2,145	-1,564	1,516
Florida	Hillsborough	11605	116.05	14,636	2,515	12,121	2,058
Florida	Hillsborough	11606	116.06	917	2,396	-1,479	2,214
Florida	Hillsborough	11607	116.07	521	3,491	-2,970	2,901
Florida	Hillsborough	11608	116.08	50	716	-666	484
Florida	Hillsborough	11609	116.09	364	5,097	-4,733	3,972
Florida	Hillsborough	11610	116.1	284	2,173	-1,889	2,317
Florida	Hillsborough	11611	116.11	4,972	2,190	2,782	1,513
Florida	Hillsborough	11612	116.12	817	3,388	-2,571	2,502
Florida	Hillsborough	11613	116.13	1,789	2,577	-788	2,181
Florida	Hillsborough	11703	117.03	1,018	3,553	-2,535	3,226
Florida	Hillsborough	11705	117.05	682	450	232	347
Florida	Hillsborough	11706	117.06	4,352	3,782	570	3,140
Florida	Hillsborough	11707	117.07	129	1,884	-1,755	1,728
Florida	Hillsborough	11708	117.08	7,050	2,496	4,554	1,983
Florida	Hillsborough	11802	118.02	2,183	2,921	-738	2,372
Florida	Hillsborough	11803	118.03	1,115	3,238	-2,123	2,971
Florida	Hillsborough	11804	118.04	3,181	2,181	1,000	1,832
Florida	Hillsborough	11901	119.01	1,491	2,860	-1,369	2,644
Florida	Hillsborough	11902	119.02	2,663	3,079	-416	2,852
Florida	Hillsborough	11903	119.03	1,650	3,869	-2,219	3,380
Florida	Hillsborough	12001	120.01	3,984	1,183	2,801	1,031
Florida	Hillsborough	12002	120.02	4,242	1,391	2,851	1,371
Florida	Hillsborough	12103	121.03	13,314	1,780	11,534	1,656
Florida	Hillsborough	12104	121.04	1,331	2,455	-1,124	2,244
Florida	Hillsborough	12105	121.05	2,015	2,960	-945	2,553
Florida	Hillsborough	12106	121.06	1,292	1,740	-448	1,280
Florida	Hillsborough	12204	122.04	1,173	1,642	-469	1,976
Florida	Hillsborough	12205	122.05	14,293	3,043	11,250	2,241
Florida	Hillsborough	12206	122.06	321	2,822	-2,501	1,863
Florida	Hillsborough	12207	122.07	530	3,129	-2,599	2,111

Florida	Hillsborough	12208	122.08	351	2,813	-2,462	1,790
Florida	Hillsborough	12301	123.01	3,803	2,669	1,134	2,209
Florida	Hillsborough	12303	123.03	799	1,512	-713	1,271
Florida	Hillsborough	12304	123.04	875	1,730	-855	1,288
Florida	Hillsborough	12401	124.01	927	1,960	-1,033	1,600
Florida	Hillsborough	12402	124.02	475	889	-414	794
Florida	Hillsborough	12403	124.03	693	1,728	-1,035	1,325
Florida	Hillsborough	12501	125.01	4,603	1,715	2,888	1,655
Florida	Hillsborough	12502	125.02	650	3,108	-2,458	2,738
Florida	Hillsborough	12600	126	2,460	1,906	554	1,803
Florida	Hillsborough	12701	127.01	2,795	2,144	651	2,058
Florida	Hillsborough	12702	127.02	1,423	1,533	-110	1,419
Florida	Hillsborough	12800	128	1,917	1,529	388	1,348
Florida	Hillsborough	12900	129	1,584	880	704	1,138
Florida	Hillsborough	13001	130.01	1,715	1,280	435	968
Florida	Hillsborough	13002	130.02	1,763	1,716	47	1,203
Florida	Hillsborough	13003	130.03	716	858	-142	747
Florida	Hillsborough	13004	130.04	336	1,328	-992	1,030
Florida	Hillsborough	13100	131	322	1,226	-904	928
Florida	Hillsborough	13203	132.03	653	1,194	-541	829
Florida	Hillsborough	13204	132.04	264	1,150	-886	1,395
Florida	Hillsborough	13205	132.05	301	2,862	-2,561	1,846
Florida	Hillsborough	13206	132.06	428	2,008	-1,580	1,353
Florida	Hillsborough	13207	132.07	396	1,131	-735	972
Florida	Hillsborough	13208	132.08	577	2,223	-1,646	1,646
Florida	Hillsborough	13305	133.05	1,033	1,677	-644	1,190
Florida	Hillsborough	13306	133.06	6,129	1,235	4,894	1,087
Florida	Hillsborough	13307	133.07	3,148	2,143	1,005	1,660
Florida	Hillsborough	13308	133.08	1,434	3,053	-1,619	2,661
Florida	Hillsborough	13309	133.09	911	6,023	-5,112	4,273
Florida	Hillsborough	13310	133.1	144	1,669	-1,525	1,096
Florida	Hillsborough	13311	133.11	4,271	1,599	2,672	1,407
Florida	Hillsborough	13312	133.12	776	1,987	-1,211	1,686
Florida	Hillsborough	13313	133.13	503	2,126	-1,623	1,674
Florida	Hillsborough	13314	133.14	617	1,552	-935	1,063
Florida	Hillsborough	13404	134.04	598	2,158	-1,560	1,790
Florida	Hillsborough	13405	134.05	1,342	2,597	-1,255	1,846
Florida	Hillsborough	13406	134.06	165	688	-523	510
Florida	Hillsborough	13407	134.07	978	3,348	-2,370	2,215
Florida	Hillsborough	13408	134.08	661	4,790	-4,129	3,183
Florida	Hillsborough	13409	134.09	347	2,063	-1,716	1,448
Florida	Hillsborough	13501	135.01	1,642	1,079	563	1,070
Florida	Hillsborough	13503	135.03	1,158	1,105	53	1,269
Florida	Hillsborough	13504	135.04	118	1,483	-1,365	1,209

Florida	Hillsborough	13505	135.05	1,318	1,287	31	1,103
Florida	Hillsborough	13601	136.01	2,115	558	1,557	507
Florida	Hillsborough	13602	136.02	1,375	820	555	669
Florida	Hillsborough	13701	137.01	1,028	3,074	-2,046	2,443
Florida	Hillsborough	13702	137.02	447	1,219	-772	1,263
Florida	Hillsborough	13801	138.01	472	784	-312	839
Florida	Hillsborough	13802	138.02	1,095	1,058	37	1,060
Florida	Hillsborough	13803	138.03	244	551	-307	659
Florida	Hillsborough	13804	138.04	544	719	-175	571
Florida	Hillsborough	13805	138.05	176	1,311	-1,135	1,187
Florida	Hillsborough	13903	139.03	301	1,348	-1,047	1,102
Florida	Hillsborough	13906	139.06	1,073	2,141	-1,068	1,669
Florida	Hillsborough	13907	139.07	194	857	-663	714
Florida	Hillsborough	13908	139.08	107	705	-598	1,464
Florida	Hillsborough	13909	139.09	739	2,146	-1,407	1,569
Florida	Hillsborough	13910	139.1	695	3,072	-2,377	2,103
Florida	Hillsborough	13911	139.11	555	1,715	-1,160	1,348
Florida	Hillsborough	13912	139.12	64	1,060	-996	872
Florida	Hillsborough	14002	140.02	77	407	-330	945
Florida	Hillsborough	14003	140.03	44	425	-381	343
Florida	Hillsborough	14004	140.04	1,794	969	825	4,628
Florida	Hillsborough	14005	140.05	601	797	-196	3,802
Florida	Hillsborough	14006	140.06	517	353	164	2,578
Florida	Hillsborough	14104	141.04	468	529	-61	1,745
Florida	Hillsborough	14105	141.05	533	2,389	-1,856	2,055
Florida	Hillsborough	14106	141.06	661	1,172	-511	1,349
Florida	Hillsborough	14107	141.07	1,686	808	878	803
Florida	Hillsborough	14108	141.08	595	1,670	-1,075	1,776
Florida	Hillsborough	14109	141.09	301	801	-500	1,054

Source: Census Transportation Planning Package Part III Table 1  
 Census 2000 Summary File 1 Table H1  
 Bureau of the Census

Manatee County  
 Workers, Resident Workers, Net Commuters, and Total Housing Units  
 Census 2000 Tracts

DRAFT 9/7/2006

State	County	ArcGIS Census Tract	American FactFinder Census Tract	Workers	Resident Workers	Net Commuters	Census 2000 Total Housing Units
Florida	Manatee	101	1.01	10,253	611	9,642	1,763
Florida	Manatee	103	1.03	1,851	1,588	263	1,573
Florida	Manatee	104	1.04	4,030	2,996	1,034	3,377
Florida	Manatee	200	2	1,991	1,668	323	5,730
Florida	Manatee	301	3.01	1,642	3,454	-1,812	3,808
Florida	Manatee	302	3.02	2,422	2,900	-478	4,515
Florida	Manatee	304	3.04	418	905	-487	1,724
Florida	Manatee	305	3.05	991	2,336	-1,345	1,814
Florida	Manatee	306	3.06	509	1,740	-1,231	2,764
Florida	Manatee	403	4.03	370	730	-360	772
Florida	Manatee	405	4.05	1,117	1,196	-79	1,265
Florida	Manatee	406	4.06	1,561	1,515	46	2,521
Florida	Manatee	407	4.07	3,153	1,064	2,089	2,233
Florida	Manatee	408	4.08	881	2,312	-1,431	3,002
Florida	Manatee	501	5.01	1,542	1,657	-115	1,286
Florida	Manatee	503	5.03	129	1,955	-1,826	1,714
Florida	Manatee	504	5.04	723	1,624	-901	1,525
Florida	Manatee	601	6.01	689	1,617	-928	1,430
Florida	Manatee	602	6.02	1,754	3,020	-1,266	4,548
Florida	Manatee	702	7.02	1,410	3,067	-1,657	4,063
Florida	Manatee	703	7.03	7,402	1,128	6,274	1,146
Florida	Manatee	803	8.03	3,896	2,990	906	2,171
Florida	Manatee	804	8.04	306	1,033	-727	1,334
Florida	Manatee	805	8.05	8,694	1,824	6,870	1,682
Florida	Manatee	807	8.07	156	926	-770	1,466
Florida	Manatee	808	8.08	449	2,034	-1,585	2,439
Florida	Manatee	809	8.09	674	2,229	-1,555	2,149
Florida	Manatee	810	8.1	695	1,374	-679	2,242
Florida	Manatee	901	9.01	509	2,076	-1,567	1,907
Florida	Manatee	902	9.02	5,415	2,765	2,650	2,323
Florida	Manatee	1000	10	856	1,998	-1,142	3,171
Florida	Manatee	1101	11.01	1,052	2,225	-1,173	4,102
Florida	Manatee	1103	11.03	2,228	2,324	-96	3,253
Florida	Manatee	1104	11.04	505	1,597	-1,092	2,713
Florida	Manatee	1202	12.02	1,939	2,263	-324	1,892
Florida	Manatee	1203	12.03	1,381	2,200	-819	1,819
Florida	Manatee	1204	12.04	607	2,627	-2,020	2,811
Florida	Manatee	1300	13	2,424	1,782	642	1,820
Florida	Manatee	1401	14.01	1,347	3,226	-1,879	3,651
Florida	Manatee	1402	14.02	109	621	-512	982
Florida	Manatee	1501	15.01	309	1,106	-797	1,011
Florida	Manatee	1502	15.02	1,662	2,348	-686	1,900
Florida	Manatee	1600	16	1,945	2,003	-58	4,049
Florida	Manatee	1701	17.01	1,168	1,093	75	2,586

Florida	Manatee	1703	17.03	789	525	264	1,781
Florida	Manatee	1704	17.04	364	108	256	1,308
Florida	Manatee	1800	18	1,715	2,463	-748	4,916
Florida	Manatee	1904	19.04	1,476	1,549	-73	2,155
Florida	Manatee	1905	19.05	1,611	1,728	-117	1,308
Florida	Manatee	1906	19.06	568	1,992	-1,424	2,169
Florida	Manatee	1907	19.07	1,353	1,079	274	1,637
Florida	Manatee	1908	19.08	234	1,218	-984	3,071
Florida	Manatee	2003	20.03	421	2,077	-1,656	1,762
Florida	Manatee	2004	20.04	1,645	3,612	-1,967	3,432
Florida	Manatee	2005	20.05	487	666	-179	1,152
Florida	Manatee	2006	20.06	933	2,610	-1,677	2,212
Florida	Manatee	2007	20.07	480	1,173	-693	1,051
Florida	Manatee	2008	20.08	540	2,677	-2,137	1,914
Florida	Manatee	2009	20.09	949	1,110	-161	1,176
Florida	Manatee	2010	20.1	405	1,736	-1,331	1,038

Source: Census Transportation Planning Package Part III Table 1  
 Census 2000 Summary File 1 Table H1  
 Bureau of the Census

Polk County  
 Workers, Resident Workers, Net Commuters, and Total Housing Units  
 Census 2000 Tracts

DRAFT 9/7/2006

State	County	ArcGIS Census Tract	American FactFinder Census Tract	Workers	Resident Workers	Net Commuters	Census 2000 Total Housing Units
Florida	Polk	10100	101	5,797	143	5,654	240
Florida	Polk	10200	102	1,224	984	240	1,058
Florida	Polk	10300	103	5,514	1,574	3,940	1,885
Florida	Polk	10400	104	3,313	2,840	473	2,976
Florida	Polk	10500	105	2,895	3,184	-289	2,894
Florida	Polk	10601	106.01	1,629	1,772	-143	1,759
Florida	Polk	10602	106.02	861	3,070	-2,209	2,576
Florida	Polk	10701	107.01	1,625	1,938	-313	2,315
Florida	Polk	10702	107.02	1,716	1,439	277	1,776
Florida	Polk	10800	108	2,315	1,445	870	1,655
Florida	Polk	10900	109	762	1,363	-601	2,191
Florida	Polk	11000	110	4,897	837	4,060	1,659
Florida	Polk	11100	111	1,221	1,220	1	1,303
Florida	Polk	11201	112.01	2,461	1,831	630	2,045
Florida	Polk	11202	112.02	394	661	-267	1,016
Florida	Polk	11300	113	5,036	733	4,303	868
Florida	Polk	11400	114	2,737	1,228	1,509	1,689
Florida	Polk	11500	115	1,697	3,519	-1,822	3,766
Florida	Polk	11601	116.01	1,012	1,908	-896	2,015
Florida	Polk	11602	116.02	417	2,400	-1,983	3,386
Florida	Polk	11704	117.04	4,024	1,817	2,207	2,013
Florida	Polk	11721	117.21	419	1,525	-1,106	1,278
Florida	Polk	11722	117.22	1,101	1,041	60	1,766
Florida	Polk	11731	117.31	1,038	2,405	-1,367	1,801
Florida	Polk	11732	117.32	1,485	1,355	130	1,209
Florida	Polk	11801	118.01	3,309	3,328	-19	2,845
Florida	Polk	11821	118.21	148	1,569	-1,421	1,103
Florida	Polk	11822	118.22	292	1,931	-1,639	1,363
Florida	Polk	11831	118.31	4,030	3,824	206	3,012
Florida	Polk	11832	118.32	649	1,779	-1,130	1,351
Florida	Polk	11901	119.01	2,527	1,941	586	1,671
Florida	Polk	11902	119.02	3,387	1,587	1,800	1,437
Florida	Polk	11903	119.03	534	1,779	-1,245	1,451
Florida	Polk	11905	119.05	532	4,847	-4,315	3,456
Florida	Polk	12001	120.01	1,540	1,872	-332	1,689
Florida	Polk	12002	120.02	1,059	810	249	2,011
Florida	Polk	12003	120.03	1,709	1,386	323	2,521
Florida	Polk	12004	120.04	4,135	273	3,862	645
Florida	Polk	12111	121.11	404	1,629	-1,225	2,154
Florida	Polk	12112	121.12	587	2,819	-2,232	2,090
Florida	Polk	12113	121.13	769	1,779	-1,010	1,803
Florida	Polk	12122	121.22	303	3,399	-3,096	2,776
Florida	Polk	12123	121.23	4,254	1,805	2,449	2,834
Florida	Polk	12201	122.01	1,572	3,023	-1,451	3,583

Florida	Polk	12202	122.02	2,362	2,512	-150	2,907
Florida	Polk	12301	123.01	778	3,913	-3,135	3,026
Florida	Polk	12302	123.02	1,181	4,124	-2,943	3,080
Florida	Polk	12401	124.01	2,076	3,147	-1,071	3,411
Florida	Polk	12402	124.02	1,675	3,853	-2,178	6,084
Florida	Polk	12501	125.01	836	3,944	-3,108	6,201
Florida	Polk	12502	125.02	472	2,101	-1,629	1,988
Florida	Polk	12503	125.03	130	1,750	-1,620	1,639
Florida	Polk	12601	126.01	618	1,325	-707	1,745
Florida	Polk	12602	126.02	1,153	2,500	-1,347	1,906
Florida	Polk	12700	127	2,403	1,863	540	2,771
Florida	Polk	12800	128	3,478	2,086	1,392	6,169
Florida	Polk	12900	129	827	1,580	-753	1,781
Florida	Polk	13000	130	2,218	2,597	-379	2,912
Florida	Polk	13101	131.01	99	1,479	-1,380	1,141
Florida	Polk	13102	131.02	457	1,361	-904	1,596
Florida	Polk	13103	131.03	1,289	443	846	572
Florida	Polk	13200	132	3,416	698	2,718	770
Florida	Polk	13300	133	1,362	807	555	1,133
Florida	Polk	13400	134	268	1,867	-1,599	2,204
Florida	Polk	13500	135	1,824	1,434	390	1,822
Florida	Polk	13600	136	1,661	1,799	-138	2,514
Florida	Polk	13701	137.01	5,108	640	4,468	1,391
Florida	Polk	13702	137.02	2,103	2,208	-105	2,128
Florida	Polk	13801	138.01	680	1,764	-1,084	1,937
Florida	Polk	13802	138.02	2,176	2,661	-485	2,243
Florida	Polk	13901	139.01	3,439	1,276	2,163	1,441
Florida	Polk	13902	139.02	1,375	2,219	-844	1,917
Florida	Polk	14001	140.01	1,136	1,858	-722	2,002
Florida	Polk	14002	140.02	2,537	3,704	-1,167	3,852
Florida	Polk	14101	141.01	964	2,882	-1,918	3,462
Florida	Polk	14121	141.21	402	595	-193	497
Florida	Polk	14122	141.22	1,869	2,226	-357	3,346
Florida	Polk	14123	141.23	2,150	1,456	694	2,259
Florida	Polk	14201	142.01	1,445	1,603	-158	2,249
Florida	Polk	14202	142.02	513	1,039	-526	1,165
Florida	Polk	14203	142.03	262	734	-472	3,177
Florida	Polk	14301	143.01	3,183	760	2,423	1,042
Florida	Polk	14302	143.02	1,629	2,196	-567	2,386
Florida	Polk	14400	144	1,963	863	1,100	1,589
Florida	Polk	14501	145.01	1,354	2,342	-988	2,207
Florida	Polk	14502	145.02	138	1,198	-1,060	1,090
Florida	Polk	14600	146	1,282	1,448	-166	1,322
Florida	Polk	14701	147.01	885	1,879	-994	1,975

Florida	Polk	14702	147.02	987	3,577	-2,590	3,029
Florida	Polk	14801	148.01	2,000	2,140	-140	2,255
Florida	Polk	14802	148.02	2,424	907	1,517	931
Florida	Polk	14901	149.01	744	2,598	-1,854	2,495
Florida	Polk	14902	149.02	354	2,642	-2,288	2,068
Florida	Polk	15000	150	6,683	1,780	4,903	1,799
Florida	Polk	15100	151	3,424	2,229	1,195	2,431
Florida	Polk	15200	152	2,699	1,576	1,123	1,698
Florida	Polk	15301	153.01	928	1,597	-669	1,628
Florida	Polk	15302	153.02	61	1,123	-1,062	1,079
Florida	Polk	15401	154.01	427	832	-405	1,054
Florida	Polk	15402	154.02	224	1,291	-1,067	1,299
Florida	Polk	15403	154.03	287	1,266	-979	2,262
Florida	Polk	15500	155	2,517	1,421	1,096	1,758
Florida	Polk	15600	156	131	544	-413	1,850
Florida	Polk	15700	157	2,364	2,163	201	2,853
Florida	Polk	15800	158	797	1,231	-434	2,593
Florida	Polk	15900	159	783	921	-138	706
Florida	Polk	16001	160.01	718	933	-215	868
Florida	Polk	16002	160.02	509	735	-226	684
Florida	Polk	16003	160.03	468	749	-281	1,528
Florida	Polk	16100	161	3,024	459	2,565	525

Source: Census Transportation Planning Package Part III Table 1  
 Census 2000 Summary File 1 Table H1  
 Bureau of the Census



Sarasota County  
 Workers, Resident Workers, Net Commuters, and Total Housing Units  
 Census 2000 Tracts

DRAFT 9/7/2006

State	County	ArcGIS Census Tract	American FactFinder Census Tract	Workers	Resident Workers	Net Commuters	Census 2000 Total Housing Units
Florida	Sarasota	101	1.01	9,570	954	8,616	2,605
Florida	Sarasota	102	1.02	10,085	2,340	7,745	2,145
Florida	Sarasota	200	2	4,919	1,554	3,365	1,689
Florida	Sarasota	300	3	1,261	1,186	75	1,621
Florida	Sarasota	401	4.01	3,861	2,429	1,432	2,291
Florida	Sarasota	403	4.03	2,599	3,011	-412	3,240
Florida	Sarasota	404	4.04	151	400	-249	871
Florida	Sarasota	405	4.05	189	1,466	-1,277	1,198
Florida	Sarasota	501	5.01	6,263	1,128	5,135	1,033
Florida	Sarasota	502	5.02	2,594	1,589	1,005	1,542
Florida	Sarasota	503	5.03	1,093	2,063	-970	2,325
Florida	Sarasota	601	6.01	1,717	1,275	442	1,184
Florida	Sarasota	602	6.02	2,026	1,982	44	1,884
Florida	Sarasota	700	7	2,667	733	1,934	2,665
Florida	Sarasota	801	8.01	1,031	408	623	2,933
Florida	Sarasota	802	8.02	1,385	803	582	2,812
Florida	Sarasota	900	9	1,092	1,272	-180	1,351
Florida	Sarasota	1000	10	1,369	1,243	126	1,490
Florida	Sarasota	1101	11.01	6,023	1,688	4,335	2,483
Florida	Sarasota	1102	11.02	420	1,853	-1,433	2,312
Florida	Sarasota	1201	12.01	980	2,891	-1,911	2,535
Florida	Sarasota	1202	12.02	486	1,771	-1,285	1,669
Florida	Sarasota	1203	12.03	569	1,202	-633	3,163
Florida	Sarasota	1204	12.04	167	1,653	-1,486	1,736
Florida	Sarasota	1301	13.01	1,305	1,611	-306	1,296
Florida	Sarasota	1302	13.02	3,446	2,038	1,408	1,755
Florida	Sarasota	1303	13.03	1,404	1,561	-157	1,144
Florida	Sarasota	1304	13.04	110	856	-746	1,051
Florida	Sarasota	1401	14.01	3,794	1,856	1,938	1,576
Florida	Sarasota	1402	14.02	321	2,377	-2,056	1,565
Florida	Sarasota	1403	14.03	888	1,994	-1,106	2,479
Florida	Sarasota	1503	15.03	272	1,740	-1,468	1,275
Florida	Sarasota	1504	15.04	445	1,560	-1,115	1,345
Florida	Sarasota	1505	15.05	2,048	2,684	-636	1,730
Florida	Sarasota	1506	15.06	2,569	1,952	617	2,274
Florida	Sarasota	1507	15.07	2,065	2,044	21	2,746
Florida	Sarasota	1601	16.01	972	1,444	-472	1,955
Florida	Sarasota	1602	16.02	1,025	1,697	-672	2,181
Florida	Sarasota	1702	17.02	2,839	2,825	14	2,348
Florida	Sarasota	1703	17.03	919	1,755	-836	2,027
Florida	Sarasota	1704	17.04	1,107	1,731	-624	1,449
Florida	Sarasota	1801	18.01	3,707	1,715	1,992	2,545
Florida	Sarasota	1803	18.03	258	1,625	-1,367	1,534
Florida	Sarasota	1804	18.04	1,507	1,394	113	1,318

Florida	Sarasota	1805	18.05	1,056	856	200	1,001
Florida	Sarasota	1902	19.02	1,762	1,243	519	6,232
Florida	Sarasota	1903	19.03	366	914	-548	1,497
Florida	Sarasota	1904	19.04	1,048	1,683	-635	2,453
Florida	Sarasota	2003	20.03	1,543	2,225	-682	2,552
Florida	Sarasota	2004	20.04	2,249	1,593	656	2,524
Florida	Sarasota	2005	20.05	2,259	1,781	478	2,701
Florida	Sarasota	2006	20.06	4,797	4,658	139	7,987
Florida	Sarasota	2100	21	1,566	1,673	-107	2,406
Florida	Sarasota	2201	22.01	360	899	-539	1,871
Florida	Sarasota	2202	22.02	876	1,452	-576	2,619
Florida	Sarasota	2203	22.03	1,222	1,853	-631	2,215
Florida	Sarasota	2301	23.01	2,798	892	1,906	4,001
Florida	Sarasota	2302	23.02	835	885	-50	2,586
Florida	Sarasota	2303	23.03	620	604	16	2,208
Florida	Sarasota	2401	24.01	4,598	1,072	3,526	2,537
Florida	Sarasota	2402	24.02	3,037	1,226	1,811	2,489
Florida	Sarasota	2503	25.03	2,110	2,121	-11	3,233
Florida	Sarasota	2504	25.04	127	1,203	-1,076	1,488
Florida	Sarasota	2505	25.05	837	1,193	-356	1,028
Florida	Sarasota	2507	25.07	785	2,860	-2,075	2,493
Florida	Sarasota	2508	25.08	487	1,328	-841	1,413
Florida	Sarasota	2509	25.09	64	1,904	-1,840	2,279
Florida	Sarasota	2601	26.01	294	874	-580	1,646
Florida	Sarasota	2602	26.02	191	742	-551	1,693
Florida	Sarasota	2603	26.03	297	675	-378	1,093
Florida	Sarasota	2604	26.04	769	844	-75	1,811
Florida	Sarasota	2605	26.05	649	826	-177	1,582
Florida	Sarasota	2701	27.01	1,595	2,391	-796	3,502
Florida	Sarasota	2703	27.03	295	972	-677	3,551
Florida	Sarasota	2710	27.1	215	1,027	-812	1,805
Florida	Sarasota	2711	27.11	731	2,401	-1,670	2,565
Florida	Sarasota	2712	27.12	522	3,348	-2,826	2,579
Florida	Sarasota	2713	27.13	4,591	2,946	1,645	2,030
Florida	Sarasota	2714	27.14	632	1,649	-1,017	2,377
Florida	Sarasota	2715	27.15	1,752	892	860	2,788
Florida	Sarasota	2716	27.16	866	996	-130	1,660
Florida	Sarasota	2717	27.17	535	1,343	-808	3,787
Florida	Sarasota	2718	27.18	2,352	967	1,385	1,815

Source: Census Transportation Planning Package Part III Table 1  
 Census 2000 Summary File 1 Table H1  
 Bureau of the Census

## Appendix C

DRAFT 08/03/06

WORKSHEETS A TO I

To

Part D of the Water Use Permit Information Manual:  
Requirements for the Estimation of Permanent And  
Temporal Service Area Populations  
in the Southern Water Use Caution Area

Planning Department  
Southwest Florida Water Management District



Worksheet A: Residential Account Housing Unit Estimation											
Permittee Name:						DRAFT 02/26/06					
Permit Number(s):											
Year of Interest:											
<b>Enter Only Meter Data for Residential Accounts (No Commercial)</b>											
Do Not Include Irrigation Account Meters											
Data Entry Required in Solid Bordered Cells											
Calculated Output in Dashed Bordered Cells											
Total Individually Metered Residences:						= A					
<b>Master Metered Residential Accounts Worksheet</b>											
<b>Single Family Master Metered</b>						<b>Multi-family Master Metered</b>					
	Single	Number		Equivalent	OR		Single	Number		Equivalent	OR
	Family	of Single	Unit	Residential	Counted		Family	of Multi-	Unit	Residential	Counted
Meter	Equivalent	Master	Adjust-	Account	Residential	Meter	Family	Family	Adjust-	Account	Residential
Size	Units	Meters	ment	Housing	Account	Size	Equivalent	Master	ment	Housing	Account
	B	C	D	(B x C) / D	Units		B	C	D	(B x C) / D	Units
				= E	= F					= E	= F
1"	2.5		1			3/4"	1.5		0.7		
1 1/2"	5		1			1"	2.5		0.7		
2"	8		1			1 1/2"	5		0.7		
3"	17.5		1			2"	8		0.7		
4"	30		1			3"	17.5		0.7		
6"	62.5		1			4"	30		0.7		
8"	90		1			6"	62.5		0.7		
10"	145		1			8"	90		0.7		
12"	215		1			10"	145		0.7		
			Sum:						Sum:		
<b>Mobile Home (Trailer) Master Metered</b>						<b>Manufactured Home Master Metered</b>					
	Single	Number		Equivalent	OR		Single	Number		Equivalent	OR
	Family	of Mobile	Unit	Residential	Counted		Family	of Manu.	Unit	Residential	Counted
Meter	Equivalent	Master	Adjust-	Account	Residential	Meter	Family	Home	Adjust-	Account	Residential
Size	Units	Meters	ment	Housing	Account	Size	Equivalent	Master	ment	Housing	Account
	B	C	D	(B x C) / D	Units		B	C	D	(B x C) / D	Units
				= E	= F					= E	= F
3/4"	1.5		0.6			3/4"	1.5		0.8		
1"	2.5		0.6			1"	2.5		0.8		
1 1/2"	5		0.6			1 1/2"	5		0.8		
2"	8		0.6			2"	8		0.8		
3"	17.5		0.6			3"	17.5		0.8		
4"	30		0.6			4"	30		0.8		
6"	62.5		0.6			6"	62.5		0.8		
8"	90		0.6			8"	90		0.8		
10"	145		0.6			10"	145		0.8		
12"	215		0.6			12"	215		0.8		
			Sum:						Sum:		
Total Residential Account Housing Units for the Year of Interest (RESUNITS) = G										G	
(Sum the total individually metered residences (A) and the sums of equivalent master metered residential account housing units (Es) or the sums of the counted master metered residential account housing units (Fs).											

