

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

### 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.:** 33-404.102  
**RULE TITLE:** Provision of Mental Health Services  
**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to amend the rule to clarify when staff shall refer an inmate to mental health staff and to incorporate Form DC4-529A, Mental Health Staff Request/Referral, which is used to refer inmates for mental health services.  
**SUBJECT AREA TO BE ADDRESSED:** Mental health services.  
**SPECIFIC AUTHORITY:** 944.09, 945.49 FS.  
**LAW IMPLEMENTED:** 944.09, 945.49 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:**

33-404.102 Provision of Mental Health Services.

All inmates entering the department shall be entitled to receive mental health services as established by this chapter and as specified in the policies and procedures developed and implemented under the authority of the Assistant Secretary for Health Services. The Assistant Secretary for Health Services is the final authority for all health care related programs, policies, and procedures. The Assistant Secretary shall authorize policies, procedures, and service protocols deemed necessary and sufficient to establish guidelines for the delivery of mental health services. These service guidelines shall be disseminated to staff through health service bulletins, which shall be reviewed at least yearly, and revised as needed under the authority of the Assistant Secretary for Health Services. Health services bulletins shall be reviewed and revised periodically to

ensure that constitutionally adequate mental health services are provided in accordance with applicable community and correctional standards.

(1) through (5) No change.

(6) ~~Inmates who are assigned to administrative confinement, disciplinary confinement, protective management, or close management, and who report or display signs of rapid change in their mental or behavioral functioning, who declare a mental health emergency, who exhibit bizarre behavior, or who exhibit or report thoughts or threats to harm themselves, shall be referred to mental health staff immediately, or to medical staff in the absence of mental health staff.~~

(7) through (8) No change.

(9) All department staff having contact with inmates shall refer an inmate to mental health staff when the staff member determines that the inmate may need or could benefit from mental health services. Form DC4-529A, Mental Health Staff Request/Referral shall be used for this purpose. Form DC4-529A is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is \_\_\_\_\_.

Specific Authority 944.09, 945.49 FS. Law Implemented 944.09, 945.49 FS. History--New 5-27-97, Formerly 33-40.002, Amended\_\_\_\_\_.

### AGENCY FOR HEALTH CARE ADMINISTRATION

#### Medicaid

**RULE NO.:** 59G-4.196  
**RULE TITLE:** Medicaid Certified Match Substance Abuse Services

**PURPOSE AND EFFECT:** The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Certified Match Substance Abuse Services Coverage and Limitations Handbook, February 2007. The handbook includes a description of the services, the service requirements, and reimbursement that will be available under the Medicaid Certified Match Substance Abuse Services Program. The effect will be to incorporate by reference in the rule the Florida Medicaid Certified Match Substance Abuse Services Coverage and Limitations Handbook, February 2007.

**SUBJECT AREA TO BE ADDRESSED:** Medicaid Certified Match Substance Abuse Services.

**SPECIFIC AUTHORITY:** 409.919 FS.

**LAW IMPLEMENTED:** 409.906, 409.908 FS.

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

**DATE AND TIME:** Tuesday, March 6, 2007, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Conference Room B, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Howard George, Medical/Health Care Program Analyst, Medicaid Services, 2727 Mahan Drive, Mail Stop #20, Tallahassee, FL 32308, (850)410-1258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.196 Medicaid Certified Match Substance Abuse Services.

(1) This rule applies to all community mental health services providers enrolled in the Medicaid program who receive certified match to provide substance abuse services.

(2) All community behavioral health services providers enrolled in the Medicaid program who receive certified match to provide substance abuse services must be in compliance with the Florida Medicaid Certified Match Substance Abuse Services Coverage and Limitations Handbook, February 2007, 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 the Medicaid fiscal agent at (800)377-8216.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History—New \_\_\_\_\_.

**DEPARTMENT OF MANAGEMENT SERVICES**

**State Technology Office**

RULE NO.:                      RULE TITLE:  
60DD-1.002                      Rural County Grants

PURPOSE AND EFFECT: The purpose of the rule is to make changes to the rule to remove unnecessary language, update current language, and clarify existing board practice. The effect of the rule will be to remove unnecessary language, update current language, and clarify existing board practice.

SUBJECT AREA TO BE ADDRESSED: Rural County Grants.

SPECIFIC AUTHORITY: 365.172(b)(a)12., 365.173(2)(c) FS.  
LAW IMPLEMENTED: 365.173(2)(c) 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: John Ford, Executive Director, Wireless 911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida 32399-0950

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.:                      RULE TITLE:  
61A-4.009                      Monthly Reports

PURPOSE AND EFFECT: The proposed rule amendment incorporates by reference DBPR forms AB&T 4000-A-100-1W, Rev. 12/03 and AB&T 4000A-125-2, Rev. 12/03.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment addresses the monthly reporting forms which are used by manufacturers and distributors of alcoholic beverages.

SPECIFIC AUTHORITY: 564.06(9) FS.

LAW IMPLEMENTED: 564.06(7) 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: David Tarbert, Assistant General Counsel, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, Florida 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

RULE NO.:                      RULE TITLE:  
61C-5.006                      Elevator Fees; Construction and Alteration Permits; Annual Certificates of Operation; Delinquency Fee; Temporary Operation Permits Certificate Replacement

PURPOSE AND EFFECT: The purpose of this rule development is to clarify application for permit to alter and permit extension requirements; clarify certificate of operation license renewal requirements; adopt a single fee for certificate of operation license renewals, effective with the August 1, 2008 renewal cycle; and to create consistency between the rule language and statutes.

**SUBJECT AREA TO BE ADDRESSED:** This rule amendment addresses application for permit to alter and permit extension requirements; fee and documentation requirements for certificate of operation license renewals; and creates consistency between the rule language and statutes. Copies of the rule may be obtained from John Calpini in the Bureau of Elevator Safety Tallahassee office at (850)488-9098.

**SPECIFIC AUTHORITY:** 399.03(2), 399.07(1), 399.10 FS.

**LAW IMPLEMENTED:** 399.03, 399.07, 399.061 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:** John Calpini, Bureau Chief, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, FL 32399-1012; Telephone: (850)488-9098

**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**

**Board of Pilot Commissioners**

**RULE NO.:** 61G14-11.007 **RULE TITLE:** Documents Issued

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

**SUBJECT AREA TO BE ADDRESSED:** Deputy pilot valuations and recommendations to the Board.

**SPECIFIC AUTHORITY:** 310.185 FS., Chapter 94-119, Laws of Florida.

**LAW IMPLEMENTED:** 310.071(3) FS., Chapter 94-119, Laws of Florida.

**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:** Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

**RULE NO.:** 61G18-12.019 **RULE TITLE:** Reinstatement of a Null and Void Licensee Fee

**PURPOSE AND EFFECT:** The proposed rule amendment establishes a fee for the reinstatement of a null and void license.

**SUBJECT AREA TO BE ADDRESSED:** Reinstatement of a Null and Void License Fee.

**SPECIFIC AUTHORITY:** 474.206, 474.215, 455.219 FS.

**LAW IMPLEMENTED:** 474.215, 455.219, 455.271 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Building Code Administrators and Inspectors Board**

**RULE NO.:** 61G19-5.007 **RULE TITLE:** Notice of Noncompliance

**PURPOSE AND EFFECT:** The proposed rule amendment clarifies and makes the rule consistent with statutory references by including plans examination with the concepts of building code administration and inspection.

**SUBJECT AREA TO BE ADDRESSED:** Notice of Noncompliance.

**SPECIFIC AUTHORITY:** 455.225, 468.606 FS.

**LAW IMPLEMENTED:** 455.225, 468.607, 468.621 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:** Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

61G19-5.007 Notice of Noncompliance.

In lieu of the disciplinary procedures contained in Sections 455.225 and 468.621, F.S., as an alternative to investigation and prosecuting when a complain is received. The Department shall provide a licensee with a notice of noncompliance on a first offense for the following minor violations.

(1)(a) Engaging in building code administration, plans examination, or inspection with a certificate on inactive or delinquent status; and,

(b) through (2) No change.

Specific Authority 455.225, 468.606 FS. Law Implemented 455.225, 468.607, 468.621 FS. History—New 5-23-94, Amended 12-6-95, 12-7-97,\_\_\_\_\_.

**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.:                    RULE TITLE:  
62-113.100                    Purpose

PURPOSE AND EFFECT: The Department of Environmental Protection proposes to amend the existing Operating Agreements between the Department and the Suwannee River Water Management District (SRWMD), St. Johns River Water Management District (SJRWMD), Southwest Florida Water Management District (SWFWMD), and South Florida Water Management District (SFWMD) regarding environmental resource permit program activities regulated under Part IV of Chapter 373, F.S. These Agreements are listed and incorporated by rule in subsection 62-113.100(2), F.A.C. Specifically, these Operating Agreements provide a division of responsibility between the Department and each water management district (District) regarding permitting, compliance, and enforcement under Part IV of Chapter 373, F.S., mitigation banking under Sections 373.4135 and 373.4136, F.S., and wetland determinations under subsections 373.421(2) through (5), F.S.

The Agreements must be executed by both the Department and the Districts, and will require concurrent rulemaking by each District to incorporate each District’s Agreement with the Department into the rules of the respective District.

OGC No.: 07-0080

SUBJECT AREA TO BE ADDRESSED: Amendments to the Agreements are proposed to revise the division of responsibilities between the Department and the water management district for activities under Part IV of Chapter 373, F.S., such as: domestic or industrial wastewater treatment activities; potable water facilities; mining activities; communication cables and natural gas distribution lines; larger plans of development associated with docking facilities;

residential dwelling units; boat ramps, ski jumps, and other “in water” activities; docking facilities and seawalls within the Mosquito Lagoon, Banana River, and Indian River (within the SJRWMD); docking facilities associated with no-notice general permits within the SFWMD; activities on lands leased by the Division of Recreation and Parks; mitigation banks and Regional Offsite Mitigation Areas; modifications of permits, including those associated with modifications to stormwater systems previously authorized under Chapters 17-25 or 62-25, F.A.C.; activities subject to Special Case Agreements; and compliance and enforcement of violations of activities on sovereignty submerged lands.

When it becomes effective, this agreement will supersede and replace the October 27, 1998, Operating Agreements Concerning Regulation Under Part IV, Chapter 373, F.S., between the Department and the SFWMD (#98-2, as adopted by reference in paragraph 62-113.100(3)(e), F.A.C.), SRWMD (#98-3, as adopted by reference in paragraph 62-113.100(3)(k), F.A.C.), SWFWMD (#98-4, as adopted by reference in paragraph 62-113.100(3)(p), F.A.C.), and SJRWMD (#98-5, as adopted by reference in subsection 62-113.100(3), F.A.C.).

SPECIFIC AUTHORITY: 373.026, 373.043, 373.046, 373.418, 373.441, 403.061 FS.

LAW IMPLEMENTED: 373.026, 373.046, 373.441, 403.061, 403.182 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: Alice Heathcock, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources – MS 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8483, or e-mail: Alice.Heathcock@dep.state.fl.us. Further information and updates on this proposed rule also may be obtained from the Department’s Web Site at: <http://www.dep.state.fl.us/water/wetlands/erp/rules/rulestat.htm>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62-113.100 Purpose.

This rule chapter lists the delegation agreements which have been entered into by the Department with another state agency, political subdivision or water management district, and which delegate any of the Department's duties and responsibilities under Chapters 253, 373, 376 and 403, Florida Statutes, and Title 62, F.A.C. This rule chapter additionally lists the agreements with water management districts which specify that the Department is exercising any of its independent regulatory authorities pursuant to Chapter 373, F.S. For

purposes of Title 62, F.A.C., wherever the term “Department” appears, it shall mean the Florida Department of Environmental Protection or its delegatee as provided in the agreements listed in Chapter 62-113, F.A.C. These delegation agreements are hereby incorporated by reference and are available for public inspection and copying during normal business hours at the Department’s Office of General Counsel, 3900 Commonwealth Blvd., 2600 Blairstone Road, Tallahassee, Florida.

(1) through (2) No change.

(3) Delegations to water management districts and agreements with water management districts specifying areas in which the Department is exercising any of its independent regulatory authorities pursuant to Chapter 373, F.S.

(a) through (e) No change.

(f) #07-1: Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between South Florida Water Management District and Department of Environmental Protection – provides a division of responsibility between the South Florida Water Management District and the Department for the exercise of their authority to implement environmental resource permitting, compliance, and enforcement, under Part IV, Chapter 373, F.S., and a division of responsibility between the South Florida Water Management District and the Department regarding formal wetland determinations pursuant to subsections 373.421(2) through (5), F.S., [Effective Date].

(f) through (k) renumbered (g) through (l) No change.

(m) #07-2: Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between Suwannee River Water Management District and Department of Environmental Protection – provides a division of responsibility between the Suwannee River Water Management District and the Department for the exercise of their authority to implement environmental resource permitting, compliance, and enforcement, under Part IV, Chapter 373, F.S., and a division of responsibility between the Suwannee River Water Management District and the Department regarding formal wetland determinations pursuant to subsections 373.421(2) through (5), F.S., [Effective Date].

(l) through (p) renumbered (n) through (r) No change.

(s) #07-3: Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between Southwest Florida Water Management District and Department of Environmental Protection – provides a division of responsibility between the Southwest Florida Water Management District and the Department for the exercise of their authority to implement environmental resource permitting, compliance, and enforcement, under Part IV, Chapter 373, F.S., and a division of responsibility between the Southwest Florida Water Management District and the Department regarding formal wetland determinations pursuant to subsections 373.421(2) through (5), F.S., [Effective Date].

(q) through (t) renumbered (t) through (w) No change.

(x) #07-4: Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between St. Johns River Water Management District and Department of Environmental Protection – provides a division of responsibility between the St. Johns River Water Management District and the Department for the exercise of their authority to implement environmental resource permitting, compliance, and enforcement, under Part IV, Chapter 373, F.S., and a division of responsibility between the St. Johns River Water Management District and the Department regarding formal wetland determinations pursuant to subsections 373.421(2) through (5), F.S., [Effective Date].

(u) through (v) renumbered (y) through (z) No change.  
Proposed Effective Date: July 1, 2007.

Specific Authority 373.026, 373.043, 373.046, 373.418, 373.441, 403.061 FS. Law Implemented 373.026, 373.046, 373.441, 403.061, 403.182 FS. History–New 1-5-93, Amended 11-16-93, 3-14-94, Formerly 17-113.100, Amended 7-4-95, 4-3-96, 3-24-98, 12-3-98, 7-16-01, 7-1-07.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Division of Beaches and Shores**

RULE NO.: 62B-26.016  
 RULE TITLE: Description of the Gulf County Coastal Construction Control Line

PURPOSE AND EFFECT: To amend Rule 62B-26.016, F.A.C., reestablishing the Gulf County Coastal Construction Control Line to more accurately define that portion of the beach dune system which is subject to severe fluctuations based upon the 100-year storm surge and storm waves, and thus define the area within which special siting and design considerations are required to ensure protection of the beach dune system, proposed or existing structures, adjacent properties, and the preservation of public beach access.

SUBJECT AREA TO BE ADDRESSED: The legal description of the location of the Coastal Construction Control Line in Gulf County.

SPECIFIC AUTHORITY: 161.053(21) FS.

LAW IMPLEMENTED: 161.053(2) FS.

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

DATE AND TIME: March 8, 2007, 6:00 p.m. – 8:00 p.m.

PLACE: Robert M. Moore Administrative Building, Gulf County Courthouse Complex, County Commission Meeting Rm., 1000 Cecil G. Costin, Sr. Blvd., Port St. Joe, FL.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rosaline Beckham at (850)488-7815, or by e-mail at: rosaline.beckham@dep.state.fl.us. If you are hearing or

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rosaline Beckham as referenced above

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

**DEPARTMENT OF JUVENILE JUSTICE**

**Education**

RULE NOS.:	RULE TITLES:
63B-1.001	Purpose and Scope
63B-1.002	Educational and Vocational Programming
63B-1.003	Program Evaluation
63B-1.004	Vocational Staff
63B-1.005	Youth Participation
63B-1.006	Cooperative Agreement
63B-1.007	Reporting and Evaluation

PURPOSE AND EFFECT: Establishing standards and requirements for the provision of career-related programming to committed juveniles.

SUBJECT AREA TO BE ADDRESSED: Classification, service provision and evaluation of career-related programs for committed juveniles.

SPECIFIC AUTHORITY: 985.618(4) FS.

LAW IMPLEMENTED: 985.618, 985.622, 1003.52 FS.

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

DATE AND TIME: Friday, February 23, 2007, 2:00 p.m.

PLACE: DJJ Headquarters, 2737 Centerview Dr., General Counsel's Conference Room 312, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NOS.:	RULE TITLES:
64E-5.1003	Monitoring Fees
64E-5.101	Definitions
64E-5.1508	Inspection of Low-Level Radioactive Waste Shipments
64E-5.204	Types of Licenses

64E-5.210	Special Requirements for a Specific License to Manufacture, Assemble, Repair or Distribute Commodities, Products or Devices Which Contain Radioactive Material
64E-5.502	General Requirements
64E-5.506	Intraoral Dental Radiographic Systems
64E-5.511	Registration of Radiation Machines

PURPOSE AND EFFECT: The purpose of the proposed rule development is to update department rules regarding the use of x-rays in the healing arts; to establish provisions for the use of hand-held dental x-ray units; to correct the numbering of Rule 64E-5.210, F.A.C.; and to update fees for environmental monitoring, inspections of low-level radioactive waste transportation shipments, and radioactive materials licenses. The effect will be to allow for the use of hand-held dental x-ray units; to clarify the requirements of x-ray use in the healing arts; and to cover the department's operational costs.

SUBJECT AREA TO BE ADDRESSED: General requirements of use of x-rays in the healing arts including hand-held dental units and fees.

SPECIFIC AUTHORITY: 404.022, 404.051, 404.056, 404.081, 404.131, 404.141, 404.22 FS.

LAW IMPLEMENTED: 404.022, 404.031, 404.056, 404.061, 404.081, 404.131, 404.141, 404.22, 404.051(1), (4),(5),(6),(8),(9),(10),(11), 404.061(2),(3), 404.071(1), 404.081(1), 404.22(1),(2),(3) 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: February 27, 2007, 10:30 a.m. – 12:00 Noon

PLACE: Capitol Circle Office Complex, Building 4042, Room 240P, 4042 Bald Cypress Way, Tallahassee, FL 32301

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michael Stephens, Environmental Health Program Consultant, Bureau of Radiation Control, (850)245-4444, ext. 4043 or (850)245-4266 or Mike\_Stephens@doh.state.fl.us

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

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE NO.:	RULE TITLE:
64F-12.015	Licensing, Application, Permitting

PURPOSE AND EFFECT: The Department intends to review this section to make changes to all aspects of permitting licensing and inspection requirements.

SUBJECT AREA TO BE ADDRESSED: Permitting, licensing and inspections.

SPECIFIC AUTHORITY: 499.01, 499.012, 499.0121(1), 499.0122, 499.013, 499.014, 499.028, 499.04, 499.041, 499.05, 499.62, 499.63, 499.64, 499.66, 499.67, 499.701 FS.

LAW IMPLEMENTED: 499.01, 499.012, 499.0121, 499.0122, 499.013, 499.028(6), 499.04, 499.004, 499.041, 499.05, 499.06, 499.006, 499.007, 499.052, 499.062, 499.063, 499.064, 499.066, 499.067 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: Rebecca Poston R. Ph., Drugs, Devices and Cosmetics Program, 4052 Bald Cypress Way, Mail Bin C-04, Tallahassee, Florida 32399, (850)245-4292

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

**DEPARTMENT OF FINANCIAL SERVICES**

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

RULE NO.: 69K-12.011  
 RULE TITLE: Annual Inspection Fees for Monument Builders

PURPOSE AND EFFECT: Section 497.553(1), F.S., authorizes the Board of Funeral, Cemetery, and Consumer Services to set by rule an annual inspection fee not to exceed \$300 payable upon application for licensure and upon each renewal of such license. The proposed rule sets the inspection fee at \$100.

SUBJECT AREA TO BE ADDRESSED: Annual inspection fees for monument builders.

SPECIFIC AUTHORITY: 497.103(1)(bb), (5)(a), 497.553(1) FS.

LAW IMPLEMENTED: 497.553(1) 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, February 27, 2007, 2:00 p.m.

PLACE: Alexander Building, 2020 Capital Circle, S.E., 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: Diana Evans, (850)413-3039. If you are 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: Diana Evans, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Alexander Building, 2020 Capital Circle, S.E., Tallahassee, Florida 32399-0361, (850)413-3039

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69K-12.011 Annual Inspection Fees for Monument Builders.

Each monument builder shall pay an annual inspection fee of \$100 that is payable upon application for licensure and upon each renewal of such license.

Specific Authority 497.103(1)(bb), (5)(a), 497.553(1) FS. Law Implemented 497.103(1)(bb), 497.553(1) FS. History–New

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 69O-142.003  
 RULE TITLE: Letter Grade Scale of Consumer Advocate Report Card

PURPOSE AND EFFECT: Create a form for the Consumer Advocate’s Report Card for Property Insurers.

SUBJECT AREA TO BE ADDRESSED: Policy holder rights.

SPECIFIC AUTHORITY: 627.0613(4) FS.

LAW IMPLEMENTED: 627.0613(4) 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: March 5, 2007, 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: Chris Bailey, Chief of Staff’s Office, Governmental Affairs, Office of Insurance Regulation, E-mail: Chris.Bailey@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: Chris Bailey, Chief of Staff's Office, Governmental Affairs, Office of Insurance Regulation, E-mail: Chris.Bailey@fldfs.com  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 690-167.014  
 RULE TITLE: Alternative Methods to Handwritten Statements

PURPOSE AND EFFECT: To develop alternative methods for policyholders with disabilities to provide statements required by Sections 627.701(4)(d) and 627.712(6), F.S.

SUBJECT AREA TO BE ADDRESSED: Policyholder disclosures.

SPECIFIC AUTHORITY: 627.701(4)(d)4. FS.

LAW IMPLEMENTED: 627.712(6) 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: March 6, 2007, 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 hours before the workshop/meeting by contacting: Michael Milnes, Property and Casualty Product Review, Office of Insurance Regulation, E-mail: Michael.Milnes@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: Michael Milnes, Property and Casualty Product Review, Office of Insurance Regulation, E-mail: Michael.Milnes@fldfs.com  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 690-167.015  
 RULE TITLE: Uniform Home Grading Scale to Grade the Ability of a Home to Withstand Wind Loads from Tropical Storms or Hurricanes

PURPOSE AND EFFECT: To establish a uniform grading scale to measure the ability of a home to withstand the wind load from a sustained severe tropical storm or hurricane.

SUBJECT AREA TO BE ADDRESSED: Development of a grading scale through consultation with the Department of Financial Services and the Department of Community Affairs and based on and consistent with the rating system required by Chapter 2006-12, Laws of Florida.

SPECIFIC AUTHORITY: s. 40, Chapter 2007-1, Laws of Florida.

LAW IMPLEMENTED: s. 40, Chapter 2007-1, Laws of Florida.

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: February 27, 2007, 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: Chris Bailey, Chief of Staff's Office, Governmental Affairs, Office of Insurance Regulation, E-mail: Chris.Bailey@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: Chris Bailey, Chief of Staff's Office, Governmental Affairs, Office of Insurance Regulation, E-mail: Chris.Bailey@fldfs.com  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 690-170.0155  
 RULE TITLE: Forms

PURPOSE AND EFFECT: The purpose is to amend existing Form OIR-B1-1655, Notice of Premium Discounts for Hurricane Loss Mitigation, to incorporate changes required by Chapter 2007-1, Laws of Florida, and to develop a Uniform Mitigation Verification Inspection Form for use by insurers.

SUBJECT AREA TO BE ADDRESSED: Revision of Form OIR-B1-1655, Notice of Premium Discounts for Hurricane Loss Mitigation and development of a Uniform Mitigation Verification Form.

SPECIFIC AUTHORITY: 624.308(1), 627.711 FS.

LAW IMPLEMENTED: 624.307(1), 624.424, 627.062, 627.0645, 627.711 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: February 26, 2007, 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 hours before the workshop/meeting by contacting: Michael Milnes, Property and Casualty Product Review, Office of Insurance Regulation, E-mail: Michael.Milnes@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: Michael Milnes, Property and Casualty Product Review, Office of Insurance Regulation, E-mail: Michael.Milnes@fldfs.com

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

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: 5E-1.003 RULE TITLE: Labels or 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 and adoption of Best Management Practices for Nitrogen applications for the Green Industry and Golf Course Industry.

SUMMARY: Establishes labeling criteria for fertilizer products distributed in Florida.

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: 576.181 FS.

LAW IMPLEMENTED: 576.021 FS.

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

DATE AND TIME: February 28, 2007, 1:30 p.m.

PLACE: Plant Science Research and Education Unit, 2556 West Highway 318, Citra, Florida 32113

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE 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 FULL TEXT OF THE PROPOSED RULE IS:

5E-1.003 Labels or Tags.

(1) LABEL REQUIREMENTS FOR ALL FERTILIZER PRODUCTS.

(a) Labels setting forth the information specified in this section shall be attached to or accompany any fertilizer distributed in the state. For packaged products, this information shall either (1) Appear on the front or back of the package, (2) occupy at least one-third (1/3) of a side of the package, or (3) be printed on a tag and attached to the package. This information shall be in a readable and conspicuous form. For bulk products, this information in printed form shall accompany delivery and five analysis tags attached to the delivery ticket shall be supplied to the purchaser at time of delivery. The following information is required on labels for all fertilizer products.

- 1. Brand name ~~The net weight~~
2. The grade (Provided that the grade shall not be required when no primary nutrients are claimed) ~~Brand name~~
3. Guaranteed analysis, in the following format ~~The grade (Provided that the grade shall not be required when no primary nutrients are claimed)~~
4. Guaranteed analysis in the following format: ~~Name and address of licensee~~
5. Guaranteed analysis in the following format:
Total Nitrogen (N).....%
\_\_\_ percent Nitrate Nitrogen
\_\_\_ percent Ammoniacal Nitrogen
\_\_\_ percent Water Soluble Nitrogen ~~percent Other/Water Soluble~~
\_\_\_ percent Urea Nitrogen ~~Nitrogen (and/or Urea Nitrogen)~~
\_\_\_ percent Water Insoluble Nitrogen
Available Phosphorus (P2O5).....%
Soluble Potassium (K2O).....%
Secondary and Micro Plant Nutrients (list all claimed or advertised).....%
Derived From:
5. Name and address of licensee.
6. The net weight (The term "Bulk" shall suffice for bulk products).

~~(b) The nitrogen breakdown shall be equal to the total nitrogen guarantee. When urea is present it may be guaranteed as water soluble nitrogen, or urea nitrogen at the option of the licensee. When urea formaldehyde is present, not more than 40 percent of the total nitrogen from this source may be claimed as water soluble nitrogen, or urea nitrogen at the option of the licensee. When the term "organic" is used in the label, labeling, or advertisement of any fertilizer, the water insoluble nitrogen must not be less than 60% of the total guaranteed nitrogen so designated. The nitrogen breakdown shall be equal to the total nitrogen guarantee. Only those materials which actually constitute sources of primary and secondary plant nutrients guaranteed may be shown on the application for registration and the label under the statement "Derived from: \_\_\_\_\_". When a chelating agent is present, the specific chelated nutrient shall be listed as a source. Commercial, registered or copyrighted brand or trade names shall not be permitted in guarantees or listings of source materials and only in the product name of fertilizer produced by or for the firm holding the rights to such a name.~~

~~(c) The terms "Available Phosphoric Acid" or "Available Phosphate" and "Soluble Potash" may be used instead of "Available Phosphorus" and "Soluble Potassium", respectively. When urea is present it may be guaranteed as urea nitrogen or as water soluble nitrogen at the option of the licensee. When urea formaldehyde is present, not more than 40 percent of the total nitrogen from this source may be claimed as urea nitrogen or water soluble nitrogen. When the term "organic" is used in the label, labeling, or advertisement of any fertilizer, the specific organic nutrient shall be identified and qualified as synthetic or natural with the percentage of each specified, to one of the following examples: Nitrogen C 5.0% Organic (3.0% synthetic, 2.0% natural). 5.0% of Nitrogen is Organic (3.0% synthetic, 2.0% natural).~~

~~(d) Unacidulated mineral phosphatic materials, basic slag, bone meal, and other phosphatic materials shall be guaranteed as to both the total and available phosphorus (P2O5), and, in addition thereto, unacidulated mineral phosphatic materials and basic slag shall be guaranteed as to degree of fineness. The terms "Available Phosphoric Acid" or "Available Phosphate" and "Soluble Potash" may be used instead of "Available Phosphorus" and "Soluble Potassium", respectively.~~

~~(e) Only those materials which actually constitute sources of primary and secondary plant nutrients shall be shown on the application for registration and the label under the statement "Derived from: \_\_\_\_\_". Commercial, registered or copyrighted brand or trade names shall not be permitted in guarantees or listing of source materials and only in the product name of fertilizer produced by or for the firm holding the rights to such a name. Unacidulated mineral phosphatic materials, basic slag, bone meal, and other phosphatic materials shall be guaranteed~~

~~as to both the total and available phosphorus (P2O5), and, in addition thereto, unacidulated mineral phosphatic materials and basic slag shall be guaranteed as to degree of fineness.~~

~~(f) When sulfur (S) is claimed as a plant nutrient, it shall be specified as to the form present, either "free" or "combined", or both.~~

~~(g) When a chelated form of a plant nutrient is claimed in addition to another form of the same element, the chelated portion shall be guaranteed and the specific chelated nutrient shall be listed as a source in the "Derived from" statement. The chelated guarantee shall be equal to or less than the "Soluble" or "Water Soluble" element guarantee separately.~~

~~(g) Guarantees for secondary or micro plant nutrients except other than elements magnesium or sulfur and chelated forms of secondary or micro plant nutrients shall be as follows:~~

~~1. Magnesium (Mg) shall be expressed as "Total Magnesium" if derived from insoluble compounds; "Soluble Magnesium" or "Water Soluble Magnesium" if derived from magnesium sulfate or other soluble compounds"; or both if derived from combinations of soluble and insoluble sources.~~

~~2. When sulfur (S) is claimed as a plant nutrient, it shall be specified as to the form present, either "free" or "combined", or both. "Specialty Fertilizer" defined in Section 576.011(36), F.S., shall be exempt from Sulfur guarantees.~~

~~3.1. Manganese (Mn) shall be expressed as "Total Manganese" if derived from insoluble compounds. "Soluble Manganese" or "Water Soluble Manganese" if derived from manganese sulfate, manganese nitrate, manganese chloride or other soluble compounds; "total manganese" if derived from other compounds; or both Total and Soluble or Water Soluble if derived from combinations of soluble and insoluble sources.~~

~~4.2. Iron (Fe) shall be expressed as "Total Iron" if derived from insoluble compounds. "Soluble Iron" or "Water Soluble Iron" derived from iron sulfate, iron nitrate, iron chloride or other soluble compounds; "total iron derived from other compounds; or both Total and Soluble or Water Soluble if derived from combinations of soluble and insoluble sources.~~

~~5.3. Zinc (Zn) shall be expressed as "Total Zinc" if derived from insoluble compounds. "Soluble Zinc" or "Water Soluble Zinc" derived from zinc sulfate, zinc nitrate, zinc chloride or other soluble compounds; "total zinc derived from other compounds; or both Total and Soluble or Water Soluble if derived from combinations of soluble and insoluble sources.~~

~~6.4. Copper (Cu) shall be expressed as "Total Copper" if derived from insoluble compounds. "Soluble Copper" or "Water Soluble Copper" derived from copper sulfate, copper nitrate, copper chloride or other soluble compounds; "total copper derived from other compounds; or both Total and Soluble or Water Soluble if derived from combinations of soluble and insoluble sources.~~

~~7.5. Boron (B) shall be guaranteed as to soluble boron, expressed as "boron".~~

~~6. Magnesium (Mg) shall be expressed as “Soluble Magnesium” or “Water Soluble Magnesium” if derived from magnesium sulfate or other soluble compounds; “Total Magnesium” if derived from other compounds; or both if derived from combinations of soluble and insoluble sources.~~

~~8.7. Other secondary or micro plant nutrients shall be guaranteed as to the total element, expressed as the element.~~

~~9.8. Minimum secondary or micro plant nutrient guarantees for specialty fertilizer shall be as follows, except guarantees for those water soluble nutrients labeled for ready to use foliar fertilizers, ready to use specialty liquid fertilizers, hydroponic or continuous liquid feed programs and guarantees for potting soils.~~

Aluminum (Al)	.10%	Magnesium (Mg)	.10%
Boron (B)	.02%	Manganese (Mn)	.02%
Calcium (Ca)	.50%	Molybdenum (Mo)	.0005%
Cobalt (Co)	.0005%	Sulfur (S)	1.00%
Copper (Cu)	.02%	Zinc (Zn)	.02%
Iron (Fe)	.02%		

(2) FERTILIZER LABEL REQUIREMENTS FOR URBAN TURF, SPORTS TURF OR LAWNS.

(a) Definitions.

1. “Urban Turf” or “Lawns” means non agricultural land planted in closely mowed, managed grasses except golf courses, parks and athletic fields.

2. “Sports Turf” means non agricultural land planted exclusively for golf courses, parks and athletic fields.

3. “No Phosphate Fertilizer” means fertilizer products with phosphate levels below 0.5% intended for established urban turf or lawns.

4. “Low Phosphate Fertilizer” means fertilizer products intended for new or established urban turf or lawns, with phosphate levels equal to or above 0.5% or as provided in (2) (b).

5. “Starter Fertilizer” means a fertilizer formulated for a one-time application at planting or near that time to encourage root growth and enhance the initial establishment.

6. “Established Urban Turf” means urban turf older than 12 months.

7. “New Urban Turf” means urban turf established less than 12 months.

(b) Fertilizer products labeled for use on sports turf, urban turf or lawns shall be no phosphate or low phosphate and have label restrictions for the application of nitrogen.

1. Fertilizers labeled as no phosphate shall not contain more than 0.5% of available phosphate expressed as P<sub>2</sub>O<sub>5</sub>. The “grade” shall indicate a zero guarantee.

2. Fertilizers labeled as low phosphate shall have directions for use for a maximum application rate of 0.25 lbs. P<sub>2</sub>O<sub>5</sub>/1000ft<sup>2</sup> per application and not to exceed 0.50 lbs P<sub>2</sub>O<sub>5</sub>/1000ft<sup>2</sup> per year.

3. Fertilizers labeled as starter fertilizers shall have directions for use for a maximum application rate no greater than 1.0 lb of P<sub>2</sub>O<sub>5</sub>/ 1,000 ft<sup>2</sup> subsequent applications shall be either Low or No Phosphate fertilizers.

4. Fertilizers labeled as urban turf or lawn fertilizer shall have use directions with a maximum application rate of 0.7 pounds of readily available nitrogen per 1,000 ft<sup>2</sup> per single application. For urban turf or lawn fertilizers containing sources of slowly available nitrogen, the maximum single application rate is 1.5 of nitrogen per 1,000 ft<sup>2</sup>, provided that the rate of readily available nitrogen does not exceed 0.7 pounds per 1,000 ft<sup>2</sup>. The maximum annual loading of nitrogen is 5 pounds per 1,000 ft<sup>2</sup>, regardless of the nitrogen source.

(c) Specialty fertilizers labeled for urban turf or lawns shall have directions for use that include:

1. A maximum application rate for phosphorous not to exceed 0.25 lbs. P<sub>2</sub>O<sub>5</sub>/1000 ft<sup>2</sup> per application and not to exceed 0.50 lbs. P<sub>2</sub>O<sub>5</sub>/1000 ft<sup>2</sup> per year.

2. A maximum application rate for nitrogen not to exceed 1 lb per 1000 ft<sup>2</sup> pursuant to subparagraph (b)4.

a. Rates shall be expressed in units of weight or volume per unit of area coverage (where application rates are given in volume, the label shall provide sufficient information to calculate the application rates by weight).

b. Rates shall be expressed per 1000 square feet.

c. Maximum coverage area per container or bag shall be displayed prominently on the front of the container or bag. (I.E., This product covers 5000 square feet. This bag feeds 4000 square feet).

(d) Fertilizers labeled for sports turf at golf courses, parks and athletic fields shall:

1. Have directions for use not to exceed rates recommended in the document titled SL191 “Recommendations for N, P, K and Mg for Golf Course and Athletic Field Fertilization Based on Mehlich I Extractant”, dated October 2006, which is hereby adopted and incorporated by reference into this rule. Copies may be obtained from the Soil and Water Science Department, Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, Gainesville, FL 32611 or the following website: <http://edis.ifas.ufl.edu/SS404>.

2. Have directions for use in accordance with the recommendations in “BMP’s for the Enhancement of Environmental Quality on Florida Golf Courses”, published by the Florida Department of Environmental Protection, dated January 2007. Copies may be downloaded from <http://www.dep.state.fl.us/water/nonpoint/pubs.htm>.

(e) Fertilizers other than specialty fertilizers labeled for urban turf shall:

Have directions for use not to exceed rates recommended in the document titled Best Management Practices for Protection of Water Resources in Florida, June 2002, Florida Green Industries., which is hereby adopted and incorporated by reference into this rule. Copies may be obtained from [http://www.dep.state.fl.us/water/nonpoint/docs/nonpoint/BMP Book](http://www.dep.state.fl.us/water/nonpoint/docs/nonpoint/BMP_Book).

(f) Existing Stock – Licensees are permitted to sell or distribute products that do not meet the label requirements of the rule for one year after the effective date of the rule. Products at the retail level on or after the effective date of the rule are permitted to be offered for sale for 1.5 years from the effective date of the rule and 2 years from the effective date of the rule if they are registered EPA fertilizer-pesticide mixtures.

~~(3)(2)~~ SOIL ADDITIVES, SOIL AMENDMENTS AND SOIL CONDITIONERS. The following information shall appear on the product label in a conspicuous and readable form:

(a) Guaranteed analysis, in the following format.

Soil Amending Ingredients:

“Name of ingredient” \_\_\_\_\_%

(Identify and list all soil amending ingredients)

Total Other Ingredients \_\_\_\_\_%

(b) Purpose of product.

(c) Directions for application.

(d) Net volume, in lieu of net weight, may be used for labeling mulch products or materials sold for primary use as above ground dressing.

~~(4)(3)~~ SLOW OR CONTROLLED RELEASE NUTRIENTS.

(a) When one or more slow or controlled release nutrients are claimed or advertised, the guarantees for such nutrients shall be shown as a footnote following the listing of source materials and shall be expressed as percent of actual nutrient.

(b) Listing of source materials providing slow or controlled release characteristics by controlling the water solubility of a naturally soluble material (as by coating or occlusion) shall constitute a claim of controlled release nutrient, and a guarantee for such nutrient shall be required.

(c) Listing of source materials in which availability of nitrogen is controlled through slow hydrolysis of water soluble organic nitrogen compounds shall constitute a claim of slow or controlled release nutrient and a guarantee for such nutrient shall be required. The reference for such availability shall be the enzymatic hydrolysis of urea.

(d) No guarantee, claim or advertisement shall be made or required when a slow or controlled release nutrient is less than 15 percent of the total guarantee for that nutrient.

~~(5)(4)~~ CHLORINE GUARANTEE.

(a) Chlorine shall be guaranteed as to maximum percentage content, when applicable, in agricultural fertilizer. “Specialty Fertilizer” defined in Section 576.011(36), F.S., shall be exempt from chlorine guarantees.

(b) Maximum chlorine shall be guaranteed in all brands which contain one percent (1%) or more, or in which potassium chloride or other materials bearing substantial amounts of chlorine are present.

(c) The maximum chlorine shall be guaranteed in all brands intended for use on tobacco.

(d) Maximum chlorine guarantees shall be reasonably accurate and not misleading, and consistent with source materials present. Two percent (2%) shall be the maximum permissible guarantee in fertilizers, except where potassium chloride, fish emulsion, or other high chlorine materials are present.

~~(6)(5)~~ DECLARATION OF FLORIDA LICENSEE NUMBER.

(a) The Florida Licensee Number, shall appear and be clearly identified on all fertilizer labels with a capital “F” preceding the license number.

(b) The number must be clear, legible and appear prominently and conspicuously on the label in proximity to the brand name or guaranteed analysis. The number must be placed in such a manner as to avoid any misinterpretation or confusion with percentages, pounds, or figures, statements, and in no way be misleading.

~~(7)(6)~~ REGISTRATION OF SPECIALTY FERTILIZER PRODUCTS. All specialty fertilizers to be sold within the state must be registered with the Bureau of Compliance Monitoring prior to any sale. Each product will be registered by filing the properly completed appropriate form with the Bureau. Only one form will be submitted for each product. Specialty fertilizer packaged, marketed, and distributed for home and garden use and packaged in quantities of forty-nine pounds or less (Specialty Fertilizer) will be registered upon the filing of properly completed Application for Specialty Fertilizer Registration (Fertilizer Form DACS-13220, Rev. 5/03). ~~No. IN-202, effective 4/94.~~

~~(8)(7)~~ LICENSEE.

(a) Any person whose name is on a fertilizer label and who guarantees the fertilizer must obtain a license prior to distribution of that fertilizer to a non-licensee.

(b) A license will be granted upon receipt of a properly executed Application for Fertilizer License (Fertilizer Form DACS-13222, Rev. 5/03) ~~No. IN-201, effective 4/94~~.

Specific Authority 576.181 FS. Law Implemented 576.021 FS. History-Revised 1-23-67, Amended 10-22-68, 1-1-77, 3-27-77, Formerly 5E-1.03, Amended 8-3-93, 7-9-95, 10-25-98,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
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

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Anderson H. "Andy" Rackley

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 31, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 9, 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."

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Hospital and Nursing Home Reporting Systems and Other Provisions Relating to Hospitals**

RULE NOS.:	RULE TITLES:
59E-7.012	Inpatient Data Reporting and Audit Procedures
59E-7.014	Inpatient Data Format – Data Elements, Codes and Standards

PURPOSE AND EFFECT: The rule amendments add inpatient data elements, modify inpatient data elements and codes, and modify inpatient data formats related to the reporting of present at admission data.

SUMMARY: The agency is proposing amendments to Rules 59E-7.012 and 59E-7.014, F.A.C., that modify inpatient data reporting requirements.

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: 408.08(1), 408.15(8), 408.15(11) FS.

LAW IMPLEMENTED: 408.061(1)(a) FS.

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

DATE AND TIME: March 7, 2007, 10:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Lisa Rawlins, Bureau Chief, Florida Center for Health Information and Policy Analysis, Agency for Health Care Administration, 2727 Mahan Drive, MS#16, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULES IS:

59E-7.012 Inpatient Data Reporting and Audit Procedures.

(1) through (7) No change.

(8)(a) No change

(b) Data submitted to the Internet address shall be electronically transmitted with the inpatient data in the XML file using the Inpatient Data XML schema available at <http://ahca.myflorida.com>. The Inpatient Data XML Schema is incorporated by reference.

(c) No change.

(9) through (12) No change.

Specific Authority 408.08(1), 408.15(8), 408.15(11) FS. Law Implemented 408.061(1)(a) FS. History—New 12-15-96, Amended 1-4-00, 7-11-01, 7-12-05, \_\_\_\_\_.

59E-7.014 Inpatient Data Format – Data Elements, Codes and Standards.

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

(d) Data Type. Enter PD10-1 ~~PD10~~ for Inpatient Data. A required field

(2)(a) through (o) No change.

(p) Present on ~~at~~ Admission Indicator for Principal Diagnosis Code, Present on ~~at~~ Admission Indicator for Other Diagnosis Code (1), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (2), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (3), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (4), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (5), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (6), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (7), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (8), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (9), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (10), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (11), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (12), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (13), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (14), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (15), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (16), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (17), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (18), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (19), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (20), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (21), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (22), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (23),

Present on ~~at~~ Admission Indicator for Other Diagnosis Code (24), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (25), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (26), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (27), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (28), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (29), ~~and~~ Present on ~~at~~ Admission Indicator for Other Diagnosis Code (30), Present on Admission Indicator for External Cause of Injury Code (1), Present on Admission Indicator for External Cause of Injury Code (2), and Present on Admission Indicator for External Cause of Injury Code (3). ~~(30)~~. A code differentiating whether the condition represented by the corresponding Principal Diagnosis Code (n), Other Diagnosis Code ~~other diagnosis code~~ (o) (1) through (30), and External Cause of Injury Code (ww) (1) through (3) ~~(30)~~ was present on ~~at~~ admission or whether the condition developed after admission as determined by the physician, medical record, or nature of the condition. A required entry if the corresponding ~~other diagnosis code~~ is reported ~~or a blank field may be reported when present on admission is not applicable~~. Present on Admission Indicator ~~m~~ Must be a one (1) character alpha one digit code as follows:

1. Y 4 – Yes – Present at the time that the order for inpatient admission occurs. ~~The condition was present at admission including chronic conditions diagnosed during the hospitalization, an outcome of delivery, or a reason for admission.~~
2. N 2 – No – Not present at the time that the order for inpatient admission occurs. ~~The condition was not present at admission such as an acute condition that develops after admission or an exacerbation of a chronic condition that develops after admission.~~
3. U 3 – Unknown ~~3~~ – Uncertain – Documentation is insufficient to determine if condition is present on admission. ~~The status of the condition cannot be determined from the medical record, nature of the condition, or after requesting a determination from the patient's physician.~~
4. W – Clinically Undetermined – Provider is unable to clinically determine whether condition was present on admission or not.  
(q) through (xx) No change.  
(3) No change.

Specific Authority 408.15(8) FS. Law Implemented 408.061(1)(a) FS. History–New 12-15-96, Amended 7-11-01, 7-12-05,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Lisa Rawlins, Bureau Chief, Florida Center for Health Information and Policy, Analysis, Agency for Health Care Administration  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Andrew Agwunobi, M.D., Secretary Agency for Health Care Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 16, 2007  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 17, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Surveyors and Mappers**

RULE NO.: 61G17-9.004  
RULE TITLE: Citations

PURPOSE AND EFFECT: The purpose and effect of this amendment is to update the existing language of this rule.

SUMMARY: The existing language of this rule is updated.

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: 472.008, 455.224 FS.

LAW IMPLEMENTED: 455.224, 472.033(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Morrison, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-9.004 Citations.

The offenses enumerated in this rule may be disciplined by the issuance of a citation by the Department of Business and Professional Regulation. The citation shall impose the prescribed fine, and the Department may impose the costs of the investigation. If the citation option is accepted by the licensee, the offense will not be brought to the attention of the probable cause panel of the Board.

(1) No change.

(2) A licensee's first time violation of the prohibition against practicing on a delinquent or inactive license may result in a citation ~~if the licensee fails to correct the violation in response to a notice of noncompliance~~. If a citation is issued, the licensee must pay a fine of \$1,000.00.

(3) No change.

Specific Authority 472.008, 455.224 FS. Law Implemented 455.224, 472.033(2) FS. History–New 1-16-92, Formerly 21HH-9.004, Amended 2-20-96, 10-29-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Surveyors and Mappers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Surveyors and Mappers  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 4, 2006  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 8, 2006

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Surveyors and Mappers**

RULE NO.: 61G17-9.0045  
 RULE TITLE: Notices of Noncompliance  
 PURPOSE AND EFFECT: The purpose and effect of this amendment is to update the existing language of this rule.  
 SUMMARY: The existing language of this rule is updated.  
 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: 455.225(3) FS.

LAW IMPLEMENTED: 455.225(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: Rick Morrison, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

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

61G17-9.0045 Notices of Noncompliance.

The offenses enumerated in this rule shall be the subject of a notice of noncompliance before disciplinary action is taken:

- (1) ~~A licensee's first time violation of the prohibition against practicing on a delinquent or inactive license.~~
- (2) through (8) renumbered (1) through (7) No change.

Specific Authority 455.225(3) FS. Law Implemented 455.225(3) FS. History--New 12-25-95, Amended 10-1-97,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Surveyors and Mappers  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Surveyors and Mappers  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 4, 2006  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 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:
62-16.100	General
62-16.200	Definitions
62-16.300	Renewable Energy Technologies Grants Program
62-16.400	Renewable Energy Technologies Grants Program for Bioenergy
62-16.500	Solar Energy Systems Incentives Program
62-16.600	Renewable Energy Technologies Investment Tax Credit
62-16.700	Renewable Energy Technologies Sales Tax Program
62-16.900	Forms

PURPOSE AND EFFECT: The proposed rule development involves the creation of new rule Chapter 62-16, Florida Administrative Code, related to implementation of the Florida Renewable Energy Technologies and Energy Efficiency Act, Sections 377.801-.806, Florida Statutes ("F.S"), as enacted in Senate Bill 888, signed June 19, 2006. The proposed rule is to provide for application requirements, provide for ranking of applications, and administer the awarding of grants under the Renewable Energy Technologies Grants Program; and to develop rebate applications and administer the issuance of rebates for the Solar Energy Systems Incentives Program. The proposed rule Chapter is also to implement the provisions of the corporate tax incentives provided for renewable energy technologies pursuant to Section 220.192, F.S., as provided in Senate Bill 888, signed June 19, 2006.

SUMMARY: The proposed rule chapter is to provide for application requirements, provide for ranking of applications, and administer the awarding of grants under the Renewable Energy Technologies Grants Program; and to develop rebate applications and administer the issuance of rebates for the Solar Energy Systems Incentives Program. The proposed rule chapter is also to implement the provisions of the corporate tax incentives provided for renewable energy technologies pursuant to Section 220.192, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost will be prepared by the Department.

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: 377.804, 377.806, 212.08, 220.192 FS.

LAW IMPLEMENTED: 377.801-.806, 212.08, 220.192 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: March 21, 2007, 9:00 a.m.

PLACE: Department of Environmental Protection, Bob Martinez Complex, Conference Room 609, 2600 Blair Stone Road, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Landa Korokous, Florida Department of Environmental Protection, Florida Energy Office, 2600 Blair Stone Road, MS 48, Tallahassee, Florida 32399-2400; (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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Alexander Mack

THE FULL TEXT OF THE PROPOSED RULES IS:

RENEWABLE ENERGY TECHNOLOGIES AND ENERGY EFFICIENCY

62-16.100 General.

This part implements the Florida Renewable Energy Technologies and Energy Efficiency Act, providing for grants for renewable energy technologies and rebates for solar energy systems. This part also implements applications for sales tax incentives for renewable energy technologies provided for in Section 212.08, F.S., and applications for corporate tax credits for renewable energy technologies provided for in Section 220.192, F.S.

Specific Authority 377.804, 377.806, 212.08, 220.192 FS. Law Implemented 377.801-.806, 212.08, 220.192 FS. History—New

62-16.200 Definitions.

The words, terms and phrases used in this Chapter, unless otherwise indicated, shall have the meaning set forth in Sections 377.803 and 220.192(1), F.S. In addition, when used in this chapter, the following words, phrases, or terms shall have the following meanings:

- (1) “Bioenergy” means energy derived from biomass.
- (2) “Biomass” means “biomass” as defined in Section 366.91(2)(a), F.S.
- (3) “Department” means the Florida Department of Environmental Protection.

(4) “Matching Funds or Other In-Kind Contributions” means:

(a) Actual cash outlays contributed, including, but not limited to, cash outlays for wages, rental expenses, travel expenses, unrecovered indirect costs, and purchases of material and supplies, as a direct benefit to the project, or;

(b) Non-cash contributions necessary and reasonable for proper and efficient accomplishment of project objectives, the value of which must be established using the following guidelines:

1. Rates for donated or volunteer services of any person must be consistent with their regular rate of pay, or the rate of pay of those paid for similar work at a similar level of experience in the labor market, including the value of fringe benefits.

2. The value of donated expendable property such as office supplies or workshop supplies must not exceed the fair market value of the property.

3. The value of donated real property such as land must not exceed the fair market value of the property.

4. Donated space must be valued at fair rental value of comparable space and facilities in a privately-owned building in the same locale.

5. The value of loaned equipment can not exceed its fair rental value.

6. In-kind travel expense must be valued at the approved State rate as specified in Section 112.061, F.S.

(5) “Purchase date” means, for the purchase of solar energy equipment, the date of execution of a loan agreement or the date of final cash payment.

(6) “Solar thermal pool heater” means a device that traps the heat produced by incident sunlight in collector tubing through which swimming pool water is pumped in order to raise the temperature of the swimming pool water.

Specific Authority 377.804, 377.806, 212.08, 220.192 FS. Law Implemented 377.801-.806, 212.08, 220.192 FS. History—New

62-16.300 Renewable Energy Technologies Grants Program.