<b>Worksheet B: Service Area Summary</b>			
Page 1 of 3			
Permittee Name:		DRAFT 08/03/06	
Permit Number(s):			
Service Area Name:			
Census Data Year:			
Year of Interest:			
Data Entry Required in Solid Bordered Cells			
Calculated Output in Dashed Bordered Cells			
Optional Survey Data Entry in Double Outlined Cells			
<b>1. Service Area Residential Housing Account Data Required</b>			
(From Worksheet A)			
Residential Account Housing Units Year of Interest			
RESUNITS			
<b>2. Census Data Required for All Census Blocks in Service Area</b>			
(From Worksheet C)			
Sum of Census Population	Sum of Census Households	Sum of Group Quarters Population	Sum of Total Housing Units
CPOPNNH	CHH	CGRUPPOP	CHOUSUNITS
<b>3. Permanent Resident Persons/Household (PERMPPH) - Choose One Only</b>			
		Census	Optional Approved Survey Method
		PERMPPH	OR PERMPPH
(CPOPNNH/CHH) =			
<b>4. Seasonal Resident Persons Per Household (SEASPPH) - Choose One Only</b>			
Default Method		Optional Approved Survey Method	
SEASPPH		SEASPPH	

<b>Worksheet B: Service Area Summary Worksheet (Cont'd)</b>							
Page 2 of 3							
Permittee Name:							
Permit Number(s):							
Service Area Name:							
Census Data Year:							
Year of Interest:							
<b>5. Service Area Peak Seasonal Resident Ratio (SEASRR)</b>							
<b>(From Worksheet D Part 1)</b>							
				<b>SEASRR</b>			
(not required if using survey data)							
<b>6. Calculation of Service Area Census Year Seasonal Households (SEASHH)</b>							
(not required if using survey data)				<b>SEASHH</b>			
((SEASRR - 1) x CPOPNNH) / SEASPPH =							
<b>7. Calculation of Seasonal Households to Total Households Ratio (SEAS/TOTHH)</b>							
					Optional Ap- proved Survey Method		
				<b>SEAS/TOTHH</b>	or	<b>SEAS/TOTHH</b>	
SEASHH / (CHH + SEASHH) =							
<b>8. Calculation of Seasonal Resident Peak Population - Yr. of Interest (SEASPKPOP)</b>							
				<b>SEASPKPOP</b>			
RESUNITS x SEAS/TOTHH x SEASPPH =							
<b>9. Calculation of Permanent Resident Population for Yr. of Interest (PERMPOP)</b>							
				<b>PERMPOP</b>			
(1 - SEAS/TOTHH) x RESUNITS x PERMPPH =							
<b>10. Seasonal Proportional Residence Time (SEASPROP)</b>							
Beach	or Non-Beach	or Optional					
Destination	Destination	Approved					
County	County	Survey					
Default=0.442	Default=0.567	Method					
<b>SEASPROP</b>	<b>SEASPROP</b>	<b>SEASPROP</b>					

<b>Worksheet B: Service Area Summary (Cont'd)</b>						
Page 3 of 3						
Permittee Name:						
Permit Number(s):						
Service Area Name:						
Census Data Year:						
Year of Interest:						
<b>11. Calculation of Seasonal Resident Adjustment Factor (SEASADJ)</b>						
					<b>SEASADJ</b>	
((SEASPROP x 132) + ((1 - SEASPROP) x (132 - 69.3))) / 132 =						
<b>12. Calculation of Functional Seasonal Resident Population for Year of Interest (FSEASPOP)</b>						
					<b>FSEASPOP</b>	
SEASPKPOP x SEASADJ =						
<b>13. Calculation of Group Quarters Population for Year of Interest (GRUPPOP)</b>						
					<b>GRUPPOP</b>	
(CGRUPPOP/CHOUSUNITS) x RESUNITS						
<b>14. Calculation of Total Required Functional Population for Year of Interest (REQPOP)</b>						
					<b>REQPOP</b>	
PERMPOP + FSEASPOP + GRUPPOP =						
<b>15. Optional Total Functional Tourist Population for Year of Interest (FTOURPOP)</b>						
Must include documentation of sources and calculations						<b>FTOURPOP</b>
(From Worksheet G)						
<b>16. Optional Functional Net Commuter Population for Year of Interest (FNETCOM)</b>						
(From Worksheet I)						<b>FNETCOM</b>
<b>Total Required and Optional Functional Service Area Population For the Year of Interest = REQPOP + FTOURPOP + FNETCOM =</b>						

Worksheet C: Households, Group Quarters & Housing Units						
Page: of :					DRAFT 08/03/06	
Permittee Name:						
Permittee Number(s):						
Census Year:						
Data Entry Required in Solid Bordered Cells						
Calculated Output in Dashed Bordered Cells						
			Census Population in House- Holds	Census House- Holds	Census Group Quarters Population	Census Total Housing Units
County Name or Census County Code	Census Tract	Census Block	(CPOP NHH)	(CHH)	(CGRUP POP)	(CHOUS UNITS)
<b>Sums</b>						



<b>Worksheet D: Peak Seasonal Resident Ratio</b>			
Page: of :			DRAFT 02/26/06
Permittee Name:			
Permit Number(s):			
Population Year of Interest:			
<b>Data Entry Required in Solid Bold Bordered Cells</b>			
<b>Calculated Output in Dashed Bordered Cells</b>			
NOTE: See Appendix "A", Section 3, "Worksheet D: Peak Seasonal Residential Ratio", in Part D "Requirements for the Estimation of Permanent and Temporal Service Area Populations in the Southern Water Use Caution Area" of the Water Use Permit Information Manual for identification and selection of ZIP Codes, Census Year Estimated Peak Seasonal Resident Population and permanent population by ZCTA. Additional ZIP Code rows may be added as needed.			
<b>Part 1: District - Provided Admissions and Census Year Peak Seasonal and Permanent Resident Population</b>			
Geographic ZIP Codes/ZCTAs	Average Annual 3rd Quarter Admissions by ZIP/ZCTA Only if Small Service Area Partial ZCTA Selection Criteria Used <b>A</b>	ZIP Code/ZCTA Estimated CensusYear Peak Seasonal Resident Population <b>B</b>	Census Year ZCTA Permanent Population <b>C</b>
	Sum of A =		
		<b>Sum of B = E</b>	<b>Sum of C = F</b>
Sum Seasonal (B) & Permanent (C) Populations			
<b>District Data Peak Seasonal Resident Ratio (SEASRR) = (E + F) / F =</b>			

<b>Part 2: Survey Results for Peak Seasonal and Permanent Resident Population and Seasonal Duration</b>					
Year Survey Performed:					
Month Survey Performed (Jan/Feb/Mar)					
Residential Account Housing Units Served in Year Prior to Survey:					
Interpolated Minimum Number of Returned Surveys:					
Number of Usable Surveys Returned:					
Total Seasonal Resident Household Surveys Returned = A	A				
Total Persons in Seasonal Households from Returned Surveys = B	B				
Seasonal Resident Persons Per Household (SEASPPH) = B/A	B/A				
Total Months Seasonal Residents Reside in the Service Area = C	C				
Seasonal Proportional Residence Time (SEASPROP) = (C/A)/12	(C/A)/12				
Total Permanent Resident Household Surveys Returned = D	D				
Total Persons in Permanent Households from Returned Surveys = E	E				
Permanent Resident Persons Per Household (PERMPPH) = E/D	E/D				
Seasonal to Total Household Ratio SEAS/TOTHH = A/(A+D)	A/(A+D)				

<b>Worksheet E: Partial ZCTA Selection</b>				
DRAFT 02/26/06				
Page: of :				
Permittee Name:				
Permit Number(s):				
Population Year of Interest:				
<b>Data Entry Required in Solid Bold Bordered Cells</b>				
<b>Calculated Output in Dashed Bordered Cells</b>				
<b>Note: Additional Rows May Be Added for Additional Blocks and Additional ZCTA Calculation Blocks May Be Copied and Pasted.</b>				
				<b>ZCTA #</b>
<b>Partial ZCTA 1 =</b>				
				<b>A</b>
<b>Total Census ZCTA Housing Units = A</b>				
				Total Block Housing Units
Service Area Census Blocks Totally or Partially Within ZCTA				
County Name (or Census Code)	Tract #	Block #		
				<b>B</b>
				<b>C</b>
<b>Sum of Housing Units in Blocks Above = C</b>				<b>C/A</b>
<b>Percent of Total ZCTA Housing Units = C/A</b>				



<b>Worksheet F: Small Service Area ZCTAs</b>				
DRAFT 02/26/06				
Page: of :				
Permittee Name:				
Permit Number(s):				
Population Year of Interest:				
<b>Data Entry Required in Solid Bold Bordered Cells</b>				
<b>Calculated Output in Dashed Bordered Cells</b>				
<b>Step 1. Enter Sum of Census Population in Households (CPOPNIH)</b>				<b>A</b>
from Worksheet B (Must not exceed 25,000) = A				
<b>Step 2. Determination of Minimum Average Annual 3rd Quarter Admissions Threshold Using a. or b. Below, as Applicable.</b>				
<b>a.</b>				
If the sum of population in households (A above) exactly matches a Table A-1 population value (Appendix A, Section 3.2.4), enter the corresponding minimum admissions threshold as "B", then continue to Step 3.				<b>B</b>
<b>or</b>				
<b>b.</b>				
<b>Interpolation</b> - If the sum of population in households is in-between Table A-1 population values, then an adjusted minimum average annual 3rd quarter admissions threshold must be calculated as outlined below.				
Table A-1 Population Value That is More Than Sum of Population in Households in A above = C				<b>C</b>
Table A-1 Population Value That is Less Than Sum of Population in Households in A above = D				<b>D</b>
Difference Between C and D (C-D) = E				<b>E</b>
Minimum Admissions for Table A-1 Population Value That is More Than A above = F				<b>F</b>
Minimum Admissions for Table A-1 Population Value Less Than A above = G				<b>G</b>
Difference Between F and G (F-G) = H				<b>H</b>
Divide H by E (H/E) = I				<b>I</b>
Difference Between A and D (A-D) = J				<b>J</b>
Adjusted Minimum Admissions Threshold = G+(J x I) = K				<b>K</b>

<b>Step 3. Selection Of ZCTAs to Include in the Service Area</b>						
The average annual third quarter hospital admissions by ZIP Code and the ZCTAs required to complete Step 2. are available at the District's website or from the District's Planning Department.						
First add admissions from ZIP Codes/ZCTAs entirely within the service area. If the minimum admissions threshold has not been reached, add admissions from ZIP Codes/ZCTAs partially in the service area until the minimum admissions threshold (B or K in Step 1. above) has been just met or exceeded in the "cumulative ZCTA" column. Those ZIP Codes entirely in the service area and those that are partially in that have been added to meet the minimum 3rd quarter admissions threshold shall be used in Worksheet D.						
				ZCTA		Cumulative ZCTA
List				Average Annual 3rd		Average Annual 3rd
ZIP Codes Entirely Within Service Area			Equivalent ZCTA	Quarter Admissions From Provided Data		Quarter Admissions From Provided Data
				<b>A =</b>		<b>A =</b>
				<b>E =</b>		<b>A+B=C =</b>
				<b>D =</b>		<b>C+D=E =</b>
				<b>F =</b>		<b>E+F=G =</b>
List	Number of ZIP Codes Partially Within Service Area			ZCTA		Cumulative ZCTA
	in Order of Billing Occurrence - Highest to Lowest			Average Annual 3rd		Average Annual 3rd
	Appears in Billing Records		Equivalent ZCTA	Quarter Admissions From Provided Data		Quarter Admissions From Provided Data
				<b>H =</b>		<b>G+H= I =</b>
				<b>J =</b>		<b>I+J= K =</b>
				<b>L =</b>		<b>K+L= M =</b>
				<b>N =</b>		<b>M+N= O =</b>

<b>Worksheet G: Functional Tourist Population</b>				
DRAFT 08/03/06				
Page: of :				
Permittee Name:				
Permit Number(s):				
Population Year of Interest:				
<b>Data Entry Required in Solid Bold Bordered Cells</b>				
<b>Calculated Output in Dashed Bordered Cells</b>				
Use Part 1 to estimate functional tourist population from directly collected collected data or Part 2 to to estimate functional tourist population indirectly from touris accomodation taxes. Use Part 3 to estimate functional in-home tourist population.				
<b>Part 1: Public Lodging Data Method</b>				
<b>a. Inventory of Service Area Public Lodging</b>				
Attach documentation of data source and year collected.				
Note: Insert additional rows as needed.				
Public Lodging Facility Name				Number of Rooms
Sum of Service Area Rooms = A				A
<b>b. Average Annual Monthly Occupancy Rate</b>				
Attach documentation of data source and year collected. For seasonal data, insert same occupancy rate for each month in applicable season.				
For average annual data, enter annual rate in each month.				
Customer survey data must be weighted by customer rooms.				
See Section A-5.1.2.				
Month				Monthly Occupancy Rate
January				
February				
March				
April				
May				
June				
July				
August				
September				
October				
November				
December				

					<b>C</b>
Sum of Monthly Occupancy Rates = C					
					<b>D</b>
Average Monthly Occupancy Rate = D = C/12					
<b>c. Average Guests Per Room (party size)</b>					
Documentation of data source and year collected required (other than defaults).					
Customer survey data must be weighted by number of rooms per customer respondent. See Section 5.1.4 of Appendix A..					
Enter an X under the source of the data and enter the selected value under E.					
Coastal Beach	All Other	Lodging	Other		
Destination County	Counties	Customer	(Must		
Default = 2.7	Default = 2.3	Survey	Document)	<b>E</b>	
<b>d. Total Direct Data Daily Public Lodging Tourist Population</b>					<b>F</b>
F = A x D x E					
<b>Part 2: Tourist Accommodations Lodging Tax Method</b>					
Documentation of data source and year collected required (other than defaults).					
If average daily room rate is from customer survey, room rates must be weighted by number of rooms per customer respondent (see Section 5.1.4 App. A).					
<b>a. Calculation of Room Days Per Month</b>					
				Average	
	Service Area Tourist		Monthly	Daily	Total Room
	Accommodation Tax		Room	Room	Days Per
Month	Collections	Tax Rate	Revenue	Rate	Month
	<b>G</b>	<b>H</b>	<b>I = G/H</b>	<b>J</b>	<b>K = I/J</b>
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
Sum of Room Days Per Month = L					
					<b>L</b>



<b>b. Average Guests Per Room (party size)</b>						
Documentation of data source and year collected required (other than defaults).						
Customer survey data must be weighted by number of rooms per customer respondent. See Section 5.1.4 of Appendix A.						
Enter an X under the source of the data and enter the selected value under M.						
Coastal Beach		All Other		Lodging		
Destination County		Counties		Customer		
Default = 2.7		Default = 2.3		Survey		<b>M</b>
<b>c. Calculation of Tourist Tax Estimated Tourist Daily Population</b>						
						<b>N</b>
$N = (L \times M) / 365$						
<b>Part 3. In-Home Tourist Population</b>						
Documentation of data source and year collected required.						
Note: See Worksheet A for total Service Area Residential Account Housing Units for the Year of Interest (RAHUYI)						
Average In-Home Tourist Days Per Household Per Year		Residential Account Housing Units		Average Annual In-Home Tourists per Day		
<b>O</b>		<b>P</b>		<b>Q</b>		
				$Q = (O \times P) / 365$		
<b>Part 4: Total Functional (Daily) Tourist Population (FTOURPOP)</b>						
The total functional tourist population is the sum of "F" from Part 1 or "N" from Part 2 plus "Q" from Part 3.						
<b>FTOURPOP</b>	<b>F</b>	or	<b>N</b>	+	<b>Q</b>	<b>FTOURPOP</b>







## Appendix D

DRAFT 07/31/06

Census Year  
Seasonal Resident and Permanent Population by ZIP Code

***Southern Water Use Caution Area Only***

To  
Part D of the Water Use Permit Information Manual:  
Requirements for the Estimation of Permanent And  
Temporal Service Area Populations  
in the Southern Water Use Caution Area

Planning Department  
Southwest Florida Water Management District



Filename: 07 31 06 App D Seasonal Data by ZIP SWUCA Only.xls  
Sheet 1-Instructions  
Draft of July 31, 2006

**Steps in the Calculation of Peak Seasonal Resident Ratio (SEASRR)**

**Step 1: Select ZIP Codes to Represent Water Service Area**

See rule for criteria for selecting appropriate ZIP Codes.

**Step 2: Sum the Seasonal Resident Populations for the Selected ZIP Codes**

**Step 3: Sum the Permanent Resident Populations for the Selected ZIP Codes**

**Step 4: Calculate the Peak Seasonal Resident Ratio (SEASRR)**

$$\frac{(\text{Sum of Census yr. seasonal residents} + \text{Sum of Census yr. permanent residents})}{\text{Sum of Census yr. permanent residents}}$$

**See Example Ratio Calculation**

Filename: 07 31 06 App D Seasonal Data by ZIP SWUCA Only.xls  
 Sheet 2-Sample Calculation of Peak Seasonal Resident Ratio (SEASRR)  
 Draft of July 31, 2006

**Sample Calculation of Peak Seasonal Resident Ratio  
 (Data from "Data by ZIP Code" Worksheet)**

<b>Selected ZIP Codes</b>	<b>Estimated Seasonal Resident Population</b>	<b>Permanent Census Population</b>
	<b>A</b>	<b>B</b>
33837	7,121	21,315
33838	972	2,843
33844	7,378	26,600
33850	315	4,039
33868	1,659	10,885
33881	2,459	28,225

**Sum of A**  
**19,904**

**Sum of B**  
**93,907**

**Peak Seasonal Resident Ratio**  
**(Sum A + Sum B) / Sum B**  
**1.212**

Filename: 07 31 06 App D Seasonal Data by ZIP SWUCA Only.xls  
 Sheet 3-Seasonal Resident and Permanent Population by ZIP Code  
 Draft of July 31, 2006

Emergency Admissions - Patients 55-84 Years Old, Seasonal & Permanent Population by Geographic ZIP Codes						
Geographic Patient ZIP Code	Sum 1999-2001	Sum 1999-2001	Difference Q1-Q3 divided by 3 Q3 <= Q1 c = a-b	Overall Emergency Incidence Age 45-74 d	Census Year Estimated Peak Seasonal Resident Population e = c/d	Permanent Population Census 2000 ZIP Code Tabulation Area April 1, 2000
	Quarter 1 Admissions January-March a	Quarter 3 Admissions July-September b				
33471	39	28	3.67	0.015302	240	5,700
33510	311	278	11.00	0.015302	719	22,374
33511	684	680	1.33	0.015302	87	44,927
33527	193	147	15.33	0.015302	1,002	11,431
33534	225	171	18.00	0.015302	1,176	7,496
33540	1,024	689	111.67	0.015302	7,298	18,837
33541	1,578	875	234.33	0.015302	15,314	23,017
33542	Please use Geographic Patient ZIP Codes 33540 and 33541					
33547	130	122	2.67	0.015302	174	8,527
33548	Please use Geographic Patient ZIP Code 33549					
33549	553	488	21.67	0.015302	1,416	44,672
33556	147	137	3.33	0.015302	218	13,995
33558	Please use Geographic Patient ZIP Code 33549					
33559	Please use Geographic Patient ZIP Code 33549					
33563	Please use Geographic Patient ZIP Codes 33541, 33564, 33565, and 33567					
33565	197	160	12.33	0.015302	806	16,814
33566	287	262	8.33	0.015302	545	21,552
33567	205	185	6.67	0.015302	436	25,920
33569	769	543	75.33	0.015302	4,923	35,689
33570	642	365	92.33	0.015302	6,034	12,857
33572	246	210	12.00	0.015302	784	7,461



33573	1,671	1,245	142.00	0.015302	9,280	16,321
33584	391	362	9.67	0.015302	632	20,490
33592	282	237	15.00	0.015302	980	9,970
33594	708	603	35.00	0.015302	2,287	47,721
33598	182	162	6.67	0.015302	436	8,019
33602	318	267	17.00	0.015302	1,111	8,955
33603	420	368	17.33	0.015302	1,133	20,947
33604	807	710	32.33	0.015302	2,113	36,785
33605	605	539	22.00	0.015302	1,438	17,081
33606	202	164	12.67	0.015302	828	14,960
33607	769	679	30.00	0.015302	1,961	22,801
33609	308	269	13.00	0.015302	850	16,180
33610	1,030	917	37.67	0.015302	2,462	32,397
33611	535	480	18.33	0.015302	1,198	29,837
33612	1,028	912	38.67	0.015302	2,527	42,961
33613	564	531	11.00	0.015302	719	29,424
33614	802	714	29.33	0.015302	1,917	43,803
33615	645	588	19.00	0.015302	1,242	41,349
33616	180	132	16.00	0.015302	1,046	12,014
33617	567	490	25.67	0.015302	1,677	42,281
33618	260	234	8.67	0.015302	566	20,358
33619	689	566	41.00	0.015302	2,679	28,459
33620	2	0	0.67	0.015302	44	2,532
33621	10	8	0.67	0.015302	44	2,689
33624	484	404	26.67	0.015302	1,743	45,065
33625	209	189	6.67	0.015302	436	20,781
33626	74	58	5.33	0.015302	349	11,116
33629	342	317	8.33	0.015302	545	22,858
33634	226	212	4.67	0.015302	305	19,255
33635	177	149	9.33	0.015302	610	12,439
33637	112	95	5.67	0.015302	370	12,534
33647	153	129	8.00	0.015302	523	26,290
33715	151	103	16.00	0.015302	1,046	7,403
33801	1,073	829	81.33	0.015302	5,315	31,593
33803	847	603	81.33	0.015302	5,315	26,994
33805	743	629	38.00	0.015302	2,483	20,426
33809	871	641	76.67	0.015302	5,010	28,855
33810	524	394	43.33	0.015302	2,832	28,563
33811	269	232	12.33	0.015302	806	16,176
33813	559	467	30.67	0.015302	2,004	35,411
33815	414	277	45.67	0.015302	2,984	13,620
33823	413	354	19.67	0.015302	1,285	26,485
33825	1,032	712	106.67	0.015302	6,971	23,257
33827	50	38	4.00	0.015302	261	2,527
33830	567	446	40.33	0.015302	2,636	25,723
33834	106	58	16.00	0.015302	1,046	7,274
33837	665	416	83.00	0.015302	5,424	21,315
33838	90	56	11.33	0.015302	741	2,843
33839	32	32	0.00	0.015302	0	1,591
33841	179	146	11.00	0.015302	719	7,881
33843	307	170	45.67	0.015302	2,984	10,668
33844	981	723	86.00	0.015302	5,620	26,600
33849	59	42	5.67	0.015302	370	418
33850	74	63	3.67	0.015302	240	4,039
33851	Please use Geographic Patient ZIP Code 33844					
33852	853	592	87.00	0.015302	5,686	19,653
33853	1,053	822	77.00	0.015302	5,032	34,439
33857	83	48	11.67	0.015302	762	1,645
33859	Please use Geographic Patient ZIP Code 33853					
33860	405	340	21.67	0.015302	1,416	17,015
33865	26	13	4.33	0.015302	283	681
33868	210	152	19.33	0.015302	1,263	10,885
33870	1,373	895	159.33	0.015302	10,413	22,563

33872	1,056	668	129.33	0.015302	8,452	20,593
33873	225	195	10.00	0.015302	654	14,442
33875	Please use Geographic Patient ZIP Code 33872					
33876	Please use Geographic Patient ZIP Code 33870					
33877	Please use Geographic Patient ZIP Code 33853					
33880	366	322	14.67	0.015302	958	33,778
33881	538	452	28.67	0.015302	1,873	28,225
33884	222	200	7.33	0.015302	479	20,016
33890	108	81	9.00	0.015302	588	5,088
33896	Please use Geographic Patient ZIP Code 33837					
33897	Please use Geographic Patient ZIP Code 33837					
33898	Please use Geographic Patient ZIP Code 33853					
33903	491	310	60.33	0.015302	3,943	23,107
33917	723	365	119.33	0.015302	7,799	28,561
33921	19	6	4.33	0.015302	283	1,500
33946	82	33	16.33	0.015302	1,067	1,064
33947	273	189	28.00	0.015302	1,830	5,238
33948	416	321	31.67	0.015302	2,069	14,692
33950	1,287	832	151.67	0.015302	9,912	19,361
33952	1,142	808	111.33	0.015302	7,276	30,543
33953	116	62	18.00	0.015302	1,176	3,452
33954	113	98	5.00	0.015302	327	7,383
33955	186	140	15.33	0.015302	1,002	6,227
33960	20	15	1.67	0.015302	109	701
33980	343	284	19.67	0.015302	1,285	9,081
33981	249	167	27.33	0.015302	1,786	7,225
33982	266	176	30.00	0.015302	1,961	9,289
33983	316	228	29.33	0.015302	1,917	10,960
34201	20	18	0.67	0.015302	44	1,877
34202	154	118	12.00	0.015302	784	15,335
34203	785	539	82.00	0.015302	5,359	26,017
34205	1,013	777	78.67	0.015302	5,141	31,817
34207	1,137	780	119.00	0.015302	7,777	30,690
34208	620	529	30.33	0.015302	1,982	30,750
34209	1,212	936	92.00	0.015302	6,012	33,228
34210	466	377	29.67	0.015302	1,939	13,883
34211	Please use Geographic Patient ZIP Code 34202					
34212	Please use Geographic Patient ZIP Code 34202					
34215	55	18	12.33	0.015302	806	792
34217	309	149	53.33	0.015302	3,485	6,385
34219	110	103	2.33	0.015302	152	5,812
34221	992	694	99.33	0.015302	6,492	31,646
34222	441	311	43.33	0.015302	2,832	8,732
34223	824	427	132.33	0.015302	8,648	18,002
34224	703	423	93.33	0.015302	6,099	14,984
34228	107	55	17.33	0.015302	1,133	7,603
34229	58	49	3.00	0.015302	196	4,850
34231	384	304	26.67	0.015302	1,743	31,885
34232	385	315	23.33	0.015302	1,525	31,969
34233	313	256	19.00	0.015302	1,242	14,745
34234	265	216	16.33	0.015302	1,067	20,511
34235	206	144	20.67	0.015302	1,351	13,028
34236	179	131	16.00	0.015302	1,046	11,636
34237	179	130	16.33	0.015302	1,067	16,890
34238	179	154	8.33	0.015302	545	14,042
34239	202	141	20.33	0.015302	1,329	15,800
34240	115	75	13.33	0.015302	871	6,757
34241	167	117	16.67	0.015302	1,089	12,106
34242	92	50	14.00	0.015302	915	9,581
34243	268	250	6.00	0.015302	392	20,508
34251	48	39	3.00	0.015302	196	4,239
34266	866	613	84.33	0.015302	5,511	31,964
34269	Please use Geographic Patient ZIP Code 34266					
34275	254	142	37.33	0.015302	2,440	15,005
34285	221	124	32.33	0.015302	2,113	8,039
34286	70	55	5.00	0.015302	327	8,610
34287	708	476	77.33	0.015302	5,054	19,089

Filename: 07 31 06 App D Seasonal Data by ZIP SWUCA Only.xls  
Sheet 4-Average Third Quarter Emergency Admissions by Zip Code  
Draft of July 31, 2006

**Example Calculation of Average Annual Third Quarter Hospital Admissions by Zip Code  
Patients Aged 55 - 84, Emergency Admissions Only**

Permittees wishing to select partial zip codes/Zip Code Tabulation Areas (ZCTA) to represent their service area using the "Zip Codes Partially Within Small Service Areas" provisions of the rule will find the three-year average of third quarter admissions by Zip Code in Sheet 5 "Average Annual Q3 Admissions by Zip Code".

Simply locate the selected zip code from the Geographic Patient Zip Code column and then locate the corresponding average emergency admissions in the "Avg. 1999-2001 Quarter 3 Admissions" column.

Note: Please scroll down to "Average Third Quarter Emergency Admissions - Patients 55-84 Years Old by Geographic Zip Codes" table

Filename: 07 31 06 App D Seasonal Data by ZIP SWUCA Only.xls  
Sheet 5-Data Source and Modifications to the Data Set  
Draft of July 31, 2006

**Source:**

The original source of the admissions data is the Hospital Inpatient Data compiled by the Florida Agency for Healthcare Administration (AHCA). The data are cumulative for the period 1999-2001. The age range for patients is 55-84 years old. The totals reflect emergency admissions only.

**Modifications to AHCA Dataset**

Geographic ZIP Codes:

These are only ZIP Codes that have geographic boundaries. These ZIP Codes are assigned to street or physical addresses exclusively. Emergency patients who listed post office box addresses with post office box ZIP Codes were included in the ZIP Codes where those post office boxes are physically located. Consequently, emergency admissions totals by ZIP Code may differ from those calculated using the original admissions data from the Agency for Healthcare Administration.

Quarter 3 (July-September) Modification:

For each year 1999-2001, and each Geographic ZIP Code, if third quarter (June-August) emergency admissions were less than first quarter (January-March) emergencies, they were set equal to first quarter emergency admissions. Consequently, the difference between emergency admissions in the first quarter and those in the third quarter is greater than or equal to zero for each year and each Geographic ZIP Code. This ensures that the peak seasonal resident ratio is greater than or equal to 1.

Filename: 07 31 06 App D Seasonal Data by ZIP SWUCA Only.xls  
 Sheet 6-Missing and New ZIP Codes  
 Draft of July 31, 2006

**Missing ZIP Codes**

If a ZIP Code is not listed, it is because there were no emergency admissions for patients 55-84 years old in any quarter between January 1999 and December 2001 to hospitals located in counties inside or adjacent to the Southwest Florida Water Management District.

**Reconciling New Geographic Patient ZIP Codes with Census 2000 ZIP Code Tabulation Areas (ZCTAs)**

There was no permanent population for some of the geographic ZIP Codes listed in Table 1 below. These geographic ZIP Codes did not exist at the time the Bureau of the Census mapped the ZCTAs and have no ZCTA equivalent. The admissions reported from these geographic ZIP Codes were reassigned to their original geographic ZIP Codes. For example, emergency admissions reported from new ZIP Code 32162 were added to those reported from 32159. ZIP Code 33542 was carved out of two ZIP Codes (33540 and 33541). In this case, the admissions were divided according the percentage of housing units from each of the zip codes now inside 33542. Table 1 indicates which ZCTAs received admissions from these 18 new geographic ZIP Codes.

Note: Please scroll down to see Tables 1 and 2.

Filename: 07 31 06 App D Seasonal Data by ZIP SWUCA Only.xls  
 Sheet 7-Seasonal Admissions Incidence  
 Draft of July 31, 2006

**Determination of the Overall Emergency Admission Incidence for Seasonal Residents 55-84 years old**

The admissions incidence is based on third quarter emergency hospital admissions for the age group 45-74 and is calculated as the admissions with patient ZIP Codes for this age group in ZIP Codes in the District divided by the total population of this age group in ZIP Codes in the District. The emergency admissions incidence is based on a younger age group because research indicates that the seasonal resident population is generally healthier than the equivalent age resident permanent resident population. The incidence is calculated as the 3-year average of 3rd quarter emergency admissions for the 45-74 age group divided by the Census year total 45-74 age group population for the ZIP Codes and ZCTA's in the District. Again, the three years used to estimate the average Census year admissions are Census -1, Census, and Census +1. For the 2000 Census, the District-wide 45-74 emergency admissions incidence to be used in estimating the Census year seasonal resident population is 0.015302.

45-74 year old age group							
1999 - 2001 Hospital Admissions Data							
(Emergency ONLY)							
Geography	Q1	Q2	Q3	Q4	TOTAL	Census 2000 Permanent Population 45-74 years	Overall Incidence*
	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec			
SWFWMD Counties	88,743	78,498	76,724	83,566	327,531	1,671,289	0.015302
*Overall Incidence =							(76,724/3)/1,671,289

Filename: 07 31 06 App D Seasonal Data by ZIP SWUCA Only.xls  
Sheet 8-Contacts  
Draft of July 31, 2006

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**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE CHAPTER NO.: 40D-8  
 RULE CHAPTER TITLE: Water Levels and Rates of Flow

RULE NO.: 40D-8.624  
 RULE TITLE: Guidance and Minimum Levels for Lakes

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed Rule 40D-8.624(13), F.A.C., published in Vol. 32, No. 19, May 12, 2006, issue of the Florida Administrative Weekly, page 2188.

Proposed amendments to 40D-8.624(13) are now as follows:

(13) Levels for lakes established during or after August 7, 2000, are set forth in the following table. After the High Minimum Lake Level and Minimum Lake Level elevation for

each lake is a designation indicating the Method used, as described in subsection 40D-8.624(8)(7), F.A.C., to establish the level. Compliance with the High Minimum and Minimum Lake Levels is determined pursuant to paragraphs (6)(b) and (7)(b) above. Guidance Levels established prior to August 7, 2000, are set forth in Table 8-3 in subsection 40D-8.624(14), F.A.C., below.

Corrections are proposed to Table 8-2, subsections (i) and (z) in 40D-8.624(13) to correct the township for Jackson Lake from T-24S to T-34S, and the range for Clinch Lake from R-8E to R-28E, so that those subsections are now proposed as follows:

Table 8-2 Minimum and Guidance Levels Established During or After August 7, 2000. Levels are elevations, in feet above the National Geodetic Vertical Datum of 1929.

Location by County and Basin	Name of Lake and Section, Township and Range Information	Ten-Year Flood Guidance Level	High Guidance Level	High Minimum Lake Level	Minimum Lake Level	Low Guidance Level
(i) In Highlands County Within the Peace River Basin <b>RESERVED</b>	<u>Jackson Lake</u> S-30 T-34S R-29E	<u>104.1</u>	<u>102.6</u>	<u>102.4</u> (Cat 3)	<u>101.3</u> (Cat 3)	<u>100.2</u>
	<u>Letta Lake</u> S-31 T-33S R-29E	<u>100.5</u>	<u>99.5</u>	<u>99.5</u> (Cat 3)	<u>98.4</u> (Cat 3)	<u>97.1</u>
	Little Jackson Lake S-06 T-35S R-29E	<u>104.1</u>	<u>102.6</u>	<u>102.4</u> (Cat 3)	<u>101.3</u> (Cat 3)	<u>100.2</u>
	<u>Lotela Lake</u> S-26 T-33S R-28E	<u>108.5</u>	<u>107.5</u>	<u>106.8</u> (Cat 3)	<u>105.7</u> (Cat 3)	<u>105.0</u>
(z) In Polk County Within the Peace River Basin <b>RESERVED</b>	<u>Clinch Lake</u> S-31 T-31S R- 28E	<u>107.4</u>	<u>105.5</u>	<u>105.5</u> (Cat 3)	<u>104.4</u> (Cat 3)	<u>103.1</u>
	<u>Eagle Lake</u> S-01 T-29S R-25E	<u>131.3</u>	<u>129.6</u>	<u>129.0</u> (Cat 3)	<u>127.9</u> (Cat 3)	<u>127.2</u>
	<u>McLeod Lake</u> S-07 T-29S R-26E	<u>133.3</u>	<u>129.4</u>	<u>129.4</u> (Cat 3)	<u>128.3</u> (Cat 3)	<u>127.0</u>
	<u>Wales Lake</u> S-01 T-30S R-27E	<u>114.1</u>	<u>ND</u>	<u>107.7</u> (Cat 3)	<u>106.6</u> (Cat 3)	<u>ND</u>

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE CHAPTER NO.: 40D-80  
 Recovery and Prevention Strategies for Minimum Flows and Levels

RULE NO.: 40D-80.074  
 REGULATORY PORTION OF RECOVERY STRATEGY FOR THE SOUTHERN WATER USE CAUTION AREA

**NOTICE OF CHANGE**

Notice is hereby given in accordance with subparagraph 120.54(3)(d)1., F.S., that the following changes have been made to the proposed Rule 40D-80.074, F.A.C., published in Vol. 32, No. 19, May 12, 2006, issue of the Florida Administrative Weekly, page 2192.

Changes proposed to the new Rule 40D-80.074, F.A.C., titled "Regulatory Portion of Recovery Strategy For the Southern Water Use Caution Area.", are shown to the proposed language in an underline and strikethrough format below:

40D-80.074 Regulatory Portion of Recovery Strategy For the Southern Water Use Caution Area.

- (1) No change.
- (2) Objectives of Recovery Strategy.

Long-term (as defined in Section 4.3 A of the Basis of Review for Water Use Permits, incorporated by reference in Rule 40D-2.091, F.A.C.) flow rates and water levels for most MFL water bodies are below the MFLs predominantly because ground water withdrawals have lowered Floridan aquifer levels in the SWUCA. As a result of the lowered aquifer levels, salt water intrusion is occurring, and river flows and lake levels are impacted by reduced water levels, including some of those rivers and lakes for which MFLs have been established. The goals of the District's Recovery Strategy are the recovery of flows and levels to the MFLs and the provision of sufficient water supplies for all existing and projected reasonable-beneficial uses. The Minimum Flows for rivers are described in Rule 40D-8.041, F.A.C. The Minimum Levels for lakes are described in subsection 40D-8.624(13), F.A.C. The Minimum Levels for aquifers are described in subsection 40D-8.626(2), F.A.C. The MFLs for rivers, lakes and aquifers are described in and established in paragraph 40D-8.041(2), F.A.C., and Table 8-5 in Rule 40D-8.624, F.A.C., and Table 8-2 and Rule 40D-8.626, F.A.C., Table 8-6. The District intends to maintain on its website at [www.watermatters.org](http://www.watermatters.org) a current listing of those water bodies for which a recovery or prevention strategy is in effect.

- (3) Recovery Strategy Mechanisms.
  - (a) through (b) No change.
  - (c) The water use permitting rules in Chapter 40D-2, F.A.C., address water conservation, alternative water supplies and recovery to MFLs. These water conservation and alternative water supplies rules include the amendments to

Chapter 40D-2, F.A.C., November 15, 1990, January 1, 2003, as well as subsequent rules effective adopted as of January 1, 2007, 2006 developed in conjunction with the implementation of the Minimum Flows and Levels Recovery Strategy. In combination, these rules result in more efficient use of water and a lessening of impacts from withdrawals on water bodies with established MFLs.

(4) through (6) No change.

(7) The District recognizes that although the rate of salt water intrusion (SWI) will be reduced through implementation of the Recovery Strategy, some existing legal uses of water may be affected by the continued movement of the salt water interface. The District's water supply planning indicates that much of the area potentially susceptible to SWI is experiencing land use transition from traditionally agricultural lands to forms of urban development. The water needs of these new land uses are planned to be met with alternative water supplies funded all or in part by the District to the greatest extent practical. In those cases where the existing permittee, impacted by SWI, desires to continue the existing legal water use, the District has a number of programs that address that situation. The District has available ~~will make its~~ various preventative and remedial programs to permittees potentially at risk of salt water intrusion such as the Quality of Water Improvement Program (QWIP), the Facilitating Agricultural Resource Management Systems (FARMS) program, the New Water Source Initiative, the Water Supply and Resource Development Program, and the Cooperative Funding Program (as it relates to replacement of potentially affected water sources with alternative water supplies). For information on these programs, contact the District's headquarters by calling (352)796-7211 or (800)423-1476, or by emailing the District at [executive@swfwmd.state.fl.us](mailto:executive@swfwmd.state.fl.us) or by opening the District's website [www.watermatters.org](http://www.watermatters.org) and clicking on the link "Contact Us".

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-2.0144  
 RULE TITLE: Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges

## 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. 32, No. 42, October 20, 2006 issue of the Florida Administrative Weekly.

The change is in response to concerns stated in letter from the Joint Administrative Procedure Committee dated October 16, 2006. The change is as follows:

The rule shall read as:

64B5-2.0144 Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges.

Applicants for licensure as dental hygienists who have graduated from an unaccredited dental school or college shall submit the following:

(1) A completed application, on the appropriate form set forth in Rule 64B5-1.021, F.A.C., and which requires the applicant to verify by oath the information supplied;

(2) The application fees specified in Rule 64B5-15.002, F.A.C.;

(3) A certified photocopy of the dental school diploma and a certified translation if the diploma is in a language other than English, which diploma shall be comparable to a D.D.S. or a D.M.D.;

(4) ~~A grade report or a Final final~~ official transcripts received directly from the schools where post-secondary dental ~~pre~~dental education was received and from the dental school which reflects the applicant's matriculation and graduation dates and degree earned; the transcript shall be authenticated by the official school stamp or seal as well as the signature of an authorized school official and shall be accompanied with a certified translation if the documents are in a language other than English;

(5) Proof which establishes successful completion of ~~4 5~~ academic years of post-secondary dental education, ~~which shall include 4 academic years of dental education.~~ Proof of the ~~4 5~~-years of required education shall include a report from an Educational Credential Evaluators (ECE) approved evaluating service which evaluation includes a year by year evaluation of the applicant's credentials. Said report shall not be conclusive, but shall only be advisory to the Board;

(6) Any graduate of a foreign dental college or school not accredited or approved in accordance with Section 466.007(2)(b), and not accredited in accordance with Section 466.006(2)(b), F.S. who seeks licensure as a dental hygienist pursuant to Section 466.007(2)(b)2., F.S. but is unable to supply proper educational credentials due to the political or other conditions of the country in which the education was received, shall submit any and all documents which would tend to support the applicant's claim of proper credentials and shall submit with the application:

(a) A written statement which shall include:

1. A complete chronological account of all schools attended during the candidate's entire education, including dates of attendance and graduation, the addresses of all schools attended;

2. A description of all dental school courses which the applicant successfully completed;

(b) At least five (5) written statements concerning the applicant's dental education from persons who are directly acquainted with the candidate's educational credentials. If the applicant relies on these written statements to establish qualifications for licensure, then at least three (3) of the written statements must be from dentists who are not related to the applicant;

(c) Any applicant who provides false information to the Florida Board of Dentistry on his or her licensure application and/or written statements as required by this rule will be referred for criminal prosecution pursuant to Section 456.067 of the Florida Statutes.

(d) Unless the Board is otherwise satisfied that the credentials required by sub-sections three (3) through five (5) above cannot be obtained, the Board will not accept such other evidence as described in this Section until the applicant has demonstrated to the Board that he or she has made a reasonable attempt to obtain the credentials.

~~(6) A detailed description of the applicant's dental education which is substantiated by official documents of the school;~~

(7) Proof received directly from the American Dental Association, that the National Board of Dental Examiners Written Examination has been successfully completed within 10 years prior to application; or that the National Board of Dental Hygiene Examination has been successfully completed within 10 years prior to application. ~~Applicants who successfully completed the dental examination more than 10 years prior to application shall submit proof of having successfully completed Part II of the examination within 10 years prior to application and in no more than three attempts to successfully complete it, prior to application;~~

(8) If the applicant's name has changed since initiation of dental education, a certified copy of the legal document changing the name or an affidavit sworn before a notary public or other person authorized to administer oaths that the person named in credentials submitted and the applicant are the same person;

(9) Two 2 inch by 2 inch photographs of the applicant which are suitable for identification; ~~and~~

(10) Proof of having completed an HIV course that meets the requirements of Rule 64B5-12.019, F.A.C.; proof of having completed a medical errors course that meets the requirements of subsection 64B5-12.019(11), F.A.C.; and proof of having completed a domestic violence course that meets the requirements of subsection 64B5-12.019(8), F.A.C.;



(11)(a) Applicants applying for licensure under Section 466.007(2)(b)2., F.S., whose applications do not indicate they have obtained Dental Hygiene clinical education to the level of the clinical experience required by an American Dental Association (ADA) accredited Dental Hygiene program in the areas set forth in subsection (11)(b) below, shall be required to obtain remedial coursework in those designated areas that applicant has not successfully completed that would meet the ADA clinical requirements at an ADA accredited dental hygiene school. Such additional coursework shall be obtained from a program accredited by the ADA, only after the applicant satisfies and the Board approves the education and testing requirements of sub-sections three (3) through ten (10) above. Such additional coursework must be obtained by the applicant and approved by the Board prior to the applicant being allowed to sit for the Florida Dental Hygiene examination.

(b) The accredited clinical coursework referenced in sub-section (a) above shall be in the following areas:

1. Radiology: 15 hours didactic and 10 hours lab/clinical;
2. Prophylaxis Performance: 25 hours didactic and 100 hours clinical;
3. Infection Control: 10 hours didactic and 10 hours clinical;
4. Periodontal Therapy: 20 hours didactic and 30 hours clinical;
5. Pharmacology: 15 hours didactic and 10 hours clinical;
6. Biomedical Sciences: 10 hours didactic;
7. Clinical History Management: 10 hours didactic;
8. Special Patient Care: 5 hours didactic and 10 hours clinical; and

9. Training in cardiopulmonary resuscitation (CPR) at the basic support level, including one-rescuer and two-rescuer CPR for adults, children, and infants; the use of an automatic external defibrillator (AED); and the use of ambu-bags. All such training shall be sufficient for and shall result in current certification or re-certification by the American Heart Association, the American Red Cross or an entity with equivalent requirements;

(c) The additional coursework required by subsections (11)(a) and (11)(b) of this rule must be obtained and approved by the Board prior to the applicant being allowed to sit for the Florida Dental Hygiene examination.

Specific Authority 466.004, 466.007, 456.067 FS. Law Implemented 466.007 FS. History—New 1-18-95, Formerly 59Q-2.0144, Amended 8-19-97, 8-20-97, 5-20-01,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE NO.:	RULE TITLE:
64B32-4.002	Reactivation of Retired Status License

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 30, July 28, 2006 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF FINANCIAL SERVICES**

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

RULE NOS.:	RULE TITLES:
69K-6.0015	Definition of Established Adult Grave Space
69K-6.0016	Definition of Developed Area

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 32, No. 42, October 20, 2006 issue of the Florida Administrative Weekly.

The proposed rules were incorrectly advertised as being promulgated by the Division of Funeral, Cemetery, and Consumer Services. The proposed rules are being promulgated by the Board of Funeral, Cemetery, and Consumer Services.

**DEPARTMENT OF FINANCIAL SERVICES**

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

RULE NO.:	RULE TITLE:
69K-6.009	Identification Tags-Acceptable Materials, Locations, and Methods of Affixing

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 32, No. 42, October 20, 2006 issue of the Florida Administrative Weekly.

The proposed rule was incorrectly advertised as being promulgated by the Division of Funeral, Cemetery, and Consumer Services. The proposed rule is being promulgated by the Board of Funeral, Cemetery, and Consumer Services.

**Section IV  
Emergency Rules**

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER06-55  
 RULE TITLE: Instant Game Number 675, JINGLE BUCKS

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 675, "JINGLE BUCKS," 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: Louisa H. Warren, Senior Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER06-55 Instant Game Number 675, JINGLE BUCKS.

(1) Name of Game. Instant Game Number 675, "JINGLE BUCKS."

(2) Price. JINGLE BUCKS lottery tickets sell for \$10.00 per ticket.

(3) JINGLE BUCKS 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 JINGLE BUCKS lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

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

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>
ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN	SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	TWENTY
<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>
THIRTYONE	THIRTYTWO	THIRTYTHREE	THIRTYFOUR	THIRTYFIVE	THIRTYSIX	THIRTYSEVEN	THIRTYEIGHT	THIRTYNINE	THIRTY

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

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>
ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN	SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	TWENTY
<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>
THIRTYONE	THIRTYTWO	THIRTYTHREE	THIRTYFOUR	THIRTYFIVE	THIRTYSIX	THIRTYSEVEN	THIRTYEIGHT	THIRTYNINE	THIRTY

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

<b>\$5.00</b>	<b>\$10.00</b>	<b>\$15.00</b>	<b>\$20.00</b>		
FIVE	TEN	FIFTEEN	TWENTY		
<b>\$25.00</b>	<b>\$40.00</b>	<b>\$50.00</b>	<b>\$100</b>	<b>\$200</b>	
THY FIV	FORTY	FIFTY	ONE HUN	TWO HUN	
<b>\$250</b>	<b>\$500</b>	<b>\$1,000</b>	<b>\$10,000</b>	<b>\$150,000</b>	
TWOHUNFTY	FIVE HUN	ONE THO	TEN THO	ONE FTY THO	

(7) The legends are as follows:

**WINNING NUMBERS YOUR NUMBERS**

(8) Determination of Prizewinners.

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

(b) The prize amounts are: \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$40.00, \$50.00, \$100, \$200, \$250, \$500, \$1,000, \$10,000 and \$150,000.

(c) A ticket having a "WIN" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$200.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 675 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 34 POOLS OF
			120,000 TICKETS PER POOL
\$5 x 2	\$10	15.00	272,000
\$10	\$10	30.00	136,000
\$5 x 3	\$15	30.00	136,000
\$15	\$15	30.00	136,000
\$5 x 4	\$20	30.00	136,000
\$20	\$20	30.00	136,000
\$5 x 8	\$40	171.43	23,800
(\$5 x 4) + (\$10 x 2)	\$40	300.00	13,600
\$10 x 4	\$40	240.00	17,000
\$20 x 2	\$40	300.00	13,600
\$40	\$40	300.00	13,600
\$50	\$50	30.00	136,000
\$5 x 20	\$100	400.00	10,200
(\$10 x 6) + \$40	\$100	400.00	10,200
\$50 x 2	\$100	600.00	6,800
\$100	\$100	600.00	6,800
\$10 x 20	\$200	12,000.00	340
(\$10 x 10) + (\$20 x 3) + \$40	\$200	12,000.00	340
\$100 x 2	\$200	12,000.00	340
(\$25 x 4) + (\$50 x 2)	\$200	12,000.00	340

\$200 (JINGLE BELL)	\$200	355.03	11,492
\$25 x 20	\$500	60,000.00	68
\$50 x 10	\$500	60,000.00	68
(\$20 x 6) + (\$25 x 12) + (\$40 x 2)	\$500	60,000.00	68
\$250 x 2	\$500	60,000.00	68
\$500	\$500	60,000.00	68
\$50 x 20	\$1,000	340,000.00	12
\$100 x 10	\$1,000	340,000.00	12
\$200 x 5	\$1,000	340,000.00	12
\$500 x 2	\$1,000	340,000.00	12
\$1,000	\$1,000	340,000.00	12
\$500 x 20	\$10,000	2,040,000.00	2
\$10,000	\$10,000	2,040,000.00	2
\$150,000	\$150,000	2,040,000.00	2

(10) The estimated overall odds of winning some prize in Instant Game Number 675 are 1 in 3.35. 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 675, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a JINGLE BUCKS lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for JINGLE BUCKS lottery tickets shall be made in accordance with rules 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.

Specific 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 10-27-06.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: October 27, 2006

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER06-56  
 RULE TITLE: Instant Game Number 676, CANDY CANE CASH

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 676, "CANDY CANE CASH," 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: Louisa H. Warren, Senior Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:


53ER06-56 Instant Game Number 676, CANDY CANE CASH.

(1) Name of Game. Instant Game Number 676, "CANDY CANE CASH."

(2) Price. CANDY CANE CASH lottery tickets sell for \$5.00 per ticket.

(3) CANDY CANE CASH 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 CANDY CANE CASH lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

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

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
ONE	TWO	THREE	FOUR	FIVE	SIX
<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
SEVEN	EIGHT	NINE	TEN	ELEVEN	TWELV
<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>
THRTN	FORTN	FIFTN	SIXTN	SVNTN	EGHTN
<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>
NINTN	TWENTY	THYONE	THYTWO	THYTHR	THYFOR
<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	
THYFIV	THYSIX	THYSVN	THYEGT	THYNIN	WIN

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

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
ONE	TWO	THREE	FOUR	FIVE	SIX
<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
SEVEN	EIGHT	NINE	TEN	ELEVEN	TWELV
<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>
THRTN	FORTN	FIFTN	SIXTN	SVNTN	EGHTN
<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>
NINTN	TWENTY	THYONE	THYTWO	THYTHR	THYFOR
<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	
THYFIV	THYSIX	THYSVN	THYEGT	THYNIN	

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

<b>\$1.00</b> ONE <b>\$25.00</b> THY FIV	<b>\$2.00</b> THO <b>\$50.00</b> FIFTY	<b>\$4.00</b> FOUR <b>\$75.00</b> SVY FIV	<b>\$5.00</b> FIVE <b>\$100</b> ONE HUN	<b>\$10.00</b> TEN <b>\$200</b> THO HUN	<b>\$15.00</b> FIFTEEN <b>\$500</b> FIV HUN
<b>\$1,000</b> ONE THO	<b>\$10,000</b> TEN THO	<b>\$50,000</b> FTY THO			

<u>\$5 + (\$10 x 7)</u>	<u>\$75</u>	<u>20,000.00</u>	<u>252</u>
<u>(\$5 x 5) + \$50</u>	<u>\$75</u>	<u>20,000.00</u>	<u>252</u>
<u>(\$10 x 5) + \$25</u>	<u>\$75</u>	<u>20,000.00</u>	<u>252</u>
<u>\$75</u>	<u>\$75</u>	<u>20,000.00</u>	<u>252</u>
<u>\$10 + (\$15 x 6)</u>	<u>\$100</u>	<u>800.00</u>	<u>6,300</u>
<u>(\$5 x 10) + (\$10 x 5)</u>	<u>\$100</u>	<u>705.88</u>	<u>7,140</u>
<u>\$25 x 4</u>	<u>\$100</u>	<u>800.00</u>	<u>6,300</u>
<u>(\$25 x 2) + \$50</u>	<u>\$100</u>	<u>1,200.00</u>	<u>4,200</u>
<u>\$100</u>	<u>\$100</u>	<u>1,200.00</u>	<u>4,200</u>
<u>\$50 x 10</u>	<u>\$500</u>	<u>120,000.00</u>	<u>42</u>
<u>(\$25 x 10) + (\$50 x 5)</u>	<u>\$500</u>	<u>120,000.00</u>	<u>42</u>
<u>\$500</u>	<u>\$500</u>	<u>120,000.00</u>	<u>42</u>
<u>\$100 x 10</u>	<u>\$1,000</u>	<u>504,000.00</u>	<u>10</u>
<u>\$200 x 5</u>	<u>\$1,000</u>	<u>1,008,000.00</u>	<u>5</u>
<u>(\$50 x 10) + (\$100 x 5)</u>	<u>\$1,000</u>	<u>504,000.00</u>	<u>10</u>
<u>\$500 x 2</u>	<u>\$1,000</u>	<u>1,008,000.00</u>	<u>5</u>
<u>\$1,000</u>	<u>\$1,000</u>	<u>1,008,000.00</u>	<u>5</u>
<u>\$1,000 x 10</u>	<u>\$10,000</u>	<u>2,520,000.00</u>	<u>2</u>
<u>(\$500 x 10) + (\$1,000 x 5)</u>	<u>\$10,000</u>	<u>2,520,000.00</u>	<u>2</u>
<u>\$10,000</u>	<u>\$10,000</u>	<u>2,520,000.00</u>	<u>2</u>
<u>\$50,000</u>	<u>\$50,000</u>	<u>1,680,000.00</u>	<u>3</u>

(7) The legends are as follows:

**WINNING NUMBERS YOUR NUMBERS**

(8) Determination of Prizewinners.