(1) REQUEST FOR GRANT PROPOSALS.

(a) The department shall issue a request for grant proposals (“RFGP”). The RFGP shall include a copy of the grant application form, instructions for submission of the grant application, and contact information for the department.

(b) The RFGP shall be issued by publication on the Florida Department of Management Services State Vendor Bid System under MyFlorida MarketPlace, and on the department’s website.

(2) QUALIFIED APPLICANTS. Qualified applicants are those applicants identified in Section 377.804(2), F.S., and State of Florida agencies.



(3) APPLICATIONS. Applications for the Renewable Energy Technologies Grants Program shall be submitted to the Department of Environmental Protection, ATTN: Renewable Energy Technologies Grant Program, Renewable Energy Projects, Florida Energy Office, 2600 Blair Stone Road, MS-19, Tallahassee, FL 32399-2400 as follows:

(a) Six copies of the application shall be submitted in hard copy format, using application Form 62-16.900(1), which is herein adopted and incorporated by reference. One copy shall be submitted in electronic format on compact disc at the same time as the hard copy. Acceptable formats for electronic versions are Microsoft Word for Windows versions 5.0 or higher; and Rich Text Format. Acceptable formats for electronic versions of the signed commitment letters required by Form 62-16.900(1), from third parties are Adobe PDF; Microsoft Word for Windows versions 5.0 or higher; and Rich Text Format.

(b) Applications must be received by the department no later than 5:00 p.m. on the date specified by the department in the RFGP.

(c) The application filing deadline shall be extended by the department when the department determines specifically for this grant program that extenuating circumstances exist, such as a hurricane or other natural disaster. Any deadline extension shall apply for all applicants. The department shall publish notice of the deadline extension on the Florida Department of Management Services State Vendor Bid System under MyFlorida MarketPlace, and on the department's web site.

(d) For grant requests, the minimum allowable amount for an application to be eligible for consideration for award shall be \$50 thousand, and the maximum allowable amount shall be \$2.5 million.

(e) COMPLETENESS. Any application which does not include all required information shall be determined incomplete and ineligible for the award of the grant sought. The department shall notify the applicant of the determination of ineligibility.

(4) CRITERIA.

(a) The criteria listed in Section 377.804(4), F.S., shall apply to grants evaluated pursuant to Sections 377.804(1) through 377.804(5), F.S.

(b) In addition to the criteria in Section 377.804(4), F.S., grant applications shall be evaluated for the degree to which a project incorporates multiple renewable energy technologies.

(5) MATCHING FUNDS.

(a) For matching funds, the minimum allowable amount for an application to be eligible for consideration for award shall be \$1.00.

(b) All matching funds and other in-kind contributions, including third party in-kind, shall be verifiable from the applicant's and/or its partners' records, and not be included as contributions for any other state-assisted project or program.

(c) Expenses related to a proposed project incurred prior to the award announcement are not eligible as matching funds or in-kind contributions.

(d) State funds are not eligible as matching funds or in-kind contributions.

(6) RANKING

(a) The department shall use a point system to score grants. In scoring grants, points shall be awarded as follows:

<u>Criteria</u>	<u>Max Points Possible</u>
<u>Cost Share Percentage<sup>1</sup></u>	<u>20</u>
<u>Economic Development<sup>2</sup></u>	<u>16</u>
<u>Technical Feasibility<sup>3</sup></u>	<u>16</u>
<u>Innovative Technology<sup>4</sup></u>	<u>16</u>
<u>Production Potential<sup>5</sup></u>	<u>16</u>
<u>Energy Efficiency<sup>6</sup></u>	<u>16</u>
<u>Fostering Awareness<sup>7</sup></u>	<u>16</u>
<u>Project Management<sup>8</sup></u>	<u>16</u>
<u>Duration &amp; Timeline<sup>9</sup></u>	<u>6</u>
<u>Location Served<sup>10</sup></u>	<u>4</u>
<u>Public Integration<sup>11</sup></u>	<u>4</u>
<u>Multiple Technologies<sup>12</sup></u>	<u>4</u>
<u>Total Numerical Rating</u>	<u>150</u>

<sup>1</sup>Cost Share Percentage: The availability of matching funds or other in-kind contributions applied to the total project from the applicant.

0 points = \$1.00 up to and including 1% of total project cost.

2 points = Greater than 1% up to and including 10% of total project cost.

4 points = Greater than 10% up to and including 20% of total project cost.

6 points = Greater than 20% up to and including 30% of total project cost.

8 points = Greater than 30% up to and including 40% of total project cost.

10 points = Greater than 40% up to and including 50% of total project cost.

12 points = Greater than 50% up to and including 60% of total project cost.

14 points = Greater than 60% up to and including 70% of total project cost.

16 points = Greater than 70% up to and including 80% of total project cost.

18 points = Greater than 80% up to and including 90% of total project cost.

20 points = Greater than 90% of total project cost.

<sup>2</sup>Economic Development: The degree to which the project stimulates in-state capital investment and economic development in metropolitan and rural areas, including the creation of jobs and the future development of a commercial market for renewable energy technologies.

Minimum (0 points): Negative contribution or this element of the evaluation criteria was not addressed.

Maximum (16 points): Significant potential for economic development in Florida.

<sup>3</sup>Technical Feasibility: The extent to which the proposed project has been demonstrated to be technically feasible based on pilot project demonstrations, laboratory testing, scientific modeling, or engineering or chemical theory that supports the proposal.

Minimum (0 points): No proof of feasibility or this element of the evaluation criteria was not addressed.

Maximum (16 points): Project demonstrated to be technically feasible and claims are fully supported.

<sup>4</sup>Innovative Technology: The degree to which the project incorporates an innovative new technology or an innovative application of an existing technology.

Minimum (0 points): No degree of innovation or this element of the evaluation criteria was not addressed.

Maximum (16 points): Project incorporates technologies or processes that are not in common use in Florida, that represent a novel application of an existing technology or process, or that overcome obstacles to meeting Florida's energy needs in new or innovative ways.

<sup>5</sup>Production Potential: The degree to which a project generates thermal, mechanical, or electrical energy by means of a renewable energy resource that has substantial long-term production potential.

Minimum (0 points): No production potential or this element of the evaluation criteria was not addressed.

Maximum (16 points): Significant potential for energy production in Florida.

<sup>6</sup>Energy Efficiency: The degree to which a project demonstrates efficient use of energy and material resources.

Minimum (0 points): No consideration for energy efficiency or pollution prevention or this element of the evaluation criteria was not addressed.

Maximum (16 points): Project incorporates energy efficient products and practices including process improvements that lead to source reduction, waste minimization, and on-site recycling.

<sup>7</sup>Fostering Awareness: The degree to which the project fosters overall understanding and appreciation of renewable energy technologies.

Minimum (0 points): No contribution or this element of the evaluation criteria was not addressed.

Maximum (16 points): Significant potential for fostering awareness of renewable energy technologies throughout Florida.

<sup>8</sup>Project Management: The ability to administer a complete project.

Minimum (0 points): Project team mismatched for tasks identified. No prior management experience on project team. Budget is unrealistic.

Maximum (16 points): Project team has extensive management experience and expertise in the proposed field of study. Budget suited to tasks involved.

<sup>9</sup>Duration & Timelines: Project duration and timeline for expenditures.

Minimum (0 points): Project objectives will not be met and grant funds will not be exhausted within the 3 year grant agreement timeframe.

Maximum (6 points): No difficulty accomplishing project objectives and expending funds within grant agreement timeframe.

<sup>10</sup>Location Served: The geographic area in which the project is to be conducted in relation to other projects.

Minimum (0 points): Project duplicates existing efforts in the county or counties in which the project is proposed, minimizing its potential value to the community and state.

Maximum (4 points): Location of project benefits related efforts in the county or counties in which the project is proposed and surrounding areas, creating value for the community and state.

<sup>11</sup>Public Integration: The degree of public visibility and interaction.

Minimum (0 points): No visibility and interaction with the general public or this element of the evaluation criteria was not addressed.

Maximum (4 points): Significant potential for public visibility and interaction.

<sup>12</sup>Multiple Technologies: The degree to which a project incorporates multiple renewable energy technologies in the project.

0 points = One renewable energy technology is used.

2 point = Two renewable energy technologies are used.

4 points = Three or more renewable energy technologies are used.

(b) The department shall establish a review group of no less than 3 people, who shall each individually review grant applications, and score each application according to the point system provided in paragraph (6)(a).

(c) Score points from all reviewers shall be ranked and averaged as follows:

1. Each reviewer shall rank each eligible application by assigning a ranking number to each eligible application based on the score of the individual application compared to all other

applications reviewed by that reviewer. For example, the top scored application shall be assigned a ranking number of 1, the second highest scored application shall be assigned a ranking number of 2, the third highest scored application shall be assigned a ranking number of 3, and so on, until all eligible applications are ranked.

2. After all eligible applications are ranked by the individual reviewers, the ranking numbers from all reviewers for each individual application shall be averaged.

(7) AWARD. The department shall award grants based upon highest averaged ranking and availability of funding, with 1 being the highest ranking. Grants shall be awarded to the top ranked application first, to the second highest ranked application second, and so on until the total amount of the fiscal appropriation in each state fiscal year is met.

(a) The maximum amount for an individual award shall be limited to \$2.5 million.

(b) The minimum amount for an individual award shall be limited to \$50 thousand.

(c) The department shall award up to the total amount requested in individual grant applications to the top ranked grant applicants up to the maximum amount allowed under paragraph (7)(a). If funds are not available to award the total amount requested by an applicant due to awards of grants to higher ranked applications, the department may award partial grants to applicants up to the amount of the fiscal appropriation remaining in each state fiscal year.

(d) In the instance of a ranking tie between two or more applications, the application proposing the higher percentage of match shall be ranked higher. In the instance of a ranking tie between two or more applications, and those applications propose the same percentage of match, the individual scores of the reviewers shall be added, and the application with the higher added reviewer scores shall be ranked higher. If there is still a tie, then the application submitted earlier in date shall be ranked higher.

#### (8) ADMINISTRATION.

(a) Grant funds must be awarded through a formal grant agreement negotiated and executed between the department and the grant applicant. Either party has the discretion to terminate negotiations if an agreement is not reached within 45 days of announcement of award. If the department and the grant applicant are unable to negotiate an agreement, the grant shall not be awarded to that grant applicant.

(b) Grant agreements shall be limited to no longer than three years in duration.

(c) Grant funds shall be distributed as reimbursements to recipients upon receipt of a formal invoice, supporting documentation, and upon department grant manager approval for compliance with all requirements of the grant agreement, this rule chapter, and the Florida Statutes.

(d) Invoices shall be submitted by grantees not more frequently than once per month, and not less frequently than once per quarter.

(e) Expenses incurred by a grantee and its project partners for its project after the execution of a formal grant agreement shall be considered as match based upon the requirements of Section 377.804, F.S., and this Chapter.

(f) Expenses incurred by a grantee and its project partners for its project between the date of a notice of grant award and execution of formal grant agreement may be considered as match. The department shall determine, on a case by case basis, whether such expenses qualify for match. Approval of such expenses as match are subject to negotiation of the grant agreement, and prior written approval by the department is required. Consideration as match is not guaranteed.

Specific Authority 377.804 FS. Law Implemented 377.801-.804 FS. History—New \_\_\_\_\_.

62-16.400 Renewable Energy Technologies Grants Program for Bioenergy.

#### (1) REQUEST FOR GRANT PROPOSALS.

(a) The department shall issue a request for grant proposals (“RFGP”). The RFGP shall include a copy of the grant application form, instructions for submission of the grant application, and contact information for the department.

(b) The RFGP shall be issued by publication on the Florida Department of Management Services State Vendor Bid System under MyFlorida MarketPlace, and on the department’s website.

(2) QUALIFIED APPLICANTS. Qualified applicants are those applicants identified in Section 377.804(2), F.S., and State of Florida agencies.

(3) APPLICATIONS. Applications for the Renewable Energy Technologies Grants Program for Bioenergy shall be submitted to the Department of Environmental Protection, ATTN: Renewable Energy Technologies Grant Program, Bioenergy Projects, Florida Energy Office, 2600 Blair Stone Road, MS-19, Tallahassee, FL 32399-2400 as follows:

(a) Six copies of the application shall be submitted in hard copy format, using application Form 62-16.900(2), which is herein adopted and incorporated by reference. One copy shall be submitted in electronic format on compact disc at the same time as the hard copy. Acceptable formats for electronic versions are Microsoft Word for Windows versions 5.0 or higher; and Rich Text Format. Acceptable formats for electronic versions of the signed commitment letters from third parties required by Form 62-16.900(2), are Adobe PDF; Microsoft Word for Windows versions 5.0 or higher; and Rich Text Format.

(b) Applications must be received by the department no later than 5:00 p.m. on the date specified in the RFGP.

(c) The application filing deadline shall be extended by the department when the department determines specifically for this grant program that extenuating circumstances exist, such as a hurricane or other natural disaster. Any deadline extension shall apply for all applicants. The department shall publish notice of the deadline extension on Florida Department of Management Services State Vendor Bid System under MyFlorida MarketPlace, and on the department's web site.

(d) For grant requests, the minimum allowable amount for an application to be eligible for consideration for award shall be \$50 thousand, and the maximum allowable amount shall be \$2.5 million.

(e) COMPLETENESS. Any application which does not include all required information shall be determined incomplete, and ineligible for the award of the grant sought. The department shall notify the applicant of the determination of ineligibility.

(4) CRITERIA.

(a) The criteria listed in Section 377.804(6), F.S., shall apply to grants evaluated pursuant that Section.

(b) In addition to the criteria in Section 377.804(6), F.S., grant applications shall be evaluated for the degree to which a project has scientific merit based on pilot project demonstrations, laboratory testing, scientific modeling, or engineering or chemical theory that supports the proposal.

(5) MATCHING FUNDS.

(a) For matching funds, the minimum allowable amount for an application to be eligible for consideration for award shall be \$1.00.

(b) All matching funds and other in-kind contributions, including third party in-kind, shall be verifiable from the applicant's and/or its partners records, and not be included as contributions for any other state-assisted project or program.

(c) Expenses related to a proposed project incurred prior to the award announcement are not eligible as matching funds or in-kind contributions.

(d) State funds are not eligible as matching funds or in-kind contributions.

(6) RANKING.

(a) The department shall use a point system to score grants. In scoring grants, points shall be awarded as follows:

<u>Criteria</u>	<u>Max Points Possible</u>
<u>Economic Development<sup>1</sup></u>	<u>30</u>
<u>Florida-grown biomass<sup>2</sup></u>	<u>30</u>
<u>Energy Efficiency<sup>3</sup></u>	<u>20</u>
<u>Fostering Awareness<sup>4</sup></u>	<u>10</u>
<u>Cost Share Percentage<sup>5</sup></u>	<u>20</u>
<u>Duration &amp; Timeline<sup>6</sup></u>	<u>10</u>
<u>Expand Agribusiness<sup>7</sup></u>	<u>20</u>

<u>Market Potential<sup>8</sup></u>	<u>10</u>
<u>Scientific Merit<sup>9</sup></u>	<u>20</u>
<u>Total Numerical Rating</u>	<u>170</u>

<sup>1</sup>Economic Development: The degree to which the project stimulates in-state capital investment and economic development in metropolitan and rural areas, including the creation of jobs and the future development of a commercial market for renewable energy technologies.

Minimum (0 points): Negative contribution or this element of the evaluation criteria was not addressed.

Maximum (30 points): Significant potential for economic development in Florida.

<sup>2</sup>Florida Grown Biomass: The project produces bioenergy from Florida grown crops or biomass.

Minimum (0 points): No production potential or this element of the evaluation criteria was not addressed.

Maximum (30 points): Project results in significant bioenergy production from Florida grown biomass resources.

<sup>3</sup>Energy Efficiency: The degree to which a project demonstrates efficient use of energy and material resources.

Minimum (0 points): No consideration for energy efficiency or pollution prevention or this element of the evaluation criteria was not addressed.

Maximum (20 points): Project incorporates energy efficient products and practices including process improvements that lead to source reduction, waste minimization, and on-site recycling.

<sup>4</sup>Fostering Awareness: The degree to which the project fosters overall understanding and appreciation of bioenergy technologies.

Minimum (0 points): No contribution or this element of the evaluation criteria was not addressed.

Maximum (10 points): Significant potential for fostering awareness of bioenergy technologies throughout Florida.

<sup>5</sup>Cost Share Percentage: The availability of matching funds or other in-kind contributions applied to the total project from the applicant.

0 points = \$1.00 up to and including 1% of total project cost.

2 points = Greater than 1% up to and including 10% of total project cost.

4 points = Greater than 10% up to and including 20% of total project cost.

6 points = Greater than 20% up to and including 30% of total project cost.

8 points = Greater than 30% up to and including 40% of total project cost.

10 points = Greater than 40% up to and including 50% of total project cost.

12 points = Greater than 50% up to and including 60% of total project cost.

14 points = Greater than 60% up to and including 70% of total project cost.

16 points = Greater than 70% up to and including 80% of total project cost.

18 points = Greater than 80% up to and including 90% of total project cost.

20 points = Greater than 90% of total project cost.

<sup>6</sup>Duration & Timelines: Project duration and timeline for expenditures.

Minimum (0 points): Project objectives will not be met and grant funds will not be exhausted within the 3 year grant agreement timeframe.

Maximum (10 points): No difficulty accomplishing project objectives and expending funds within grant agreement timeframe.

<sup>7</sup>Expand Agribusiness: The project has a reasonable assurance of enhancing the value of agricultural products or will expand agribusiness in the state.

Minimum (0 points): No contribution or this element of the evaluation criteria was not addressed.

Maximum (20 points): Significant potential for enhancing the value of agricultural products and expanding agribusiness in Florida.

<sup>8</sup>Market Potential: Preliminary market and feasibility research has been conducted by the applicant or others and shows there is a reasonable assurance of a potential market.

Minimum (0 points): No research conducted or this element of the evaluation criteria was not addressed.

Maximum (10 points): Several recent market and feasibility research papers published in reputable trade journals clearly indicating significant market potential for Florida.

<sup>9</sup>Scientific Merit: The extent to which the proposed project has scientific merit based on pilot project demonstrations, laboratory testing, scientific modeling, or engineering or chemical theory that supports the proposal.

Minimum (0 points): No proof of scientific merit or this element of the evaluation criteria was not addressed.

Maximum (20 points): Project demonstrated to be technically feasible and claims are fully supported by scientific community.

(b) The department shall establish a review group of 4 people. Two members of the review group shall be appointed by the department. Two members of the review group shall be appointed by the Department of Agriculture and Consumer Services. Each reviewer shall individually review grant applications, and score each application according to the point system provided in paragraph (5)(a).

(c) Score points from all reviewers shall be ranked and averaged as follows:

1. Each reviewer shall rank each eligible application by assigning a ranking number to each eligible application based on the score of the individual application compared to all other applications reviewed by that reviewer. For example, the top scored application shall be assigned a ranking number of 1, the second highest scored application shall be assigned a ranking number of 2, the third highest scored application shall be assigned a ranking number of 3, and so on, until all eligible applications are ranked.

2. After all eligible applications are ranked by the individual reviewers, the ranking numbers from all reviewers for each individual application shall be averaged.

(7) AWARD. The department shall award grants based upon highest averaged ranking and availability of funding, with 1 being the highest ranking. Grants shall be awarded to the top ranked application first, to the second highest ranked application second, and so on until the total amount of the fiscal appropriation in each state fiscal year is met.

(a) The maximum amount for an individual award shall be limited to \$2.5 million.

(b) The minimum amount for an individual award shall be limited to \$50 thousand.

(c) The department shall award up to the total amount requested in individual grant applications to the top ranked grant applicants up to the maximum amount allowed under paragraph (6)(a). If funds are not available to award the total amount requested by an applicant due to awards of grants to higher ranked applications, the department may award partial grants to applicants up to the amount of the fiscal appropriation remaining in each state fiscal year.

(d) In the instance of a ranking tie between two or more applications, the application proposing the higher percentage of match shall be ranked higher. In the instance of a ranking tie between two or more applications, and those applications propose the same percentage of match, the individual scores of the reviewers shall be added, and the application with the higher added reviewer scores shall be ranked higher. If there is still a tie, then the application submitted earlier in date shall be ranked higher.

#### (8) ADMINISTRATION.

(a) Grant funds must be awarded through a formal grant agreement negotiated and executed between the department and the grant applicant. Either party has the discretion to terminate negotiations if an agreement is not reached within 45 days of announcement of award. If the department and the grant applicant are unable to negotiate an agreement, the grant shall not be awarded to that grant applicant.

(b) Grant agreements shall be limited to no longer than three years in duration.

(c) Grant funds shall be distributed as reimbursements to recipients upon receipt of a formal invoice, supporting documentation, and upon department grant manager approval for compliance with all requirements of the grant agreement, this rule chapter, and the Florida Statutes.

(d) Invoices shall be submitted by grantees not more frequently than once per month, and not less frequently than once per quarter.

(e) Expenses incurred by a grantee and its project partners for its project after the execution of a formal grant agreement shall be considered as match based upon the requirements of Section 377.804, F.S., and this Chapter.

(f) Expenses incurred by a grantee and its project partners for its project between the date of a notice of grant award and execution of formal grant agreement may be considered as match. The department shall determine, on a case-by-case basis, whether such expenses qualify for match. Approvals of such expenses as match are subject to negotiation of the grant agreement, and prior written approval by the department is required. Consideration as match is not guaranteed.

Specific Authority 377.804 FS. Law Implemented 377.801-.804 FS. History--New \_\_\_\_\_.

#### 62-16.500 Solar Energy Systems Incentives Program.

(1) APPLICATION. Applications for the Solar Energy Systems Incentives Program shall be submitted to the Department of Environmental Protection, ATTN: Solar Energy System Incentives Program, Florida Energy Office, 2600 Blair Stone Road, MS-21, Tallahassee, FL 32399-2400 as follows:

(a) Applications shall be submitted in hard copy format, using application Form 62-16.900(3), which is herein adopted and incorporated by reference. All applications must be submitted by certified mail or hand delivered to the department, and must be received by the department no later than 5:00 p.m. on the 90th day after the purchase date of the solar energy equipment. If the 90th day after the purchase date of the solar energy equipment falls on a weekend or an observed holiday for which Department offices have been closed, then the deadline shall be the next business day.

(b) Rebates are limited to one solar photovoltaic system, one solar thermal system, and one solar pool heater per resident. A separate application must be submitted for each rebate.

(c) All applications must include the information required on the application form, a photocopy of the original purchase agreement for the equipment and installation of the solar energy system, a copy of the final receipt of payment if different from the original purchase agreement, and a photograph of the installed system. All information provided to the department must be legible.

(d) The department shall review each timely filed application to determine if the application includes all required information.

1. An application that is determined to be complete upon initial filing shall be considered for eligibility and placement in the first-come, first-serve order for allocation of rebates based upon the date and time the application is filed.

2. If the department determines that the application does not contain all of the required information the department shall notify the applicant of the incompleteness of the application. Timely filed applications which do not include all required information shall not be considered as eligible for rebates and shall not receive a position in the first-come, first-serve order for allocation of rebates.

3. Applicants who are notified of the incompleteness of a timely filed application may file subsequent information in order to make the application complete. Timely filed applications that are initially determined incomplete, but are subsequently determined complete, shall be considered for eligibility for the rebate and placement in the first-come, first serve order for allocation of rebates based upon the date and time the application is determined complete.

(2) ISSUANCE. The department shall issue each rebate after the department determines that all required information has been provided for each application to make the application complete, provided funds are available to do so.

Specific Authority 377.806 FS. Law Implemented 377.801, 377.802, 377.803, 377.806 FS. History--New \_\_\_\_\_.

#### 62-16.600 Renewable Energy Technologies Investment Tax Credit.

(1) GENERAL – This section applies to any taxpayer seeking a tax credit toward corporate income tax pursuant to Section 220.192, F.S., in the amount of the eligible costs as defined in Section 220.192(1)(b), F.S.

(a) This chapter does not apply to the tax return filing process regulated by the Florida Department of Revenue (DOR). An applicant seeking a tax credit pursuant to Section 220.192, F.S., shall apply to the department using the application process and Form 62-16.900(4), which is herein adopted and incorporated by reference. If deemed eligible for a tax credit, the department will issue a tax credit certificate to the applicant.

(b) The applicant may use these tax credits by attaching the certificate to its annual tax return filed with the DOR pursuant to rules promulgated by that agency.

(c) The department will not disburse any funds in connection with this tax credit program. Credits will not result in the payment of refunds by DOR if total credits exceed the amount of tax owed.

(d) Pursuant to Section 220.192, F.S., tax credits are limited to \$3 million per state fiscal year for all taxpayers in connection with an investment in hydrogen-powered vehicles and hydrogen vehicle fueling stations in the state; \$1.5 million per state fiscal year for all taxpayers in connection with an investment in commercial stationary hydrogen fuel cells in the

state; and \$6.5 million per state fiscal year for all taxpayers in connection with an investment in the production, storage, and distribution of biodiesel (B10-B100) and ethanol (E10-E100) in the state.

(e) The department shall be responsible for allocating the tax credits and tracking granted tax credits in a fiscal year to ensure that tax credits granted do not to exceed the limits provided in Section 212.192, F.S. If an eligible applicant does not receive a tax credit allocation due to an exhaustion of the annual tax credit appropriation, its application shall remain in the first-come, first-served order in the next year's annual tax credit allocation, if any, based on the date and time of filing the original application.

(f) Tax credits pursuant to Section 220.192, F.S., are available only for eligible costs incurred during the state fiscal year for which the tax credit application is submitted.

(2) APPLICATION. Applications shall be submitted to the Department of Environmental Protection, ATTN: Renewable Energy Technologies Investment Tax Credit Program, Florida Energy Office, 2600 Blair Stone Road, MS-19, Tallahassee, FL 32399-2400 as follows:

(a) Applications shall be submitted in hard copy format, using application Form 62-16.900(4), which is herein adopted and incorporated by reference.

(b) All applications must be submitted by certified mail or hand delivered to the department, and must be received by the department no later than 5:00 p.m. on the 15th day following the end of the applicant's tax year. If the 15th day after the end of the applicant's tax year falls on a weekend or federal holiday, then the deadline shall be the next business day.

(c) All applications must include the information required on the application form, and must include all supporting documentation necessary. Supporting documentation shall include all invoices and proof of payment for expenses for which the applicant seeks the tax credit.

(d) Applications must include a completed and signed affidavit (included as part of the application form) from each applicant certifying that all information contained in the application, including all records of costs incurred and paid and claimed in the tax credit application, are true and correct.

(3) ELIGIBILITY. The department shall review each timely filed application for completeness and determine eligibility as follows:

(a) The department shall review each timely filed application within 15 days of receipt to determine if the application includes all required information. An application package will be deemed "complete" if Form 62-16.900(4), contains all required information and appropriate signatures and the package includes all necessary supporting documentation.

(b) If the department determines that the application does not contain all of the required information to make the application complete, the department shall notify the applicant

in writing within 15 days of the receipt of the application of the deficiencies indicated by certified mail, unless the applicant requests, and is willing to pay for, alternative express mailing. Applications will not be returned to applicants.

(c) An applicant who is notified of a failure shall not be issued a credit until all required information is provided to the department.

(d) Credits shall be allocated on a first-come, first-served basis based upon the date and time complete applications are received by the department.

(e) Applications which do not include all required information shall not receive a position in the first-come, first-serve order for allocation of credits.

(f) The department will review the tax credit application package submitted by each applicant to verify that the applicant has met the qualifying statutory and rule criteria and has submitted all required documentation. Upon verification that the applicant has met all requirements, the department shall issue a determination of eligibility for applied for tax credits within 45 days of the receipt of complete information, subject to the fiscal limitations in Section 220.192, F.S., for the tax year in which the tax credit application is submitted.

Specific Authority 220.192 FS. Law Implemented 220.192 FS. History--New \_\_\_\_\_.

62-16.700 Renewable Energy Technologies Sales Tax Program.

Applications for sales tax exemption pursuant to Section 212.08(7)(ccc), F.S., shall be filed with the department using Form 62-16.900(5), which is herein adopted and incorporated by reference, and shall be sent to Florida Department of Environmental Protection, ATTN: Renewable Energy Technologies Sales Tax Program, Florida Energy Office, 2600 Blair Stone Road, MS-19, Tallahassee, FL 32399-2400.

Specific Authority 212.08(7)(ccc) FS. Law Implemented 212.08 FS. History--New \_\_\_\_\_.

62-16.900 Forms.

The following forms are adopted and incorporated by reference in this Rule Chapter. The form is listed by rule number, which is also the form number, and by the subject title and effective date. Copies of the form may be obtained by writing to the Department of Environmental Protection, Florida Energy Office, 2600 Blair Stone Road, MS-19, Tallahassee, FL 32399-2400.

(1) Renewable Energy Technologies Grant Program Application, Form 62-16.900(1), (effective \_\_\_\_\_).

(2) Renewable Energy Technologies Grant Program Application for Bioenergy, Form 62-16.900(2), (effective \_\_\_\_\_).

(3) Solar Energy System Incentives Program Application, Form 62-16.900(3), (effective \_\_\_\_\_).

(4) Renewable Energy Technologies Investment Tax Credit Program Application, Form 62-16.900(4), (effective \_\_\_\_\_).

(5) Renewable Energy Technologies Sales Tax Program Application, Form 62-16.900(5), (effective \_\_\_\_\_).

Specific Authority 212.08, 220.192, 377.804, 377.806 FS. Law Implemented 377.801-.806, 212.08, 220.192 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Alexander Mack

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Allan Guyet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 16, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 30, 2006

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Resources**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
68E-1	Marine Turtle Permits
RULE NOS.:	RULE TITLES:
68E-1.002	Introduction, Scope and Definitions
68E-1.004	General Permit Application Procedures, Requirements and Expiration
68E-1.0041	Authorizations for Marine Turtle Research, Conservation, and Educational Activities
68E-1.005	Suspensions and Revocation

PURPOSE AND EFFECT: The proposed rule amendment clearly outlines the procedures by which an accredited entity can apply for a Marine Turtle Permit, the basis for FWC to issue these permits, and provides concise, transparent criteria for permit approval.

SUMMARY: This Rule specifies the intent and scope for Marine Turtle Permit approval, defines terms specific to the permit, explains application procedures, lists application and approval criteria for requests to conduct conservation activities, including research, rehabilitation, stranding response, educational display, nesting surveys, and relocation of nests for Florida's threatened and endangered marine turtles.

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 lower cost regulatory alternative, must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 370.10(2), 370.12(1) FS.

LAW IMPLEMENTED: 370.10(2), 370.12(1) FS.

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

DATE AND TIME: February 19, 2007, 6:00 p.m.

PLACE: The Florida Room, Building C, Third Floor, Brevard County Government Center, 2725 Judge Fran Jamieson Way, Viera, FL 32940

Anyone attending the hearing and requiring special accommodations to participate should call Cindy Hoffman at (850)488-6411 at least five calendar days before the workshop. Hearing- or speech-impaired persons should call (850)488-9542 to arrange assistance.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Dr. Robbin Trindell, MS#6A, FWC, 620 South Meridian Street, Tallahassee, Florida, 32399-1600, (850)922-4330 (robbin.trindell@myfwc.com)

THE FULL TEXT OF THE PROPOSED RULES IS:

68E-1.002 Introduction, Scope and Definitions.

(1) Florida Statutes restrict the take, possession, disturbance, mutilation, destruction, selling, transference, molestation, and harassment of marine turtles, nests, or eggs. Protection is also afforded to marine turtle habitat. A specific authorization from Commission staff is required to conduct scientific, conservation, or educational activities that directly involve marine turtles in or collected from Florida, their nests, hatchlings or parts thereof, regardless of the applicant's possession of any federal permit. The authorization may be in the form of a permit, a loan agreement, or a letter of consent, as described in Rule 68E-1.0041, F.A.C.

(2) Whenever the Commission determines that a request to conduct research, conservation, or educational activities with marine turtles, their nests, or hatchlings is in the public interest and will advance marine turtle recovery or protect marine turtles, their nests, or habitat, it may issue authorizations, upon such terms, conditions, or restrictions as are necessary to ensure that the intentions of Section 370.12(1)(c) and (d), F.S., are not violated.

(3) Under agreement with the federal government, the issuance of a permit or other authorization by the Commission may satisfy U.S. Fish and Wildlife Service permit requirements for research, conservation, or educational activities involving Florida marine turtles. An additional permit from the National Marine Fisheries Service might be required for in-water work.

(4) Permits may not be issued for the importation of marine turtles across international boundaries or waters or for head starting, the practice of collecting marine turtle eggs or hatchlings solely for the purpose of raising them until they attain a larger size and then releasing them.

(5) For the purposes of this rule, the following definitions apply:

(a) "Applicant" means the individual who applies for a Marine Turtle Permit from the Commission.



(b) “Conservation purpose” means an act carried out solely for the purpose of maintaining life or habitat of any marine turtle, their nests, hatchlings, or promoting the recovery of marine turtle populations.

(c) “Educational facility” means public or non-public colleges or universities, or nature centers, museums, zoos, aquaria, or similar institutions. Educational facilities must be regularly opened to the public for the primary purpose of providing an educational experience.

(d) “Educational purpose” means to hold marine turtles to exhibit, inform and instruct the public in their biology, habitat, or conservation needs.

(e) “Hatchery” means an area of beach where authorized individuals have placed marine turtle nests in aggregated clusters in one location, with or without restraining or protective walls.

(f) “Hatchling” means any species of marine turtle, within or outside of a nest, that has recently hatched from an egg.

(g) “Marine turtle” means any marine-dwelling reptile of the families Cheloniidae or Dermochelyidae found in Florida waters or using the beach as nesting habitat, including the species: *Caretta caretta* (loggerhead), *Chelonia mydas* (green), *Dermochelys coriacea* (leatherback), *Eretmochelys imbricata* (hawksbill), and *Lepidochelys kempii* (Kemp’s ridley) or hybrids of these species. For purposes of this rule, marine turtle is synonymous with sea turtle.

(h) “Nest” means an area where marine turtle eggs have been naturally deposited or subsequently relocated.

(i) “Nest relocation” means the practice of excavating a nest following deposition and reburying all intact eggs.

(j) “Principal Permit Holder” means the individual authorized to conduct marine turtle conservation activities under the provisions of this Chapter.

(k) “Prudent peer review standards” means criteria or processes arising from scientific methods established or generally accepted by the scientific community to evaluate deductive models, experiments, research proposals, and results that are directed toward the validation of hypotheses or advancement of scientific knowledge.

(l) “Regulatory permit or authorization” means a permit, water quality certificate, or authorization issued pursuant to Florida Statutes Chapters 161 or 373.

(m) “Scientific purpose” means for the purposes of conducting research or analysis using prudent experimental protocols to gain scientific knowledge and to advance conservation, population management, or biological understanding of marine turtles.

Specific Authority 370.10(2), 370.12(1) FS. Law Implemented 370.10(2) 370.12 (1) FS. History–New \_\_\_\_\_.

(Substantial Rewording of Rule 68E-1.004 follows. See Florida Administrative Code for present text.)

68E-1.004 General Permit Application Procedures, Requirements and Expiration.

(1) Any individual desiring to obtain authorization to conduct scientific, conservation, or educational activities directly involving marine turtles shall submit an application to the Commission prior to conduct of the activity. Applications shall be submitted on the application form to the Florida Fish and Wildlife Conservation Commission, Tequesta Field Laboratory, 19100 S.E. Federal Highway, Tequesta, FL 33469 unless otherwise directed. Application for Marine Turtle Permit (FWC Form 32-101 effective 7/99) is hereby incorporated by reference. Application forms shall be made available by the Commission to any individuals requesting them in writing from the above-listed submittal address or by telephone.

(2) Any individual who is a properly accredited person in accordance with Section 370.12(1)(c), F.S., has specific experience with marine turtles and the proposed activity, and meets the applicable criteria in this rule section may be eligible to receive authorization from the Commission to undertake activities for research, conservation, or educational purposes that involve any of the prohibited actions listed in Section 370.12(1)(d)1. and 2., F.S. The Commission shall not issue permits to individuals unable to demonstrate a working knowledge of current marine turtle conservation practices, to individuals lacking specific experience in conducting marine turtle research or conservation activities, to individuals who do not meet the applicable criteria in this rule section, or if there is no demonstrated need for the project.

(3) In addition to those individuals requesting to conduct activities in accordance with subsection (1) above, any individual who is a properly accredited person may be eligible to receive authorization from the Commission in the form of a loan agreement to possess dead marine turtles or marine turtle parts for educational purposes.

(4) Applicants requesting a Marine Turtle Permit for the first time to conduct nesting surveys as a Principal Permit Holder shall meet the following additional criteria.

(a) Applicants shall have specific experience conducting nesting surveys, including a minimum of two (2) nesting seasons, or two hundred (200) hours, of marine turtle nesting survey experience. State and federal employees who are requesting a permit for a marine turtle nesting survey program on state or federal land are not required to meet this criteria, but shall submit the following information for their program to document their experience.

(b) To document experience, the applicant shall submit the following information:

1. The specific duties and responsibilities related to marine turtle conservation.

2. The frequency with which nesting surveys were conducted.

3. The area that was surveyed.

4. Whether surveys were conducted independently or with other volunteers.

5. Approximate number of crawls observed during the two (2) year period.

6. List of all of training that was received or presented and name of trainer.

7. Years of program oversight and number of volunteers or staff supervised.

(c) Knowledge – Applicant shall satisfactorily complete a set of standardized comprehensive qualifying examination questions pertaining to general marine turtle biology, nests, species characteristics, and Commission guidelines. Applicant shall correctly answer 95% of the questions to be eligible to receive a permit.

(d) Education – The Commission may also consider formal and continuing education course work and work experience in the permitting decision.

(e) References – Upon request, the applicant shall provide two (2) references, each of whom must have specific marine turtle nesting survey experience in Florida. These references must be knowledgeable regarding the applicant's responsibilities, performance, and experience in marine turtle nesting surveys. At least one of the references must be a Principal Permit Holder, and it is recommended that both references be from Principal Permit Holders. Personnel supervised by the applicant should not be used as a reference. Complete addresses, telephone numbers, and e-mail addresses should be provided for each reference.

(f) For all in-water protection or research work, the permittee shall provide evidence of a valid Section 10 or Section 7 Incidental Take Authorization from the National Marine Fisheries Service.

(5) To qualify to relocate marine turtle nests as a Principal Permit Holder, the applicant shall have a minimum of one (1) nesting season, or twenty-five (25) hours, of marine turtle nest relocation experience, obtained within the past five (5) years. As part of the application, the applicant shall provide complete up-to-date documentation of relocation experience for at least one nesting season, including:

(a) Field data sheets documenting relocation experience signed by the Principal Permit Holder (in Florida) or other biologist with marine turtle nesting survey experience (outside Florida) that oversaw the relocations. To document experience, the Applicant shall submit the following information:

1. List of relocated nests with reason for relocation.

2. List of beach sites that received relocated nests and explanation of how they were chosen.

3. Hatching success data for all relocated nests. Hatching success must equal or exceed 65% for all relocated nests that were not lost due to storms.

4. Applicant must satisfactorily complete a set of standardized comprehensive qualifying examination questions pertaining to marine turtle nest relocation techniques by correctly answering 95% of the questions.

(6) Upon receipt of multiple applications to conduct nesting surveys on a designated beach, Commission staff shall consider the following in permit decisions:

(a) The length of time applicants conducted nesting surveys in that area and their familiarity with the specific beach.

(b) Ability of the applicants to provide the technical information required by a state or federal regulatory permit.

(c) History of compliance of the applicants with all reporting requirements.

(d) History of compliance of the applicants with all provisions of this Chapter.

(e) Consistency in data collection for the Statewide and Index Nesting Beach Surveys.

(7) In the event an application is submitted to conduct marine turtle conservation activities required in a local, state or federal regulatory permit, Commission staff may issue a second authorization to conduct only those activities required as conditions of the authorized regulatory activity.

(a) All such activities shall be conducted secondary to the Statewide or Index Nesting Beach Surveys and in cooperation with the Principal Permit Holder authorized to conduct Statewide or Index Nesting Beach Surveys.

(b) Statewide and Index Nesting Beach data shall be submitted to Commission by the Principal Permit Holder.

(8) When marine turtle protection or monitoring is required as a condition of any regulatory permit, a Marine Turtle Permit to conduct such monitoring shall only be issued to an independent third party who can obtain appropriate authorization as required by this rule section. Counties or municipalities with an established marine turtle conservation program, including a Principal Permit Holder, may conduct monitoring for all county-sponsored activities such as beach nourishment provided the Principal Permit Holder is independent of other county programs such as beach management and meets all requirements of this Chapter.

(9) The Commission may issue permits to an individual who is a properly accredited person requesting to conduct stranding activities as a Principal Permit Holder, provided they have evidence of having attended a Commission or National Marine Fisheries Service stranding workshop within one year prior to application.

(10) Applications for authorization to conduct activities for a scientific purpose shall be accompanied by a research proposal or a detailed statement-of-work to be performed.

(a) The Commission, using prudent peer review standards, shall consider the following in permit decisions:

1. Scientific protocols of the application;

2. The need for the research; and

3. The potential for the research to promote the recovery of marine turtle populations.

(b) The Commission may seek additional information from the applicant or reviewer, or may consult additional reviewers to ensure appropriate peer review of the application.

(c) The Commission may impose certain restrictions on the permit or deny the application based on the above assessments. It is the intent of the Commission to provide and follow a consistently applied, science-based mechanism to ensure that applicants use appropriate scientific methodologies when conducting activities that involve manipulative or invasive methods with marine turtles or their nests.

(11) All facilities making application to hold or to rehabilitate marine turtles are subject to inspection by Commission personnel before issuance of a permit and on a periodic basis for the duration of the permit, if issued. To obtain a permit, the facility must do the following:

(a) Install interpretive signs regarding marine turtle conservation at the educational exhibit of marine turtles. The scientific content of such signs must be approved by Commission staff prior to installation, and approved signs must remain in place while captive or educational turtles are on display at the facility.

(b) Veterinary care shall be provided by facilities holding or rehabilitating marine turtles. Veterinarians providing marine turtle care shall satisfactorily demonstrate an expertise with marine turtles and be listed on the Marine Turtle Permit.

(c) Rehabilitated marine turtles shall be released as soon as they are fit for survival in the wild. The determination of fitness shall be made by the attending veterinarian in consultation with Commission personnel.

(d) All releases shall be coordinated in advance with Commission personnel.

(12) All facilities holding live marine turtles shall complete monthly reporting forms supplied by the Commission and submit them quarterly. Report forms request information on the status of captive marine turtles, acquisitions, deaths, releases and water quality and may be modified periodically. Failure to provide timely reports shall be grounds for the Commission to revoke current permits and to deny future applications for authorization. The Marine Turtle Holding Facility Quarterly Report (FWC Form ST Effective 4/02) is hereby incorporated by reference.

(a) Marine turtles shall not be held for rehabilitation in conditions detrimental to the turtle; this includes public display if determined to be detrimental to the animal.

(b) Limited educational displays of marine turtles of a threatened species may be authorized.

(c) Endangered marine turtles may be held on display in the event that they have been deemed non-releasable as a result of injuries that would preclude their ability to survive in the

natural habitat; are of an unknown or non-Florida origin; or were acquired prior to the enactment of the Federal Endangered Species Act of 1973 (16 U.S.C. § 1531 *et. seq.*).

(13) All facilities or individuals involved in the rehabilitation of marine turtles shall obtain and maintain a current authorization for euthanasia of threatened and endangered marine turtles from the U.S. Fish and Wildlife Service.

(14) A marine turtle permit, loan agreement, or letter of consent issued by the Commission must be in the possession of the named Principal Permit Holder(s) or volunteer at all times during conduct of authorized activities.

(15) Commission guidelines related to nesting surveys, nest relocation, release, and other management or conservation activities shall be distributed as appropriate. On a periodic basis, the Commission may develop new guidelines or update existing ones to reflect prudent conservation and research practices related to the recovery of marine turtle populations.

(a) These guidelines, after having been acknowledged in writing by the Principal Permit Holder, may be included as conditions of the permit.

(b) The failure of the Principal Permit Holder or any individual listed on the permit to follow guidelines of the Commission may be grounds for the Commission to revoke any current permit or to deny future applications for authorization.

(c) The Principal Permit Holder is responsible for transmitting Commission guidelines to all individuals listed on the permit. Failure of the Principal Permit Holder to properly distribute Commission guidelines and to supervise the activities of others listed on the permit shall be grounds for the Commission to revoke current permits and to deny future applications for authorization.

(d) Principal Permit Holders are expected to attend Commission nesting and stranding workshops annually, and volunteers must attend at least once every three years. Participants in the Index Nesting Beach Survey Program are required to attend nesting workshops annually.

(16) Permits for scientific research issued under this Chapter are not valid in state, federal, or local parks, monuments, sanctuaries or preserves without additional permits or concurrence from the appropriate management unit.

(17) All permits shall expire at the end of the calendar year from the date of issuance, or at the end of the permitted project, whichever event occurs first.

(18) Permits are non-transferable and shall be issued to a single applicant acting as the Principal Permit Holder.

(19) Each Permit may include up to twenty-four volunteers that conduct marine turtle conservation work under the supervision of the Principal Permit Holder.

(20) The Principal Permit Holder may request to include additional volunteers under a letter of authorization, provided these volunteers are not directly involved in data collection or

in direct contact with a marine turtle, nest, or hatchlings unless specifically approved by Commission staff. The request must list each additional volunteer, specify the activity in which they will participate, and describe the training provided for that activity.

(21) For major activities, the permit will be issued to include all authorized personnel, each of which must be named on the permit prior to field work. The Principal Permit Holder and other individuals listed on the permit shall have the permit or a copy thereof upon their person while conducting work with marine turtles, their nests, or hatchlings.

(22) Renewal of existing Marine Turtle Permits shall occur as follows:

(a) Commission staff shall provide a reminder to each Principal Permit Holder each fall.

(b) All renewal requests, required forms, and required reports shall be submitted to the Commission Tequesta office approximately two months prior to the expiration of the existing permit.

(c) Permit renewals shall be based upon satisfactory compliance with the conditions of the existing permit, receipt of all reports for authorized activities, compliance with the Marine Turtle Permit Holder Guidelines for authorized activities, the need for a specific activity, and timely response to Commission staff upon request for information related to authorized activities.

Specific Authority 370.10(2), 370.12(1) FS., Law Implemented 370.10(2), 370.12(1) FS. History–New 2-11-81, Amended 8-6-81, Formerly 16B-40.04, 16B-40004, 62R-1.004, Amended 7-1-04,\_\_\_\_\_.

68E-1.0041 Authorizations for Marine Turtle Research, Conservation, and Educational Activities.

(1) Activities that require a permit include, but are not limited to, any actions associated with a living or stranded marine turtle, its nest, or hatchlings such as:

- (a) Any research or conservation activities; or
- (b) Any educational activities, including, but not limited to, educational displays or public awareness walks.

(c) Hatcheries shall not be approved unless authorized in an incidental take authorization from the U.S. Fish and Wildlife Service.

(2) Activities that may be authorized by a loan agreement include, but are not limited to, any activities involving use of any dead marine turtle or parts thereof.

(3) Activities that may be authorized by a letter of consent include, but are not limited to:

- (a) Transfer of marine turtles, or parts thereof, to or from permit holders into or out of the state of Florida;
- (b) Limited consumptive use of marine turtle parts for research;

(c) One-time events or minor activities that are not of a sufficient magnitude to require a permit or a modification to an existing permit;

(d) Actions undertaken in response to an emergency officially designated by the appropriate officials of the state of Florida; or,

(e) Actions that are a result of collaboration with Commission staff, such as directed research or management activities.

Specific Authority 370.10(2), 370.12(1) FS. Law Implemented 370.10(2), 370.12(1) FS. History–New \_\_\_\_\_.

(Substantial rewording of Rule 68E-1.005 follows. See Florida Administrative Code for present text.)

68E-1.005 Suspensions and Revocation.

(1) Non-compliance with permits issued under the provisions of this Chapter is subject to the following actions:

(a) Failure to fulfill reporting requirements or respond to other information requests shall constitute a minor violation of this rule. Such a violation shall cause the Commission to issue a notice of noncompliance to the permittee, and issuance of subsequent year permits shall not proceed until the permittee fulfills all such requirements.

(b) Permittee shall be subject to permit suspension or revocation by the Commission if it finds that the permit holder has violated this Chapter, Chapter 370, F.S., Titles 68 or 46, F.A.C., state or federal wildlife protection acts or codes, submitted false information in the application, has deviated significantly from the approved activity, or has violated conditions under which the permit was originally issued.

(2) Permits issued under this Chapter are subject to the provisions of Rule 68A-5.004, F.A.C.

Specific Authority 370.10(2), 370.12(1) FS. Law Implemented 370.10(2), 370.12(1) FS. New 2-11-81, Formerly 16B-40.05, 16B-40.005, 62R-1.005, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Tim Breault, Director, Division of Habitat and Species Conservation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 15, 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."

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:	RULE TITLE:
59G-4.210	Optometric Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 49, December 8, 2006 issue of the Florida Administrative Weekly.

These changes are in response to written comments received prior to the public hearing. The rule incorporates by reference Update January 2007 to the Florida Medicaid Optometric Services Coverage and Limitations Handbook. The following changes were made to the handbook update.

Page 2-4, Visual Examinations, Visual Exam in Conjunction With a Child Health Check-Up, first sentence, we added that Medicaid does not reimburse procedure code 92083 (threshold visual field) when it is performed in conjunction with or on the same date of service as any of the Child Health Check-Up procedure codes.

Page 2-5, Visual Examinations, Visual Exams Related to Providing Eyeglasses in a Nursing Facility, ICF/DD, Recipient's Home, or Custodial Care Facility, second bullet, we rewrote the instructions for verbal orders to bring them into compliance with Rule 59A-4.107, F.A.C. The revised bullet reads, "The medical need for the exception is ordered by the recipient's primary-care physician and is documented in the recipient's medical record at both the facility and the optometric provider's office. The physician's order is valid up to 90 days after the order is given. If additional care is needed by the provider, then another order must be written by the recipient's primary care physician. Pursuant to Rule 59A-4.107, F.A.C., the order may be given verbally by the licensed nurse or attending physician at the facility. The verbal order, including telephone orders, shall be immediately recorded, dated, and signed by the person receiving the order. All verbal treatment orders shall be countersigned by the primary care physician on the next visit to the facility and must be filed in the recipient's medical record at both the facility and the optometric provider's office."

Page 2-5, Visual Examinations, Visual Exams Related to Providing Eyeglasses in a Nursing Facility, ICF/DD, Recipient's Home, or Custodial Care Facility, last sentence, we deleted "includes refractions," because Medicaid will reimburse refractions performed in a facility or home setting. The sentence now reads, "General and special ophthalmological services procedure codes are not reimbursable when performed in a facility or home setting."

Page 2-6, Visual Examinations, Refractions, forth paragraph, we revised the sentence to read, "Medicaid reimburses refractions performed in a provider's office, an ICF/DD, a recipient's home, a nursing facility, and a custodial care facility."

Page 2-6, Visual Examinations, Computerized Corneal Topography, we added that Medicaid reimburses procedure code 92025.

Page 2-8, Evaluation and Management Services, Home Visits, forth paragraph, we added refractions. The sentence now reads, "Medicaid does not reimburse optometrists for other services provided in a recipient's home except for refractions and the home visit evaluation and management codes listed on the Optometric Services Fee Schedule."

We added page 2-11 to the handbook update. On page 2-11, Custodial Care Facility Services, Excluded Services, second paragraph, we added refractions. The sentence now reads, "Medicaid does not reimburse optometrists for services provided in a custodial care facility except for refractions and the evaluation and management services as outlined in the evaluation and management section of the CPT."

We added page 2-13 to the handbook update. On page 2-13, Nursing Facility and ICF/DD Services, Excluded Services, second paragraph, we added refractions. The sentence now reads, "Medicaid does not reimburse optometrists for additional services provided in a nursing care facility or ICF/DD except for refractions and the nursing facility evaluation and management procedures as outlined in the evaluation and management section of the CPT."

In addition to the above changes, we made the following technical changes. We added the title of the handbook to the header on the Chapter 2 pages and changed the footer date to January 2007 on pages 2-10, 2-11, and 2-13.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:	RULE TITLE:
59G-4.340	Visual Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 49, December 8, 2006 issue of the Florida Administrative Weekly.