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

(b) The prize amounts are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$25.00, \$50.00, \$75.00, \$100, \$200, \$500, \$1,000, \$10,000 and \$50,000.



(c) A ticket having a "HIN" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of \$50.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 676 are as follows:

GAME PLAY	WIN	NUMBER OF WINNERS IN	
		ODDS OF 1 IN	200,000 TICKETS PER POOL
<u>\$1 x 5</u>	<u>\$5</u>	<u>30.00</u>	<u>168,000</u>
<u>(\$1 x 3) + \$2</u>	<u>\$5</u>	<u>30.00</u>	<u>168,000</u>
<u>\$1 + (\$2 x 2)</u>	<u>\$5</u>	<u>30.00</u>	<u>168,000</u>
<u>\$5</u>	<u>\$5</u>	<u>30.00</u>	<u>168,000</u>
<u>\$1 x 10</u>	<u>\$10</u>	<u>60.00</u>	<u>84,000</u>
<u>\$2 + (\$4 x 2)</u>	<u>\$10</u>	<u>60.00</u>	<u>84,000</u>
<u>(\$1 x 4) + (\$2 x 3)</u>	<u>\$10</u>	<u>60.00</u>	<u>84,000</u>
<u>\$1 + (\$2 x 2) + \$5</u>	<u>\$10</u>	<u>120.00</u>	<u>42,000</u>
<u>\$10</u>	<u>\$10</u>	<u>120.00</u>	<u>42,000</u>
<u>\$1 x 15</u>	<u>\$15</u>	<u>60.00</u>	<u>84,000</u>
<u>\$15</u>	<u>\$15</u>	<u>60.00</u>	<u>84,000</u>
<u>\$5 x 5</u>	<u>\$25</u>	<u>300.00</u>	<u>16,800</u>
<u>(\$5 x 3) + \$10</u>	<u>\$25</u>	<u>400.00</u>	<u>12,600</u>
<u>\$5 + (\$10 x 2)</u>	<u>\$25</u>	<u>300.00</u>	<u>16,800</u>
<u>(\$2 x 5) + \$5 + \$10</u>	<u>\$25</u>	<u>300.00</u>	<u>16,800</u>
<u>(\$1 x 5) + (\$2 x 10)</u>	<u>\$25</u>	<u>400.00</u>	<u>12,600</u>
<u>\$25</u>	<u>\$25</u>	<u>600.00</u>	<u>8,400</u>
<u>\$50 (MONEYBAG)</u>	<u>\$50</u>	<u>100.00</u>	<u>50,400</u>
<u>\$5 x 15</u>	<u>\$75</u>	<u>20,000.00</u>	<u>252</u>

(10) The estimated overall odds of winning some prize in Instant Game Number 676 are 1 in 3.76. 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 676, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a CANDY CANE CASH lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for CANDY CANE CASH lottery tickets shall be made in accordance with rules 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.

Specific 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 10-27-06.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: October 27, 2006

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER06-57  
 RULE TITLE: Instant Game Number 677,  
 HOLIDAY PACKAGE

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 677, "HOLIDAY PACKAGE," 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: Louisa H. Warren, Senior Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER06-57 Instant Game Number 677, HOLIDAY PACKAGE.

(1) Name of Game. Instant Game Number 677, "HOLIDAY PACKAGE."

(2) Price. HOLIDAY PACKAGE lottery tickets sell for \$2.00 per ticket.

(3) HOLIDAY PACKAGE 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 HOLIDAY PACKAGE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

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



(5) The legend is as follows:

**PLAY AREA**

(6) Determination of Prizewinners.

(a) A ticket having three or more tree symbols in the play area shall entitle the claimant to the corresponding prize in the "PRIZE LEGEND" area.

(b) The prizes are: FREE TICKET, \$3, \$5, \$10, \$25, \$50, \$100, \$500, \$1,000 and \$10,000. A claimant who is entitled to a prize of a "FREE TICKET" shall be entitled to a prize of a \$2.00 instant ticket or combination of instant tickets with a

value of \$2.00, except as follows. A person who submits by mail a HOLIDAY PACKAGE lottery ticket which entitles the claimant to a prize of a \$2.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.



(c) A ticket having a "WIN \$50" symbol in the "PLAY AREA" shall entitle the claimant to a prize of \$50.

(7) The estimated odds of winning, value, and number of prizes in Instant Game Number 677 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL
FREE TICKET	\$2 TICKET	8.33	907,200
\$3	\$3	15.00	504,000
\$5	\$5	15.00	504,000
\$10	\$10	50.00	151,200
\$25	\$25	150.00	50,400
\$50 (MONEYBAG)	\$50	327.27	23,100
\$50	\$50	3,600.00	2,100
\$100	\$100	1,894.74	3,990
\$500	\$500	36,000.00	210
\$1,000	\$1,000	180,000.00	42
\$10,000	\$10,000	1,890,000.00	4

(8) The estimated overall odds of winning some prize in Instant Game Number 677 are 1 in 3.52. 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.

(9) For reorders of Instant Game Number 677, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(10) By purchasing a HOLIDAY PACKAGE lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(11) Payment of prizes for HOLIDAY PACKAGE lottery tickets shall be made in accordance with rules 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.

Specific 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 10-27-06.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: October 27, 2006

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER06-58  
 RULE TITLE: Instant Game Number 678, HOLIDAY CHEER

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 678, "HOLIDAY CHEER," 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: Louisa H. Warren, Senior Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER06-58 Instant Game Number 678, HOLIDAY CHEER.

(1) Name of Game. Instant Game Number 678, "HOLIDAY CHEER."

(2) Price. HOLIDAY CHEER lottery tickets sell for \$1.00 per ticket.

(3) HOLIDAY CHEER 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 HOLIDAY PACKAGE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

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

<b>TICKET</b>	<b>\$1.00</b>	<b>\$2.00</b>	<b>\$4.00</b>	<b>\$5.00</b>	<b>\$10.00</b>
TICKET	ONE	TWO	FOUR	FIVE	TEN
<b>\$15.00</b>	<b>\$25.00</b>	<b>\$50.00</b>	<b>\$100</b>	<b>\$500</b>	<b>\$2,000</b>
FIFTEEN	THY FIV	FIFTY	ONE HUN	FIVE HUN	TWO THO

(5) Determination of Prizewinners.

(a) A ticket having three like amounts in the play area shall entitle the claimant to a prize of that amount. The prize amounts are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$25.00, \$50.00, \$100, \$500 and \$2,000.

(b) A ticket having three "TICKET" symbols in the play area shall entitle the claimant to a \$1.00 instant ticket, except as follows. A person who submits by mail a HOLIDAY CHEER lottery ticket that entitles the claimant to a prize of a

\$1.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(6) The estimated odds of winning, value, and number of prizes in Instant Game Number 678 are as follows:

GAME PLAY	WIN	ESTIMATED	NUMBER OF
		ODDS OF	WINNERS IN
TICKET	\$1 TICKET	1 IN	56 POOLS OF
			180,000 TICKETS
			PER POOL
\$1	\$1	10.00	1,008,000
\$2	\$2	15.00	672,000
\$4	\$4	21.43	470,400
\$5	\$5	300.00	33,600
\$10	\$5	50.00	201,600
\$15	\$10	150.00	67,200
\$25	\$15	300.00	33,600
\$50	\$25	300.00	33,600
\$100	\$50	1,200.00	8,400
\$500	\$100	22,500.00	448
\$2,000	\$500	420,000.00	24
	\$2,000	1,260,000.00	8

(7) The estimated overall odds of winning some prize in Instant Game Number 678 are 1 in 3.99. 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.

(8) For reorders of Instant Game Number 678, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(9) By purchasing a HOLIDAY CHEER lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(10) Payment of prizes for HOLIDAY CHEER lottery tickets shall be made in accordance with rules 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.

Specific 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 10-27-06.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: October 27, 2006

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**Section V****Petitions and Dispositions Regarding Rule Variance or Waiver****DEPARTMENT OF LAW ENFORCEMENT**

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Charles Kline on October 30, 2006, a petition for Waiver of paragraph 11B-20.0016(1)(c), F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive the electronic transmission requirement for instructor certification and backdate his certification from September 6, 2006, to August 4, 2006.

Comments on this Petition should be filed with: the Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel, Grace A. Jaye. A copy of the Petition may be obtained by contacting Assistant General Counsel Grace A. Jaye at the above address, or by calling (850)410-7676.

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**WATER MANAGEMENT DISTRICTS**

NAME OF AGENCY: St. Johns River Water Management District

The St. Johns River Water Management District hereby gives notice that it received a petition for variance on October 31, 2006 from Florida Department of Transportation, District 5. Under Section 120.542 of the Florida Statutes, the petitioner is seeking a variance from subparagraph 40C-41.063 (1)(c)1., F.A.C., and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005) (A.H.), with respect to Environmental Resource Permit (ERP) Application 4-009-98863-1. The permit applicant is proposing to widen a segment of I-95 to six lanes by adding pavement and shoulders in the median, rebuilding the Wickham Road interchange, and widening the overpass at Lake Washington Road, as well as expanding the existing surface water

management system, including wet detention ponds that discharge into the Melbourne-Tillman Water Control District canal system, in Brevard County. Subparagraph 40C-41.063 (1)(c)1., F.A.C., and Section 11.1.3., A.H., prohibit the construction, operation, and maintenance of a surface water management system in the Upper St. Johns River Hydrologic Basin that results in an increase in the amount of water being diverted from the Basin to coastal receiving waters. These rules are intended to protect the water resources of the State by limiting discharges of fresh water to estuarine waters and curtailing interbasin diversion.

Comments on this petition should be filed with: Robert Nawrocki, District Clerk, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2006-101. For a copy of the petition or additional information, contact: Timothy A. Smith, Senior Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)312-2347.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that on October 24, 2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibits locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: BCBE Corporate Office Building, Naples (Petition VW 2006-277).

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

NOTICE IS HEREBY GIVEN that on 10/23/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of

MonoSpace® elevator systems in the following location: Lee County Justice Center Expansion, Phase VI Tower, Fort Myers (Petition VW 2006-278).

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

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NOTICE IS HEREBY GIVEN that on October 26, 2006, Bureau of Elevator Safety received a Petition for Variance from 101.2, A.S.M.E. 17.1, 1996 Edition with 1998 Addenda, as adopted by Chapter 3001.2, 2000 Florida Building Code, prohibiting machinery or equipment not used in conjuncture with the elevator in machine rooms. The petition was received from William Snyder of Florida Certified Elevator Inspections, Inc., on behalf of Embassy Suites Hotel located in Tampa, Florida (Petition VW 2006-282).

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

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NOTICE IS HEREBY GIVEN that on October 10, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from B.J. Albanes Food Services located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on three Mobile Food Dispensing Vehicles.

This variance request was approved October 25, 2006 and is contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to subsection 61C-4.0161(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the

Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

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NOTICE IS HEREBY GIVEN that on October 12, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(d), subsection 61C-4.010(5) and paragraph 61C-4.010(7)(e), Florida Administrative Code, from B & S Dockside Grill located in Palmetto. The above referenced Florida Administrative Codes specifically address the proper disposal of sewage and adequate bathroom facilities for fixed establishments. This establishment is currently licensed as a Mobile Food Dispensing Vehicle, but is requesting to operate as a fixed establishment with seating.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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.

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NOTICE IS HEREBY GIVEN that on October 10, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from Fiallos Catering located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on three Mobile Food Dispensing Vehicles.

This variance request was approved October 30, 2006 for the two (2) MFDVs and is contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel



possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to subsection 61C-4.0161(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on the MFDVs at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

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NOTICE IS HEREBY GIVEN that on October 23, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-4.010(7)(e), Florida Administrative Code, from Hermon Cake International located in Miami. The above referenced F.A.C. states public food service establishments which seat 10 persons or less shall be required to provide a minimum of one bathroom accessible to the public. The Petitioner is requesting to use the one existing bathroom facility but have seating for twenty (20) people.

This variance request was approved October 30, 2006 and is contingent upon Petitioner ensuring the public bathroom inside of Hermon Cake International is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed twenty (20) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

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NOTICE IS HEREBY GIVEN that on October 23, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-4.010(7)(e), Florida Administrative Code from Hermon Cake International located

in Miami. The above referenced F.A.C. states public food service establishments which seat 10 persons or less shall be required to provide a minimum of one bathroom accessible to the public. The Petitioner is requesting to use the one existing bathroom facility but have seating for twenty (20) people.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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.

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NOTICE IS HEREBY GIVEN that on October 18, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-4.010(7)(e), Florida Administrative Code from I Love Calle 8 Café & Shop located in Miami. The above referenced F.A.C. states public food service establishments which seat 10 persons or less shall be required to provide a minimum of one bathroom accessible to the public. The Petitioner is requesting to use the one existing bathroom facility but have seating for Twenty (20) people.

This variance request was approved October 25, 2006 and is contingent upon Petitioner ensuring the public bathroom inside of I Love Calle Ocho Café & Shop is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed twenty (20) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Sec. 509.261, Florida Statutes.

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NOTICE IS HEREBY GIVEN that on October 16, 2006, the Board of Accountancy, received a petition for Juliette Demma, seeking a variance or waiver of subsection 61H1-27.002(3), Florida Administrative Code, and the requirement that all accounting courses and not less than 21 semester hours of general business courses required for licensure as a C.P.A. be at the upper division level.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Acting Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505, within 14 days of publication of this notice.

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NOTICE IS HEREBY GIVEN that on August 22, 2006, the Florida Real Estate Appraisal Board has issued an order.

The Florida Real Estate Appraisal Board hereby gives notice that it has issued an Order on the Petition for Variance/Waiver, which was filed on May 9, 2006 by Ben Faulk. The Notice of Petition for Variance/Waiver was published in Vol. 32, No. 22,

of the June 2, 2006, F.A.W. The Petitioner sought a Variance/Waiver with regard to requirements under Rule 61J1-6.001, F.A.C., entitled "Experience Requirement," governing how to account for appraiser experience. His verification submitted was from a former, not current, supervisor. The Florida Real Estate Appraisal Board considered the Petition at its meeting held on August 7, 2006, in Orlando, Florida. The Board's Order, filed on August 22, 2006, denied the Petition for waiver of Rule 61J1-6.001, F.A.C., finding that Petitioner failed to demonstrate evidence of a substantial hardship, or a violation of the principle of fairness or that the underlying purposes of the relevant statutes will be or have been achieved by other means.

A copy of the Order may be obtained by contacting: Michael E. Murphy, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801.

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NOTICE IS HEREBY GIVEN that on October 6, 2006, the Florida Real Estate Commission, received a petition for a waiver or variance of Rule 61J2-10.034, F.A.C. with respect to the use of Trade names, filed by Allen R. Grossman, Esq., on behalf of Trammell Crow Specialty Realty, Inc.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801, within 14 days of publication of this notice.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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#### DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on September 29, 2006, the the Board of Hearing Aid Specialist, received a petition for waiver or variance of subsection 64B6-8.003(8), F. A. C., with respect to the Board's trainee stages, minimum training requirements, and training programs from James Daniel Clark. A copy of the Petition for Variance or Waiver may be obtained by contacting Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

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NOTICE IS HEREBY GIVEN that on June 16, 2005, the Board of Medicine has issued an order.

The Petition for Waiver and/or Variance was filed by Abiodun A. Odeleye, M.D., on March 2, 2005, seeking a waiver or variance from Rule 64B8-5.001, F.A.C., with regard to the time frames imposed for passage of the USMLE. The Notice was published in Vol. 31, No. 11, of the F.A.W., on March 18, 2005. The Credentials Committee, at its meeting held on May

21, 2005, recommended that Petitioner's request for waiver or variance be granted. The Board, at its meeting held on June 4, 2005, accepted the Committee's recommendation and voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship and met the purpose of the underlying statute.

A copy of the Order may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

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NOTICE IS HEREBY GIVEN that on October 13, 2006, the Board of Podiatric Medicine has issued an order.

The Board of Podiatric Medicine hereby gives notice that it has issued an Order on the Petition for Variance/Waiver, which was filed on August 16, 2006 on behalf of Hernan Alamilla, D.P.M., a licensed Podiatrist in the State of New York. The Notice of Petition for Variance/Waiver was published in Vol. 32, No. 35, of the September 1, 2006, F.A.W. The Petitioner sought a waiver of Rule 64B18-11.001, F.A.C., entitled "Application for Licensure," and Rule 64B18-11.002, F.A.C., entitled "Examination for Licensure," requiring that he take and pass all of Part One, Two and Three of the Board's approved licensure exam ("NBPME"). The Board of Podiatric Medicine considered the Petition at its meeting held on September 15, 2006, in Orlando, Florida. The Board's Order, filed on October 13, 2006, denied the Petition for waiver of Rule 64B18-11.001 and Rule 64B18-11.002, F.A.C., finding that Petitioner failed to present appropriate evidence of a substantial hardship or to demonstrate a violation of any principles of fairness.

A copy of the Order may be obtained by contacting: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3258.

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NOTICE IS HEREBY GIVEN that on October 16, 2006, the the Board of Podiatric Medicine has issued an order.

The Board's Order, filed on October 16, 2006, grants the Petition for Variance or Waiver, finding that Petitioner has met the requirements of Section 120.542(2) of the Florida Statutes. Specifically, Petitioner has demonstrated that denial of the waiver would cause a substantial hardship unique to him since the Petitioner is the only applicant who passed the August, 1993 Florida licensing examination and received correspondence from the Division of Medical Quality Assurance instructing him that he could pay the initial fee and activate his license at a later date. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of Section 64B18-11.001 and 64B18-11.002, F.A.C.

A copy of the Order may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.

**FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN that on October 20, 2006, the Florida Housing Finance Corporation has issued an order.

Granting a Petition for Variance

NAME OF THE PETITIONER: Amber Garden, LLC

DATE PETITION WAS FILED: September 15, 2006

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 67-48.002(83) and Paragraph 10 of the 2006 Qualified Allocation Plan, Florida Administrative Code

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., September 29, 2006, Vol. 32, No. 39

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: October 20, 2006

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org

NOTICE IS HEREBY GIVEN that on October 20, 2006, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: BHG-79TH ST., LLC

DATE PETITION WAS FILED: September 19, 2006

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(14)(j) and subsection 67-48.004(I), Florida Administrative Code

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., September 29, 2006, Vol. 32, No. 39

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDERED THE FILE CLOSED: October 20, 2006

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org

NOTICE IS HEREBY GIVEN that on October 20, 2006, the Florida Housing Finance Corporation has issued an order.

Granting a Petition for Waiver or Variance

NAME OF THE PETITIONER: BHG-79TH ST., LLC

DATE PETITION WAS FILED: September 19, 2006

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 11 of the 2005 Qualified Allocation Plan; Florida Administrative Code (2005)

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: FAW, September 29, 2006, Vol. 32, No. 39

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDERED THE FILE CLOSED: October 20, 2006

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org

NOTICE IS HEREBY GIVEN that on October 30, 2006, the Florida Housing Finance Corporation, received a petition for Variance of Rule 9I-35.006, Florida Administrative Code from Liberty Center III, Ltd. ("Petition"). The Petition is seeking a variance of the requirement which imposes certain conditions on mortgage loans issued by the Corporation under the SAIL program.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on November 1, 2006, the Florida Housing Finance Corporation, received a petition for Waiver of paragraph 67-48.004(1)(a), Florida Administrative Code from McCurdy Center, Ltd. ("Petition"). The Petition is seeking a waiver of the requirement of a bathtub with shower in at least one bathroom in at least 90% of the new construction non-Elderly units.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on November 1, 2006, the Florida Housing Finance Corporation, received a petition for Waiver of subsection 67-48.004(14), Florida Administrative Code from Pinnacle Square, Ltd. ("Petition"). The Petition is seeking a waiver of the prohibition of changing the total number of units, and a change in the funding request amount.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on October 13, 2006, the Florida Housing Finance Corporation, received a petition for Variance of subsection 67-48.002(83), Florida Administrative Code and Paragraph 11 of the Qualified Allocation Plan from MerryPlace at Pleasant City Associates, Ltd. ("Petition"). The Petition is seeking a variance of the prohibition on returning Housing Credits only in the last calendar quarter of the year in which a development is required to be placed in service, an allocation to be made for the year after the Placed-in-Service Date.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

NOTICE IS HEREBY GIVEN that on October 20, 2006, the Florida Housing Finance Corporation has issued an order.

NAME OF THE PETITIONER: Pinnacle Park, Ltd.

DATE PETITION WAS FILED: August 23, 2006

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(14)(j) and 67-48.004(14)(k) relating to RFP 2006-04 SAIL Loan Program, Florida Administrative Code

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., September 8, 2006, Vol. 32, No. 36

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION ORDER APPROVED THE VARIANCE OR WAIVER: October 20, 2006

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

A copy of the Order may be obtained by contacting: Sherry Green, Public Records Clerk, at the above address, telephone (850)488-4197 or e-mail to Sherry.Green@floridahousing.org

## Section VI

### Notices of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF LEGAL AFFAIRS

The **Florida Commission on the Status of Women** announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2006, 9:45 a.m. – 4:00 p.m.

PLACE: Tallahassee Community College Capitol Center, 300 W. Pensacola St., Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The 4th Quarterly Meeting of the Florida Commission on the Status of Women.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax (850)921-4131.

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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax (850)921-4131. If you are

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 Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax (850)921-4131.

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#### **DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**NOTICE OF CANCELLATION** – The Department of Agriculture and Consumer Services announces the cancellation of Wood Destroying Organism Workshop for Proposed Rule Development 5E-14 Entomology-Pest Control Regulations, which appeared in the October 27, 2006 issue of the FAW, Vol. 32, No. 43.

Specifically, the November 16, 2006 workshop scheduled at the Mid Florida Research and Education Center, 2725 Binion Road, Apopka, Florida, is hereby cancelled. If necessary, a new meeting will be announced at a later date.

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The **Division of Environmental Services** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, December 5, 2006, 10:00 a.m.

**PLACE:** Bob Crawford Agricultural Center, Bldg. A, 615 East Main Street, Bartow, Florida 33830

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Fertilizer Technical Council Meeting.

A copy of the agenda may be obtained by contacting: Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8, Room L-29, Tallahassee, Florida 32399-1650, (850)488-8731.

If special accommodations are needed to attend this meeting because of a disability, please call Dale Dubberly as soon as possible.

For more information, you may contact: Mr. Dale Dubberly, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Building 8, Room L-29, Tallahassee, Florida 32399-1650, (850)488-8731.

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The **Florida Agriculture in the Classroom, Inc.**, Board of Directors will hold a regularly scheduled board meeting to which all interested persons are invited.

**DATE AND TIME:** Tuesday, November 14, 2006, 10:00 a.m. – 2:00 p.m.

**PLACE:** Florida Fruit and Vegetable Association (near Orlando), 800 Trafalgar Court, Maitland, FL 32794

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#### **DEPARTMENT OF EDUCATION**

The **Florida Center for Advising and Academic Support (FCAAS)** announces a public meeting to which all persons are invited.

**DATE AND TIME:** November 15, 2006, 9:30 a.m. – 2:00 p.m.

**PLACE:** Ralph Turlington Building, Conference Room 1704/06, 325 West Gaines Street, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The quarterly meeting of the FCAAS Board will be held to discuss ongoing development and administration of the FACTS.org project.

A copy of the agenda may be obtained by writing: FCAAS, 325 West Gaines Street, Suite 1724, Tallahassee, Florida 32399-0400.

Any persons requiring special accommodations to attend this meeting because of a disability or physical impairment may contact Stacie Causey, FCAAS, (850)245-0518, at least seven days in advance so their needs can be accommodated.

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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:** Saturday, December 9, 2006, 9:00 a.m.

**PLACE:** Center for Leadership Development, Moore Hall, FSDB campus, St. Augustine, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Matters pertaining to the Florida School for the Deaf and the Blind, including a Public Hearing on Rules 6D-9.007, F.A.C., Health Care Policies; Rule 6D-14.002, F.A.C., Transportation Policies and Procedures; and Rule 6D-16.002, F.A.C., Human Resources Management and Development.

A copy of the agenda may be obtained by contacting: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, or by calling (904)827-2200.

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.

Pursuant to the provisions of 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: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799. If you are 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: Elmer L. Dillingham, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799.

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The Florida **Department of Education**, Office of Independent Education and Parental Choice, announces a public meeting of the Florida Schools of Excellence Commission Sub-committee to which all persons are invited.

DATE AND TIME: November 21, 2006, 12:00 Noon – 1:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2459620. If you are unable to call in you may participate at 325 W. Gaines Street, Conference Room 724, Tallahassee, Florida 32399 to listen to the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Schools of Excellence Commission Sub-committee will be holding a conference call to discuss policy considerations regarding the possible local education authority (LEA) status of the Florida Schools of Excellence Commission.

Special Accommodations: Persons with disabilities who require assistance to participate in these hearings are requested to contact: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502.

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The Florida **Department of Education**, Office of Independent Education and Parental Choice, announces a public meeting of the Florida Schools of Excellence Commission Sub-committee to which all persons are invited.

DATE AND TIME: November 21, 2006, 2:00 p.m. – 4:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2459620. If you are unable to call in you may participate at 325 W. Gaines Street, Conference Room 724, Tallahassee, Florida 32399 to listen to the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Schools of Excellence Commission Executive Director Search Sub-committee will be holding a conference call to discuss the executive director application process.

Special Accommodations: Persons with disabilities who require assistance to participate in these hearings are requested to contact: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502.

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The Florida **Department of Education**, Office of Independent Education and Parental Choice, announces a public meeting of the Florida Schools of Excellence Commission to which all persons are invited.

DATE AND TIME: November 21, 2006, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code 2459620. If you are unable to call in you may participate at 325 W. Gaines Street, Conference Room 724, Tallahassee, Florida 32399 to listen to the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Schools of Excellence Commission will be holding a conference call to discuss and approve the National Association of Charter School Authorizers (NACSA) co-sponsor application.

Special Accommodations: Persons with disabilities who require assistance to participate in these hearings are requested to contact: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502.

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### DEPARTMENT OF LAW ENFORCEMENT

The **Criminal Justice Professionalism Program** announces a public meeting for a Probable Cause Determination to which all persons are invited to attend.

DATE AND TIME: December 5, 2006, 1:00 p.m. – Open

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To determine if probable cause exists to proceed with possible disciplinary action.

A copy of the Probable Cause case agenda can be obtained by calling: Brenda Presnell, (850)410-8648, at the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Bureau of Standards, Professional Compliance Section, P. O. Box 1489, Tallahassee, Florida 32302.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Donna Hunt, (850)410-8615, at least 2 weeks prior to the meeting.

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### DEPARTMENT OF REVENUE

The **Property Tax Reform Committee**, as established by Executive Order number 06-141, announces a public meeting to which all persons are invited.

DATE AND TIME: November 17, 2006, 10:00 a.m. – 5:00 p.m.

PLACE: Hillsborough County Commission Chambers, County Center, 2nd Floor, 601 East Kennedy Blvd., Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida property tax structure and procedures; public testimony regarding property taxation in Florida.

A copy of the agenda may be obtained at [www.propertytaxreform.state.fl.us](http://www.propertytaxreform.state.fl.us) or by contacting Rosa Dorsey at (850)487-1880.

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**DEPARTMENT OF TRANSPORTATION**

The Florida **Department of Transportation**, District Seven, invites you to attend and participate in the District Seven and Turnpike Enterprise Five-Year Tentative Work Program Public Hearings for Fiscal Years July 1, 2007, through June 30, 2012. The Department's Tentative Work Program lists projects funded over the next five years and includes preliminary engineering, right-of-way acquisition, construction, public transportation and Florida Turnpike Enterprise projects for Citrus, Hernando, Hillsborough, Pasco, and Pinellas counties. The Public Hearings will be held at the following locations:

**DATE AND TIME:** Tuesday, December 5, 2006, 5:00 p.m. – 7:00 p.m.

**PLACE:** Pasco County Government Center, Board of County Commission Chambers, 7530 Little Road, New Port Richey, Florida 34654

**DATE AND TIME:** Thursday, December 7, 2006, 5:00 p.m. – 7:00 p.m.

**PLACE:** Florida Department of Transportation, District Seven Auditorium, 11201 N. McKinley Drive, Tampa, Florida 33612  
The Work Program Public Hearings are being conducted pursuant to Chapter 120 and Section 339.135(4)(d), Florida Statutes, and Title VI, and Title VIII of the United States Civil Rights Acts of 1964 and 1968.

Anyone needing special accommodations under the Americans with Disabilities Act of 1990 should contact Ms. Lee Royal, Community Liaison Administrator, (813)975-6427 or 1(800)226-7220 at least 10 working days in advance of the Public Hearings.

The Department will receive verbal and written comments at the Public Hearings. Written comments not received at the Public Hearings must be postmarked by December 18, 2006 to become part of the official Public Hearing transcript. Written comments should be addressed to: Donald J. Skelton, P.E., District Secretary; Florida Department of Transportation, District Seven, 11201 N. McKinley Drive, MS 7-100, Tampa, Florida 33612.

Para preguntas en Español: Valoramos la opinion del publico sobre esta reunion publica. Si usted tiene preguntas o comentarios, o si simplemente desea informacion adicional en Español, puede comunicarse con Manuel Santos al telefono 1(800)226-7220.

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

**DATE AND TIMES:** December 7, 2006, Open House 6:00 p.m.; Public Hearing 7:00 p.m.

**PLACE:** Venice Community Center, 326 S. Nokomis Avenue, Venice, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This hearing is being held to allow persons an opportunity to express their views concerning the location, conceptual design,

and social, economic, and environmental impacts of the Design Change Reevaluation of the Project Development and Environment (PD&E) Study completed in 1994 for U.S. 41 (Venice Bypass) in Venice, from Center Road to south of U.S. 41 Business North. Financial Project ID Number 198017-2-32-01. The proposed improvements to U.S. 41 (Venice Bypass) consist of upgrading the existing four-lane roadway to a six-lane divided urban roadway from Center Road to Bird Bay Drive. This project is located partially in the City of Venice and partially in Sarasota County.

A copy of the agenda may be obtained by writing: Mr. Chris Piazza, FDOT, District One Office, P. O. Box 1249, Bartow, FL 33831.

Anyone needing project or public hearing information, or special accommodations pursuant to the Americans with Disabilities Act of 1990, should contact Mr. Chris Piazza by telephone at 1(800)292-3368 or by writing to the address above at least seven (7) days prior to the public hearing.

The Florida **Department of Transportation**, District One announces a Public Hearing to present the Department's Tentative Work Program for Fiscal Years beginning July 1, 2007, through June 30, 2012, to which all persons are invited.

**DATE AND TIME:** Wednesday, December 13, 2006, 9:30 a.m.

**PLACE:** Bob Crawford Agricultural Center, 605 East Main Street, Bartow, Florida 33830

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The hearing will consist of a presentation by the Department on the FDOT Tentative Five Year Work Program for fiscal years 2007/2008 through 2011/2012, followed by a public testimony period. This public hearing is being conducted pursuant to Section 339.135(4)(c), Florida Statutes, as amended. At the hearing, the public is invited to review the District One Tentative Five Year Work Program. Department staff will be available prior to and immediately following for information discussion and assistance. A court reporter will be available to accept public comments, if desired, for entry into the public record.

Written comments from all interested parties will be accepted by the Department at the public hearing and within ten days after the hearing. Comments should be mailed to: Stanley M. Cann, P.E., District Secretary, Florida Department of Transportation, Post Office Box 1249, Bartow, Florida 33831.

Specific notice is provided to Polk, Lee, Sarasota/Manatee, Charlotte, and Collier Metropolitan Planning Organizations (MPOs) and the County Commission Chairpersons for Polk, Manatee, Sarasota, Charlotte, Lee, Collier, Hendry, Glades, Okeechobee, Highlands, Hardee, and DeSoto Counties.

**Central Office:** Florida Department of Transportation, Equal Opportunity Office, 605 Suwannee Street, MS 65, Tallahassee, Florida 32399-0450.

District Office: Florida Department of Transportation, District One, Title VI & Title VIII Coordinator, 801 North Broadway Avenue, Bartow, Florida 33830.

The proposed projects have been developed in accordance with the Civil Rights Act of 1964, and the Civil Rights Act of 1968. Under Title VI and Title VIII of the United State Civil Rights Act and person(s) or beneficiary who believes they have been subjected to discrimination because of race, color, religion, sex, age, national origin, disability or familial status may file a written complaint to the Department of Transportation's Equal Opportunity Office in Tallahassee or contact the District Title VI and Title VIII Coordinator in Bartow.

Assistance for disabled persons may be arranged by contacting Cindy Clemmons-Adente, Public Information Director, Bartow District Office, 1(863)519-2362 at least ten (10) days in advance of the Public Hearing.

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### **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

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### **FLORIDA PAROLE COMMISSION**

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

**DATE AND TIME:** Wednesday, November 29, 2006, 9:00 a.m.

**PLACE:** Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release matters as well as other Commission business.

A copy of the Agenda may be obtained by writing to: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980).

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

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### **PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces a prehearing conference and a hearing to be held in the following docket, to which all interested persons are invited.

**DOCKET NO. 060635-EU** – Petition for determination of need for electrical power plant in Taylor County by Florida Municipal Power Agency, JEA, Reedy Creek Improvement District, and City of Tallahassee.

#### **PREHEARING CONFERENCE**

**DATE AND TIME:** Thursday, December 21, 2006, 9:30 a.m.

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

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

#### **HEARING**

**DATE AND TIME:** Wednesday, January 10, 2007, 9:30 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this hearing is for the Commission to take final action to determine the need, pursuant to Section 403.519, Florida Statutes, for Florida Municipal Power Agency, JEA, Reedy Creek Improvement District, and City of Tallahassee (collectively, the "Participants") proposed electrical power plant to be constructed in Taylor County and to consider any motions or other matters that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow Florida Municipal Power Agency, JEA, Reedy Creek Improvement District, and City of Tallahassee to present evidence and testimony in support of its petition for a determination of need for its proposed electrical power plant; (2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate.

Any member of the public who wishes to offer testimony should be present at the beginning of the hearing. By providing public testimony, a person does not become a party to the proceeding. To become an official party of record, you must file a Petition for Intervention at least five days before the final hearing, pursuant to the requirements contained in Rule 25-22.039, Florida Administrative Code. All witnesses shall be subject to cross-examination at the conclusion of their testimony.



The hearing will be governed by the provisions of Chapter 120, Florida Statutes, Section 403.519, Florida Statutes, and Chapters 25-22 and 28-106, Florida Administrative Code.

Only issues relating to the need for the electrical power plant will be heard at the January 10, 2007, hearing. Separate public hearings will be held before the Division of Administrative Hearings to consider environmental and other impacts of the proposed power plant, as required by the "Power Plant Siting Act," Sections 403.501-.519, Florida Statutes.

Any person requiring some accommodation at the prehearing conference or hearing because of a physical impairment should call the Division of Commission Clerk and Administrative Services, (850)413-6770 at least 48 hours prior to the particular event. If you are hearing or speech impaired, please contact the Florida Public Service Commission by using the Florida Relay Service, 1(800)955-8771 (TDD).

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### EXECUTIVE OFFICE OF THE GOVERNOR

The **Council on State Agency Inspectors General** announces a public meeting to which all persons are invited.

DATE AND TIME: November 13, 2006, 9:00 a.m. – 4:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The primary objectives of this sixth meeting of the Council will be continuing business of the Council's legislative mandate.

For more information, you may contact: Derry Harper, Chief Inspector General, The Capitol, Room 2103, Tallahassee, FL 32399, (850)922-4637.

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The **Council on State Agency Inspectors General** announces a public meeting to which all persons are invited.

DATE AND TIME: November 21, 2006, 9:00 a.m. – 4:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The primary objectives of this seventh meeting of the Council will be continuing business of the Council's legislative mandate. At this time we are requesting that those individuals wishing to testify to please notify and coordinate with Fred Wollet, at (850)922-4637, in advance of the meeting.

For more information, you may contact: Derry Harper, Chief Inspector General, The Capitol, Room 2103, Tallahassee, FL 32399, (850)922-4637.

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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: November 20, 2006, 12:00 Noon

PLACE: North Central Florida Regional Planning Council Office, 2009 N. W. 67 Place, Suite A, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Nominating Committee.

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

If any person decides to appeal any decision made by the Committee with respect to any matter considered at the meeting, 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.

Pursuant to the provisions of 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).

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

DATE AND TIME: Monday, November 13, 2006, 8:00 a.m.

PLACE: Hyatt Regency, Hemisphere Restaurant, at Orlando International Airport

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters of the Executive Board of the ECFRPC.

A copy of the agenda may be obtained by contacting ddavis@ecfrpc

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

DATE AND TIME: Wednesday, November 15, 2006, 10:00 a.m.

PLACE: 631 North Wymore Road, Suite 100, Maitland, FL 32751

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters of the East Central Florida Regional Planning Council Board.

A copy of the agenda may be obtained by contacting ddavis@ecfrpc.org

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The **Tampa Bay Local Emergency Planning Committee, (LEPC) District VIII**, announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 29, 2006, 10:30 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782-6136

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Florida District VIII LEPC and discuss and implement provisions of the Emergency Planning and Community Right-to-Know Act (EPCRA).

A copy of the agenda may be obtained by contacting: Bill Lofgren, LEPC Coordinator, Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782-6136, (727)570-5151, ext 33.

Please note that if a person decides to appeal any decision made by the LEPC with respect to any matter considered at the above cited meeting, he/she will need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact the Tampa Bay Regional Planning Council, (727)570-5151, within three working days of the meeting.

The **Tampa Bay Regional Planning Council** announces the following meetings to which all persons are invited.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782 (Please call to confirm date, time and location.)

MEETING: Executive/Budget Committee

DATE AND TIME: Monday, December 11, 2006, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

MEETING: Tampa Bay Regional Planning Council

DATE AND TIME: Monday, December 11, 2006, 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

MEETING: TBRPC Legislative Committee

DATE AND TIME: Monday, December 11, 2006, 11:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

MEETING: Agency On Bay Management

DATE AND TIME: Thursday, December 14, 2006, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency On Bay Management.

MEETING: Clearinghouse Review Committee

DATE AND TIME: Monday, December 18, 2006, 9:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee

Please note that if a person decides to appeal any decision made by Council with respect to any matter considered at the above cited meeting or hearing, he 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 based.

The **Treasure Coast Regional Planning Council** announces a meeting of its Building Committee to which all interested persons are invited.

DATE AND TIME: November 17, 2006, 1:30 p.m. – 5:00 p.m.

PLACE: Grace Wolfe Building, 421 Camden Avenue, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Building Committee will interview qualified contractors for Council's office building project.

A copy of the Agenda may be obtained by contacting: Treasure Coast Regional Planning Council, 301 E. Ocean Boulevard, Suite 300, Stuart, Florida 34994.

If a person decides to appeal any decision made by the Treasure Coast Regional Planning Council with respect to any matter considered at such meeting or hearing, he or she will need a record of proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record indicates the testimony and evidence upon which the appeal is to be based.

Any persons needing special accommodations at this meeting because of a disability or physical impairment should contact Liz Gulick, (772)221-4060, at least 48 hours before the meeting.

#### REGIONAL TRANSPORTATION AUTHORITIES

Notice is hereby given that the **South Florida Regional Transportation Authority**, Marketing Committee will hold a regular committee meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, November 21, 2006, 2:00 p.m.

PLACE: The Main Conference Room, SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: Marketing Committee meeting.

Should you have any questions, please contact SFRTA Marketing Office at (954)788-7935.

Attendance by South Florida Regional Transportation Authority Committee Members may be in person or via conference telephone.

Any person who decides to appeal any decision made by the Marketing Committee with respect to any matter considered at this meeting or hearing, will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. If you have any questions, please do not hesitate to contact the Executive Office at (954)788-7915.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, must at least 48 hours prior to the meeting, provide

a written request directed to: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064 or telephone (954)942-7245 for assistance; if hearing impaired, telephone 1(800)273-7545 (TTY) for assistance.

### COMMISSION ON ETHICS

The **Commission on Ethics** announces a telephone conference call meeting of its Legislative Committee to which all interested persons are invited.

DATE AND TIME: Monday, November 20, 2006, 1:00 p.m.

PLACE: Ethics Commission Conference Room, 3600 Maclay Boulevard South, Suite 201, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the Commission's 2007 legislative proposals.

A copy of the agenda may be obtained by writing to: Commission on Ethics, P. O. Drawer 15709, Tallahassee, Florida 32317-5709. The agenda will also be posted at <http://www.ethics.state.fl.us> under "News and Events" seven (7) days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Commission at (850)488-7864. If you are hearing or speech impaired, please contact the Commission by using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

### WATER MANAGEMENT DISTRICTS

Notice is hereby given that the **South Florida Water Management District** will hold an additional Proposed Rule Development Workshop on Chapter 40E-2 Consumptive Use, to discuss allocation of water from the regional system.

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

DATE AND TIME: November 30, 2006, 1:00 p.m. – 3:00 p.m.

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561) 682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Scott Burns, Director, Water Supply Policy Implementation, South Florida Water Management District, Post Office Box 24680, West

Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6817 or (561)682-6817, email: [sburns@sfwmd.gov](mailto:sburns@sfwmd.gov), or Cecile Piverotto, Senior Specialist Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6343 or (561)682-6343, email: [cpiverot@sfwmd.gov](mailto:cpiverot@sfwmd.gov). For procedural issues: Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6299, or (561)682-6299, email: [jsluth@sfwmd.gov](mailto:jsluth@sfwmd.gov).

THE REVISED DRAFT OF THE PRELIMINARY PROPOSED RULE TEXT WILL BE AVAILABLE ON NOVEMBER 17, 2006, on the District's Water Use Regulation website at: [https://my.sfwmd.gov/portal/page?\\_pageid=1874,4166681,1874\\_4166695&\\_dad=portal&\\_schema=PORTAL](https://my.sfwmd.gov/portal/page?_pageid=1874,4166681,1874_4166695&_dad=portal&_schema=PORTAL).

To locate this page, click on: What We Do, Water Supply, then Water Use, Regulation, then Rule Development. For those without internet access, a copy may also be obtained by contacting Jan Sluth at the address, phone or email address provided above.

Notice is hereby given that the **South Florida Water Management District** will hold an additional Proposed Rule Development Workshop on Chapter 40E-8 Minimum Flows and Levels, to discuss allocation of water from the regional system.

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

DATE AND TIME: November 30, 2006, 1:00 p.m. – 3:00 p.m.

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561) 682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Scott Burns, Director, Water Supply Policy Implementation, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6817 or (561)682-6817, email: [sburns@sfwmd.gov](mailto:sburns@sfwmd.gov), or Cecile Piverotto, Senior Specialist Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6343 or (561)682-6343, email: [cpiverot@sfwmd.gov](mailto:cpiverot@sfwmd.gov). For procedural issues: Jan Sluth, Paralegal, South Florida Water

Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6299, or (561)682-6299, email: [jsluth@sfwmd.gov](mailto:jsluth@sfwmd.gov).

THE REVISED DRAFT OF THE PRELIMINARY PROPOSED RULE TEXT WILL BE AVAILABLE ON NOVEMBER 17, 2006, on the District's Water Use Regulation website at: [https://my.sfwmd.gov/portal/page?\\_pageid=1874,4166681,1874\\_4166695&\\_dad=portal&\\_schema=PORTAL](https://my.sfwmd.gov/portal/page?_pageid=1874,4166681,1874_4166695&_dad=portal&_schema=PORTAL).

To locate this page, click on: What We Do, Water Supply, then Water Use, Regulation, then Rule Development. For those without internet access, a copy may also be obtained by contacting Jan Sluth at the address, phone or email address provided above.

Notice is hereby given that the **South Florida Water Management District** will hold an additional Proposed Rule Development Workshop on Chapter 40E-20 General Water Use Permits, to discuss allocation of water from the regional system.

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

DATE AND TIME: November 30, 2006, 1:00 p.m. – 3:00 p.m.

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk's Office, at (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Scott Burns, Director, Water Supply Policy Implementation, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6817 or (561)682-6817, email: [sburns@sfwmd.gov](mailto:sburns@sfwmd.gov), or Cecile Piverotto, Senior Specialist Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6343 or (561)682-6343, email: [cpiverot@sfwmd.gov](mailto:cpiverot@sfwmd.gov). For procedural issues: Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6299, or (561)682-6299, email: [jsluth@sfwmd.gov](mailto:jsluth@sfwmd.gov).

THE REVISED DRAFT OF THE PRELIMINARY PROPOSED RULE TEXT WILL BE AVAILABLE ON NOVEMBER 17, 2006, on the District's Water Use Regulation website at: [https://my.sfwmd.gov/portal/page?\\_pageid=1874,4166681,1874\\_4166695&\\_dad=portal&\\_schema=PORTAL](https://my.sfwmd.gov/portal/page?_pageid=1874,4166681,1874_4166695&_dad=portal&_schema=PORTAL).

To locate this page, click on: What We Do, Water Supply, then Water Use, Regulation, then Rule Development. For those without internet access, a copy may also be obtained by contacting Jan Sluth at the address, phone or email address provided above.

## DEPARTMENT OF ELDER AFFAIRS

The **Mid-Florida Area Agency on Aging, Inc.** (MFAAA) announces a public meeting to which all persons are invited.

DATE AND TIME: November 29, 2006, 10:00 a.m.

PLACE: MFAAA, Board Room, 5700 S. W. 34th Street, Suite 222, Florida Farm Bureau Building, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Scheduled Meeting of the MFAAA Board of Directors to review and approve applications for funding.

The Board will review and discuss applications submitted by qualified organizations to provide services under the Older Americans Act for the program period January 1, 2007 through December 31, 2007. Based upon its deliberations, the Board will take formal action to fund or withhold funding of each of the respective applications. The Board will authorize contract awards for those applications that it has taken formal action to fund.

Should any person wish to appeal any decision with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review.

Persons with disabilities should contact the MFAAA at least 48 hours prior to the meeting in order to request any special assistance.

A copy of the agenda or for more information you may be contact Kristen Longmore, (352)378-6649.

The Florida **Department of Elder Affairs, Statewide Public Guardianship Office** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 20, 2006, 3:00 p.m. – 5:00 p.m.

PLACE: Callers within Tallahassee and outside Tallahassee: 1(888)808-6959, when prompted, enter Conference Code number 4142381 followed by #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be a meeting for the Examining Committee Curriculum Workgroup.

Pursuant to the provisions of 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. Frankie D. Leland, (850)414-2381. 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).

For more information, you may contact Ms. Frankie D. Leland at (850)414-2381.

The Florida **Department of Elder Affairs, Statewide Public Guardianship Office** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 30, 2006, 3:00 p.m. – 5:00 p.m.

PLACE: Callers within Tallahassee and outside Tallahassee: 1(888)808-6959, when prompted, enter Conference Code number 4142381 followed by #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be a meeting for the Examining Committee Curriculum Workgroup.

Pursuant to the provisions of 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. Frankie D. Leland at (850)414-2381. 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).

For more information, you may contact Ms. Frankie D. Leland at (850)414-2381.

#### AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration**, in conjunction with the Department of Elder Affairs, announces the following public meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, November 28, 2006, 1:00 p.m. – 4:00 p.m. (Central)

PLACE: First United Methodist Church, Wright Place, 6 East Wright Street, Pensacola, FL 32502

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being held to afford interested persons the opportunity to express their views concerning the development of Choice Counseling as a part of Florida Senior Care. Section 409.912(5), Florida Statutes, mandates the Agency for Health Care Administration, in consultation with the Department of Elder Affairs, to create an “integrated, fixed-payment delivery system for Medicaid recipients who are 60 years of age or older. The Agency for Health Care Administration shall implement the integrated system initially on a pilot basis in two areas of the state.” This proposed managed integrated long-term care program will be implemented in the following areas of the state upon Legislative approval: The Panhandle Pilot Area- Escambia, Santa Rosa, Okaloosa and Walton Counties; and the Central Florida Pilot Area- Seminole, Orange, Brevard and Osceola Counties.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings should advise the Agency at least seven (7) days before the meeting by contacting: Sarala Hermes, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308, (850)487-2618, E-mail: [hermess@ahca.myflorida.com](mailto:hermess@ahca.myflorida.com)

#### DEPARTMENT OF MANAGEMENT SERVICES

The DMS – **Enterprise Information Technology Services, Wireless 911 Board** announces the following general business meeting schedule information. This is a Re-advertisement to notice that these meetings will be held telephonically to establish a quorum and to allow public participation.

DATES AND TIME: November 15-16, 2006, 9:00 a.m. – 5:00 p.m.

PLACE: Jupiter Beach Hotel, Jupiter Beach, FL, Conference #: 1(888)808-6959, Conference Code: 4149636

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wireless 911 Board meeting.

DATES AND TIME: December 13-14, 2006, 9:00 a.m. – 5:00 p.m.

PLACE: Disney Coronado Hotel, Orlando, FL, Conference #: 1(888)808-6959, Conference Code: 4149636

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wireless 911 Board meeting.

If accommodation due to disability is needed in order to participate, please notify the DMS – Enterprise Information Technology Services Office/Wireless 911 Board in writing at least five (5) days in advance at: 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation, Board of Auctioneers** announces an official general business meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 13, 2006, 10:00 a.m. (EST) or soon thereafter

PLACE: Homewood Suites Tallahassee, 2987 Apalachee Parkway, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business meeting of the Board.

A copy of the agenda may be obtained by writing: The Department of Business and Professional Regulation, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least forty-eight (48) hours before the meeting by contacting the



board office at (850)922-5012. If you are hearing and speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

For further information, contact: Department of Business and Professional, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)922-5012.

The Florida **Board of Landscape Architecture** announces the following meeting, to be held by telephone conference call, to which all persons are invited to attend.

DATE AND TIME: December 1, 2006, 2:00 p.m.

PLACE: Access Phone #: 1(888)808-6959, Conference Code # 9218690

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business meeting.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing to: Board of Architecture and Interior Design, 1940 N. Monroe St., Tallahassee, Florida 32399.

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 will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board Office, (850)922-7154, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Veterinary Medicine** announces the following meeting to which all parties are invited to attend.

DATE AND TIME: December 5, 2006, 8:00 a.m.

PLACE: Hampton Inn & Suites, 19 South Second Street, Fernandina Beach, FL 32034, (904)491-4911

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business meeting.

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing to: Board of Veterinary Medicine, 1940 N. Monroe St., Tallahassee, Florida 32399.

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 will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board Office, (850)922-7154 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**NOTICE OF CHANGE** – The Florida **Department of Environmental Protection, Division of Waste Management** announces a hearing to which all persons are invited.

DATE AND TIME: December 5, 2006, 9:00 a.m.

PLACE: Douglas Building, Conference Room A, 3900 Commonwealth Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposal to adopt Rule 62-730.186, Florida Administrative Code. The proposed rule concerns regulation of hazardous pharmaceutical waste as universal waste in Florida. A notice of proposed rulemaking was published in the F.A.W. on September 15, 2006. The hearing was originally scheduled for October 26, 2006.

A copy of the rule can be obtained by contacting: Julie Rainey, DEP, MS 4560, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8713, [julie.c.rainey@dep.state.fl.us](mailto:julie.c.rainey@dep.state.fl.us)

A copy of the agenda may be obtained by contacting: Nancy Mould, (850)245-2242; or by going to the DEP website at the following address: <http://www.dep.state.fl.us/legal/ERC/schedule.htm>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Nancy Mould, (850)245-2242. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a hearing to which all persons are invited.

DATE AND TIME: December 5, 2006, 9:00 a.m.

PLACE: Florida State Capitol Building, 400 South Monroe Street, Lower Level, Cabinet Hearing Room, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Governor and Cabinet, sitting as the Power Plant Siting Board, will consider an Order, to be executed by the Siting Board, pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501, et seq., Florida Statutes, concerning the Recommended Order dated August 31, 2006, from the Administrative Law Judge, for the Seminole Electric Cooperative, Seminole Generating Station, Unit 3, Power Plant Siting Application Number PA 78-10A2, DOAH Case Number 06-0929EPP, DEP OGC Case Number 06-0780, recommending that the project and its site be found consistent with and in compliance with local land use plans and zoning ordinances.

**CABINET AIDES BRIEFING:** The Cabinet Aides will meet and discuss the item on November 29, 2006, 9:00 a.m., in the same location. The purpose of the briefing is to review and gather information regarding this item for consideration by the Siting Board.

A copy of the agenda may be obtained by contacting: Cindy Muir, Department of Environmental Protection, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, (850)245-8024.

Pursuant to the provisions of 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 Landa Korokous at (850)245-8002. If you are 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: Hamilton Oven, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

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The **Departmental of Environmental Protection** announces a hearing to which all persons are invited.

**DATES AND TIME:** January 9, 2007, 1:00 p.m., continuing as necessary on January 10, 2007, at 9:00 a.m. through January 12, 2007

**PLACE:** Putnam County Commissioner's Meeting Room, 107 N. 6th Street, Palatka, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Administrative Law Judge J. Lawrence Johnston will conduct a hearing to consider the environmental effects and any other appropriate matters regarding whether to approve the site certification of the proposed Seminole Generating Station Unit 3 application for site certification number PA 78-10A2, DOAH Case number 06-0929EPP, DEP Office of General Counsel Case Number 06-0780, pursuant to the Florida Electrical

Power Plant Siting Act, Sections 403.501-.518, Florida Statutes. Judge Johnston will prepare a Recommended Order for submission to and final action by the Governor and Cabinet acting as the Siting Board, based on the hearings. Pursuant to Section 403.508(4), F.S., any person wishing to become a party to the proceedings should file a Motion to Intervene with Administrative Law Judge J. Lawrence Johnston, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, at least 30 days prior to the hearing.

Pursuant to the provisions of 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 Landa Korokous, (850)245-8002. If you are 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: Hamilton Oven, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

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## DEPARTMENT OF HEALTH

The Florida **Department of Health** announces a meeting of the Children's Medical Services Network Advisory Council to which all persons are invited.