These changes are in response to written comments received prior to the public hearing. The rule incorporates by reference Update January 2007 to the Florida Medicaid Visual Services Coverage and Limitations Handbook. The following changes were made to the handbook update.

Page 1-3, Provider Enrollment, General Enrollment Requirements, we added a sentence to clarify that physicians must be currently licensed as ophthalmologists in order to have Category of Service 62 (Visual Services) added to their provider files.

Page 2-4, Covered and Excluded Services, Excluded Services, we added glass lenses to the list of services that Medicaid does not reimburse.

Page 2-5, Covered and Excluded Services, Criteria For Providing Eyeglasses in a Nursing Facility, Custodial Care Facility, or Recipient’s Home, second bullet, we rewrote the instructions for verbal orders to bring them into compliance with Rule 59A-107, F.A.C. The revised bullet reads, “The medical need for the exception is ordered by the recipient’s primary-care physician and is documented in the recipient’s medical record in the provider’s office and at the facility. The physician’s order is valid up to 90 days after the order is given. If additional care is needed by the provider, then another order must be written by the recipient’s primary care physician. Pursuant to Rule 59A-4.107, F.A.C., the order may be given verbally by the licensed nurse or attending physician at the facility. The verbal order, including telephone orders, shall be immediately recorded, dated, and signed by the person receiving the order. All verbal treatment orders shall be countersigned by the primary care physician on the next visit to the facility and must be filed in the recipient’s medical record at both the facility and the visual services provider’s office.”

Page 2-10, Eyeglasses and Lenses, Multifocal Lenses, first paragraph, last sentence, we revised the sentence to read, “Progressive addition lenses are not reimbursable.”

Page 2-11, Eyeglasses and Lenses, Polycarbonate Lenses, second bullet, we deleted, “the sight in the poorer eye being 20/50 or worse.” The revised bullet reads, “The recipient has significant amblyopia.”

Page 2-11, Eyeglasses and Lenses, Polycarbonate Lenses Reimbursement Information, second bullet, we added “single vision, bifocal or trifocal.” The revised bullet reads, “The appropriate procedure code for polycarbonate single vision, bifocal or trifocal lens fees.”

We added page 2-13 to the handbook update. On page 2-13, Eyeglasses and Lenses, Special Order Frame and Lenses, first sentence, we added that the medical reasons must be “stated and written.” We revised the second sentence to read, “The provider must submit sufficient information to cost the items with the prior authorization request, including the following: . . .”

We added page 2-14 to the handbook update. On page 2-14, Eyeglasses and Lenses, Lab Order Form, we added “prescriptive data” to the information that must be included on the lab order form.

On page 2-14, Contact Lenses, Description, we added a new sentence that reads, “It must be clearly stated and written on the prior authorization request form whether it is a new fitting or replacement lenses.

Page 2-14, Contact Lenses, Who May Receive Contact Lenses, we revised the first sentence to read, “Medicaid reimburses for contact lenses only for recipients who have the following conditions,” and deleted the second sentence. We added the following conditions as the first and second bullets, “unilateral aphakia or bilateral aphakia, but not pseudophakia,” and “keratoconus (conical cornea).”

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.:	RULE TITLE:
61-5.007	Administrative Penalty Guidelines for Unlicensed Activity

**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. 47, November 22, 2006 issue of the Florida Administrative Weekly.

The changes are based upon comments received from the Joint Administrative Procedures Committee.

The changes to the proposed rule are identified in underline/strike format and are as follows:

61-5.007 Administrative Penalty Guidelines for Unlicensed Activity.

(1) through (3) No change.

~~(4) In imposing administrative penalties hereunder in cases in which a Notice to Cease and Desist or Order to Cease and Desist has been issued to the unlicensed person prior to the violation(s) currently being prosecuted, the Department shall impose its attorney fees and costs, including the costs of collection, pursuant to Subsection 455.228(1), Florida Statutes.~~

~~(4)(5)~~ For using a professional title or designation without holding the requisite license to do so, the following penalties shall apply:

- (a) First violation – \$2500 administrative fine; and
- (b) Second and subsequent violations – \$5000 administrative fine.

~~(5)(6)~~ For advertising or offering to practice a profession without holding the requisite license to do so, the following penalties shall apply:

- (a) First violation – \$3000 administrative fine; and
- (b) Second and subsequent violations – \$5000 administrative fine.

~~(6)~~(7) For practicing a profession without holding the requisite license to do so, the following penalties shall apply:

(a) First violation – \$4000 administrative fine; and

(b) Second and subsequent violations – \$5000 administrative fine.

~~(7)~~(8) Notwithstanding the foregoing, all second and subsequent violations of Section 489.13, Florida Statutes, shall result in the imposition of a \$10,000 administrative fine.

~~(8)~~(9) Circumstances which may be considered for the purposes of mitigation or aggravation of the foregoing penalties shall ~~include, but are not limited to,~~ consist of the following:

(a) Monetary or other damage to the unlicensed person’s customer and/or other persons, in any way associated with the violation, which damage the unlicensed person has not relieved as of the time the penalty is to be assessed.

(b) The severity of the offense.

(c) The danger to the public.

(d) The number of repetitions of offenses.

(e) The number of complaints filed against the unlicensed person.

(f) The length of time the unlicensed person has been engaging in unlicensed activity.

(g) The actual damage, physical or otherwise, to the unlicensed person’s customer.

(h) The deterrent effect of the penalty imposed.

(i) The effect of the penalty upon the unlicensed person’s livelihood.

(j) Any efforts at rehabilitation.

(k) The unlicensed person’s use of an altered license or impersonation of a licensee.

~~(l) Any other mitigating or aggravating circumstances.~~

~~(9)~~(10) The administrative penalty guidelines established by this rule are only applicable to final orders issued by the Secretary of the Department or his/her appointed designee.

Specific Authority 455.228 FS. Law Implemented 455.228 FS. History–New\_\_\_\_\_.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.: 61A-4.030 RULE TITLE: Deliveries to Vendors

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 21, May 27, 2005 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NOS.: 61D-8.002, 61D-8.005 RULE TITLES: Financial Reporting Requirements, Purses and Florida Owners’ Awards, Horse Racing

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the Notice of Change published in Vol. 32, No. 52, December 29, 2006, issue of the Florida Administrative Weekly, in accordance with subparagraph 120.54(3)(d)1., Florida Statutes. The changes are in response to written comments received from the Joint Administrative Procedures Committee.

61D-8.002 Financial Reporting Requirements.

(1) through (9) No change.

Specific Authority 550.0251(3), (7), (9), 550.125(2)(b), 550.155(1), 550.3551(10), 550.6305(5) FS. Law Implemented 550.0251, 550.0951(5), 550.125, 550.155, 550.3551, 550.615, 550.6305, 550.6335 FS. History–New 10-20-96, Amended 12-15-97, 9-19-04, \_\_\_\_\_.

61D-8.005 Purses and Florida Owners’ Awards, Horse Racing.

(1) through (12)(d) No change.

(13) For conducting purse audits, the division shall require accounting records that are used to verify purse payouts, for example, contributions to the purse pool derived from live handle, intertrack wagering, and simulcast wagering; amounts distributed from the purse pool; and transfers to any breeders’ or owners’ awards program. The division shall require specific records as necessary for conducting purse audits.

(a) through (19) No change.

Specific Authority 550.2614(1), (2), (3), (4), 550.2625(2)(d) FS. Law Implemented 550.2614, 550.2625(2), 550.625, 550.655 FS. History–New 10-20-96, Amended 12-15-97, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Building Code Administrators and Inspectors Board**

RULE NO.: 61G19-5.007 RULE TITLE: Notice of Noncompliance

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 41, October 13, 2006 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Building Code Administrators and Inspectors Board**

RULE NO.: 61G19-10.003  
 RULE TITLE: Reinstatement Fee of a Null and Void License  
 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. 41, October 13, 2006 issue of the Florida Administrative Weekly.

Rule 61G19-10.003 shall read:  
 Reinstatement of a null and void license must be accompanied by payment of a fee of \$125.00.

**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."

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-26.2032  
 RULE TITLE: Licensure by Examination; Internship Requirements  
 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. 30, No. 52, December 23, 2004 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The rule shall now read as follows:

64B16-26.2032 Licensure by Examination; Internship Requirements.

- (1) through (2) No change.
- ~~(3) A program approved by the Florida Board of Pharmacy shall not be less than 1500 hours and all other programs shall be not less than 2080 hours.~~
- (4) through (6) renumbered (3) through (5) No change.
- ~~(6)(7)~~ Proof of completion of an internship program shall consist of a certification that the applicant has completed the program. If additional hours are required to total 2080 hours, pursuant to subsection (3) of this rule, satisfactory proof of the additional hours shall be constituted by the program's certification of completion of the additional hours.
- (8) through (12) renumbered (7) through (11) No change.

Specific Authority 465.005 FS. Law Implemented 465.003(12), 465.007, 465.0075 FS. History—New \_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

**Section IV  
 Emergency Rules**

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

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 69OER07-1  
 RULE TITLE: Residential Property Insurance Rate Filings

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Financial Services Commission and the Office of Insurance Regulation ("Office") hereby state that the following circumstances constitute an immediate danger to the public health, safety, or welfare:

The residential property insurance market in Florida is in crisis. Property insurance rates are at the highest levels in Florida history. The multiple hurricanes and tropical storms of the past several years (which resulted collectively in more than an estimated \$36 billion in insured losses) coupled with the actions and reactions of certain private insurers have created and fueled this crisis. Additionally, many insurers have in the recent past engaged in a widespread pattern of policy cancellations and non-renewals. These factors have limited significantly the availability and affordability of residential property insurance and have dramatically increased the cost of such insurance.

The turmoil in the residential property insurance market has affected not only homeowners, but also the real estate and construction market. Homeowners in Florida, especially those located in the proximity of the coast, are finding it extremely difficult to find an adequate level of residential property insurance coverage at affordable rates. Thousands of Florida citizens voiced to the Governor, members of the Cabinet, and the Legislature the hardships faced as a result of the current



insurance crisis. Some property owners have been unable to sell real property because prospective buyers cannot obtain the required insurance at affordable prices, while others have found that the inability to find affordable residential property insurance has resulted in their mortgage companies threatening to “force place” wind/hail coverage or foreclose on their mortgages. The impact of skyrocketing residential property insurance rates has also seriously affected thousands of Florida’s most vulnerable residents who are on fixed incomes and cannot afford to purchase residential property insurance to protect their homesteads and personal property. Considering all of the foregoing, resolution of the current crisis is essential to the adequate protection of the public health, safety and welfare. In response to this crisis, the Legislature passed, and the Governor has signed, House Bill CS/HB 1A. In enacting this new law, and in recognition of the current crisis in the property insurance marketplace, the Legislature found as follows:

A. WHEREAS, Homeowners in the State of Florida are struggling under increased insurance costs and increased housing prices as a result of damage caused by hurricanes and tropical storms, and

B. WHEREAS, This increase in the cost of property insurance for the state’s residents demands immediate attention, and

C. WHEREAS, The affordability of property insurance creates financial burdens for Florida’s residents and financial crises for some property owners, and

D. WHEREAS, In addition to affordability, the availability and stability of property insurance rates are critical issues to the residents of this state, and

E. WHEREAS, Because there is no single, quick, or easy solution to the current crisis, a comprehensive and creative approach is required, and

F. WHEREAS, Property insurance is so interwoven with other forms of insurance, through business, regulation, advocacy, purchasing, and other interactions, that the viability of the insurance market in Florida is at risk, and

G. WHEREAS, Expanding coverage offered by the Florida Hurricane Catastrophe Fund can help to address this crisis, and

H. WHEREAS, Taking steps to control or reduce the premiums charged by Citizens Property Insurance Corporation can help to address this crisis, and

I. WHEREAS, Strengthening the processes for establishing property insurance rates can help to address this crisis, and

J. WHEREAS, The role of consumer advocacy is a critical part of addressing this crisis and consumer advocacy for property insurance is a critical, if not the predominant, part of consumer advocacy regarding insurance, and

K. WHEREAS, Promoting, through financial and regulatory methods, the ability of property insurers and reinsurers to do business in Florida can help to address this crisis, and

L. WHEREAS, Promoting, through financial and regulatory incentives for property owners, the strengthening of property to withstand the effects of windstorm damage can help to address this crisis.

These specific findings establish the Legislature not only recognized the current crisis, but also took specific action to resolve that crisis. CS/HB 1A thus represents the path forward out of the existing crisis and towards a stable, affordable property insurance marketplace.

The new law implements major reforms and provides for significant revisions to current law intended to provide for the reduction and stabilization of rates in Florida’s residential property insurance market as well as to address specifically the above described property insurance affordability and availability crisis.

Section 3 of CS/HB 1A requires every residential property insurer to make a rate filing pursuant to the “file and use” provisions of Section 627.062(2)(a)1., Florida Statutes, which reflects the savings or reductions in loss exposure due to Section 2 of the Act. Prior to such filing, the Office must calculate a presumed rate reduction factor. Furthermore, Section 3 of the Act recognizes the critical importance of implementing rate decreases as soon as practicable. House Bill CS/HB 1A provides for an aggressive schedule of analysis, implementation, and development of a presumed factor for application of the savings that the provision of Section 2 of the act will provide to the consumer.

These substantial reforms and revisions will alter the competitive dynamic in the property insurance market and provide meaningful rate relief to Florida’s policyholders. The new law has the purpose and effect of addressing the property insurance crisis in a significant way and will impact directly the availability of affordable property insurance. However, these reforms and revisions will require time before implementation. Therefore, in the interim, to allow any rate filings that do not incorporate the criteria and standards set forth in the new law frustrates the Legislative purpose and intent and threatens the public health, safety and welfare by further deepening the property insurance crisis. Moreover, to permit insurers, at this fragile stage, to continue the pattern of widespread cancellations and non-renewals, which result in the circumvention of the new law, will further destabilize the market and further limit the availability of affordable residential property insurance thus deepening the current crisis. As the 2007 Hurricane season approaches, it is essential that property insurance become and remain both more available and more affordable. The immediate protection of the public welfare thus requires emergency action as set forth herein. Such action will stabilize the market, prevent further deepening of the existing crisis, and eliminate the possibility for rate increases while not unduly impairing the ability of insurers to continue to conduct business.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Financial Services Commission believes adopting an emergency rule is the fairest method to protect the public because of the inability of the residents in Florida to obtain affordable residential property insurance, and because implementation without exception of the pending reforms to Florida's insurance code are essential to resolution of the existing crisis. This procedure is fair as insurers are keenly aware of the nature of the insurance crisis and participated in the development of the legislation which this emergency rule is intended to support. The limited emergency measures provide the least intrusive means to protect a compelling public interest and, because resolution of the existing crisis benefits not only insureds but insurers as well, the limited emergency action undertaken herein will not unfairly affect the ability of insurers to conduct business in Florida.

In consideration of the emergency conditions currently existing, and given the Office's responsibility to protect the public interest and implement the Insurance Code, an emergency rule is necessary.

SUMMARY: Emergency Rule 69OER07-1 provides for a temporary limitation on residential property insurance rate filings by requiring any filings made from this date forward to incorporate the reforms adopted by CS/HB 1A, thus stabilizing the market until the provisions of CS/HB 1A can be implemented fully by the Office. The emergency rule also prevents circumvention by limiting an insurers ability to cancel or non-renew a policy prior to implementation of the new law.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Stephen Fredrickson, Assistant General Counsel, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, FL 32399-4210, (850)413-4144 or E-mail at Steve.Fredrickson@fldfs.com

THE FULL TEXT OF THE EMERGENCY RULE IS:

**69OER07-1 Residential Property Insurance Rate Filings.**

Rates for residential property insurance coverage shall remain at the rates in effect as of the date CS/HB 1A became law until a rate filing is made and approved that reflects the provisions of CS/HB 1A and the presumed factor or factors calculated by the Office of Insurance Regulation (Office). Insurers may make filings for rate reductions, and for changes that do not result in increases in policyholder premiums. Insurers may make form filings, but may not reduce coverage except as required by statute. Until an insurer makes a rate filing reflecting the effects of CS/HB 1A and the presumed factor calculated by the Office, an insurer may not non-renew a personal residential insurance policy covering property in Florida, nor may an insurer cancel a personal residential insurance policy except for material misrepresentation, fraud or non-payment of premium by the insured. Nothing in this emergency rule is intended to be nor shall be construed as an

approval of any rate filing which is pending before the Office of Insurance Regulation or which is currently subject to an administrative or arbitration proceeding.

Specific Authority 120.54(4), 624.307, 624.308, 626.9611 FS. Law Implemented CS/HB 1A, 627.062, 627.4133, 626.9561, 626.9641 FS. History—New 1-31-07.

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

EFFECTIVE DATE: January 31, 2007

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

### DEPARTMENT OF EDUCATION

NOTICE IS HEREBY GIVEN that on January 17, 2007, the Department of Education, received a petition for an Emergency Petition for Temporary Variance or Waiver of Section Private School Scholarship Compliance, paragraphs 6A-6.03315(1)(c), (d), F.A.C., from Champion Schools, Inc. d/b/a Champion Preparatory Academy and Terry Greiner and Isabel Greiner, husband and wife.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400, (850)245-9661. Comments on this Petition should be filed with Jason Hand, Office of the General Counsel, Department of Education, 325 West Gaines Street, Room 1244, Tallahassee, Florida 32399-0400.

### DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that on September 12, 2006, the Department of Community Affairs has issued an order.

The Final Order is in response to the Petition for Waiver filed by CITRUS COUNTY on June 22, 2006. This petition was assigned the number DCA06-WAI-159. Notice of this petition appeared in the July 14, 2006, edition of the F.A.W. It is ordered that the Petition for Waiver by Petitioner CITRUS COUNTY be, and by this Final Order is, hereby DENIED.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that on December 8, 2006, the Department of Community Affairs has issued an order.

The Final Order is in response to the Petition for Waiver filed by the TOWN OF CROSS CITY on October 23, 2006. This petition was assigned the number DCA06-WAI-272. Notice of this petition appeared in the November 17, 2006, edition of the

F.A.W. It is ordered that the Petition for Waiver by Petitioner the TOWN OF CROSS CITY be, and by this Final Order is, hereby GRANTED.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN that on December 15, 2006, the Department of Community Affairs has issued an order.

The Final Order is in response to the Petition for Waiver filed by the CITY OF STARKE on September 15, 2006. This petition was assigned the number DCA06-WAI-235. Notice of this petition appeared in the October 6, 2006, edition of the F.A.W. It is ordered that the Petition for Waiver by Petitioner the CITY OF STARKE be, and by this Final Order is, hereby GRANTED.

A copy of the Final Order may be obtained from: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

#### **DEPARTMENT OF LAW ENFORCEMENT**

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Palm Beach Community College on January 19, 2007, a petition for Waiver of Rule 11B-20.0017, F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive certain requirements concerning mandatory retraining and demonstration of proficiencies for instructor certifications for seven instructors.

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**

NOTICE IS HEREBY GIVEN that on January 24, 2007, South Florida Water Management District (District) received request for Withdrawal of Petition for Waiver from Juan Cabado, Application No. 06-0404-2, for utilization of Works or Lands of the District known as the C-12 Canal, Section 21, Township 55S, Range 39E, Miami-Dade County. Notice of receipt of

petition requesting waiver was published in the issue Vol. 32, No. 22, of the F.A.W., on June 2, 2006. No public comment was received. A copy of the withdrawal request may be obtained from Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320 or e-mail at [kruff@sfwmd.gov](mailto:kruff@sfwmd.gov).

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

The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 1, of the F.A.W., by Steve Powell of KONE, Inc. regarding Scientology Garage in Clearwater, FL (VW 2006-262). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 1, of the F.A.W., by Steve Powell of KONE, Inc. regarding Aloma Office in West Oviedo, FL (VW 2006-263). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 01, of the F.A.W., by Steve Powell of KONE, Inc. regarding Village of Imagine in Orlando, FL (VW 2006-265). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that

this new technology provided an equivalent or greater level of safety. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 01, of the F.A.W., by Steve Powell of KONE, Inc. regarding Mona Lisa in Celebration, FL (VW 2006-266). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 01, of the F.A.W., by Steve Powell of KONE, Inc. regarding First Priority Bank in Bradenton, FL (VW 2006-267). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 01, of the F.A.W., by Steve Powell of KONE, Inc. regarding Ferran Services & Contracting, Inc. Corporate Off. in Orlando, FL (VW 2006-268). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety. A copy of the Order can be

obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 01, F.A.W., by Steve Powell of KONE, Inc. regarding Berriman-Morgan Building in Tampa, FL (VW 2006-269). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety. A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that on January 29, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Costa Azul Catering located in Fort Pierce. 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 a Mobile Food Dispensing Vehicle.

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.

NOTICE IS HEREBY GIVEN that on January 23, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Cracker Shack BBQ to Go located in Blountstown. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... The Petitioner requests to use bathroom facilities located in an adjacent establishment that is owned by the Petitioner.

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 January 9, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Delmonte Catering of Fort Myers. 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 a Mobile Food Dispensing Vehicle.

This variance request was approved January 24, 2007, 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 January 29, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(1) and

61C-4.010(6), Florida Administrative Code, from El Charro of Arcadia. 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 a Mobile Food Dispensing Vehicle.

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 January 12, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Franky's Deli located in Hialeah. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of sixteen (16).

This variance request was approved January 24, 2007, and is contingent upon the Petitioner ensuring public bathrooms are 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 sixteen (16) 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 January 25, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Lotus Cafe located in Wilton Park. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of 24.

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 January 8, 2007, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from One Tea Lounge located in Wilton Manors. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... The proposed establishment has one bathroom facility for patrons and they are requesting a variance to have a seating capacity of 30.

This variance request was approved January 24, 2007, and is contingent upon the Petitioner ensuring public bathrooms are 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 thirty (30) 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 January 26, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(1) and 61C-4.010(6) Florida Administrative Code, from Van Mar Corporation of 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.

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 the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has received a Petition for Waiver from Giesecke & Devrient America, Inc., Petitioner, in DBPR Case No. 2007004109 (VW 2007-013). The Petition requests the Division of Pari-Mutuel Wagering to permit the Petitioner to omit information from the required Form DBPR PMW-3440 relevant to a single director of a parent corporation who lives

overseas and has no direct involvement in Petitioner's business activity within the United States. Any person whose substantial interests may be affected by a waiver on the subject matter of the Petition may file a petition to intervene within 14 days of the publication of this notice.

A copy of the Petition for Waiver may be obtained by writing to: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN that on January 24, 2007, the Construction Licensing Industry Board, received a petition for waiver or variance filed by James Charles Maddox on January 24, 2007. The Petitioner seeks a variance or waiver from Rule 61G4-16.005, Duration of Validity, F.A.C., with regard to the duration of validity of a passing test grade.

A copy of the Petition for Variance or Waiver may be obtained by contacting: G. W. Harrell, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750, 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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NOTICE IS HEREBY GIVEN that on December 13, 2006, the Department of Environmental Protection, received a petition for the Hillsboro Beach Pressure Equalizing Modules Experimental Project. The petition requested a variance from paragraph 62B-41.0075(1)(b), Experimental Coastal Construction, F.A.C. This rule states that, "the proposed location must be properly suited for a non-biased comprehensive analysis of the results of the proposed coastal construction." Since the project location is within the influence of the Deerfield Beach groin field, a variance has been requested from the rule. The variance request and associated joint coastal permit application may be viewed online at [http://bcs.dep.state.fl.us/env-prmt/broward/pending/0269543\\_Hillsboro\\_Beach\\_PEM\\_Experimental/](http://bcs.dep.state.fl.us/env-prmt/broward/pending/0269543_Hillsboro_Beach_PEM_Experimental/). The petition has been assigned File No.: 0269543-002-EV.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Blvd. Mail Station 300, Tallahassee, Florida 32399-3000; Attn: Lizbeth Childs, telephone (850)413-7787. Written comments must be received no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN that on January 18, 2007, the Department of Environmental Protection, received a petition for variance or waiver pursuant to Section 120.542, Florida Statutes, and Rule 28-104, F.A.C., from Thomas G. Tomasello, P.A., on behalf of MERCEDES LA., LTD., and JAGUAR LA., LTD. The petition request a variance or waiver of subparagraph 62B-33.0051(1)(a)1., Coastal Armoring and Related Structures, F.A.C., which provides the conditions where construction of armoring shall be authorized. The property is located at 291 Highland Dr. Santa Rosa Beach, in Walton County.

A copy of the Petition for Variance or Waiver may be obtained by contacting Rosaline Beckham at (850)488-7815, or by e-mail at [rosaline.beckham@dep.state.fl.us](mailto:rosaline.beckham@dep.state.fl.us). The petition is being processed and is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 5050 West Tennessee Street, Bldg. B, Suite 160, Tallahassee, Florida 32304. Any comments should be filed in writing with the Department at 3900 Commonwealth Blvd., M.S. 300, Tallahassee, Florida 32399-3000, and should be submitted within 30 days of the date of this publication.

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#### **DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that on January 23, 2007, the Board of Podiatric Medicine, received a petition for Variance or Waiver filed on January 23, 2007 on behalf of James Louis Thomas, D.P.M. Pursuant to Chapter 28-104, FAC and Section 120.542, FS, petitioner seeks a waiver of Rule 64B18-11.001, entitled "Application for Licensure," and Rule 64B18-11.002, F.A.C, entitled "Examination for Licensure." Specifically, for reasons outlined in the Petition, the Petitioner requests a permanent waiver of Rules 64B18-11.001 and 64B18-11.002 requiring that he take and pass the PM Lexis examination after August 1996.

A copy of the Petition for Variance or Waiver 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 12, 2006, the Board of Nursing has issued an order.

The Petitioner requested that on the basis of principles of fairness, as described in the Petition, the Board waive the requirement for National Certification as a condition for the Petitioner to be licensed as an ARNP in the State of Florida. The Board of Nursing considered the Petition at its meeting held on October 12, 2006, in Miami, Florida. The Board's Order, filed on January 16, 2007, approved the Petition for Variance or Waiver, finding that the petition is in substantial

compliance with the provisions of Section 120.542, Florida Statutes, and Chapter 28-104, Florida Administrative Code and that the purpose of the underlying statute has been met.

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NOTICE IS HEREBY GIVEN that on January 24, 2007, the Department of Health has issued an order.

The order was issued in response to a petition for a variance filed on November 17, 2006, by Richard H. Bachelder, representing Advanced Drainage Systems, Inc., regarding the "ADS ARC 24". Petitioner sought a variance from Rule 64E-6.009, F.A.C., Alternative Systems; subsection 64E-6.009(7) and subparagraph 64E-6.009(7)(a)4., Florida Administrative Code, which requires alternative system components to undergo innovative system testing in Florida. Notice of the petition was published in the December 8, 2006, edition of the F.A.W.

The Department found that the Petitioner demonstrated that the underlying intent of the statute could be achieved by alternative means and that strict application of the rules would create a substantial hardship in the Petitioner's particular circumstance. Therefore, pursuant to the requirements of Section 120.542(2), Florida Statutes, the Department GRANTED WITH STIPULATIONS Petitioner's request for a variance.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1734.

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#### **FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN that on January 29, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of Rule 67-48.007, Fees, Florida Administrative Code, and paragraph 67-48.004(1)(a), F.A.C., from CSA RRH, Ltd./Countryside Apartments. ("Petition"). The Petition is seeking a waiver of certain compliance monitoring fees imposed by Rule 67-48.007, Application and Selection Procedures for Developments, F.A.C., and the Universal Application Instructions adopted as rules, pursuant to paragraph 67-48.004(1)(a), F.A.C.

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.

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NOTICE IS HEREBY GIVEN that on January 29, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of Rule 67-48.007, Fees, Florida Administrative Code, and paragraph 67-48.004(1)(a), F.A.C., from Pensacola RRH, Ltd./Sugar Hill Apartments. (“Petition”). The Petition is seeking a waiver of certain compliance monitoring fees imposed by Rule 67-48.007, Application and Selection Procedures for Developments, F.A.C., and the Universal Application Instructions adopted as rules, pursuant to paragraph 67-48.004(1)(a), F.A.C.

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 January 29, 2007, the Florida Housing Finance Corporation, received a petition for Waiver of Rule 67-48.007, Florida Administrative Code, and paragraph 67-48.004(1)(a), F.A.C., from Thornbury RRH, Ltd./Thornbury Apartments. (“Petition”). The Petition is seeking a waiver of certain compliance monitoring fees imposed by Rule 67-48.007, F.A.C., and the Universal Application Instructions adopted as rules, pursuant to paragraph 67-48.004(1)(a), F.A.C.

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.

## Section VI

### Notices of Meetings, Workshops and Public Hearings

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

- State Board of Administration
- Financial Services Commission
- Department of Veterans’ Affairs
- Department of Highway Safety and Motor Vehicles

- Department of Law Enforcement
  - Department of Revenue
  - Department of Education
  - Administration Commission
  - Florida Land and Water Adjudicatory Commission
  - Board of Trustees of the Internal Improvement Trust Fund
  - Department of Environmental Protection
- DATE AND TIME: February 27, 2007, 9:00 a.m.  
 PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

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

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

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

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

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or



positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

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

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

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

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

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

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

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

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

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

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

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## DEPARTMENT OF STATE

The **Division of Library and Information Services** announces a meeting of the Long Range Planning Committee.

**DATES AND TIME:** February 25-26, 2007, 8:30 a.m. – 4:30 p.m. (Eastern Time)

**PLACE:** Homewood Suites Tallahassee, 2987 Apalachee Parkway, Tallahassee, FL 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Committee members will provide feedback and information on needs and direction to chart the course of agency programs and services for the next five years.

A copy of the agenda may be obtained by contacting: Amy L. Johnson, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399-0250, aljohnson@dos.state.fl.us, (850)245-6622, 205-6622 (Suncom).

Pursuant to the provisions of 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: Amy L. Johnson, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, aljohnson@dos.state.fl.us, (850)245-6622, 205-6622 (Suncom). If you are 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: Amy L. Johnson, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399-0250, aljohnson@dos.state.fl.us, (850)245-6622, 205-6622 (Suncom).

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The **Department of State, Division of Cultural Affairs**, announces the following meeting, to which all persons are invited.

**DATE AND TIME:** \*February 20, 2007, 10:00 a.m. – conclusion

**PLACE:** \*This meeting will be held via conference call. See instruction below.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Arts-in-Education Task Force Meeting to discuss issues pertaining to the Arts-in-Education Grant Program.

A copy of the agenda may be obtained by contacting Laura Stone at (850)245-6475 or by email at [llstone@dos.state.fl.us](mailto:llstone@dos.state.fl.us)

The meeting is a public process that any person may participate. If you would like to participate in the meeting, you may dial into the conference call by following the instructions below.

Instructions for Conference Call Participation: Join the teleconference by dialing the ReadyTalk phone number: 1(866)740-1260. This is a toll-free call. Enter the 7-digit access code: 2456470 (You will be placed on hold until the Chairperson starts the meeting).

\*If you have problems joining the conference or if you need technical assistance, please contact the ReadyTalk Customer Care Line 1(800)843-9166 or you may contact Idella Brown or Laura Stone with the Division of Cultural Affairs at (850)245-6470.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure a verbatim recording of the proceedings in order to provide a record for judicial review.

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 Division at least 48 hours before the meeting by contacting Morgan B. Lewis at (850)245-6356. If you are hearing or speech impaired, please contact the Division by calling Florida Relay at 711.

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

DATE AND TIME: Wednesday, February 21, 2007, 8:30 a.m.

PLACE: Conference Room, Mission San Luis, 2021 West Mission Road, Tallahassee, FL 32304, (850)487-1791

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Art Selection Committee for Art in State Buildings Project No. DOS 9929/5000, Mission San Luis Visitor Center, Tallahassee, Leon County, will hold an Image Review Meeting to evaluate submissions and to select artwork and artist finalists.

A copy of the agenda may be obtained by contacting: Lee Modica, Arts Administrator, Art in State Buildings Program, 500 S. Bronough St., Room 310A, Tallahassee, FL 32399-0250, (850)245-6476.

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 Morgan Barr, Division of Cultural Affairs, (850)245-6356. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Department of State, Division of Cultural Affairs**, announces grant panel meetings, to which all persons are invited. These meetings are subject to cancellation or change, please call to confirm the meeting date and time.

DATE AND TIME: February 28, 2007, 9:00 a.m. – to conclusion

PLACE: \*This meeting will be held via conference call. See instructions below. Join the teleconference by dialing the ReadyTalk phone number: 1(866)740-1260. This is a toll-free call. Enter the 7-digit access code: 2456470 (You will be placed on hold until the Chairperson starts the meeting)

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2006-2007 Artist Enhancement Grants Program Panel Review, 2006-2007 Quarterly Assistance Grant Panel Review, and 2007 -2008 Local Arts Agency Grant Panel Review

For more information, please contact Morgan Lewis, Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399 or (850)245-6356.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure a verbatim recording of the proceedings in order to provide a record for judicial review.

To request special aids or services, contact Division staff at least 72 hours prior to the above stated schedule at (850)245-6356 or Text Telephone 711.

\*If you have problems joining the conference or if you need technical assistance, please contact the ReadyTalk Customer Care Line 1(800)843-9166 or you may contact Idella Brown or Laura Stone with the Division of Cultural Affairs at (850)245-6470.

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## DEPARTMENT OF LEGAL AFFAIRS

The **Florida Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 8, 2007, 9:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance and Budget Committee.

DATE AND TIME: February 13, 2007, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Committee.

DATE AND TIME: February 13, 2007, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Awards & Recognition Committee.

DATE AND TIME: February 13, 2007, 3:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bylaws Committee.

DATE AND TIME: February 14, 2007, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

DATE AND TIME: February 15, 2007, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee.

DATE AND TIME: February 21, 2007, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Women's Hall of Fame Committee.

DATE AND TIME: February 28, 2007, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Committee.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

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.

## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Subcommittee on Managed Marshes** announces a public meeting to which all persons are invited.

DATE AND TIME: February 21, 2007, 1:00 p.m. – 5:30 p.m.

PLACE: Bill Baggs Cape Florida State Park (Field Trip), 1200 S. Crandon Blvd., Key Biscayne, FL 33149

DATE AND TIME: February 22, 2007, 8:30 a.m. – 5:30 p.m.

PLACE: Holiday Inn - University of Miami (Meeting), 1350 South Dixie Hwy. (US1), Coral Gables, FL 33146

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SUBCOMMITTEE ON MANAGED MARSHES Quarterly Field Trip & Business Meeting.

A copy of the agenda may be obtained by contacting Doug Carlson, (772)562-2393, Chairman, dcarlson1@hotmail.com

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

For more information, you may contact Doug Carlson, (772)562-2393, Chairman, dcarlson1@hotmail.com

The **Florida Tobacco Advisory Council** announces a meeting to which all interested persons are invited.

DATE AND TIME: Thursday February 22, 2007, 2:00 p.m.

PLACE: Florida Farm Bureau Suwannee, 407 Dowling Avenue, S. E., Live Oak, FL 32064, (386)362-1274

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the advisory council to discuss general business and funding for 2007. If you need special accommodations due to disability please call Marshall Wiseheart at (850)488-4366.

The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Peanut Advisory Council to which all interested persons are invited.

DATE AND TIME: Thursday, February 22, 2006, 3:30 p.m. (Central Time)

PLACE: Jackson County Agriculture Complex, Meeting Room B, 2741 Penn. Avenue, Marianna, FL 32448

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Board Meeting.

The purpose of the meeting is to conduct general business of the Florida Peanut Advisory Council.

For additional information or if you need special accommodations, call Ken Barton at (850)526-2590 or Jose Rodriguez at (850)921-7916.

The **Florida Liquefied Petroleum Gas Advisory Board** announces a public meeting to which all persons are invited.

DATE AND TIME: May 20, 2007, 3:30 p.m. – 4:30 p.m.

PLACE: Ramada Inn and Conference Center, 2900 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
This is a meeting of the Florida Liquefied Petroleum Gas Advisory Board and representatives of the Florida Department of Agriculture and Consumer Services to discuss department programs, legislation, rules and other issues of industry interest.

A copy of the agenda may be obtained by contacting: Vicki O'Neil, Bureau Chief, Bureau of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001.

Pursuant to the provisions of 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: Vicki O'Neil, Bureau Chief, Bureau of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001. If you are 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: Vicki O'Neil, Bureau Chief, Bureau of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001.

The **Florida Propane Gas Safety, Education and Research Council** announces a public meeting to which all persons are invited.

DATE AND TIME: March 21, 2007, 12:00 Noon – 1:00 p.m.

PLACE: Ramada Inn and Conference Center, 2900 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
This is a meeting of the Florida Propane Education, Safety and Research Council and representatives of the Florida Department of Agriculture and Consumer Services to discuss and review Council programs and budget issues.

A copy of the agenda may be obtained by contacting: Vicki O'Neil, Bureau Chief, Bureau of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001.

Pursuant to the provisions of 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: Vicki O'Neil, Bureau Chief, Bureau of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001. If you are 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: Vicki O'Neil, Bureau Chief, Bureau of LP Gas Inspections, 3125 Conner Blvd., Suite N, Tallahassee, FL 32399-1650, (850)921-8001.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** (DOF) and the Jennings State Forest Management Plan Advisory Group announce two public meeting and a public hearing to which all persons are invited.

Public Meeting – Jennings State Forest Management Plan Advisory Group

DATE AND TIME: Tuesday, February 27, 2007, 6:00 p.m.

PLACE: Middleburg Elementary Cafetrium, 3958 Main Street, Middleburg, FL 32068 (off of Blanding Blvd.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Jennings State Forest Management Plan Advisory Group to prepare for a public hearing the evening of February 27, 2007 and provide recommendations to the DOF to help in preparation of a management plan for the Jennings State Forest.

Public Hearing – Jennings State Forest Management Plan Advisory Group

DATE AND TIME: Tuesday, February 27, 2007, 6:30 p.m.

PLACE: Middleburg Elementary Cafetrium, 3958 Main Street, Middleburg, FL 32068 (off of Blanding Blvd.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit comments on management of the Jennings State Forest. Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to the DOF's Jennings State Forest Office, 1337 Long Horn Road, Middleburg, FL 32068, to the attention of Frank Burley and should be mailed so as to arrive at the office by the date of the public hearing.

Public Meeting – Jennings State Forest Management Plan Advisory Group

DATE AND TIME: Wednesday, February 28, 2007, 10:00 a.m.

PLACE: Middleburg/Clay Hill Public Library, 2245 Aster Street, Middleburg, FL 32068 (off of C.R. 218 West)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Jennings Forest Management Plan Advisory Group to review comments from the public hearing of February 27, 2007 and provide recommendations to the DOF to help in preparation of a management plan for the Jennings State Forest.

Copies of a working draft on the plan and the management plan prospectus are available by contacting the Jennings State Forest in writing at 1337 Long Horn Road, Middleburg, FL 32068 or contacting Frank Burley at (904)291-5530.

Special accommodations for persons with a disabling condition should be requested in writing to the DOF's Jennings State Forest office at the above listed address at least 48 hours in advance of these proceedings.

You are hereby notified in accordance with Section 286.0105, Florida Statutes, should you decide to appeal any decision made as a result of, or take exception to any findings of fact with respect to any matter considered at the hearing and meeting referred to above, you may need to ensure that a verbatim record of the proceedings is made. Such record shall include the testimony and evidence upon which the appeal is to be based.

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## DEPARTMENT OF EDUCATION

The **Commission for Independent Education** announces a conference call committee meeting to which all persons are invited.

DATE AND TIME: February 20, 2007, Fee Committee, 10:00 a.m.

PLACE: Via Telephone Conference Call. To connect, dial 1(888)808-6959, Conference Code: 2453206

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Fee Committee.

A copy of the agenda may be obtained by writing the Commission Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Commission office at (850)245-3200, at least five calendar days prior to the meeting being held. If you are hearing or speech impaired, please contact the Commission 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 State **Board of Education** announces a public meeting to which all persons are invited.

DATE AND TIME: February 20, 2007, 8:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of the approval of minutes of the meeting held January 25, 2007, and updates on various reports and status of education initiatives. The following items will be presented to the Board for action: Approval of the 2007-08 Legislative Agenda, Proposed Class Size Transfer Calculation and District Eligibility for VPK, Charter School Appeals: Discovery Education Services d/b/a Discovery Academy of

Science vs. The District School Board of Orange County, Florida; Imagine Charter School at Pasco vs. The District School Board of Pasco County, Florida; Padah's Academy vs. The School Board of Hillsborough County, Florida; Good Start University, Inc. and Good Start Academy, Inc. vs. The School Board of St. Johns County, Florida; and Universal Education Services d/b/a Osceola Universal Schools vs. The school Board of Osceola County, Florida, Approval of Community College Baccalaureate Proposals for: Chipola College, BAS in General Business Management; Edison College, BS in Secondary Math Education, BS in Secondary Biology Education; Indian River Community College, BS in Nursing, BS in Secondary Math Education, BS in Middle Grades Math, BS in Secondary Biology Education, BS in Exceptional Student Education w/ESOL Endorsement, and a BAS in Organizational Management; Miami Dade College, BS in Nursing; Okaloosa-Walton College, BS in Elementary Education and BS in Middle Grades Math/Science Education. In addition, updates will be provided on Duval, Miami Dade, Jefferson, and Orange Counties repeating F schools and Perkins IV Transition Plans.

A copy of the agenda may be obtained by contacting <http://www.fldoe.org>

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 7 days before the workshop/meeting by contacting: Office of Equity and Access, (850)245-9531 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lynn Abbott, Florida Department of Education, 325 West Gaines Street, Suite 1514, Tallahassee, Florida 32399, (850)245-9663.

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The **Florida Conflict Resolution Consortium** and the Committee for a Sustainable Emerald Coast announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 14, 2007, 1:00 p.m. – 4:00 p.m.

PLACE: Gulf Power, 140 Hollywood Blvd., Ft. Walton Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subcommittee for Economic Diversity will be discussing attracting and retaining high wage jobs and businesses.

A copy of the agenda may be obtained by contacting: Lisa Fowler or Chris Pedersen at (850)644-6320.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Lisa Fowler at (850)644-6320. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Florida Conflict Resolution Consortium** and the Committee for a Sustainable Emerald Coast announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 15, 2007, 8:00 a.m. – 6:00 p.m.

PLACE: Emerald Coast Conference Center, 1250 Miracle Strip Pkwy., S. E., Ft. Walton Beach, FL 32548

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued planning and discussion pertaining to education, healthcare and culture in the Emerald Coast area.

A copy of the agenda may be obtained by contacting: Robert Jones or Lisa Fowler at FCRC, (850)644-7063.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Lisa Fowler at (850)644-7063. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Florida Conflict Resolution Consortium** and the Committee for a Sustainable Emerald Coast announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 16, 2007, 8:30 a.m. – 12:00 p.m.

PLACE: Niceville Campus of Okaloosa Walton College

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of a sub-committee of the Sustainable Emerald Coast Committee formed to concentrate on future growth and development of the area.

A copy of the agenda may be obtained by contacting Robert Jones or Lisa Fowler at FCRC, (850)644-7063.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Lisa Fowler at (850)644-7063. If you are 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 Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, February 24, 2007, 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.

A copy of the agenda may be obtained by writing to: 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.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

Special accommodations for persons with disabling conditions should be requested at least 48 hours in advance from the aforementioned address.

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The **Charter School Review Panel** announces a public meeting to which all persons are invited.

DATE AND TIME: February 16, 2007, 10:00 a.m. – 3:00 p.m.

PLACE: The Florida Department of Education, 325 West Gaines Street, Conference Room 1703-07, Tallahassee, Florida 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Education shall regularly convene a Charter School Review Panel in order to review issues, practices, and policies regarding charter schools.

A copy of the agenda may be obtained by contacting: Office of Independent Education and Parental Choice, Attention: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400, (850)245-0502.

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 1 day before the workshop/meeting by contacting: Office of Independent Education and Parental Choice, Attention: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400, (850)245-0502. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Independent Education and Parental Choice, Attention: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400, (850)245-0502.

The Florida **Department of Education**, Office of Independent Education and Parental Choice, announces a private closed door attorney client session.

DATE AND TIME: February 19, 2007, 10:00 a.m. – 11:00 a.m.

PLACE: Florida Department of Education, 325 West Gaines Street, Conference Room 1703/07, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Florida Statute Section 286.01(8)(2006) to discuss strategy related to litigation and litigation expenditures in Hershey vs. Florida Schools of Excellence Commission and Florida State Board of Education Case Number 2006CA3205. ATTENDEES: Florida Schools of Excellence Commission Members Judie Budnick, Reginald Gaffney, John Lewis, Liza McFadden, Richard Moreno, Rudy Rodriguez, Alex Sanchez, Acting Executive Director Carlo Rodriguez, Florida Department of Education Assistant General Counsel Jason Hand. Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record.

A copy of the transcript will be made part of the public record at the conclusion of the litigation. A copy of the agenda may be obtained by writing to: Florida Department of Education, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400 or by calling (850)245-0502.

For those who want more information, please contact The Florida Department of Education, Attn: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400 or by calling (850)245-0502.

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: February 19, 2007, 11:00 a.m. – completion

PLACE: Florida Department of Education, 325 West Gaines Street, Conference Room 1703/07, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Per Florida Statutes 1002.335(3)(c). The Florida Schools of Excellence Commission shall meet each month at the call of the chair.

A copy of the agenda may be obtained by writing to: Florida Department of Education, Attn: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400 or by calling (850)245-0861.

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 or by phone at (850)245-0502.

The **Articulation Coordinating Committee** announces a public meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, February 28, 2007, 1:00 p.m. – 4:00 p.m.

PLACE: R. A. Gray Building Auditorium, 500 South Bronough Street, First Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Articulation issues regarding secondary and postsecondary education.

A copy of the items to be addressed may be obtained by contacting: Office of Articulation, Florida Department of Education, 1401 Turlington Building, Tallahassee, Florida 32399-0400, (850)245-0427 or Suncom 205-0427.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency by calling Dr. Pamela Kerouac, (850)245-0427 at least five days prior to the meeting in order to request any special assistance.

The public is invited to a meeting of the **Board of Governors** of the State University System of Florida.

DATE AND TIME: February 22, 2007, 9:00 a.m. – 10:00 a.m.

PLACE: By Telephone Conference Call, 1605 Turlington Building, 325 W. Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of legislative issues for the 2007 Legislative Session; ratification of the selection of the President, FAMU, if action has been taken by the FAMU Board of Trustees and has been forwarded for Board of Governors action; and other matters pertaining to the State University System of Florida.

A copy of the agenda may be obtained from the Board of Governors website at <http://www.flbog.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

## DEPARTMENT OF COMMUNITY AFFAIRS

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

DATE AND TIME: February 28, 2007, 8:00 a.m.

PLACE: Doubletree Hotel, 4500 West Cypress Street, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting on energy efficiency and moisture control in the Florida climate.

A copy of the agenda may be obtained by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, or Fax (850)414-8436, or look on the web site at [www.floridabuilding.org](http://www.floridabuilding.org)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, or Fax (850)414-8436, or look on the web site at [www.floridabuilding.org](http://www.floridabuilding.org)

**The Department of Community Affairs, Division of Emergency Management**, announces the following public meeting to which all interested persons are invited.

COMMITTEE: Hurricane Loss Mitigation Program Advisory Council; Residential Construction Mitigation Program  
DATE AND TIME: February 21, 2007, 9:30 a.m.

PLACE: Orange County Emergency Operations Center, Fire and Rescue Room 111, 6590 Armory Court, Winter Park, Florida 32792

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

For more information, please contact: Iris Stanley, Planning Manager, Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399-2100, (850)922-4454.

Should any person wish to appeal any decision made with respect to any matter considered at the above referenced meeting, he/she may need to ensure verbatim recording of the proceeding to provide a record for judicial review. This meeting will be taped by the Division of Emergency Management.

Any person requiring special accommodation at the meeting because of a disability or physical impairment should contact Iris Stanley at the Department of Community Affairs, (850)922-4454, at least ten (10) days prior to the meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**The Florida Communities Trust** announces a workshop to which all persons are invited.

DATE AND TIME: Friday, February 23, 2007, 9:00 a.m. (EST) – 1:00 p.m. (EST)

PLACE: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, Florida. For directions call: (904)279-0880

DATE AND TIME: Tuesday, February 27, 2007, 9:00 a.m. (EST) – 1:00 p.m. (EST)

PLACE: Department of Community Affairs, Sadowski Building, Kelley Training Center, Room 305, Tallahassee, Florida. For directions call: (850)922-2207

DATE AND TIME: Tuesday, March 6, 2007, 9:00 a.m. (EST) – 1:00 p.m. (EST)

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, Conference Room Suite 100, Pinellas Park, Florida. For directions call: (727)570-5151

DATE AND TIME: Wednesday, March 7, 2007, 9:00 a.m. (EST) – 1:00 p.m. (EST)

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Ste. 140, Hollywood, Florida. For directions call: (954)985-4416

DATE AND TIME: Thursday, March 8, 2007, 9:00 a.m. (EST) – 1:00 p.m. (EST)

PLACE: Seminole County Government Complex, County Commission Chamber Room 1028, 1101 East First Street, Sanford, Florida. For directions call: (407)665-0311

GENERAL SUBJECT MATTER TO BE CONSIDERED: These are pre-application technical assistance workshops to which all interested persons are invited. No fee is required to attend these workshops.

PURPOSE: The purpose of these workshops is to provide information and technical assistance to eligible applicants to assist in the preparation of applications for awards for land acquisitions under the Florida Communities Trust's Florida Forever Program.

ACTION TO BE TAKEN: Information will be presented to assist interested persons in completing the Florida Communities Trust's Florida Forever application form (FCT-4) and in understanding the review, evaluation, and acquisition procedures.

The Agenda for the workshops will be as follows:

1. Call to order.



2. Explanation by representatives of the Trust as to the purpose of the Florida Communities Trust Florida's Forever Program and the application procedure.
3. Public questions.
4. Adjournment.

Copies of the Florida Communities Trust Florida Forever Program application form FCT-4 and Rule Chapter 9K-7, F.A.C., the rule governing the Florida Forever Program of the Florida Communities Trust, will be available at the workshops or may be obtained by visiting the Trust website at [www.floridacommunitydevelopment.org/fct/](http://www.floridacommunitydevelopment.org/fct/), calling (850)922-2207 (Suncom 292-2207) or by writing to: Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

A copy of the agenda may be obtained by contacting Florida Communities Trust at (850)922-2207 (Suncom 292-2207).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Florida Communities Trust at (850)922-2207 (Suncom 292-2207). If you are 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 Communities Trust at (850)922-2207 (Suncom 292-2207).

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#### DEPARTMENT OF TRANSPORTATION

The **Department of Transportation** announces a follow up rule development workshop on the proposed amendment to Rule 14-10.007, Nonconforming Signs.

DATE AND TIME: February 23, 2007, 10:00 a.m.

PLACE: Haydon Burns Building, Auditorium, 605 Suwannee Street, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a follow up rule development workshop to discuss a revised draft of the proposed rule amendment resulting from the previous rule development workshop, which was held on January 23, 2007, 9:00 a.m., as scheduled in the rule development notice, which was published in issue Vol. 33, No. 1, of the F.A.W., dated January 5, 2007.

**THE PERSON TO BE CONTACTED REGARDING THE TEXT OF THE PROPOSED RULE IS:** James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458.

Copies of the revised draft language (as a result of the first workshop) can be obtained from: Lynn Holschuh, Outdoor Advertising Control Administrator, Department of

Transportation, 605 Suwannee Street, MS 22, Tallahassee, Florida 32399-0450, (850)414-4600, Fax (850)414-4850, e-mail: [lynn.holschuh@dot.state.fl.us](mailto:lynn.holschuh@dot.state.fl.us)

The Florida **Department of Transportation**, District 2 announces a public hearing to which all persons are invited.

DATE AND TIME: March 8, 2007, 6:30 p.m.

PLACE: St. Johns County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Project ID Number 210420-7, otherwise known as the CR 210/US 1 Interchange PD & E Study in St. Johns County, Florida. The Department is currently conducting this study to evaluate the potential for a grade-separated interchange between CR 210 and US 1 in northern St. Johns County. The goal of the PD & E Study is to identify and select the most appropriate roadway improvements for the proposed interchange. The purpose of this public hearing is to present the study findings, discuss the Department's recommendations and receive public input. Right of way will be required for the proposed improvements.