**DATE AND TIME:** Tuesday, November 21, 2006, 12:30 p.m. – 4:30 p.m.

**PLACE:** Department of Health, Building 4025, Room 301, 4025 Esplanade Way, Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Children's Medical Services Network Advisory Council, an advisory body appointed by the Secretary of the Florida Department of Health, to review updates of Medicaid, CMSN performance measures, and otherwise fulfill the Council's statutory requirements. The Council is charged with making recommendations and considering the selection and credentialing of health care providers, Children's Medical Services Network policies, methods of payment and cost controls, the scope of benefits, and performance measures.

A copy of the agenda may be obtained from: Joyce Raichelson, Department of Health, (850)245-4200, ext. 4677, Joyce\_Raichelson@doh.state.fl.us

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The **Board of Acupuncture** announces a meeting to which all interested persons are invited to attend.

**DATE AND TIME:** Friday, December 1, 2006, 9:00 a.m. or soon thereafter

**PLACE:** Renaissance Ft. Lauderdale Hotel, 1617 S. E. 17th Street, Ft. Lauderdale, Florida 33316, (954)626-1700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Acupuncture, (850)245-4161 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing to: Board of Acupuncture, 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399-3256.

Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Board of Chiropractic Medicine**, Probable Cause Panel will hold a duly noticed meeting, to which all persons are invited to attend.

DATE AND TIME: Tuesday, November 28, 2006, 12:00 Noon  
PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida, at Meet Me Number 1(888)808-6959, when prompted enter conference code 9849329103.

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda item may be obtained by writing to: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, 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.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board at (850)245-4355 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Clinical Laboratory Personnel**, Probable Cause Panel will hold a duly noticed meeting, to which all persons are invited to attend.

DATE AND TIME: Monday, November 20, 2006, 9:30 a.m.  
PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida, at Meet Me Number 1(888)808-6959, when prompted enter conference code 9849329103

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda item may be obtained by writing to: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, 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.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board at (850)245-4355 at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Rules/Legislative Committee announces a meeting to which all persons are invited.

DATE AND TIME: Thursday, November 30, 2006, 4:00 p.m.  
PLACE: Rosen Centre, 9840 International Drive, Orlando, FL 32819, (407)996-9840

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing to: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Medicine**, Surgical Care Committee announces a meeting to which all persons are invited.

DATE AND TIME: Thursday, November 30, 2006, immediately following the Surgical Care Committee Rule Hearing scheduled for 6:00 p.m.



PLACE: Rosen Centre, 9840 International Drive, Orlando, FL 32819, (407)996-9840

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the committee.

A copy of the agenda may be obtained by writing to: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. A verbatim tape record of the proceeding may be obtained from a court reporter, if present, or an audio record from the Board Director.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Florida Substance Abuse and Mental Health Corporation**, created by Chapter 2003-279, Laws of Florida, announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 13, 2006, 9:00 a.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 6, Conference Room A, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Transformation Working Group. A facilitated discussion on The Transformation Working Group Training Summit by Ellen Piekalkiewicz and a facilitated discussion on the Housing Initiatives Update by Ken Decerchio. Jim Winarski will provide a facilitated discussion on recommendations regarding the next steps on Housing; and Sue Ross from Children's Mental Health will provide a facilitated discussion on family forums. Toni Beard will provide the report from R and R Task force. Jim Winarski will provide the recommendations regarding the report from R and R Task force. Ken DeCerchio and Tom Lane will provide the Medicaid report. Jim Winarski of the Florida Mental Health Institute will provide the Discussion and Recommendations.

A copy of the agenda may be obtained by contacting: Lee Williams, (850)410-1575.

Pursuant to the provisions of 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: Lee Williams, Florida Substance Abuse and Mental Health Corporation, Building 1, Room 206, 1317 Winewood Blvd., Tallahassee, Florida 32399-0700, (850)410-1575. If you are 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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#### NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces the following Board of Commissioners meeting to which all interested parties are invited.

DATE AND TIME: Friday, November 17, 2006, 10:30 a.m.

PLACE: Venice City Hall, 401 West Venice Avenue, Venice, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Navigation District.

A copy of the agenda for this meeting may be obtained by writing: WCIND, P. O. Box 1845, Venice, FL 34284.

No verbatim record will be made of this meeting. Any person wishing to appeal decisions made at this meeting may need to ensure that a verbatim record is made.

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#### FISH AND WILDLIFE CONSERVATION COMMISSION

The **Florida Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: January 10, 2007, 8:00 a.m. – 5:30 p.m.

PLACE: International Game and Fish Association, Fishing Hall of Fame and Museum, 300 Gulf Stream Way, Dania Beach, FL 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Snook Workgroup Meeting will concern the snook stock assessment and potential future management options.

A copy of the agenda may be obtained by contacting: Mark Robson, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mark Robson, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

The Florida **Fish and Wildlife Conservation Commission** announces a 2-day facilitated stakeholder meeting to discuss and examine manatee issues.

**DATES AND TIMES:** November 16, 2006, 9:00 a.m. – 6:00 p.m.; November 17, 2006, 8:30 a.m. – 3:30 p.m.

**PLACE:** Mahaffey Theatre, 400 First Street, South, St. Petersburg, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of the meeting is fact finding, to solicit input from stakeholders to the agency and its federal partners in evaluating current issues concerning the manatee. The public can attend the meeting; however, space is limited. This meeting will be structured and facilitated. No public comments will be taken.

Questions about the meeting should be directed to: Ms. Carol Knox, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section, 620 South Meridian Street, Tallahassee, Florida 32399, (850)922-4330.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the agency ADA Coordinator (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD) or (850)488-9542 within the Tallahassee area.

**FINANCIAL SERVICES COMMISSION**

The **Financial Services Commission** announces a hearing to which all persons are invited.

**DATE AND TIME:** December 5, 2006, 9:00 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is the Final Public Hearing on the adoption of proposed new Rule 69O-207.002, Electronic Filing, Florida Administrative Code, published on August 18, 2006 in Vol. 32, No. 33, of the FAW. No notice of change was published.

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

69O-207.002 Electronic Filing.

Financial reports, associated filings and related correspondence for the following specialty insurers shall be submitted electronically to <https://portal.fldfs.com>:

- (1) Legal Expense Insurance Corporations,
- (2) Insurance Administrators,
- (3) Viatical Settlement Providers,
- (4) Life Expectancy Providers,
- (5) Premium Finance Companies,

- (6) Motor Vehicle Service Agreement Companies,
- (7) Home Warranty Associations,
- (8) Service Warranty Associations,
- (9) Service Warranty Manufacturers, and
- (10) Continuing Care Retirement Providers.

Specific Authority 624.308, 624.424, 626.89, 626.9913, 626.99175, 627.836, 634.137, 634.313(5), 634.415, 651.026 FS. Law Implemented 626.89, 626.9913, 626.99175, 627.838, 634.137, 634.313, 634.415, 642.0301, 642.0331(1)(a), (b), 651.026 FS. History–New \_\_\_\_\_.

A copy of the agenda may be obtained by contacting: The Governor and Cabinet Website at <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting Sandra DuPont, Specialty Product Administration, at E-mail: [Sandra.DuPont@fldfs.com](mailto:Sandra.DuPont@fldfs.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 DuPont, Specialty Product Administration, at E-mail: [Sandra.DuPont@fldfs.com](mailto:Sandra.DuPont@fldfs.com)

**CRIMINAL JUSTICE TRAINING CENTER**

The Region I, **Criminal Justice Training Council** announces a Public Meeting to which all interested persons are invited.

**DATE AND TIME:** Thursday, November 9, 2006, 1:00 p.m.

**PLACE:** George Stone Criminal Justice Training Center, 2400 Longleaf Drive, Room 104

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

- A. Election of Chairman, Vice-Chairman
- B. George Stone Criminal Justice Training Issues Basic Training/Advanced Courses
- C. Approve Trust Fund Budget
- D. Open Discussion

A copy of the agenda may be obtained by contacting: John Wall, Chairman, Region I, Training Council, 2400 Longleaf Drive, Pensacola, FL 32526-8922.

**FLORIDA SPORTS FOUNDATION**

The **Florida Sports Foundation** announces it's quarterly Grant Committee meeting to which all persons are invited.

**DATE AND TIME:** Monday, November 13, 2006, 9:30 a.m. – 11:00 a.m.

**PLACE:** Florida Sports Foundation, 2930 Kerry Forest Parkway, Suite 101, Tallahassee, FL 32309. Call In Number: 1(888)808-6959 (Toll Free), Conference Code: 4888347

GENERAL SUBJECT MATTER TO BE CONSIDERED: Grankt Committee meeting.

Please make note that if a person decides to appeal any decision made by the Golf Grant Committee with respect to any matter considered at the above-cited meeting or hearing, he/she will need to insure that a verbatim record of the proceedings is made, which recorded includes the testimony and evidence upon which appeal is to be based.

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#### FLORIDA PATIENT SAFETY CORPORATION

The **Florida Patient Safety Corporation** announces a public telephonic conference call to which all persons are invited to participate.

DATE AND TIME: Tuesday, November 14, 2006, 8:00 a.m.

PLACE: Call In Instructions: Step 1: Dial the Conference Access Number: 1(866)200-9760. Step 2: Enter the PIN Code: 8938936#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Patient Safety Corporation; Patient Safety Specialist Search Committee. The sole purpose of this meeting is to advance the process of developing hiring recommendations to be presented to the Florida Patient Safety Corporation Board of Directors for the position of Patient Safety Specialist.

For further information, please contact: Susan Moore at susan.a.moore@comcast.net or write to Florida Patient Safety Corporation Board, please mail/e-mail your address to the Florida Patient Safety Corporation, 2722 Waterford Glen Court, Tallahassee, Florida 32312.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Florida Patient Safety Corporation** announces a public meeting to which all persons are invited to participate.

DATE AND TIME: Tuesday, November 28, 2006, 8:00 a.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Patient Safety Corporation; Patient Safety Specialist Search Committee.

The sole purpose of this meeting is to interview candidates in order to make hiring recommendations to the Florida Patient Safety Corporation Board of Directors for the position of Patient Safety Specialist.

For further information, please contact: Susan Moore at susan.a.moore@comcast.net or write to the Florida Patient Safety Corporation Board, please mail/e-mail your address to the Florida Patient Safety Corporation, 2722 Waterford Glen Court, Tallahassee, Florida 32312.

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The **Florida Patient Safety Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 7, 2006, 10:00 a.m. – 3:00 p.m.

PLACE: Blue Cross and Blue Shield of Florida, Inc., 4800 Deerwood Campus Parkway, Building 100, 1st Floor, Room A/C, Jacksonville, Florida 32246

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Patient Safety Corporation; Board of Directors Meeting.

A copy of the agenda may be obtained by writing to: Florida Patient Safety Corporation, 2722 Waterford Glen Court, Tallahassee, Florida 32312. Agendas can also be requested via e-mail at susan.a.moore@comcast.net. To be included in e-mail notices of the Florida Patient Safety Corporation Board, please mail/e-mail your address to the address above or fax your e-mail address to (850)893-4259.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)893-8936.

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#### COMMITTEE FOR A SUSTAINABLE EMERALD COAST

The **Committee for a Sustainable Emerald Coast** announces a meeting to which all interested persons are invited.

DATES AND TIMES: November 16, 2006, 8:00 a.m. – 5:00 p.m.; November 17, 2006, 8:00 a.m. – 1:00 p.m.

PLACE: City of DeFuniak Springs Civic Center, Main Auditorium, 361 North 10th Street, DeFuniak Springs, FL.

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#### SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

The **Sunshine State Governmental Financing Commission** announces a public meeting, where all interested parties are invited.

DATE AND TIME: Friday, November 17, 2006, 9:30 a.m.

PLACE: Conference Room "R", Second Floor, City Hall, City of Orlando, 400 South Orange Avenue, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Business Meeting.

A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, (850)878-1874.

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**EARLY LEARNING ADVISORY COUNCIL**

The **Early Learning Advisory Council** announces a meeting to which all interested persons are invited.

DATE AND TIME: December 8, 2006, 9:00 a.m. – 3:00 p.m.  
PLACE: The Lexington Hotel Orlando, 304 W. Colonial Drive, Orlando, Florida 32801. Please reference the group “Advisory Council” when making your reservations.

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**TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY**

The **Technological Research and Development Authority** (TRDA) announces a general meeting of the TRDA Board of Directors to which all persons are invited to participate.

DATE AND TIME: November 15, 2006, 1:00 p.m.  
PLACE: TRDA, Conference Room, 5195 South Washington Avenue, Titusville, FL 32780  
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting.

A copy of the agenda may be obtained by contacting: Dave Kershaw, TRDA Interim Executive Director, (321)269-6330, ext. 243 or [dkershaw@trda.org](mailto:dkershaw@trda.org)

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**Section VII**  
**Notices of Petitions and Dispositions**  
**Regarding Declaratory Statements**

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

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**PUBLIC SERVICE COMMISSION**

NOTICE IF HEREBY GIVEN that the Florida Public Service Commission has received a petition for a Declaratory Statement, filed October 13, 2006, from Presco Associates, LLC. The petition seeks the agency’s opinion as to the applicability of Section 367.022(7), Florida Statutes, to allow Presco to provide water and wastewater services as an exempt non-profit association within the certificated territory of Lake Utility Services, Inc.

A copy of the petition may be obtained at <http://www.psc.state.fl.us/psc/dockets/> or by writing to: Division of the Commission Clerk and Administrative Services, 4075 Esplanade Way, Tallahassee, FL 32399-0862. DOCKET NO. 060679-WS.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an Order Closing File In Re: Petition for Declaratory Statement, Falling Waters Beach Resort Master Association, Inc.; Docket No. 2006041116.

A copy of the Order Closing File on the Petition for Declaratory Statement, Docket Number 2006041116 may be obtained by writing to: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

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NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a Petition for Declaratory Statement In Re: Petition for Declaratory Statement, Sanctuary at Blue Heron Association, Inc.; Docket No. 2006056833.

The petition seeks the agency’s opinion as to the applicability of Sections 718.103(9), 718.115 and 718.116(9), Florida Statutes, as it applies to the Petitioner.

Whether water and sewer charges and the cost of installing of fire extinguishers are common expenses under Sections 718.103(9) and 718.115, Florida Statutes, and if so, whether the developer may assess unit owners for these costs during a period of a developer guarantee under Section 718.116(9), Florida Statutes.

A copy of the Petition for Declaratory Statement, Docket Number 2006056833 may be obtained by writing to: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217. Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation has issued an order that disposes of the petition for declaratory statement that was received on August 1, 2006 and was previously noticed. The petition was filed, through counsel, by Your Money Access, LLC, and sought the Office's opinion as to whether Chapter 560, Florida Statutes, applied to a number of different product lines that were being offered by the company. The Office dismissed the Petition and declined to issue a declaratory statement.

A copy of the Final Order may be obtained by writing to: Agency Clerk, Office of Financial Regulation, Post Office Box 8050, Tallahassee, FL 32314-8050.

**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:**

Miriam Oliphant vs. Florida Elections Commission; Case No.: 06-2886RP; Rule No.: 2B-1.002

The Florida Insurance Council, Inc. and the National Association of Mutual Insurance Companies vs. Florida Commission on Hurricane Loss Projection Methodology; Case No.: 06-3872RP; Rule No.: 19-16.001

Fairpay Solutions, Inc. vs. Agency for Health Care Administration; Case No.: 06-3078RP; Rule Nos.: 59A-31.007 and 69L-7.602(5)(q)

Halifax Hospice, Inc., d/b/a Hospice of Volusia-Flagler vs. Agency for Health Care Administration; Case No.: 06-3514RX; Rule No.: 59C-1.018

Life Care Centers of America, Inc., of Tennessee vs. Agency for Health Care Administration; Case No.: 06-3022RP; Rule No.: 59C-1.021(3)

Manor Pines Convalescent Center, LLC vs. Agency for Health Care Administration; Case No.: 06-3489RX; Rule No.: 59G-6.010

Association of Florida Community Developers and Florida Home Builders Association (Intervenor) vs. Department of Environmental Protection and St. Johns River Water Management District; South Florida Water Management District; Florida Audubon Society, Inc., National Audubon Society; The Everglades Foundation, Inc.; and Conservancy of Southwest Florida, Inc. (Intervenors); Case No.: 04-0880RP; Rule Nos.: 62-40.410(3) and 62-40.474

Florida Power and Light Company vs. Department of Environmental Protection; Case No.: 06-2871RP; Rule No.: 62-296.470

Florida Psychiatric Society vs. Department of Health, Board of Medicine; Case No.: 06-2960RP; Rule No.: 64B8-9.015

Florida Medical Association vs. Department of Health, Board of Pharmacy; Case No.: 06-2899RP; Rule No.: 64B16-27.830

MIC Property and Casualty Insurance Corporation, Old United Casualty Company, Service Contract Industry Council and Florida Services Agreement Association vs. Office of Insurance Regulation and the Financial Services Commission; Case No.: 06-2835RP; Rule No.: 69O-137.013

National Crop Insurance Services, Inc.; Rural Community Insurance Company; Ace Property and Casualty Insurance Company; Agri General Insurance Company; State Farm Fire Insurance Company; Great American Insurance Company; Et Al. vs. Office of Insurance Regulation and the Financial Services Commission; Case No.: 06-2836RP; Rule No.: 69O-137.013

Jim Harris and Harris Eckland and Associates, Inc. vs. Department of Financial Services; Case No.: 06-3259RU

Florida Education Association, Teachers Association of Lee County, and Caren Pearson vs. Department of Education and the State Board of Education; Case No.: 06-3317RU

Capital Collateral Regional Counsel-Middle Region and John W. Jennings vs. Department of Financial Services; Case No.: 06-3537RU

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Adam M. Harden vs. Department of Business and Professional Regulation, Construction Industry Licensing Board; Case No.: 06-3912RU

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Florida Hometown Democracy, Inc. vs. Department of State; Case No.: 06-3968RU

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Ronald Cirrincione vs. Department of Agriculture and Consumer Services; Case No.: 05-0145RU

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Frank Baker vs. Department of Agriculture and Consumer Services; Case No.: 05-0947RU

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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:**

An Unnamed Political Entity vs. Florida Elections Commission; Case No.: 06-0141RX; Rule Nos.: 2B-1.0025(3), (5), and (7) and 2B-1.0027(2); Dismissed

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Broward County, City of Pompano Beach, City of Plantation, Miami-Dade County, City of Coral Springs, Town of Davie, City of Delray Beach, City of Fort Lauderdale, City of Boca Raton, John M. Haire, Patricia Haire, Laz Schneider, ET AL, and Brooks Tropicals (Intervenor) vs. Department of Agriculture and Consumer Services; Case No.: 01-4519RP; Rule No.: 5B-58.001(16); Dismissed

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Susan Maddox vs. Department of Education; Case No. 05-0080RX; Rule No.: 6A-10.060; Dismissed

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Shelia M. Anderson vs. Department of Revenue; Case No.: 05-4557RX; Rule Nos.: 12D-10.0044 and 12D-10.003(4); Dismissed

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Shelia M. Anderson vs. Department of Revenue; Case No.: 05-4570RX; Rule Nos.: 12D-10.0044 and 12D-10.003(4); Dismissed

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Whitley Bay Marina, LLC. vs. Department of Environmental Protection and The Board of Trustees of the Internal Improvement Trust Fund and City of Cocoa (Intervenor); Case Nos.: 05-1173RX, 05-1174RU, 05-2173RP; Rule Nos.: 18-21.003(23) and 18-21.011; Voluntarily Dismissed

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Sierra Club vs. St. Johns River Water Management District; The Florida Homebuilders Association; St. Johns Riverkeeper, Inc. vs. St. Johns River Water Management District; The Florida Homebuilders Association; Case Nos.: 05-0814RX and 05-0858RX; Rule No.: 40C-4.091; Dismissed

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Conservancy of Southwest Florida vs. South Florida Water Management District and Department of Transportation (Intervenor); Case No.: 03-4259RX; Rule No.: 40E-4.091; Voluntarily Dismissed

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Planned Parenthood of Southwest and Central Florida vs. Agency for Health Care Administration; Case No.: 06-2342RP; Rule No.: 59A-9; Voluntarily Dismissed

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Life Care Centers of America, Inc., of Tennessee vs. Agency for Health Care Administration; Case No.: 06-3022RP; Rule No.: 59C-1.021(3); Voluntarily Dismissed

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Holmes Regional Medical Center, Inc., d/b/a/ Holmes Regional Medical Center vs. Agency for Health Care Administration and Wuesthoff Memorial Hospital, Inc., d/b/a Wuesthoff Medical Center-Rockledge (Intervenor); Case No.: 05-0145RX; Rule No.: 59C-1.038; Dismissed

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Wolfsdorf and Raszynski, M.D., P.A.; Alberto Marante, M.D.; and Anwar M. Vardag, M.D. vs. Agency for Health Care Administration; Case No.: 05-0092RX; Rule No.: 59G-4.230; Dismissed

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Bennett B. Richardson vs. Department of Management Services, Division of Retirement; Case No.: 06-0427RU; Dismissed

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Bennett B. Richardson vs. Department of Management Services, Division of Retirement; Case No.: 06-1920RP; Rule No.: 60S-1.005(2); Dismissed

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Washington County Kennel Club, Inc.; Hartman-Tyner, Inc.; Southwest Florida Enterprises, Inc.; and St. Petersburg Kennel Club, Inc. vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 06-0164RP; Rule No.: 61D-11.027; Dismissed

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The Pool People, Inc. vs. Board of Professional Engineers; Case No.: 05-1637RU; Dismissed

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Phillip James Hursh vs. Department of Business and Professional, Florida Board of Professional Engineers; Case No.: 05-2859RX; Rule Nos.: 61G15-21.009(1)(b), (3) and 61G15-20.0015(3); Dismissed

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City of Tampa and Florida Home Builders Association (Intervenor) vs. Department of Environmental Protection and St. Johns River Water Management District; South Florida Water Management District; Florida Audubon Society, Inc.;

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National Audubon Society; The Everglades Foundation, Inc.; and Conservancy of Southwest Florida, Inc. (Intervenors); Case No. 03-0420RP; Rule No.: 62-40; Voluntarily Dismissed

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Association of Florida Community Developers and Florida Home Builders Association (Intervenor) vs. Department of Environmental Protection and St. Johns River Water Management District; South Florida Water Management District; Florida Audubon Society, Inc., National Audubon Society; The Everglades Foundation, Inc.; and Conservancy of Southwest Florida, Inc. (Intervenors); Case No.: 04-0880RP; Rule Nos.: 62-40.410(3) and 62-40.474, Dismissed

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Southern Wood Piedmont Company vs. Department of Environmental Protection; Case No.: 06-0875RP; Rule No.: 62-730; Invalid

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Gloria Austin and Jo Heslin vs. Florida Department of Environmental Protection and Lighthouse Walk, LLC (Intervenor); Case Nos.: 06-2003RX and 06-2004RX; Rule Nos.: 62B-33.005(3)(a) and 62B-41.002(19); Voluntarily Dismissed

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Daniel George and Doris L. Wentz vs. Department of Environmental Protection; Case No.: 06-2309RX; Rule No.: 62B-33.008(10); Voluntarily Dismissed

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Florida Professional Firefighters, Inc. vs. Department of Health; Case No.: 04-4064RX; Rule No. 64-2.010(4); Dismissed

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Florida Academy of Cosmetic Surgery, Inc. vs. Department of Health, Board of Medicine; Case No.: 05-0402RX; Rule Nos.: 64B-9.0092(2)(f), 64B8-9.0092(4)(a), and 64B8-9.0092(4)(c); Dismissed

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Florida Psychosocial Association vs. Department of Health, Board of Psychology; Case No.: 06-0426RP; Rule No.: 64B19-18.001, Dismissed

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South Broward Hospital District, d/b/a/ Joe Dimaggio Children's Hospital vs. Department of Health; Case No.: 04-2864RP; Rule No.: 64C-1.003; Dismissed

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Tamara Clark vs. Department of Children and Family Services; Case Nos.: 05-2104RP and 05-2105RP; Rule No.: 65A-1.203; Dismissed

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Florida Coalition for Children, Inc. vs. Department of Children and Family Services; Case No.: 05-4379RP; Rule No.: 65C-31.001-.009; Voluntarily Dismissed

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Nicole Barnes, Quotilus Maria Barnes, Sheena Cooper, Pearlca Renee Frank, Linda-Marie Pettus-Grund, Shandreka Harris, Victoria Broadwater Hendrieth, Crystal Hunter, Beckie Merritt, Chrystal Pettus, Heather Thompson, C. Walker, L. Walker and J. Williams vs. Department of Children and Family Services; Case No.: 05-4380RP; Rule No.: 65C-31.001-.009; Dismissed

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Manning Building Supplies, Inc., vs. Department of Financial Services; Case No.: 05-0998RX; Rule No.: 69L-5.101(4), 69L-5.102(2)(b), 69L-5.102(3), 69L-5.103(3)(a), Dismissed

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The Florida Insurance Council, Inc. vs. Department of Financial Services; Case No.: 05-3520RP; Rule No.: 69L-6.023; Voluntarily Dismissed

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Florida Hospital Association, Inc. vs. Department of Financial Services, Division of Workers' Compensation and Zenith Insurance Company (Intervenor); Case No.: 05-1743RP; Rule No.: 69L-7.501; Dismissed

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Florida Insurance Council and National Association of Mutual Insurance Companies vs. Financial Services Commission and Office of Insurance Regulation; Case No.: 06-1095RP; Rule No.: 69N-121.066; Voluntarily Dismissed

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MIC Property and Casualty Insurance Corporation, Old United Casualty Company, Service Contract Industry Council and Florida Services Agreement Association vs. Office of Insurance Regulation and the Financial Services Commission; Case No.: 06-2835RP; Rule No.: 69O-137.013; Dismissed

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The Florida Insurance Council, Inc. vs. Office of Insurance Regulation and The Financial Services Commission; Case No.: 05-2609RP; Rule Nos.: 69O-170.005-.007, 69O-170.013, 69O-170.0135, 69O-170.014, 69O-170.0141, 69O-170.0142, 69O-170.0143, 69O-170.0155, and 69O-175.003; Valid; Rule No.: 69O-170.013(2); Invalid

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Attorneys' Title Insurance Fund, Inc., and Florida Land Title Association, Inc. vs. Financial Service Commission, and Office of Insurance Regulation, and First American Title Co. (Intervenor); Case No.: 05-2630RP; 69O-186.003(1)(c); Invalid

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Frank M. Bafford vs. Florida Commission on Human Relations; Case No. 06-0332RU; Dismissed

Frank M. Bafford vs. Florida Commission on Human Relations; Case No. 06-0333RU; Dismissed

Frank M. Bafford vs. Florida Commission on Human Relations; Case No. 06-0334RU; Dismissed

Frank M. Bafford vs. Florida Commission on Human Relations; Case No. 06-0335RU; Dismissed

Aluminum Association of Florida, Pinellas Chapter, Inc.; Florida Alliance for Construction Education, Inc.; and Al Engineering, Inc. vs. Department of Business and Professional Regulation, Board of Professional Engineers; Case No.: 06-1886RU; Dismissed

Ronald Cirrincione vs. Department of Agriculture and Consumer Services; Case No.: 05-0145RU; Dismissed

Citrus Oaks Homeowners Association, Inc., and Joy Hutchison, as parent, legal guardian and next friend of Jamie Petrov, a minor and Krista Petrov, a minor vs. Orange County School Board; Case No.: 05-0160RU; Dismissed

Frank Baker vs. Department of Agriculture and Consumer Services; Case No.: 05-0947RU; Dismissed

Beckie Merritt, Linda Marie Pettus, and Chrystal Pettus vs. Department of Children and Family Services; Case No.: 05-2905RU; Dismissed

Progressive American Insurance Company vs. Financial Services Commission, Office of Insurance Regulation, Progressive American Insurance Company vs. Financial Services Commission, Office of Insurance Regulation; Case Nos.: 05-3137RU and 05-3138RU; Dismissed

St. John's Rehabilitation Hospital and Nursing Center, Inc., d/b/a/ St. John's Nursing Center vs. Agency for Health Care Administration; Case Nos. 04-3378RU and 04-3490RU; Dismissed

Golden Rule Insurance Company vs. Department of Financial Services, Office of Insurance Regulation; Case No.: 04-3634RU; Dismissed

Miguel Mora Rodriguez, by and through his best friend and guardian, Maria Melendez vs. Department of Health; Case No.: 04-4292RU; Dismissed

AIU Insurance Company, American Home Assurance Company, Birmingham Fire Insurance Company of Pennsylvania, Commerce and Industry Insurance Company, Granite State Insurance Company, ET AL. vs. Department of Financial Services, Office of Insurance Regulation; Case No.: 03-4486RU; Dismissed

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

**REQUEST FOR BID**

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB07SV-134, HS 07170-39, Yulee Hall Fire Sprinkler System, estimated budget: \$400,000, to be opened December 7, 2006, at 2:00 p.m. (Local Time). Scope of work: Install NFPA 13 Fire Sprinkler and Standpipe System. Mandatory Pre-Bid Meeting will be held November 28, 2006, at 10:00 a.m., in the Yulee Hall Conference Room, corner of S. W. 13th Street and Inner Road, Gainesville, FL. Specifications and Plans are available in Purchasing and Disbursement Services, Elmore Hall, Radio Road, Gainesville, FL 32611. All questions and bid document requests should be directed to: Karen Olitsky, Purchasing and Disbursement Services, [kolitsk@ufl.edu](mailto:kolitsk@ufl.edu) or (352)392-1331, ext. 224, [www.purchasing.ufl.edu](http://www.purchasing.ufl.edu). AMERICANS WITH DISABILITY



ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, (352)392-1331 within three (3) days of the event.

#### NOTICE TO CONSTRUCTION MANAGERS

Florida Gulf Coast University Board of Trustees, announces that Construction Management Services will be required for the project listed below:

Project No. BR-1047, Project and Location: Academic Building 6, Florida Gulf Coast University, Ft. Myers, Florida.

Florida Gulf Coast University began as a dream for a new university located in southwestern Florida. “The Tenth University” began with a strong commitment to technology and innovation, with an environmental focus.

Academic Building 6 will be primarily utilized for the FGCU School of Business. Currently, the offices and classrooms for the School of Business are located in various buildings on the FGCU campus. Accordingly, this new building will provide classrooms, administration and faculty offices and specialized spaces such as computer labs for the business curriculum.

In general, the building will be approximately 70,000 gross square feet and will be three to four stories in height. The design of the building will be complimentary to other campus buildings, and yet have a special and distinct character and appearance of its own because of its prominent site location on campus.

The site has been conceptually permitted with both the Corps of Engineers and South Florida Water Management District. This project will have to modify an existing construction and operation permit issued by the South Florida Water Management District.

The total project budget is \$19,471,685 and construction budget is \$14,900,000.

The contract for construction management services shall consist of two phases. Phase one of the contract is for pre-construction services for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analysis, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase. If the GMP is accepted, phase two, the construction phase, may be implemented. In phase two of the contract, the construction manager shall become the single point of responsibility for performance of the construction contract for the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager’s contract.

Selection will be made on the basis of the construction manager’s qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability and qualification of the firm’s personnel, staff and consultants.

The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Board of Regents “Construction Manager Qualifications Supplement”. Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages should be numbered consecutively. Submittals, which do not comply with these requirements or do not include the requested data, will not be considered. No submittal information will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, F.S., a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Mr. Jack Fenwick, Director of Facilities Planning, Florida Gulf Coast University, 10501 FGCU Blvd., South, Ft. Myers, Florida 33965-6565, (239)590-1500, Fax (239)590-1505.

Five (5) bound copies of the required proposal data shall be submitted to: Mr. Jack Fenwick, Director of Facilities Planning, Florida Gulf Coast University, 10501 FGCU Blvd., South, Ft. Myers, Florida 33965-6565.

Submittals must be received in the Facilities Planning Office by 2:00 p.m. (local time) on December 11, 2006. Facsimile (FAX) submittals are not acceptable and will not be considered.

**PUBLIC ANNOUNCEMENT OF  
A/E SELECTION RESULTS**

The Florida School for the Deaf and the Blind announces its intention to negotiate, in accordance with the Consultants Competitive Negotiation Act, for the following:

PROJECT NUMBER: FSDB-20070001

PROJECT NAME: Rhyme Hall Renovation

1. Ebert Norman Brady Architects
2. Akel Logan Shafer Architects
3. Pond, Junck & Walker Architects
4. Cannon Design
5. Ruth & Dunavant Architects

**PUBLIC ANNOUNCEMENT OF CONSTRUCTION  
MANAGEMENT SELECTION RESULTS**

The Florida School for the Deaf and the Blind announces that on the date listed below ranking was determined and an intent was issued to negotiate and enter into a contract for Construction Management Services in accordance with the Consultants Competitive Negotiation Act, for the following:

DATE: October 26, 2006

NAME OF AGENCY: Florida School for the Deaf and the Blind

PROJECT NUMBER: FSDB 20070001

PROJECT NAME: Rhyme Hall Renovation

1. WG Mills, Inc.
2. Batson-Cook Company
3. E. Vaughan Rivers, Inc.

**BOARD OF TRUSTEES OF THE INTERNAL  
IMPROVEMENT TRUST FUND**

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

**EXPRESSWAY AUTHORITIES**

**REQUEST FOR QUALIFICATIONS (RFQ)  
BOND AND GENERAL COUNSEL SERVICES  
MDX PROCUREMENT/CONTRACT NO. RFQ-07-01**

The Miami-Dade Expressway Authority (MDX) is seeking the professional services of a qualified firm or team of firms to provide Bond and General Counsel Services. It is recommended that the Consultant have a full service operational office located in the Tri-County Area (Broward, Palm Beach and Miami-Dade Counties).

MDX notifies all Proposers and individuals that it requires and encourages small, disadvantaged, minority and women-owned businesses to have full opportunity to submit a response to any solicitation document issued by MDX. MDX requires

satisfaction of a 15% small business participation requirement in this procurement in compliance with its Small Business Participation Policy (available on MDX's website).

For a copy of the RFQ with complete details of the scope of services as well as submittal requirements, please log into our site: [www.mdx-way.com](http://www.mdx-way.com) or call MDX Procurement office at (305)637-3277. Deadline for submitting a Proposal is December 6, 2006, at 2:00 p.m. (Eastern Time). A Pre-proposal conference is scheduled for November 16, 2006, at 10:30 a.m. at the MDX Building. Attendance to the Pre-proposal conference is NOT mandatory however, everyone is encouraged to attend.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

Notice of Bid/Request for Proposal

FOR CONSTRUCTION MANAGEMENT SERVICES

PROJECT NUMBER: DOH 70053350

PROJECT NAME: Polk County Health Department, Lake Wales

PROJECT LOCATION: Lake Wales, Florida

The State of Florida, Department of Health, Division of Administration, Bureau of General Services, Office of Design and Construction requests qualifications from construction management firms to provide construction management services for this project. The estimated construction budget for this project is \$5,000,000.00. Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Section 255.29(3), F.S. and the procedures and criteria of Building Construction.

**INSTRUCTIONS**

Firms interested in being considered for this project must submit Four (4) copies of their application with a table of contents and tabbed sections in the following order:

1. Letter of interest detailing the firm's qualification to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor's Financial Statement, Form DBC5085. Mandatory use of Department of Health financial form is required. A current electronic form can be obtained by calling (850)245-4066.
3. Resumes of proposed staff and staff organizations.

4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. References from prior clients received within the last five years.

Response Due Date: Thursday, December 7, 2006  
by 4:00 p.m.

Applications are to be sent to: Margaret Nicolosi, 4052 Bald Cypress Way, Bin B06, Tallahassee, FL 32399-1734, (850)245-4444, ext. 3164. All proposal information submitted becomes the property of the Department of Health, will be placed on file, and not returned. Applications which do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with Chapter 60D-2, Florida Administrative Code, and Section 287.055, Florida Statutes. The Department of Health shall shortlist a minimum of three (3) firms.

Phases to be implemented are dependent on the availability of funding subject to actions of the Florida Legislative process and at sole discretion of the Department of Health.

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## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

### INVITATION TO BID

Sealed bids are being received from qualified contractors, by the State of Florida, Department of Children and Family Services, for the following project:

PROJECT NUMBER: DCF-05225311

PROJECT NAME: Install Fire Sprinklers, Bldg. 1265, Florida State Hospital (Chattahoochee).

BID DATE AND TIME: January 9, 2007 until 1:30 p.m. (Eastern Standard Time)

PLACE OF BID OPENING: Operations and Facilities Conference Room, Florida State Hospital, Highway 90 East, Chattahoochee, FL 32324. Telephone: (850)663-7152.

BID REQUIREMENTS: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, which may be obtained from: Systech Group, Inc., 11260 Roger Bacon Drive, Suite 501, Reston, VA 20190-5203. Telephone: (703)759-9600. Fax: (703)759-3813. Direct e-mail inquiries to: jamie@systech-group.com

CONTRACTOR QUALIFICATIONS: Bidders shall be state-certified in accordance with Chapter 633, Florida Statutes, as a Contractor I or a Contractor II. Bidders not able to furnish proof of required certification are subject to disqualification.

ADDITIONAL INFORMATION: A mandatory pre-bid walk-through will be held on December 7, 2006, at 10:00 a.m. (EST) at the Operations and Facilities Conference Room,

Florida State Hospital, Highway 90 East, Chattahoochee, FL 32324. Site Contact is Richard Frey, Telephone: (850)663-7152.

CORPORATE REGISTRATION: No bid shall be accepted from any corporation which is not able to demonstrate current corporate charter registration (for a domestic corporation) or authority to transact business within the State of Florida (for a foreign corporation).

PERFORMANCE BOND AND LABOR AND MATERIAL BOND: On any construction contract for which the award amount is greater than \$100,000, a Performance Bond and a Labor And Material Payment Bond shall be required.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted at 4:00 p.m. on the date and at the location where the bids are opened. Award of a contract by the Office of General Services is contingent upon acceptance of the award recommendation by the Department. The Department of Children and Family Services reserves the right to reject any and all bids in the best interest of the State of Florida.

MINORITY PARTICIPATION: In accordance with Florida Statutes, the Department of Children and Family Services is encouraged to target certified minority business enterprises (MBEs) for 21 percent of total awarded construction contract dollar value (4% for African-American, 6% for Hispanic-American, and 11% for women-owned). The Department of Children and Family Services encourages minority businesses to participate in the bidding process, including any bidders conferences or pre-bid meetings which are scheduled. The Department of Children and Family Services further encourages contractors to utilize certified MBEs as subcontractors or subvendors whenever possible. An online directory of certified MBEs, available on the website of the Office of Supplier Diversity <http://osd.dms.state.fl.us/dirhome.htm>, may be searched by county for construction-related products and services.

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## FINANCIAL SERVICES COMMISSION

### NOTICE TO CONTRACTORS

Sealed bids will be received until 2:00 p.m. on Wednesday, December 6, 2006 in the Office of the City Engineer, Public Works Department (Engineering and Architectural Services), City Hall, 100 North Andrews Avenue, 4th Floor, City of Fort Lauderdale, Florida and opened immediately thereafter in the Conference Room, for PROJECT 10874 – PHASE I – SYSTEMWIDE PUMP STATION UPGRADES (PS A-1, A-10, B-1, B-14, B-15, B-18, D-43, E-3).

This project consists of Drawing File No. WS-04-18 consisting of 115 sheets.

The work includes installation of new and/or rehabilitation of eight (8) existing can and dry-pit wastewater pump stations, and connections to existing sanitary and force main systems.

The sequencing for the construction of the pump stations is detailed in the Summary of Work. Total Project duration is 365 Calendar Days from Notice to Proceed.

Bidding blanks may be obtained at the Office of the City Engineer. Plans and specifications are on file in the Office of the City Engineer at a cost of \$106 (including sales tax) per set cash or check made payable to the City of Fort Lauderdale.

A pre-bid meeting will be held at 3:00 p.m. on Wednesday, November 15, 2006 at the Program Management Team office at 200 North Andrews Avenue, Suite 300 (Third Floor), Fort Lauderdale, Florida. The pre-bid meeting is recommended, but not mandatory.

It will be the sole responsibility of the bidder to clearly mark bid as such, and ensure that his bid reaches the City prior to the bid opening date and time listed.

A certified check, cashier's check, bank officer's check or bid bond for five percent (5%), made payable to the City of Fort Lauderdale, Florida, shall accompany each proposal.

This project is funded in whole or in part by the Florida Department of Environmental Protection, State Revolving Fund. Bidders are encouraged to become familiar with the provisions of the Supplement Conditions contained in these documents and in particular the requirements of Article 20, Equal Employment Opportunity.

The City of Fort Lauderdale reserves the right to waive any informality in any bid and to reject any or all bids.

Information on bid results and projects currently out to bid can be obtained by calling the pre-recorded City of Fort Lauderdale Bid Information Line at (954)828-5688. For general inquiries please call (954)828-5772.

Jonda K. Joseph  
City Clerk

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## **FLORIDA DEVELOPMENTAL DISABILITIES, INC.**

### **REQUEST FOR PROPOSALS (FDDC #2007-HC-5200)**

#### **Cultural and Linguistic Competency**

The Florida Developmental Disabilities Council (FDDC) announces the availability of a Request for Proposals (RFP). This RFP is being issued to enhance the information base necessary for the FDDC continued efforts to improve the delivery of services to the state's children and adults with developmental disabilities.

Extensive research has been and continues to be conducted to examine various approaches to addressing disparities in health outcomes and the implementation of cultural and linguistic competency standards, including the identification of evidence based practices. Considerable literature is now available to assess the potential benefits of cultural and linguistic competency training and the most effective methods of achieving positive outcomes. Numerous training programs are available, along with written materials, including web-based instructional opportunities.

The purpose of this project is to identify and disseminate information on cultural and linguistic competency evidence based practices or best practice in training and service provision. The provider will review literature, existing data, and anecdotal information to describe major cultural and linguistic issues concerning Floridians with specific attention to those issues of concern to individuals with developmental disabilities.

The provider will examine a variety of existing cultural and linguistic competency resources to identify those that are evidence based or based on best practice for their potential use in Florida.

Based on the review of available resources, the provider will draft a report for the FDDC Health Care Task Force, including recommendations of those resources determined to have the greatest potential benefit for use with Florida health care providers, with a focus on issues of concern to persons with developmental disabilities and their families. Data regarding the number of health care providers to receive each recommended resource, the cost per person, and total cost projection should also be presented. Further, the provider should describe how best to disseminate this information to the health care providers, including any potential additional cost associated with the dissemination.

The provider will present this information to the Health Care Task Force, facilitate a discussion of the issues, and assist the Task Force to develop and adopt a plan for dissemination of cultural and linguistic competency information to all Florida health care providers. Based on the direction of the Task Force, the provider will proceed to purchase those materials for which funds are available. The provider will disseminate the materials purchased. The provider will prepare and print a final report based on the direction provided by and approval of the Council.

Copies of this RFP will be available from the Florida Developmental Disabilities Council, 124 Marriott Drive, Suite 203, Tallahassee, FL 32301, (850)488-4180 or Toll Free 1(800)580-7801 or TDD 1(888)488-8633. The deadline for submitting letters of intent and written questions is prior to 4:00 p.m. (EST), on December 11, 2006. The deadline for submitting proposals is prior to 2:00 p.m. (EST), on January 22, 2007. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by e-mail will not be accepted.

**THE ABOVE ANNOUNCEMENT WILL APPEAR IN THE F.A.W. AND THE FDDC WEB PAGE (fddc.org) ON NOVEMBER 9, 2006.**

**PLEASE FORWARD ALL REQUESTS FOR COPIES OF THE RFP TO MISTY.**

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY. THIS IS A LEGAL PROCESS; WE CANNOT ANSWER QUESTIONS VERBALLY.

**EARLY LEARNING COALITION OF SOUTHWEST FLORIDA**

Notice of Bid/Request for Proposal

THE EARLY LEARNING COALITION OF SOUTHWEST FLORIDA INC. WILL ISSUE AN INVITATION TO NEGOTIATE (ITN) ON DECEMBER 1, 2006

For the following services:

1. School Readiness
  - Eligibility and Reimbursement
  - Parent and Child
  - Provider Development, Support and Training
2. Inclusion
3. Resource and Referral
4. Voluntary Pre-Kindergarten

Within Collier, Glades, Hendry and Lee Counties, for Program Year July 1, 2007 – June 30, 2008.

Contact person is Peter Escayg, Director of Operations, 12651 McGregor Boulevard, Suite 4-402, Ft. Myers, FL 33919, [Peter.Escayg@elcofswfl.org](mailto:Peter.Escayg@elcofswfl.org), (239)267-4105, Fax (239)267-4109.

**SCHOOL BOARD OF HIGHLANDS COUNTY**

Notice of Bid/Request for Proposal

The School Board of Highlands County located in Sebring, FL is requesting proposals from telecommunication contractors who will be able to install fiber optics at various school sites and then connect the schools to the fiber optics wide area network installed by Embarq in Highlands County in 2002/2003. The RFP documents can be viewed and printed from the SBHC web page at [www.highlands.k12.fl.us](http://www.highlands.k12.fl.us) then scrolling down to “Extras” and clicking on Purchasing Requests for Bid Proposals. The RFP is number SBHC0607-10.

**BROWARD COUNTY PROPERTY APPRAISER’S OFFICE**

Notice of Bid/Request for Proposal

REQUEST FOR PROPOSALS – OBLIQUE IMAGERY  
NOTICE TO PROFESSIONAL CONSULTANTS

The Broward County Property Appraiser’s Office (BCPAO) is seeking professional services on the projects listed in this advertisement. Consideration will be given to only those firms that are qualified pursuant to law to perform the indicated major Type(s) of Work. This project will be developed in conjunction with the Geographic Information Systems (GIS) for the Property Appraiser’s Office. Letters of interest from qualified firms are to be sent to the Broward County Property

Appraiser’s Office, Broward County Governmental Center, 115 S. Andrews Ave., Room 111, Fort Lauderdale, Florida 33301, Attn: Ron Gunzburger

PROJECT NUMBER: 10-12-2006- BCPA

PROJECT NAME: 2007 Digital Oblique Imagery

PROJECT LOCATION: Broward County, Florida

SERVICES TO BE PROVIDED:

- I. Digital Oblique Imagery – covering the 440 square miles of developable land in Broward County.  
Specifications: Digital Oblique Imagery to be flown no earlier than December 27, 2006 and no later than January 7, 2007 (depending on weather conditions). The Digital Oblique Imagery shall be horizontally accurate to within 3 feet. Digital Oblique Imagery shall be captured at a 45 degree angle.  
Final delivery: Final delivery will include the desktop application and/or internet browser application to view oblique images. The tools in this application shall include, but are not limited to, the following: land and building measurement tools, search by GIS attribute data (i.e. PIN search), GIS parcel overlay. Firm must also provide on-site technical support for integrating oblique imagery into existing desktop and/or website framework. Final deliverable products to be delivered to the BCPAO by May 1, 2007. Control points (DEM/DTM) to be provided by the BCPAO. Any additional control needed for this project will be provided by the BCPAO.
- II. Planimetrics – covering all improvements in the 440 square miles of developable land in Broward County for use of change detection. Specifications: Planimetrics shall be developed for building “footprints” only.  
Building footprints shall be GIS-overlay compatible. Planimetrics shall be orthorectified to a digital elevation or digital terrain model (DEM/DTM) which will be provided by the BCPAO.
- III. Please include a one year refly option in the event of a hurricane or “major event”.

CLIENT AGENCY: BROWARD COUNTY

PROPERTY APPRAISER’S OFFICE

CLIENT CONTACT: Ron Gunzburger, General Counsel & Director of Administration, (954)357-9634, [ron@bcpa.net](mailto:ron@bcpa.net)

RESPONSE DUE DATE: November 17, 2006, 4:00 p.m. (EST)

The results of this selection will be posted at the Broward County Property Appraiser’s Office, Broward County Governmental Center, Room 111, Fort Lauderdale, Florida during regular business hours.

**INSTRUCTIONS**

Interested firms shall submit 3 copies of the following:

1. Letter of interest which indicates the firm’s qualifications, related experience, ability and availability of personnel and equipment to perform the work and other information relevant to this project as deemed necessary.
2. Current signed and dated SF form 330.
3. If your project approach specifies map accuracy that requires certification by a professional surveyor and mapper (PSM) to comply with Chapter 472 F.S., then identify the necessary personnel in appropriate portions of your proposal.
4. Copy of the firm’s current insurance and Florida Professional Registration license.
5. For Corporations only. If the firm offering services is a corporation, it must be properly certified with the Florida Department of State and provide a copy of the current Florida Corporate Charter.
6. Cost estimate for approximately 440 sq. miles and approximately 500,000 parcels. Cost shall be broken down by oblique imagery, planimetrics, licensing opportunities and/or options, and additional technical support if necessary.

Responding firms will be asked to give a one hour presentation in our main office in Ft. Lauderdale, FL.

Firms submitting must be properly registered at the time of application to practice their profession in the State of Florida. Firms may submit representative samples of similar or related work efforts, with reference information. Responses which do not contain the required information identified herein, or non-relevant work experience may not be considered. All submitted materials will not be returned and will become part of the project file for this project. The selection of a consultant for this project will be made by a committee in accordance with Chapter 60D-2, Florida Administrative Code.

The Selection Committee is as follows:

- Lori Parrish, Property Appraiser
- Erik Reed, Director of Technology
- Holly Cimino, Director of Finance
- Joe Zdanowicz, Director of Real Property
- Kenneth Gibbs, GIS Supervisor

The Broward County Property Appraiser’s selection process, including any contacts with Property Appraiser staff, are governed by the terms of the Broward County Property Appraiser Rules Regulating Lobbying (a copy is available on our [www.bcpa.net](http://www.bcpa.net) website). Firms will be selected based on qualifications and project approach and other relevant factors, in accordance with the Consultants’ Competitive Negotiation Act (CCNA), Section 287.055. F.S. Submittals will be scored and ranked according to the Scoring Criteria.

Notice of Bid/Request for Proposal

**REQUEST FOR PROPOSALS – ORTHOPHOTOGRAPHY  
NOTICE TO PROFESSIONAL CONSULTANTS**

The Broward County Property Appraiser’s Office (BCPAO) is seeking professional services on the projects listed in this advertisement. Consideration will be given to only those firms that are qualified pursuant to law to perform the indicated major Type(s) of Work. This project will be developed in conjunction with the Geographic Information Systems (GIS) for the Property Appraiser’s Office. Letters of interest from qualified firms are to be sent to the Broward County Property Appraiser’s Office, Broward County Governmental Center, 115 S. Andrews Ave., Room 111, Fort Lauderdale, Florida 33301, Attn: Ron Gunzburger

**PROJECT NUMBER:** 10-11-2006- BCPA

**PROJECT NAME:** 2007 Digital Aerial Orthophotography

**PROJECT LOCATION:** Broward County, Florida

**SERVICES TO BE PROVIDED:**

Digital Color Aerial Photography for the 440 square miles of developable land in Broward County.

Specifications: Aircraft flying height shall be no greater than 6,000 ft. for the development of a .5 ft. pixel and no greater than 12,000 ft. for the development of a 1 ft. pixel.

Digital imagery shall be taken with at least 60% forward overlap between exposures in the line of flight and 30% sidelap between flight lines to allow for photogrammetric processing and ensure there are no gaps in the coverage. Digital imagery shall be orthorectified to a digital elevation or digital terrain model (DEM/DTM) which will be provided by the Broward County Property Appraiser’s Office. Any additional control needed for this project will be provided by the BCPAO.

Digital Imagery shall be developed in true color and Infrared.

The digital orthophotography shall be horizontally accurate to within 3 ft. if produced at 1' = 100" with a .5 ft. pixel and accurate to within 7.5 ft. if produced at 1' = 300" with a 1 ft. pixel. Aerial photography to be flown no earlier than December 27, 2006 and no later than January 7, 2007 (depending on weather conditions). Please include a one year re-fly option in the event of a hurricane or “major event”. Final deliverable products to be delivered to the BCPAO by March 15, 2007.

**CLIENT AGENCY:** BROWARD COUNTY PROPERTY APPRAISER’S OFFICE

**CLIENT CONTACT:** Ron Gunzburger, General Counsel and Director of Administration, (954)357-6934, [ron@bcpa.net](mailto:ron@bcpa.net)

**RESPONSE DUE DATE:** November 17, 2006, 4:00 p.m. (EST)

The results of this selection will be posted at the Broward County Property Appraiser’s Office, Broward County Governmental Center, Room 111, Fort Lauderdale, Florida during regular business hours.

**INSTRUCTIONS**



Interested firms shall submit 3 copies of the following:

1. Letter of interest which indicates the firm's qualifications, related experience, ability and availability of personnel and equipment to perform the work and other information relevant to this project as deemed necessary.
2. Current signed and dated SF form 330.
3. Copy of the firm's current insurance and Florida Professional Registration license.
4. For Corporations only. If the firm offering services is a corporation, it must be properly certified with the Florida Department of State and provide a copy of the current Florida Corporate Charter.
5. Cost estimate for 6" and 12" pixel resolution digital imagery and infrared digital imagery.
6. If your project approach specifies map accuracy that requires certification by a professional surveyor and mapper (PSM) to comply with Chapter 472 F.S., then identify the necessary personnel in appropriate portions of your proposal.

Firms submitting must be properly registered at the time of application to practice their profession in the State of Florida. Firms may submit representative samples of similar or related work efforts, with reference information.

Responses which do not contain the required information identified herein, or non-relevant work experience may not be considered. All submitted materials will not be returned and will become part of the project file for this project. The selection of a consultant for this project will be made by a committee in accordance with Chapter 60D-2, Florida Administrative Code.

The Selection Committee is as follows:

- Lori Parrish, Property Appraiser
- Erik Reed, Director of Technology
- Holly Cimino, Director of Finance
- Joe Zdanowicz, Director of Real Property
- Kenneth Gibbs, GIS Supervisor

The Broward County Property Appraiser's selection process, including any contacts with Property Appraiser staff, are governed by the terms of the Broward County Property Appraiser Rules Regulating Lobbying (a copy is available on our [www.bcpa.net](http://www.bcpa.net) website).

Firms will be selected based on qualifications and project approach and other relevant factors, in accordance with the Consultants' Competitive Negotiation Act (CCNA), Section 287.055, F.S. Submittals will be scored and ranked according to the Scoring Criteria.

**SARASOTA MEMORIAL HOSPITAL**  
ANNOUNCEMENT  
of  
REQUEST FOR STATEMENTS OF QUALIFICATIONS  
for  
GENERAL CONTRACTING WORK  
for a  
PRE-QUALIFIED BIDDING LIST  
for the  
SARASOTA COUNTY PUBLIC HOSPITAL BOARD  
SARASOTA MEMORIAL HOSPITAL  
SARASOTA, FLORIDA

The Sarasota County Public Hospital Board, is accepting statements of qualifications from general contracting firms for the purpose of pre-qualifying general contractors for various construction projects within the hospital proper, hospital core, and outpatient facilities. Firms will be divided into categories based on their size and past experience. The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to construction services. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida professional and corporate registration certificates.
2. Completed AIA Document A305 Contractor's Qualification Statement latest edition.
3. Proof of general and professional liability insurance coverage.
4. A separate statement as to whether the firm is a certified small/or Minority Business Enterprise as defined by the Florida Small Business Assistance Act of 1985.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project.
6. Resumes of key personnel that would be used on the projects at Sarasota Memorial and their past experience in projects of similar size and scope.
7. Previous examples of successful completion of hospital Agency for Healthcare Administration projects.
8. Any additional information to be included at the discretion of the submitting firm.

All interested firms are further informed as follows:

1. The hospital reserves the right to reject any or all submittals. No less than three (3) firms will be chosen for inclusion on the pre-qualified list in each category. These candidates may be asked to make presentations to a selection committee.