This project is being developed in compliance with Titles VI and Related Statutes of the United States Civil Rights Act. Anyone needing project or public hearing information or special accommodations under the Americans with Disabilities Act of 1990, should write to the address given below or call telephone number (386)961-7793 or 1(800)749-2967. Special accommodation requests under the Americans with Disabilities Act should be made at least seven (7) days prior to the public hearing. A copy of the agenda may be obtained by writing to: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874.

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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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#### DEPARTMENT OF CITRUS

The Florida **Department of Citrus**, Federal Program Exploratory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 20, 2007, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The committee will meet for an organizational meeting and to discuss the scope of work. The Committee will also discuss any other issues that may properly come before the Committee. A copy of the agenda may be obtained by contacting Renee Dyer at (863)499-2530.

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 Bill Jones at (863)499-2500. If you are 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 Renee Dyer at (863)499-2530.

The **Department of Citrus**, Florida Citrus Commission announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, February 21, 2007, 9:00 a.m.

**PLACE:** Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, balanced scorecards, licensing, rulemaking, and other matters generally addressed during monthly meetings of the Commission. The Commissioners of the Florida Citrus Commission also sit as the members of each referenced committee of the Florida Citrus Commission; therefore substantial and detailed discussions, public input, consideration of, and Committee action upon, Committee issues, occurs during the Committee meetings. Such actions may include, but are not limited to, the adoption of resolutions to be acted upon by the Florida Citrus Commission following the Committee meetings.

A copy of the agenda may be obtained by contacting Renee Dyer at (863)499-2530.

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 Bill Jones at (863)499-2500. If you are 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 Renee Dyer at (863)499-2530.

**FLORIDA PAROLE COMMISSION**

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

**DATE AND TIME:** Wednesday, February 21, 2007, 9:00 a.m.

**PLACE:** Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regularly Scheduled Commission Business Meeting.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450, (850)488-0476.

Pursuant to the provisions of 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 Commissioner Frederick B. Dunphy, (850)488-0476. If you are 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 Commissioner Frederick B. Dunphy at (850)488-0476

**PUBLIC SERVICE COMMISSION**

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

**DATE AND TIME:** Tuesday, March 6, 2007, 6:00 p.m.

**PLACE:** West Pasco Government Center, Commission Chambers Board Room, 7530 Little Road, New Port Richey, FL 34654

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Customer Meeting in Docket No. 060253-WS – Application for increase in water and wastewater rates in Marion, Orange, Pasco, Pinellas, and Seminole Counties by Utilities, Inc. of Florida. This meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the Utility provides, the proposed rate increase, and to ask questions and comment on other issues.

One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission’s website <http://www>.

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

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 the Division of the Commission Clerk and Administrative Services, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Ralph Jaeger, Office of the General Counsel, (850)413-6234.

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#### EXECUTIVE OFFICE OF THE GOVERNOR

The **Office of Drug Control** announces a public meeting to which all persons are invited.

DATE AND TIME: March 1, 2007, 10:00 a.m. – 4:00 p.m.

PLACE: The Governor's Large Conference Room, PL03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of seaport security issues.

A copy of the agenda may be obtained by contacting: Peggy Lawson, Florida Office of Drug Control, (850)488-9557.

Pursuant to the provisions of 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: Peggy Lawson, Florida Office of Drug Control at (850)488-9557.

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

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

For more information, you may contact Peggy Lawson, Florida Office of Drug Control at (850)488-9557.

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The **Office of Film and Entertainment** and the Florida Film and Entertainment Advisory Council Legislative Committee will convene in meeting via conference call. This is a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 16, 2007, 9:30 a.m.

PLACE: Conference Call In #: 1(888)808-6959, Conference Code 4104765. Governor's Office of Film & Entertainment, The Capitol, Suite 2001, Tallahassee, FL 32399-0001

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the status of proposed bills, new legislative assignments for upcoming session, hear public input and advisement.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he/she may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

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#### REGIONAL PLANNING COUNCILS

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

DATE AND TIMES: February 19, 2007, Dues Committee, 3:30 p.m.; Regular Business Meeting, 4:00 p.m.

PLACE: Niceville City Hall, 208 North Partin Drive, Niceville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: WFRPC Dues Committee business and a regular business meeting.

A copy of the agenda may be obtained by contacting 1(800)266-8914 or www.wfrpc.dst.fl.us

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Regional Planning Committee

DATE AND TIME: February 22, 2007, 6:00 p.m.

PLACE: Tucker's Steaks & Seafood, 212 North Marion Avenue, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Planning Committee.

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

DATE AND TIME: Thursday, March 8, 2007, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management.

A copy of the agenda may be obtained by contacting [www.tbrpc.org](http://www.tbrpc.org)

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 Wren Krahl, (727)570-5151, ext 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Wren Krahl, (727)570-5151, ext. 22.

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

DATE AND TIME: Monday, March 12, 2007, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

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 Wren Krahl, (727)570-5151, ext. 22.

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

For more information, you may contact Wren Krahl, (727)570-5151, ext. 22.

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

DATE AND TIME: Monday, March 12, 2007, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting [www.tbrpc.org](http://www.tbrpc.org)

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 Wren Krahl, (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Wren Krahl, (727)570-5151, ext. 22.

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

DATE AND TIME: Monday, March 12, 2007, 11:30 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

A copy of the agenda may be obtained by contacting [www.tbrpc.org](http://www.tbrpc.org)

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 Wren Krahl, (727)570-5151, ext 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Wren Krahl, (727)570-5151, ext 22.

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

DATE AND TIME: Monday, March 26, 2007, 9:30 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

A copy of the agenda may be obtained by contacting [www.tbrpc.org](http://www.tbrpc.org)

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 Wren Krahl, (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Wren Krahl, (727)570-5151, ext. 22.

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

DATE AND TIME: Thursday, February 15, 2007, 11:30 a.m.

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC Lower West Coast Watershed Subcommittee will be meeting immediately following the regular board meeting to discuss the committee's objectives.

A copy of the agenda may be obtained by contacting: Mr. David Crawford, Senior Planner, SWFRPC, 1926 Victoria Avenue, Fort Myers, Florida 33091, (239)338-2550, ext. 226 or email [dcrawford@swfrpc.org](mailto:dcrawford@swfrpc.org)

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 5 days before the workshop/meeting by contacting: Mr. David Crawford, Senior Planner, SWFRPC, 1926 Victoria Avenue, Fort Myers, Florida 33091, (239)338-2550, ext. 226 or email [dcrawford@swfrpc.org](mailto:dcrawford@swfrpc.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Mrs. Nichole L. Gwinnett, Executive Assistant at (239)338-2550, ext. 232 or [ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org)

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#### 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, February 20, 2007, 2:00 p.m.

PLACE: Main Conference Room of SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064. 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 the Executive Office at 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.

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#### DEPARTMENT OF CORRECTIONS

Under authority of the Florida Criminal Justice Standards and Training Commission, the Florida **Department of Corrections**, Region XVI Criminal Justice Standards and Training Trust Fund Training Council announces a public meeting to which all interested persons are invited.

DATE AND TIME: February 16, 2007, 10:00 a.m.

PLACE: Florida Department of Corrections, Headquarters Building, Building A, 3rd Floor, Room A390, 2601 Blair Stone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled meeting of the Region XVI Training Council of the Florida Criminal Justice Standards and Training Commission. The primary business of the meeting will be to discuss training and budget issues.

A copy of the agenda for the above meeting may be obtained by writing: Florida Department of Corrections, Attention: Gwendolen Colston, Room A331, Office of Staff Development, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

**WATER MANAGEMENT DISTRICTS**

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

DATE AND TIME: February 22, 2007, 11:00 a.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regulations Committee meeting – to discuss the Environmental Resource Permitting Program.

DATE AND TIME: February 22, 2007, 11:30 a.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: District Lands Committee meeting – to discuss Land Acquisition matters.

DATE AND TIME: February 22, 2007, 12:00 Noon (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop on District Water Resources Programs and Grants.

DATE AND TIME: February 22, 2007, 1:00 p.m. (EST)

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

DATE AND TIME: February 22, 2007, 1:15 p.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing on Consideration of Regulatory Matters.

DATE AND TIME: February 22, 2007, 1:30 p.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing on Consideration of Land Acquisition Matters.

PLACE: District headquarters, 10 miles west of Tallahassee on U.S. Highway 90.

A copy of the agendas may be obtained by contacting: Dorothy Cotton, NFWFMD, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999 (also available through the Internet at [www.nwfwmd.state.fl.us](http://www.nwfwmd.state.fl.us)).

If any person decides to appeal any decision with respect to any matter considered at the above-cited meetings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance of these meetings to make appropriate arrangements.

The **R. O. Ranch Inc.**, a Florida Non-profit Corporation, announces a public meeting to which all persons are invited.

DATE AND TIME: March 1, 2007, 6:30 p.m.

PLACE: Le Chateau Restaurant, Mayo, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors meeting to consider business including the development of equestrian facilities on Suwannee River Water Management District lands.

A copy of the agenda may be obtained by contacting: Gwen Lord, Administrative Assistant, SRWMD, 9225 CR 49, Live Oak, FL 32060.

Pursuant to the provisions of 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: Gwen Lord, Administrative Assistant, SRWMD, 9225 CR 49, Live Oak, FL 32060, 386-362-1001 or (800)226-1066. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact Gwen Lord, Administrative Assistant, SRWMD, (386)362-1001 or 1(800)226-1066.

The **South Florida Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: March 2, 2007, 1:00 p.m. – 3:00 p.m.

PLACE: South Florida Water Management District, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed rule amendments to the Water Shortage Plan and Lake Okeechobee Regional Water Supply rules concerning management of available water supplies during drought conditions particularly in light of the U.S. Army Corps of Engineers' anticipated modification to the Lake Okeechobee regulation schedule.

A copy of the agenda may be obtained by contacting: Jan Sluth, Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting South Florida Water Management District Clerk, 1(800)432-2045, ext. 2087, or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Peter Kwiatkowski, P.G., South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 2547, or (561)682-2547, email: pkwiat@sfwmd.gov; Beth Ross, Senior Specialist Attorney, P. O. Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6257, or (561)682-6257, email: bross@sfwmd.gov.

For procedural questions, contact: Jan Sluth, Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680, 1(800)432-2045, ext. 6299, or (561)682-6299, email: jsluth@sfwmd.gov

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### COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces an Executive-Personnel Committee meeting to which all persons are invited.

DATE AND TIME: Friday, February 16, 2007, 9:00 a.m. – until completion

PLACE: Rhyne Building, Suite 1A, 2740 Centerview Drive, Tallahassee, FL 32399. Conference Call Number: 1(888)808-6959, Conference Code: 524736

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and approve, if necessary, a position statement dealing with paratransit costs and other items as approved by the Chairperson.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Nikki Smith, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435. The meeting is subject to change upon chairperson's request.

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The Florida **Commission for the Transportation Disadvantaged** announces an Allocation Technical Working Group meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 20, 2007, 9:00 a.m. – until completion

PLACE: Embassy Suites – Ft. Lauderdale, 1100 S.E. 17th Street, Ft. Lauderdale, FL 33316, (945)527-2700. Conference Call Number: 1(888)808-6959, Conference Code: 524736

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review proposed data elements for future funding allocations. In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact: Nikki Smith,

Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435. The meeting is subject to change upon chairperson's request.

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### REGIONAL UTILITY AUTHORITIES

The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regular February monthly board meeting as scheduled. This is a public meeting to which all persons are invited:

DATE AND TIME: February 21, 2007, 4:30 p.m.

PLACE: Citrus County Courthouse, Commission Chambers, First Floor, 110 N. Apopka Avenue, Inverness, FL 34450

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing to: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, Florida 32302. Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

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### DEPARTMENT OF VETERANS' AFFAIRS

The Florida **Commission on Veterans' Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday February 22, 2007, 10:00 a.m.

PLACE: Room 333, The Capitol, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting and planning session.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Nancy Schiellerd, Florida Department of Veterans' Affairs, 4040 Esplanade Way, Suite 152, Tallahassee, Florida 32399-0950. Please telephone (850)487-1533, at least 48 hours prior to the meeting.

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### DEPARTMENT OF ELDER AFFAIRS

The **Long Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIMES: February 13, 2007, Closed Session, 10:00 a.m.; Open Session, 12:00 Noon

PLACE: 210 N. Palmetto Ave., Room #148, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A closed session as well as an open session.

A copy of the agenda may be obtained by contacting Marjorie Lynch at (386)226-7846.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: February 15, 2007, 12:30 p.m.

PLACE: Haven Hospice, 4200 N. W. 90th Blvd., Gainesville, Florida 32606

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting.

A copy of the agenda may be obtained by contacting: Lily Wilde at (352)955-5015.

Pursuant to the provisions of 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 Lily Wilde at (352)955-5015. If you are 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 Lily Wilde at (352)955-5015.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: February 20, 2007, 12:00 Noon

PLACE: 7300 N. Kendall Dr., Suite 780, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting.

A copy of the agenda may be obtained by contacting Debbie Sokolow at (305)671-7245.

Pursuant to the provisions of 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 Debbie Sokolow at (305)671-7245. If you are 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 Debbie Sokolow at (305)671-7245.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: February 23, 2007, 1:00 p.m. – 3:00 p.m.

PLACE: Agency for Health Care Administration, Conference Room C, 2727 Mahan Dr., Tallahassee, FL 32304. Those not able to attend in person may call 1(888)808-6959, Conference Code 8504100757 and participate by conference call.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Enhanced Benefits panel will discuss issues related to the technical aspects of the Enhanced Benefits program, under Medicaid Reform.

A copy of the agenda may be obtained by contacting: Joshua Davis, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #48, Tallahassee, FL 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Joshua Davis, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #48, Tallahassee, FL 32308. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 30, 2007, 1:00 p.m. – 4:00 p.m.

PLACE: Dial-In Number: 1(877)328-7346, Conference ID# 7882156

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medicaid Reform Technical Advisory Panel Teleconference.

A copy of the agenda may be obtained by contacting: Susan Dilmore at dilmores@ahca.myflorida.com

**DEPARTMENT OF MANAGEMENT SERVICES**

The State of Florida, **State Technology Office** announces a Chief Information Officers (CIO) Council meeting to which all persons are invited.

DATE AND TIME: Monday, February 19, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Betty Easley Conference Center, Public Service Commissions Hearing Room #148, 4075 Esplanade Way, Tallahassee, FL 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of all state agencies and assist in identifying critical statewide information technology issues.

If you would like an agenda for this meeting or require special accommodations due to disability or physical impairment, please contact: Robin Jordan at robin\_jordan@doh.state.fl.us, (850)245-4377 or Mary Jane Boland at maryjane\_boland@doh.state.fl.us, (850)245-4471.

The State of **Florida Retirement Commission** announces public hearings to which all persons are invited.



DATE AND TIME: February 19, 2007, 8:30 a.m. (CST)  
 PLACE: Hilton Garden Inn, 12 Via De Luna Drive, Gulf Breeze, Florida  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the Agenda may be obtained by writing: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or by telephoning (850)487-2410.

A party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based.

Persons requiring accommodations because of a physical, visual, auditory, or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

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The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 13, 2007, 9:00 a.m.  
 PLACE: 2009 Apalachee Parkway, Tallahassee, Florida 32301. By way of teleconference. Please call 1(888)808-6959, when prompted, enter the VCS Conference Code "1021548", followed by the # key.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases that have come before the Commission for determination.

A copy of the agenda may be obtained by contacting: Ms. Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

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 5 days before the workshop/meeting by contacting: Ms. Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032. If you are 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. Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

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## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATES AND TIME: Wednesday, March 14, 2007; Thursday, March 15, 2007; Friday, March 16, 2007, 8:00 a.m.

PLACE: Tradewinds Island Grand Beach Resort, 5500 Gulf Blvd., St. Petersburg Beach, Florida 33706

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, Disciplinary Actions, and General Session meetings of the Board.

A copy of the agenda may be obtained by contacting: Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039.

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 7 days before the workshop/meeting by contacting Andy Janecek at (850)922-2701. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Department of Business and Professional Regulation** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, March 14, 2007, 1:00 p.m.

PLACE: Tradewinds Island Grand Beach Resort, 5500 Gulf Blvd., St. Petersburg Beach, Florida 33706

GENERAL SUBJECT MATTER TO BE CONSIDERED: Staff of the Department of Business and Professional Regulation will be conducting a continuing education provider seminar. Presenters will include department staff, members of the Construction Industry Licensing Board Continuing Education Committee, and counsel for the board.

A copy of the agenda may be obtained by contacting: Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-1039.

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 7 days before the workshop/meeting by contacting Andy Janecek at (850)922-2701. If you are 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 Business and Professional Regulation, Board of Employee Leasing Companies**, announces an official general business meeting to which only limited persons are invited to attend:

DATE AND TIME: Wednesday, February 21, 2007, 9:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (850)487-1395

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause panel Meeting (closed to the public).

To obtain a copy of the public portion of the agenda, further information, or submit written or other physical evidence, contact in writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, or by calling their office at (850)487-1395.

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.

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 board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771(TDD).

For further information, contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Board of Professional Surveyors and Mappers** announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 26, 2007, 10:00 a.m.

PLACE: Call In Number: 1(888)808-6959 and Conference Code number: 9226020

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

A copy of the agenda may be obtained by contacting: Richard Morrison, Executive Director, Department of Business and Professional Regulation, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, FL 32399-0756 or by calling (850)487-1395.

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 7 days before the workshop/meeting by contacting Richard Morrison, Executive Director. If you are 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 Probable Cause Panel of the **Florida Real Estate Commission** announces a meeting to which all interested persons are invited. Portions of the probable cause proceedings are not open to the public.

DATE AND TIME: Monday, February 19, 2007, 2:00 p.m. (Central Standard Time) or the soonest thereafter

PLACE: Hilton Garden Inn, Royal Palm Ballroom D & E, 12 Via de Luna Drive, Pensacola Beach, Florida 32561, (850)916-2999

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate at (407)245-0800 (between the hours of 8:30 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Commission** (FREC) announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesday, February 20, 2007; Wednesday, February 21, 2007, 8:30 a.m. (Central Standard Time)

PLACE: Hilton Garden Inn, Royal Palm Ballroom, 12 Via de Luna Drive, Pensacola Beach, Florida 32561, (850)916-2999

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475,

Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

A copy of the agenda may be obtained by writing to: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation at (407)245-0800, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955.8770 (Voice) and 1(800)955.8771 (TDD).

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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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The **Environmental Regulation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: February 22, 2007, 9:00 a.m.

PLACE: Department of Environmental Protection, 3900 Commonwealth Blvd., Conference Room A, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A regularly scheduled meeting of the Environmental Regulation Commission will be held for the purpose of rule adoptions and briefings.

A copy of the agenda may be obtained by contacting Nancy Mould at (850)245-2211, or by going to the DEP website at the following address: <http://www.dep.state.fl.us/legal/ERC>. The agenda will be available ten days prior to the meeting.

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 5 days before the workshop/meeting by contacting Nancy Mould at (850)245-2211. If you are hearing

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

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The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, March 1, 2007, 1:00 p.m. (ET)

PLACE: Marion County Public Library, Meeting Room, 2720 E. Silver Springs Road, Ocala, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion regarding preparation of Florida's 2007 Statewide Comprehensive Outdoor Recreation Plan (SCORP).

A copy of the agenda may be obtained by contacting: Ms. Patricia Evans, Florida Department of Environmental Protection, Division of Recreation & Parks, Office of Park Planning, Mail Station #525, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399, (850)245-3068 or email [patricia.evans@dep.state.fl.us](mailto:patricia.evans@dep.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Ms. Patricia Evans, (850)245-3068 or email [patricia.evans@dep.state.fl.us](mailto:patricia.evans@dep.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### DEPARTMENT OF HEALTH

The **Department of Health, Board of Psychology** announces a telephone conference call to which all interested persons are invited.

DATE AND TIME: February 27, 2007, 8:00 a.m. or soon thereafter

PLACE: The meet me number may be obtained by contacting the board office at (850)245-4373, ext. 3467

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373, ext. 3467.

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: the board office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Department of Health, Board of Physical Therapy** announces a telephone conference call.

DATE AND TIME: February 27, 2007, 11:30 a.m. or soon thereafter

PLACE: The meet me number may be obtained by contacting the board office at (850)245-4373, ext. 3467

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373, ext. 3467.

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 the board office at (850)245-4373, ext. 3467. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Department of Health, Dietetics and Nutrition Council** announces a telephone conference call to which all persons are invited.

DATES AND TIME: April 13, 2007; October 3, 2007, 9:30 a.m. or soon thereafter

PLACE: The meet me number is 1(888)808-6959. After dialing the meet me number, when prompted, enter conference code 1022351047 in order to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255 or by calling the council office at (850)245-4373 ext. 3467.

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 the council office at (850)245-4373, ext. 3467. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Department of Health, Division of Medical Quality Assurance, Florida Board of Medicine, Probationers' Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 16, 2007, 9:00 a.m.

PLACE: DoubleTree Westshore, 4500 W. Cypress Street, Tampa, FL 33607, (813)879-4800

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing to: Janie Shingles, Medical Compliance Officer, Department of Health, Division of Medical Quality Assurance, Compliance Management Unit, 4052 Bald Cypress Way, Bin C01, Tallahassee, FL 32399-3251.

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, he/she will need a record of the proceeding, and for such purpose, he/she may need to insure that a verbatim proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact Janie Shingles at (850)245-4191, ext. 3546, no later than seven (7) days prior to the meeting at which such special accommodation is required. Hearing or speech-impaired persons may contact the Compliance Officer at the address noted above; or, via the Florida Dual Party Relay System, 1(800)955-8771 (TDD) or 1(800)955-8770(Voice).

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The **Department of Health, Board of Respiratory Care** announces a telephone conference call to which all interested persons are invited.

DATE AND TIME: February 27, 2007, 8:30 a.m. or soon thereafter

PLACE: The meet me number may be obtained by contacting the board office at 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Respiratory Care, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255 or by calling the board office (850)245-4373, ext. 3467.

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 the board office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Drug Wholesaler Advisory Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 22, 2007, 9:30 a.m.

PLACE: Conference Call Number: 1(888)808-6959, Conference Code 2454292

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include Welcome/Introductions; Approval of Minutes from the November 16, 2006, Meeting; Old Business; New Business; and Open Discussion.

The agenda will be distributed electronically and placed on the website two weeks prior to the meeting.

For more information, you may contact Maxine Wenzinger at (850)245-4292 or maxine\_wenzinger@doh.state.fl.us.

The **Correctional Medical Authority** announces a meeting of the CMA Budget and Personnel Workgroup meeting to which all persons are invited.

DATE AND TIME: February 15, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call Number: 1(888)808-6959 (Toll Free), Conference Code: 2454583. Correctional Medical Authority, 4030 Esplanade Way, Bldg. 4030, Room 258, Tallahassee, Florida 32399-1732, (850)245-4557

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of correctional health care budget and personnel issues.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

The **Correctional Medical Authority** announces a meeting to be held in Tallahassee, Florida, to which all persons are invited.

DATE AND TIME: February 22, 2007, 1:00 p.m. – 4:00 p.m.

PLACE: Conference Call Number: 1(888)808-6959 (Toll Free), Conference Code: 2454583, 4030 Esplanade Way, Building 4030, Room 258, Tallahassee, FL 32399, (850)245-4557

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, Bin B-04, Tallahassee, FL 32399-1732, (850)245-4557.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

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## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Florida **Department of Children and Family Services** announces the following District Eight Community-Based Care Alliance Meetings to which all interested persons are invited.

For Lee County Community Alliance

DATES AND TIME: February 16, 2007; March 16, 2007; April 20, 2007; May 18, 2007; June 15, 2007; July 20, 2007; August 17, 2007; September 21, 2007; October 19, 2007; November 16, 2007; December 21, 2007, 2:30 p.m.

PLACE: Please contact Mary Lynn Smith with the Department of Children and Family Services at (239)338-1273 for the location of the Lee County Community Alliance Meetings, as the location rotates on a monthly basis.

The **Florida Coordinating Council for Deaf and Hard of Hearing** announces its next quarterly meeting to which all persons are invited.

DATES AND TIMES: February 22, 2007, 1:00 p.m. – 6:00 p.m.; Committees meet 1:15 p.m. – 2:30 p.m.; Public comment is welcome, 4:00 p.m. – 6:30 p.m.; February 23, 2007, Business meeting, 8:00 a.m. – 4:00 p.m.

PLACE: Ramada Inn and Conference Center, 2900 North Monroe Street, Tallahassee, Florida 32303, 1(800)386-1039

GENERAL SUBJECT MATTER TO BE DISCUSSED: Coordination of services and policy recommendations for accessibility, supports, and services for persons who are deaf, hard of hearing, late-deafened, or deaf-blind in Florida.

To request the agenda or a Public Comment Card call toll free 1(866)602-3275 or e-mail MaryGrace\_Tavel@doh.state.fl.us or info@fccdhh.org

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Sign language and oral interpreter services and communication-assisted real-time translation (CART) services will be provided at this meeting. Any person requiring additional accommodations (i.e., deaf-blind interpreting) needs to contact Mary Grace Tavel at least 14 working days prior to the meeting.

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The **Council on Homelessness** announces a conference call meeting of its Application and Rule Committee, to which all interested parties are invited.

Committee: Application and Rule

DATE AND TIME: Tuesday, February 20, 2007, 11:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code 9229760

GENERAL SUBJECT MATTER TO BE CONSIDERED: This call will review the 2006-2007 Application Instructions and begin to draft the 2007-2008 Application Instructions for the Challenge, and Homeless Housing Assistance grant programs.

A copy of the agenda may be obtained by contacting: Thomas Pierce, State Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, (850)922-4691, tom\_pierce@dcf.state.fl.us.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access this meeting, who may be in need of special assistance, should contact the Office on Homelessness at (850)922-4691, at least 48 hours in advance of the meeting.

The Florida **Department of Children and Family Services** announces the following District Eight Community-Based Care Alliance Meetings to which all interested persons are invited.

For Charlotte County Community Alliance

DATES AND TIME: February 21, 2007; May 16, 2007; August 15, 2007; November 21, 2007, 12:00 Noon

Persons needing additional information should contact Mary Lynn Smith at (239)338-1273.

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: February 6, 2007, 9:30 a.m. – 3:00 p.m.