2. The basis for selecting candidates includes, but is not limited to, consideration of related project experience, qualifications of proposed team member's and previous Hospital A.H.C.A. experience. The hospital reserves the right to request additional information beyond the data set forth above.
3. Submissions shall be titled "Statement of Qualifications for General Contracting Work". Submittals must be received by the hospital no later than 3:30 p.m., Thursday, December 7, 2006. Submit statements to Ron Schofield, Manager of Construction & Renovation Services, Sarasota Memorial Hospital, 1700 South Tamiami Trail, Sarasota, Florida 34239.  
Submittals received after this deadline will be unopened and available for pick up.
4. Interested persons should contact Ron Schofield at (941)917-1899 or Tom Perigo (941)917-2048 with questions.
5. No attempts shall be made to contact Administrators, Board Members or any SMH staff other than the contact name(s) listed under the potential penalty of disqualification from the process.

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## Section XII Miscellaneous

### DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-07-2007-003  
 DATE RECEIVED: October 30, 2006  
 DEVELOPMENT NAME: Tuscany Preserve at Lake Marion (Poinciana)  
 DEVELOPER/AGENT: Tuscany Preserve Development, Inc.  
 DEVELOPMENT TYPE: 28-24.032, F.A.C.  
 LOCAL GOVERNMENT: Polk County

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### DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Goodbread Ranch, a private airport, in Okeechobee County, at Latitude 27° 17' 45" and Longitude 80° 42' 15", to be owned and operated by Mr. Bradley Goodbread, 12575 Hwy. 70 E., Okeechobee, FL 34972.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, [aviation.fdot@dot.state.fl.us](mailto:aviation.fdot@dot.state.fl.us), Website <http://www.dot.state.fl.us/aviation>.

**ADMINISTRATIVE HEARING RIGHTS:** Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with: Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

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The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Oak Ridge Air Park, a private airport, in Putnam County, at Latitude 29° 34' .5" and Longitude 81° 51' .5", to be owned and operated by Mr. Harvey Calden, P. O. Box 89, Jay, ME 04239. A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, [aviation.fdot@dot.state.fl.us](mailto:aviation.fdot@dot.state.fl.us), Website <http://www.dot.state.fl.us/aviation>.

**ADMINISTRATIVE HEARING RIGHTS:** Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with: Clerk of Agency Proceedings, Office of General Counsel, Florida



Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

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**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 (2005), Zongshen, Inc., intends to allow the establishment of Affordable Motorsports, Inc., as a dealership for the sale of Zongshen motorcycles at 35942 State Road 54, Zephyrhills (Pasco County), Florida 33541-2243, on or after November 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Affordable Motorsports, Inc., are dealer operator(s): Michael Semming, 35942 State Road 54, Zephyrhills, Florida 33541-2243; principal investor(s): Michael Semming, 35942 State Road 54, Zephyrhills, Florida 33541-2243.

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 Licensing Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: Cavan Chan, Authorized Representative, Zongshen, Inc., 3511 Northwest 113th Court, Doral, Florida 33178.

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 (2005), Power Sports Factory, Inc., intends to allow the establishment of CC Riders, Inc., as a dealership for the sale of Yamati and QianJiang motorcycles, at 3330 Atlantic Avenue, Lakeland (Polk County), Florida 33803, on or after October 20, 2006.

The name and address of the dealer operator(s) and principal investor(s) of CC Riders, Inc., are dealer operator(s): Bruce Dunhoft, 3330 Atlantic Avenue, Lakeland, Florida 33803; principal investor(s): Bruce Dunhoft, 3330 Atlantic Avenue, Lakeland, Florida 33803.

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 Licensing Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: Steve Rubakh, President, Power Sports Factory, 6950 Central Highway, Pennsauken, New Jersey 08109.

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 (2005), Avanti Motorcycles, Inc., intends to allow the establishment of Evolution Motorsports, Inc., as a dealership for the sale of Astronautical Bashan Motorcycle Co. (BASH) motorcycles, at 2629 North Magnolia Avenue, Ocala (Marion County), Florida 34475, on or after October 24, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Evolution Motorsports, Inc., are dealer operator(s): Kathy Parks, 2629 North Magnolia Avenue, Ocala, Florida 34475; principal investor(s): Kathy Parks, 2629 North Magnolia Avenue, Ocala, Florida 34475.

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 Licensing Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, 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: Tai Luu, President, Avanti Motorcycles, Inc., 15A Parkway Circle, New Castle, Delaware 19720.

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 (2005), Power Sports Factory, Inc., intends to allow the establishment of Stock Mild to Wild, Inc., as a dealership for the sale of Yamati and QianJiang motorcycles, at 2012 Blanding Boulevard, Jacksonville (Duval County), Florida 32210, on or after October 20, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Stock Mild to Wild, Inc., are dealer operator(s): Ryan Kollina, 2012 Blanding Boulevard, Jacksonville, Florida 32210; principal investor(s): Ryan Kollina, 2012 Blanding Boulevard, Jacksonville, Florida 32210.

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 Licensing 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: Steve Rubakh, President, Power Sports Factory, Inc., 6950 Central Highway, Pennsauken, New Jersey 08109.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**BOARD OF TRUSTEES OF THE INTERNAL  
IMPROVEMENT TRUST FUND**

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**CERTIFICATE OF NEED  
EXEMPTIONS**

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Hernando Service District: 3  
ID #060006 Issue Date: 10/26/2006 Decision: A  
Facility/Project: HealthSouth Rehabilitation Hospital of Spring Hill  
Applicant: HealthSouth Corporation  
Project Description: Add 10 comprehensive medical rehabilitation beds  
Approved Cost: \$1,900,500.00

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**NOTICE OF PROPOSED MODIFICATION  
TO TRANSMISSION LINE CERTIFICATION**

Florida Power & Light Company has filed request number TA88-06A to authorize a modification to the Crane-Bridge-Plumosus 230 kV Transmission Line Corridor certified on September 7, 1989. This request for modification has been received by the Department of Environmental Protection, under the Transmission Line Siting Act, pursuant to Section 403.5315(2), F.S. The modification, which FPL is pursuing at the request of Florida Atlantic University and the developers of the Scripps Research Park, would allow relocation of approximately 3,500 feet of the existing right-of-way 460 feet to the east to a right-of-way to be

provided by Florida Atlantic University within its campus. The new right-of-way would be within the originally certified corridor. However, the original certified corridor shrank to the existing right-of-way housing the Crane-Bridge-Plumosus line and the Plumosus-Riviera 138 kV line as required by Section 403.522(10), Florida Statutes. As such, a modification is necessary to relocate the right of way as requested. The modification will pass through or affect the following local governmental jurisdictions: Palm Beach County and the Town of Jupiter.

A copy of the Request for Modification may be obtained from: Hamilton S. Oven, P.E., Transmission Line Siting Coordinator, Department of Environmental Protection, 2600 Blair Stone Road, MS 48, Tallahassee, Florida 32399-2400, (850)245-8002. Copies of the modification are also available at: Tim Gray, DEP Southeast District, 400 North Congress Avenue, Suite 200, West Palm Beach, FL 33401, (561)681-6600. Parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Persons who are not already parties to the certification proceeding and whose substantial interests are affected by the proposed modification and who object to it must file their objections in writing, within 30 days of publication of this notice. Objections must be filed in writing with: the Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Dr., Tallahassee, Florida 32399, during normal business hours. A copy of such objection must be served on all parties. Persons who fail to have the objection filed with (received by) the Department within the prescribed time period will have waived their right to object.

**DEPARTMENT OF HEALTH**

On October 30, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Brenda Sue Duckwort Downing, L.P.N., license number PN 951421. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On October 30, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Robert Kochanoski, R.Ph., license number PS 17579. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety

and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**AVAILABILITY OF DRAFT MANAGEMENT PLAN**

The Florida Fish and Wildlife Conservation Commission at its June 2006 meeting determined that reclassifying the Florida manatee (*Trichechus manatus latirostris*) from endangered status to threatened status was warranted, and directed the development of a management plan. Reclassification will not occur until the reclassification rules in the proposed plan are approved by the Commission. A draft management plan for the Florida manatee has been prepared, and the Commission is now requesting written comments regarding conservation recommendations and expected economic, social, environmental and ecological impacts of implementing the management plan. Copies of the draft management plan are available at <http://www.myfwc.com> or can be requested from Manatee Management Plan, 620 South Meridian Street, Mail Station 6A, Tallahassee, Florida 32399-1600.

Written comments should be addressed to the above address, or submitted to the following email address: [manatee\\_plan@myFWC.com](mailto:manatee_plan@myFWC.com). Comments will be accepted until 5:00 p.m., January 11, 2007.

**DEPARTMENT OF FINANCIAL SERVICES**

**DIVISION OF TREASURY  
BUREAU OF COLLATERAL MANAGEMENT  
PUBLIC DEPOSITS SECTION**

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FOR PUBLIC DEPOSITORS TO RECEIVE THE PROTECTION FROM LOSS PROVIDED IN CHAPTER 280, FLORIDA STATUTES, THEY SHALL COMPLY WITH THE FOLLOWING ON EACH PUBLIC DEPOSIT ACCOUNT IN ADDITION TO ANY OTHER REQUIREMENTS SPECIFIED IN CHAPTER 280: (1) EXECUTE THE PUBLIC DEPOSIT IDENTIFICATION AND ACKNOWLEDGMENT FORM DFS-J1-1295 WITH THE QUALIFIED PUBLIC DEPOSITORY (QPD), MAINTAIN IT AS A VALUABLE RECORD, AND CONFIRM THE ACCOUNT ANNUALLY; (2) EXECUTE A REPLACEMENT FORM DFS-J1-1295 WHEN THERE IS A MERGER, ACQUISITION, NAME CHANGE, OR OTHER EVENT WHICH CHANGES THE ACCOUNT NAME, ACCOUNT NUMBER, OR NAME OF THE QPD.

THE FOLLOWING QPDS ARE AUTHORIZED TO HOLD PUBLIC DEPOSITS. THEY ARE LISTED UNDER THE STATE OF HOME OFFICE LOCATION. INSTITUTIONS MARKED WITH AN ASTERISK HAVE LIMITED THE AMOUNT OF PUBLIC DEPOSITS THEY WILL ADMINISTER AND ARE NOT ACCEPTING NEW PUBLIC DEPOSIT ACCOUNTS. DEPOSITORIES HAVING A DATE BESIDE THEIR NAME ARE IN THE PROCESS OF WITHDRAWING FROM THE PROGRAM AND SHALL NOT RECEIVE OR RETAIN PUBLIC DEPOSITS AFTER THE DATE SHOWN. THEY MAY, HOWEVER, HAVE CERTAIN OBLIGATIONS TO THE PROGRAM AFTER THAT DATE WITH WHICH THEY MUST COMPLY BEFORE CONCLUDING THE WITHDRAWAL PROCESS.  
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**ALABAMA**

**ATMORE**  
UNITED BANK

**BIRMINGHAM**  
AMSOUTH BANK  
COMPASS BANK  
REGIONS BANK  
SUPERIOR BANK

**MONTGOMERY**  
COLONIAL BANK, N.A.

**FLORIDA**

**APALACHICOLA**  
COASTAL COMMUNITY BANK

**ARCADIA**  
FIRST STATE BANK OF ARCADIA

**AVENTURA**  
TURNBERRY BANK

**BARTOW**  
CITRUS & CHEMICAL BANK  
COMMUNITY NATIONAL BANK AT BARTOW

**BELLE GLADE**  
BANK OF BELLE GLADE

**BOCA RATON**  
FIRST SOUTHERN BANK  
FIRST UNITED BANK  
PARADISE BANK

**BONIFAY**  
BANK OF BONIFAY

**BRADENTON**  
COAST BANK OF FLORIDA  
FIRST AMERICA BANK  
FLAGSHIP NATIONAL BANK

**BRANDON**  
PLATINUM BANK

**BROOKSVILLE**  
HERNANDO COUNTY BANK

**CAPE CORAL**  
RIVERSIDE BANK OF THE GULF COAST

**CARRABELLE**  
GULF STATE COMMUNITY BANK

**CASSELBERRY**  
R-G CROWN BANK

**CHIEFLAND**  
DRUMMOND COMMUNITY BANK

**CLEWISTON**  
FIRST BANK OF CLEWISTON  
OLDE CYPRESS COMMUNITY BANK

**COCOA BEACH**  
SUNRISE BANK

**CORAL GABLES**  
BANKUNITED, F.S.B.  
COMMERCEBANK, N.A.  
GIBRALTAR PRIVATE BANK & TRUST COMPANY  
INTERNATIONAL BANK OF MIAMI, N.A.

**CRAWFORDVILLE**  
WAKULLA BANK

**CRESTVIEW**  
FIRST NATIONAL BANK OF CRESTVIEW

**CRYSTAL RIVER**  
CRYSTAL RIVER BANK

**DADE CITY**  
FIRST NATIONAL BANK OF PASCO

**DANIA BEACH**  
COMMUNITY BANK OF BROWARD

**DAVIE**  
REGENT BANK

**DUNNELLON**  
DUNNELLON STATE BANK

**ENGLEWOOD**  
ENGLEWOOD BANK  
PENINSULA BANK

**FERNANDINA BEACH**  
FIRST COAST COMMUNITY BANK  
FIRST NATIONAL BANK OF NASSAU COUNTY

**FORT LAUDERDALE**  
BANKATLANTIC  
EQUITABLE BANK  
LANDMARK BANK, N.A.

**FORT MYERS**  
EDISON NATIONAL BANK  
FLORIDA GULF BANK  
IRONSTONE BANK

**FORT PIERCE**  
HARBOR FEDERAL SAVINGS BANK  
RIVERSIDE NATIONAL BANK OF FLORIDA

**FORT WALTON BEACH**  
BEACH COMMUNITY BANK  
FIRST CITY BANK OF FLORIDA  
FIRST NATIONAL BANK & TRUST

**FROSTPROOF**  
CITIZENS BANK & TRUST

**GAINESVILLE**  
FLORIDA CITIZENS BANK  
MERCHANTS & SOUTHERN BANK  
MILLENNIUM BANK

**GRACEVILLE**  
BANK OF JACKSON COUNTY  
PEOPLES BANK OF GRACEVILLE

**HALLANDALE**  
DESJARDINS BANK, N.A.

**HOMESTEAD**  
COMMUNITY BANK OF FLORIDA  
FIRST NATIONAL BANK OF SOUTH FLORIDA

**HOMOSASSA**  
HOMOSASSA SPRINGS BANK

**IMMOKALEE**  
FLORIDA COMMUNITY BANK

**INDIANTOWN**  
FIRST BANK AND TRUST COMPANY OF INDIANTOWN

**INVERNESS**  
BANK OF INVERNESS

**JACKSONVILLE**  
EVERBANK

**JACKSONVILLE BEACH**  
OCEANSIDE BANK

**KEY LARGO**  
TIB BANK OF THE KEYS

**KEY WEST**  
FIRST STATE BANK OF THE FLORIDA KEYS

**KISSIMMEE**  
CENTERSTATE BANK CENTRAL FLORIDA, N.A.

**LAKE CITY**  
COLUMBIA BANK  
PEOPLES STATE BANK

**LANTANA**  
STERLING BANK

**LEESBURG**  
CENTERSTATE BANK MID FLORIDA

**LIVE OAK**  
FIRST FEDERAL SAVINGS BANK OF FLORIDA

**LONGWOOD**

\*ORLANDO NATIONAL BANK

**MADISON**

MADISON COUNTY COMMUNITY BANK

**MARATHON**

MARINE BANK OF THE FLORIDA KEYS

**MARIANNA**

FIRST CAPITAL BANK

**MAYO**

LAFAYETTE STATE BANK

**MIAMI**

BAC FLORIDA BANK

CITY NATIONAL BANK OF FLORIDA

COCONUT GROVE BANK

COMMERCIAL BANK OF FLORIDA

CONTINENTAL NATIONAL BANK OF MIAMI

EAGLE NATIONAL BANK OF MIAMI

EASTERN NATIONAL BANK

ESPIRITO SANTO BANK

EXECUTIVE NATIONAL BANK

GREAT FLORIDA BANK

INTERAMERICAN BANK, F.S.B.

MELLON UNITED NATIONAL BANK

METRO BANK OF DADE COUNTY

NORTHERN TRUST BANK OF FLORIDA, N.A.

OCEAN BANK

SOFISA BANK OF FLORIDA

TOTALBANK

TRANSATLANTIC BANK

U.S. CENTURY BANK

**MILTON**

FIRST NATIONAL BANK OF FLORIDA

**MONTICELLO**

FARMERS & MERCHANTS BANK

**MOUNT DORA**

FIRST NATIONAL BANK OF MOUNT DORA

FLORIDA CHOICE BANK

**NAPLES**

BANK OF NAPLES

COMMUNITY BANK OF NAPLES, N.A.

ORION BANK

PARTNERS BANK

**NEW SMYRNA BEACH**

FRIENDS BANK

**NICEVILLE**

PEOPLES NATIONAL BANK

**NORTH LAUDERDALE**

SECURITY BANK, N.A.

**NORTH PALM BEACH**

ENTERPRISE NATIONAL BANK OF PALM BEACH

**OAKLAND PARK**

AMERICAN NATIONAL BANK

**OCALA**

ALARION BANK

COMMUNITY BANK & TRUST OF FLORIDA

INDEPENDENT NATIONAL BANK

**ORANGE PARK**

HERITAGE BANK OF NORTH FLORIDA

**ORLANDO**

CNLBANK

MERCANTILE BANK

ORANGE BANK OF FLORIDA

UNITED HERITAGE BANK

**ORMOND BEACH**

CYPRESSCOQUINA BANK

**OVIEDO**

CITIZENS BANK OF FLORIDA

**PALATKA**

FIRST FEDERAL BANK OF NORTH FLORIDA

PUTNAM STATE BANK

**PANAMA CITY**

BAY BANK & TRUST COMPANY  
FIRST NATIONAL BANK NORTHWEST FLORIDA  
PEOPLES FIRST COMMUNITY BANK  
VISION BANK

**PENSACOLA**

BANK OF PENSACOLA  
BANK OF THE SOUTH  
FIRST GULF BANK, N.A.  
GULF COAST COMMUNITY BANK

**PERRY**

CITIZENS BANK OF PERRY

**PINELLAS PARK**

FIRST COMMUNITY BANK OF AMERICA

**PORT CHARLOTTE**

BUSEY BANK, N.A.

**PORT RICHEY**

GULFSTREAM COMMUNITY BANK

**PORT ST. JOE**

BAYSIDE SAVINGS BANK

**PORT ST. LUCIE**

FIRST PEOPLES BANK

**ST. AUGUSTINE**

BANK OF ST. AUGUSTINE  
PROSPERITY BANK

**ST. CLOUD**

PUBLIC BANK

**ST. PETERSBURG**

SIGNATURE BANK  
SYNOVUS BANK OF TAMPA BAY

**SANTA ROSA BEACH**

BANKTRUST

**SARASOTA**

PEOPLE'S COMMUNITY BANK OF THE WEST COAST

**SEBRING**

HEARTLAND NATIONAL BANK  
HIGHLANDS INDEPENDENT BANK

**SOUTH MIAMI**

FIRST NATIONAL BANK OF SOUTH MIAMI

**STARKE**

COMMUNITY STATE BANK

**STUART**

GULFSTREAM BUSINESS BANK  
SEACOAST NATIONAL BANK

**TALLAHASSEE**

CAPITAL CITY BANK  
HANCOCK BANK OF FLORIDA  
PREMIER BANK  
TALLAHASSEE STATE BANK  
THE BANK OF TALLAHASSEE

**TAMPA**

BANK OF ST. PETERSBURG  
FIRST CITRUS BANK

**TEQUESTA**

INDEPENDENT COMMUNITY BANK

**THE VILLAGES**

CITIZENS FIRST BANK

**TRENTON**

TRI-COUNTY BANK

**TRINITY**

PATRIOT BANK

**UMATILLA**

UNITED SOUTHERN BANK

**VALPARAISO**

VANGUARD BANK & TRUST COMPANY

**VERO BEACH**

CITRUS BANK, N.A.  
INDIAN RIVER NATIONAL BANK

**WAUCHULA**

FIRST NATIONAL BANK OF WAUCHULA  
WAUCHULA STATE BANK

**WEST PALM BEACH**

FIDELITY FEDERAL BANK & TRUST  
FLAGLER BANK  
GRAND BANK & TRUST OF FLORIDA

**WILLISTON**  
PERKINS STATE BANK

**WINTER HAVEN**  
CENTERSTATE BANK OF FLORIDA, N.A.

**WINTER PARK**  
BANKFIRST  
RIVERSIDE BANK OF CENTRAL FLORIDA

**ZEPHYRHILLS**  
CENTERSTATE BANK WEST FLORIDA, N.A.

**GEORGIA**

**ATLANTA**  
SUNTRUST BANK

**COLQUITT**  
PEOPLESSOUTH BANK

**DARIEN**  
SOUTHEASTERN BANK

**MOULTRIE**  
AMERICAN BANKING COMPANY

**LOUISIANA**

**NEW ORLEANS**  
WHITNEY NATIONAL BANK

**MASSACHUSETTS**

**BOSTON**  
ONEUNITED BANK

**MICHIGAN**

**GRAND RAPIDS**  
FIFTH THIRD BANK

**MISSISSIPPI**

**JACKSON**  
TRUSTMARK NATIONAL BANK

**NEVADA**

**LAS VEGAS**  
CITIBANK, N.A.

**NEW YORK**

**NEW YORK CITY**  
BANCO POPULAR NORTH AMERICA  
INTERVEST NATIONAL BANK

**NORTH CAROLINA**

**CHARLOTTE**  
BANK OF AMERICA, N.A.  
WACHOVIA BANK, N.A.

**ROCKY MOUNT**  
RBC CENTURA BANK

**WINSTON-SALEM**  
BRANCH BANKING & TRUST COMPANY



**OHIO**

**WILMINGTON**

LIBERTY SAVINGS BANK, F.S.B.

**PENNSYLVANIA**

**PHILADELPHIA**

COMMERCE BANK, N.A.

**TEXAS**

**HOUSTON**

ENCORE BANK

**WISCONSIN**

**MILWAUKEE**

M&I MARSHALL & ILSLEY BANK

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THE FOLLOWING IS A LIST OF INSTITUTIONS THAT  
HAD A CHANGE SINCE THE LAST PUBLICATION OF  
THIS REPORT.  
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**CENTURY NATIONAL BANK**

ORLANDO

CENTURY NATIONAL BANK (ORLANDO) WAS  
MERGED WITH AND INTO SEACOAST NATIONAL  
BANK (STUART) EFFECTIVE AS OF THE CLOSE OF  
BUSINESS AUGUST 11, 2006.

**CITIBANK, F.S.B.**

RESTON, VIRGINIA

CITIBANK, F.S.B. (RESTON, VIRGINIA) WAS  
ACQUIRED BY CITIBANK, N.A. (LAS VEGAS, NEVADA)  
EFFECTIVE AS OF OCTOBER 1, 2006. CITIBANK, N.A.  
AUTOMATICALLY BECAME A QUALIFIED PUBLIC  
DEPOSITORY WITH THIS ACQUISITION.

**CITIZENS BANK OF OVIEDO**

OVIEDO

CITIZENS BANK OF OVIEDO HAS CHANGED ITS  
NAME TO CITIZENS BANK OF FLORIDA.

**CITIZENS BANK – WAKULLA**

CRAWFORDVILLE

CITIZENS BANK – WAKULLA (CRAWFORDVILLE) WAS  
MERGED WITH AND INTO AMERICAN BANKING  
COMPANY (MOULTRIE, GEORGIA) AS OF THE CLOSE  
OF BUSINESS AUGUST 7, 2006.

**COLUMBIA COUNTY BANK**

LAKE CITY

COLUMBIA COUNTY BANK HAS CHANGED ITS NAME  
TO COLUMBIA BANK.

**FIRST BANK OF INDIANTOWN**

INDIANTOWN

FIRST BANK OF INDIANTOWN CHANGED ITS NAME  
TO FIRST BANK AND TRUST COMPANY OF  
INDIANTOWN.

**FIRST COMMUNITY BANK**

DEBARY

FIRST COMMUNITY BANK (DEBARY) WAS MERGED  
WITH AND INTO RIVERSIDE NATIONAL BANK OF  
FLORIDA (FORT PIERCE) AS OF THE CLOSE OF  
BUSINESS AUGUST 18, 2006.

**FIRST COMMUNITY BANK OF AMERICA**

ST. PETERSBURG

FIRST COMMUNITY BANK OF AMERICA HAS CHANGED ITS HOME OFFICE LOCATION FROM ST. PETERSBURG TO PINELLAS PARK.

**FIRST KENSINGTON BANK**

SPRINGHILL

FIRST KENSINGTON BANK (SPRINGHILL) WAS MERGED WITH AND INTO SUPERIOR BANK (BIRMINGHAM, ALABAMA) AS OF THE CLOSE OF BUSINESS AUGUST 31, 2006.

**FIRST NATIONAL BANK OF OSCEOLA COUNTY**

KISSIMMEE

FIRST NATIONAL BANK OF OSCEOLA COUNTY HAS CHANGED ITS NAME TO CENTERSTATE BANK CENTRAL FLORIDA, N.A.

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**FINANCIAL SERVICES COMMISSION**

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institution, has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, Division of Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., December 1, 2006):

**APPLICATION TO MERGE**

Constituent Institutions: Achieva Credit Union, Clearwater, Florida and Gulf Shores Credit Union, Clearwater, Florida  
Resulting Institution: Achieva Credit Union

Received: October 26, 2006

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN October 23, 2006  
 and October 27, 2006

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF TRANSPORTATION**

14-57.012	10/24/06	11/13/06	32/36	
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**DEPARTMENT OF CORRECTIONS**

33-203.201	10/23/06	11/12/06	32/33	32/38
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**DEPARTMENT OF HEALTH**

**Board of Chiropractic**

64B2-13.004	10/25/06	11/14/06	32/33	32/37
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**Board of Optometry**

64B13-3.006	10/24/06	11/13/06	32/15	32/39
64B13-3.009	10/24/06	11/13/06	32/15	32/39

**Board of Osteopathic Medicine**

64B15-9.006	10/25/06	11/14/06	32/38	
64B15-14.005	10/25/06	11/14/06	32/38	
64B15-19.002	10/25/06	11/14/06	32/35	32/41

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self Sufficiency Program**

65A-4.201	10/24/06	11/13/06	32/30	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**Family Safety and Preservation Program**

65C-10.001	10/26/06	11/15/06	32/30	
65C-10.002	10/26/06	11/15/06	32/30	
65C-10.003	10/26/06	11/15/06	32/30	
65C-10.004	10/26/06	11/15/06	32/30	
65C-10.005	10/26/06	11/15/06	32/30	
65C-10.006	10/26/06	11/15/06	32/30	
65C-11.001	10/26/06	11/15/06	32/30	
65C-11.002	10/26/06	11/15/06	32/30	
65C-11.003	10/26/06	11/15/06	32/30	
65C-11.004	10/26/06	11/15/06	32/30	
65C-11.005	10/26/06	11/15/06	32/30	
65C-12.001	10/26/06	11/15/06	32/30	
65C-12.002	10/26/06	11/15/06	32/30	
65C-12.003	10/26/06	11/15/06	32/30	
65C-12.004	10/26/06	11/15/06	32/30	
65C-12.005	10/26/06	11/15/06	32/30	
65C-12.006	10/26/06	11/15/06	32/30	
65C-12.007	10/26/06	11/15/06	32/30	
65C-12.008	10/26/06	11/15/06	32/30	
65C-12.009	10/26/06	11/15/06	32/30	
65C-12.010	10/26/06	11/15/06	32/30	
65C-12.011	10/26/06	11/15/06	32/30	
65C-12.012	10/26/06	11/15/06	32/30	
65C-16.008	10/26/06	11/15/06	32/30	

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers' Compensation**

69L-7.020	10/27/06	11/16/06	32/36	
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