PLACE: Doubletree Hotel Tallahassee, Florida Avenue, Florida East and Center Meeting Room

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Substance Abuse and Mental Health Services Administration (SAMHSA) Board Meeting. The purpose of this meeting will be the following:

- Florida Alcohol and Drug Abuse Association
- Data Committee Update
- Child Welfare Mental Health Project
- Department of Children and Families

A copy of the agenda may be obtained by contacting Lee Williams at (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).

## FISH AND WILDLIFE CONSERVATION COMMISSION

The NOAA Fisheries Service, Florida **Fish and Wildlife Conservation Commission**, and Gulf of Mexico Fisheries Management Council announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, February 27, 2007, 1:00 p.m. – 5:00 p.m.; Wednesday, February 28, 2007, 8:00 a.m. – 12:00 Noon

PLACE: FWC's Fish and Wildlife Research Institute, 100 Eighth Avenue, S.E., St. Petersburg, FL 33701, (727)896-8626

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is open to the public; and those interested in management of the Gulf of Mexico grouper fishery are encouraged to attend. To provide an overview of the regulatory, stock assessment, and management processes specific to the Gulf of Mexico grouper fishery. This meeting will provide information on current and upcoming developments in group regulations, inform stakeholders of upcoming opportunities for input and participation in the regulatory process at the state and federal level, and begin a continuing dialog to enhance communication on fisheries regulation issues among the hosting agencies and stakeholders.

A copy of the agenda may be obtained by contacting: Mark Robson, 2590 Executive Center Circle, East, Suite 201, Tallahassee, FL 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 Cindy Hoffman, ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired you may contact the agency by calling (850)488-9542. If you are 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, FL 32301, (850)487-0554.

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: March 6, 2007, 8:00 a.m. – 5:30 p.m.

PLACE: Courtyard by Marriott, St. Petersburg Downtown, 300 4th Street, North, St. Petersburg, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This 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, FL 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 Cindy Hoffman, ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling (850)488-9542. If you are 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, FL 32301, (850)487-0554.

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#### FINANCIAL SERVICES COMMISSION

The **Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: February 16, 2007, 1:00 p.m.

PLACE: 401 Senate Office Building, Tallahassee, Florida (adjacent to The Capitol)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Liberty American Insurance Company, Liberty American Select Insurance Company & Philadelphia Indemnity Insurance Company have requested a 39.3% overall rate increase for its new and renewal residential mobile home policy forms, effective January 23, 2007. The requested rate increases are not uniform and some areas are subject to higher rate increases.

Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from interested parties will be received at this public hearing. If you are unable to attend this public hearing, please forward your comments to ratehearings@fldfs.com. The subject line of your e-mail should read "Liberty American et al Mobile Home."

A copy of the agenda may be obtained by contacting C. Khai Patterson, Esquire, (850)413-4276 or Sam Coskey, (850)413-2616.

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 Sam Coskey at (850)413-2616 or e-mail him at sam.coskey@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).

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#### FLORIDA TELECOMMUNICATIONS RELAY, INC.

The **Florida Telecommunications Relay, Inc.** announces a regular meeting of the Board of Directors to which all interested persons are invited.

DATE AND TIME: Monday, February 12, 2007, 1:00 p.m.

PLACE: 1820 East Park Avenue, Suite 101, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Board of Directors.

A copy of the agenda may be obtained by writing: Mr. James Forstall, Executive Director, 1820 East Park Avenue, Suite 101, Tallahassee, Florida 32301.

The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

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#### ADVOCACY CENTER FOR PERSONS WITH DISABILITIES, INC.

The **Advocacy Center for Persons with Disabilities, Inc.**, Florida's Protection and Advocacy System will be holding their Quarterly Board of Directors meeting to which all interested persons are invited.

DATES AND TIME: February 16-17, 2007, 9:00 a.m.

PLACE: Hilton Garden Inn – Tallahassee Central, Seminole Room, 1330 South Blair Stone Road, Tallahassee, FL 32301

For additional information please contact Dawn Williams or Paige Morgan at (850)488-9071, ext. 218 or 219.

If you are a person with a disability who needs accommodations in order to attend this meeting, please contact the Advocacy Center for Persons with Disabilities, Inc., 2671 Executive Center Circle, West, Suite 100, Webster Building, Tallahassee, Florida 32301, (850)488-9071. If you are hearing and/or voice impaired, please call 1(800)346-4127.

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#### FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

The **Florida Atlantic Research and Development Authority** will hold its' regular meeting to which all interested persons are invited.

DATE AND TIME: February 21, 2007, 8:00 a.m.

PLACE: Conference Room, 3701 FAU Blvd., Suite 210, Tallahassee, FL.

For agenda information and questions contact Scott Ellington, Executive Director, (561)416-6092 or by e-mail scott@research-park.org

**WORKFORCE FLORIDA, INC.**

The **Workforce Florida, Inc.** announces a public meeting to which all persons are invited.

DATES AND TIMES: February 21, 2007, 1:00 p.m. – 5:00 p.m., Partners’ meeting; February 22, 2007, 9:00 a.m. – 5:00 p.m., Board of Directors and Council meetings

PLACE: Doubletree Hotel at the Entrance to Universal Orlando, 5780 Major Boulevard, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workforce issues of Florida.

A copy of the agenda may be obtained by contacting Peggy Dransfield at pdransfield@workforceflorida.com or by visiting our website at www.workforceflorida.com

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**EARLY LEARNING ADVISORY COUNCIL**

The **Early Learning Advisory Council** announces a public meeting to which all interested persons are invited.

DATE AND TIME: March 9, 2007, 9:00 a.m. – 3:00 p.m.

PLACE: Ramada Inn, 2900 North Monroe St., Tallahassee, FL 32303, (850)386-1027

\*\*Please reference the group name “Office of Early Learning: Early Learning Advisory Council Meeting” to receive the group rate of \$119.95 per night. Please make your reservations by 2/14/07 to receive this special rate.

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**VISIT FLORIDA**

The Florida **Commission on Tourism** announces a public meeting of the VISIT FLORIDA, Board of Directors and the Florida Commission on Tourism announces meetings to which all interested persons are invited.

PLACE: University Center Club, Tallahassee, (850)644-8528

Meeting: Visitor Services Committee

DATE AND TIME: Tuesday, March 20, 2007, 8:30 a.m. – 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss old business, Welcome Center business and strategies.

Meeting: Finance Committee

DATE AND TIME: Tuesday, March 20, 2007, 10:00 a.m. – 12:00 Noon

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will review quarterly budgets and financial statements.

Meeting: New Product Development Committee

DATE AND TIME: Tuesday, March 20, 2007, 9:00 a.m. – 12:00 Noon

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will review quarterly reports and old business.

Meeting: Partner Development Committee

DATE AND TIME: Tuesday, March 20, 2007, 1:00 p.m. – 3:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will discuss Partner recruitment and ongoing programs.

Meeting: Market Council Steering Committee

DATE AND TIME: Tuesday, March 20, 2007, 3:00 p.m. – 5:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will review marketing strategies and old business

Meeting: VISIT FLORIDA Board of Directors Meeting

DATE AND TIME: Wednesday, March 21, 2007, 8:30 a.m. – until adjournment

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will discuss committee reports, on-going and developing issues and other matters.

Meeting: Florida Commission on Tourism

DATE AND TIME: Wednesday, March 21, 2007, Upon adjournment of the Board of Directors meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will ratify actions of the Board of Directors and discuss other matters as necessary.

For further information contact: Susan Gale, VISIT FLORIDA, P. O. Box 1100, Tallahassee, Florida 32302-1100, or at (850)488-5607, ext. 334.

Any person requiring special accommodations at this meeting because of a disability should contact VISIT FLORIDA at least five business days prior to the meeting. Persons who are hearing or speech impaired can contact VISIT FLORIDA by using the Florida Relay Service at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD)

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**TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY**

The **Technological Research and Development Authority** (TRDA) announces a special meeting of the TRDA Board of Directors to which all persons are invited to participate.

DATE AND TIME: February 14, 2007, 1:00 p.m.

PLACE: TRDA Conference Room, 5195 South Washington Avenue, Titusville, FL 32780

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special Meeting.

A copy of the agenda may be obtained by contacting Dave Kershaw, TRDA Deputy Director, (321)269-6330, ext. 243 or dkershaw@trda.org.

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## Section VII

### Notices of Petitions and Dispositions Regarding Declaratory Statements

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

NOTICE IS HEREBY GIVEN THAT Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from In Re: Petition for Declaratory Statement, Bernard Ross representing a group of Condominium owners Cloister Beach Towers Association, Inc.; Docket Number 2007003592. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(d)3., F.S., as it applies to the petitioner.

Whether Cloister Beach Towers Association, Inc.'s bylaw provision restricting board members to three year terms is consistent with Section 718.112(2)(d)3., Florida Statutes, so that the board may refuse a board member who has completed a three year term from being a candidate for reelection.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Division 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.

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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 the Board of Nursing has received the petition for declaratory statement from Frederick J. Baudoin d'Ajoux, RN, ANM. The petition seeks

the agency's opinion as to the applicability of subsection 64B9-12.002(1) and Rule 64B9-12.005, F.A.C., as it applies to the petitioner.

The Petitioner requested that the Board issue a Declaratory Statement to the effect of determining under subsection 64B9-12.002(1) and Rule 64B9-12.005, F.A.C., whether it is within the scope of practice of the Licensed Practical Nurse to place peripheral midline catheters. The Board of Nursing considered the Petition at its meeting held on April 14, 2005, in Dania Beach, Florida. The Board's Order, filed on May 11, 2005, dismissed the Petition for Declaratory Statement, finding that the petition does not meet the requirements of Section 120.565, Florida Statutes.

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NOTICE IS HEREBY GIVEN THAT Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Judy Fine, R.N., C. on May 11, 2005. The following is a summary of the agency's disposition of the petition:

The Petitioner requested that the Board issue a Declaratory Statement determining under the provisions of Section 464.003(3)(a), F.S., (1) whether it is within the scope of work of Judy Fine, R.N., C., to do psychiatric and mental health counseling as defined by Section 464.003, F.S., of the nurse practice act and as further defined by the American Nursing Association and the American Psychiatric Nursing Association, and (2) whether Judy Fine, R.N., C., is permitted to perform this service in a private office setting. The Board of Nursing considered the Petition at its meeting held on April 14, 2005, in Fort Lauderdale, Florida. The Board's Order, filed on May 11, 2005, dismissed the Petition for Declaratory Statement, finding that under the specific facts of the petition, the proposed practice, which is the provision of independent therapy services to mental health patients, is not within the scope of the definition of the practice of professional nursing in Section 464.003, F.S.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259.

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NOTICE IS HEREBY GIVEN THAT the Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Donna Florence, MS, RN on March 2, 2005. The following is a summary of the agency's disposition of the petition:

The Petitioner requested that the Board issue a Declaratory Statement determining under the provisions of Section 464.003(3)(a)2., Florida Statutes, whether it is within the scope of practice of a Registered Nurse to administer low dose anesthetic agents, specifically, Marcaine (bupivacaine), via continuous epidural catheter in a laboring woman or post partum women by increasing or decreasing the infusion rate, or

bolousing 10cc via infusion pump with an anesthesiologist telephone order. The Board of Nursing considered the Petition at its meeting held on April 14, 2005, in Dania Beach, Florida. The Board's Order, filed on May 11, 2005, dismissed the Petition for Declaratory Statement, finding that the petition is not in substantial compliance with the provisions of Section 120.565, Florida Statutes, and Chapter 28-105, Florida Administrative Code.

NOTICE IS HEREBY GIVEN THAT The Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Lisa W. Johnson, RN. on July 10, 2006. The following is a summary of the agency's disposition of the petition:

The Petitioner requested that the Board issue a Declaratory Statement determining (1) whether it is within the scope of practice of a Registered Nurse employed by physicians to make hospital rounds, with or without the physicians being present, of the employer-physician' patients who are hospitalized and to (a) document progress on the patients' charts or hospital progress reports and to (b) communicate orders as from the employer-physicians, either face to face or by telephone, to hospital-employed Registered Nurses regarding the care of the employer-physicians' patients and (2) whether it is within the scope of duties of a Registered Nurse employed by a hospital to accept and cooperate with such practice by a physician-employed Registered Nurse. The Board of Nursing considered the Petition at its meeting held on August 10, 2006, in Jacksonville, Florida. The Board's Order, filed on August 29, 2006, dismissed the Petition for Declaratory Statement, finding that the petition is not in substantial compliance with the provisions of Section 120.565, Florida Statutes, and Chapter 28-105, Florida Administrative Code.

NOTICE IS HEREBY GIVEN THAT Board of Nursing has received the petition for declaratory statement from Latchmi Perez, LPN. The petition seeks the agency's opinion as to the applicability of as it applies to the petitioner.

Specifically, the Petitioner requests that the Board issue a Declaratory Statement determining under the provisions of Section 464.003, F.S. whether it is within the scope of practice for an LPN to perform telephonic prior authorization for outpatient radiology procedures such as MRI, CT and Pet scans. This petition will be considered at the April 2007 meeting of the Board.

**Section VIII**  
**Notices of Petitions and Dispositions**  
**Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX**  
**Notices of Petitions and Dispositions**  
**Regarding Non-rule Policy Challenges**

**NONE**

**Section X**  
**Announcements and Objection Reports of**  
**the Joint Administrative Procedures**  
**Committee**

**NONE**

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

**DEPARTMENT OF EDUCATION**

**INVITATION TO BID**

The Florida State University Facilities Purchasing shall receive sealed bids until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Florida State University  
 Facilities Maintenance, Purchasing  
 114F Mendenhall Building A  
 Tallahassee, Florida 32306

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the

Bid Number                      FAC102-07

Purchasing Agent: B.J. Lewis, Facilities  
 Public Bid Opening: March 13, 2007, 2:00 p.m. local time  
 FSU-Facilities Maintenance  
 114 Mendenhall Hall, Building A  
 Tallahassee, Florida 32306-4150  
 Facilities Maintenance Purchasing

#### Bid Documents:

The Contractor's Prequalification Submittal Package may be obtained from the Architect's office (850)385-9200. This Prequalification Package is to be completed by the Contractor and returned to the Project Architect at the time of the mandatory Prebid Conference, which will be held on February 27, 2007, at 10:00 a.m., local time, at the jobsite. Only those contractors who are prequalified will be eligible to bid this project.

Plans and specifications may be obtained from the Architect's Office for a deposit of \$50.00. The deposit shall only be returned to those Contractors who, after having examined the drawings and specifications, submit a request for prequalification and fail to qualify, or submit a bid and return the documents in good condition to the Architect within 10 days of the bid.

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#### Architectural Services AE07-017

Pursuant to the provisions of Section 287.055, Florida Statutes, the "Consultants' Competitive Negotiations Act", Daytona Beach Community College hereby publicly announces it will consider qualified professional firms, registered to do work in the State of Florida, for a project requiring architectural and engineering services.

The project is the Building 100 – 1st Floor Major Remodel + 2nd Floor Partial on the Daytona Beach Campus. The scope of work will include architectural design services including electrical, mechanical and other associated engineering services.

The facility is approximately 45,000 gross square feet. The estimated construction budget is \$2,500,000.00 inclusive of design fees and furnishings.

Proposals are due by 12:00 Noon, February 14, 2007. Interested parties may obtain information by contacting the DBCC Facilities Planning Department at (386)506-4322 or by email to McReeD@dbcc.edu.

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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."

#### **REGIONAL PLANNING COUNCILS**

##### Request for Letters of Interest and Qualifications

The Northeast Florida Regional Council is seeking qualifications of firms interested in coordinating transportation services for the transportation disadvantaged in Nassau County, Florida. The selected entity will be the designated Community Transportation Coordinator for the Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes (F.S.) and more fully described in Rule 41-2 of the Florida Administrative Code (F.A.C.).

The Community Transportation Coordinator is defined by Chapter 427, F.S., as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The Community Transportation Coordinator has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in Section 427.015(2), F.S.

The transportation disadvantaged are defined by Chapter 427, F.S. as "those persons who because of physical or mental disability, income status, or age are unable to transport themselves or purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities or other life sustaining activities or children who are handicapped or high-risk or at-risk as defined in Section 411.202, F.S."

Interested providers are required to provide the following as proof of qualifications: 1) a list of the respondent's transportation coordination experience; 2) a list of scheduling and routing software used by the organization; 3) a list of vehicles to be used (if applicable); 4) a current financial statement of the responding entity; 5) a current Medicaid provider number for the responding entity, and; 6) an agency organizational chart.

Selection of potential providers will be based on a ranking of their expertise, overall capabilities, recent experience in similar programs, and proposed methods of achieving cost-effective services. Potential providers should submit three (3) copies of their expression of interest and qualifications in a sealed envelope, to the Northeast Florida Regional Council, Attention: Mr. Brian D. Teeple, AICP, Chief Executive Officer, 6850 Belfort Oaks Place, Jacksonville, Florida 32216. Letters must be marked, "LETTER OF INTEREST AND QUALIFICATIONS FOR NASSAU COUNTY COMMUNITY TRANSPORTATION COORDINATOR." Letters of interest and qualifications must be received by 5:00 p.m., on March 14, 2007.

Questions should be addressed to: Ms. Jeanie Palmer, Transportation Disadvantaged Program Coordinator, at (904)279-0885, ext. 146. Faxed and e-mailed responses WILL NOT be accepted. Responses received after the deadline will be returned unopened with the notation, "This letter of interest

was received after the delivery time designated for receipt and opening in the legal notice.” Only responses to this request for letters of interest and qualifications will be considered if a request for proposals is issued for Community Transportation Coordinator in Nassau County.

The Northeast Florida Regional Council reserves the right to accept or reject any and all responses in the best interest of the State.

**REGIONAL TRANSPORTATION AUTHORITIES**

INVITATION TO BID NO. 06-116

FOR ENGINE HOUSE ROOF REPLACEMENT

The South Florida Regional Transportation Authority (SFRTA), an agency of the state of Florida, operates Tri-Rail, a seventy-two (72) mile commuter railroad with eighteen (18) stations in Miami-Dade, Broward, and Palm Beach Counties.

THE PURPOSE of this Project is the removal of the existing roofing system completely to expose the existing substrate and installation of a new roof system on a multi-level Train Engine House building at the SFRTA’s Hialeah Yard.

Typical items of work will include: All labor and materials required for a complete finished installation including but not limited to roofing, insulation, boards, flashing, trim, fascia, gutters, sealants, etc. as indicated on the drawings and specifications. The roof systems are to be standing seam metal on high slope roofs and TPO membrane on low slope roofs. The project will also include replacement of missing skylights.

A REQUEST FOR DOCUMENTS should be directed to Bryan Kohlberg at SFRTA, 800 N. W. 33rd Street, Suite 100, Pompano Beach, FL 33064, (954)788-7910. The cost of the solicitation documents is \$50.00, non-refundable. Checks or money orders, made in favor of SFRTA should be forwarded to Bryan Kohlberg at the address above. Solicitation documents will be available on or about February 5, 2007.

A PRE-BID CONFERENCE will be held in SFRTA’s Hialeah Train Yard, 9400 N. W. 37th Avenue, Miami, FL 33147, on Wednesday, February 14, 2007, at 10:00 a.m. The purpose of the Pre-Bid Conference will be for SFRTA to respond to questions from document holders and clarify requirements in an open forum. Attendance is not mandatory but is highly recommended.

RECEIPT OF SEALED BIDS: All Bids must be received in a sealed envelope no later than 4:00 p.m., on Tuesday, February 27, 2007, at the Request for Documents address above.

SFRTA reserves the right to postpone, to accept, or reject any and all Bids in whole or in part. All Bidders must certify that they are not on the State of Florida Comptroller General’s List of Ineligible Bidders. All Bids must remain in effect for one hundred eighty (180) days from the date of Bid Opening.

BID SECURITY in the amount of five percent (5%) of the Bid must accompany each Bid in accordance with the Instruction to Bidders, General Terms and Conditions, and the Special Terms and Conditions.

TERM: The term of the Agreement shall be for 120 calendar days.

FUNDING: This project is funded in part by a grant from the Federal Transit Administration. Any resultant Agreement shall be subject to all Federal rules and regulations.

DBE PARTICIPATION: The Disadvantaged Business Enterprise participation goal for this solicitation is ten percent (10%).

CONE OF SILENCE: Communications between any Bidder (potential or actual) or its representative, and any Board Member of SFRTA, its staff, or its consultants regarding this procurement are strictly prohibited from the date of the ITB advertisement through the date of execution of the contract.

**WATER MANAGEMENT DISTRICTS**

REQUEST FOR BIDS 06/07-011 LM

Gate Construction

The Suwannee River Water Management District (District) is requesting bids to build metal swing-arm gates. Additional information and bid packages including gate specifications are available at the District’s website [www.mysuwanneeriver.com](http://www.mysuwanneeriver.com) or by contacting Gwen Lord at (386)362-1001 or 1(800)226-1066.

- February 16, 2007 Release of Request for Bids.
- March 9, 2007 Bids due prior to 4:00 p.m. at District Headquarters in Live Oak. Opening will occur at this time. \*
- April 10, 2007 Governing Board Meeting at 9:00 a.m. at District Headquarters in Live Oak. \*

\* Denotes a public meeting. All times denote local times.

REQUEST FOR BIDS 06/07-023 LM

The Suwannee River Water Management District (District) is requesting bids for the chemical control of hardwood stump sprouts/stems and bahia grass on sandhill restorations sites. Four tracts in the Middle Suwannee Basin have been identified as work areas: Ruth Springs, Peacock Slough, 47 Bridge, and Adams. The total treatment area on all tracts is approximately 766 acres.

Most treatment areas will require backpack or ATV mounted spray equipment. Some treatment areas will require a broadcast application and may be treated with skidder or tractor mounted equipment. BIDDER must possess a current FDACS Commercial Applicator License.

The proposed schedule for this project is shown below:

- February 12, 2007 Release of Request for Bids

- March 9, 2007 Request for Bids due prior to 10:00 a.m. at District Headquarters in Live Oak. Opening will occur at this time. \*
- April 10, 2007 Governing Board authorization of contract.\*
- May 15, 2007 Anticipated start date.

\* denotes a public meeting.

Additional information and bid packages may be obtained by logging on to [www.mysuwanneeriver.com](http://www.mysuwanneeriver.com).

**EXPRESSWAY AUTHORITIES**

**NOTICE TO PROFESSIONAL CONSULTANTS**

The Orlando-Orange County Expressway Authority (Authority) requires the services of a consultant in connection with Construction Engineering and Inspection (CEI) services. Shortlist consideration will be given to only those firms who are qualified pursuant to law, and as determined by the Authority, and who have been prequalified by FDOT to perform the indicated Types of Work.

**TYPES OF WORK:** Group 10.1, Roadway CEI; 10.3, Construction Materials Inspection; and 10.5, Major Bridge CEI. Consultant must be prequalified in these work groups.

**DESCRIPTION:** The work consists of providing CEI services related to the following:

1. Construction of the new limited access roadway (S.R. 414 – Maitland Boulevard Extension) from east of Hiawassee Road to east of U.S. 441 and new interchange with U.S. 441 (identified as Project No. 414-211); and
2. Construction of a new mainline toll plaza with 3 cash toll collection lanes in each direction; 3 express E-PASS lanes in each direction; and two lane ramp plazas at the Hiawassee Road, Keene Road and Ocoee-Apopka Road interchanges. The mainline toll plaza and four ramp plazas will be packaged as a single construction project (identified as Project No. 414-212).

**SUBMITTAL REQUIREMENTS:** Interested consultants shall submit five (5) sets of a Letter of Interest package indicating their desire to be considered. The letter shall be no more than ten pages exclusive of staffing plan, charts, resumes, certifications and project experience list and divided as follows:

**Section 1. Similar project Experience:** Provide CEI project experience on current/completed projects within the past 5 years. Indicate project name, location, services provided and accurate reference names with phone numbers. All references will be checked.

**Section 2. Project Approach;** Provide a maximum 5 page narrative describing the firm’s approach to delivering the CEI services. In addition to the narrative, provide a proposed project organization chart, staffing plan including subconsultant personnel, using a man-hour per man-month factor of 165 hours per man-mouth (based on roadway

construction beginning in May 2007 and completing in May 2009); a matrix summarizing proposed personnel experience on similar projects including registrations/certifications; detailed resumes identifying relevant experience on similar projects. Resumes shall include client/owner references for all proposed personnel for the past 5 years and availability date for each individual.

**Section 3. Certifications;** Provide copies of FDOT certifications in the work groups identified above and Florida Department of Professional Regulation registration for prime consultant and subconsultants.

**Section 4. Current and Projected Workload;** Indicate ability of staff to manage a CEI assignment and indicate, as a percentage, the current/projected workload of current staff. Indicate the total number of firm’s professional, technical and administrative personnel by discipline, location and office responsible for administering the contract.

**Section 5. Quality Assurance;** Address quality assurance procedures (testing and inspection) for guarding against defects and deficiencies before and during the execution of the work including submittals, certifications, and other actions to verify that the proposed products and services will meet the construction contract requirements.

**CODE OF ETHICS:** All consultants selected to work with the Authority are required to comply with the Authority’s Code of Ethics, a copy of which may be obtained by contacting the Authority.

**EQUAL OPPORTUNITY STATEMENT:** The Orlando-Orange County Expressway Authority, in accordance with the provision of Title VI and Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination of on the basis of race, color, sex, national origin, age, religion and disability. The Authority hereby notifies all Proposers and individuals that it requires and encourages equal employment opportunity for minority and women as employees in the workforce.

**MINORITY/ WOMEN/ DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION:** The Orlando-Orange County Expressway Authority, hereby notifies all Proposers and individuals that it will require affirmative efforts be made to ensure participation of local minority and women business enterprises on contracts awarded by the Authority.

**NON-SOLICITATION PROVISION:** From the first date of publication of this notice, no person may contact any Authority Board Member, Officer or Employee or any selection committee member, with respect to this notice or the services to be provided, except as related to the Submittal Requirements detailed above. Reference is made to the lobbying guidelines of the Authority for further information regarding these Non-Solicitation Provisions.

**LETTER OF INTEREST RESPONSE DEADLINE:** February 15, 2007, 3:00 p.m., Orlando local time.

SELECTION: The Authority will rank firms based on the Authority's evaluation of the Letters of Interest and qualifications information received. The successful firm will be the firm with the highest ranking based on the results of the Authority's evaluation.

**AUTHORITY CONTACT PERSON:**

Ben Dreiling, P.E.  
Director of Construction  
Telephone: (407)316-3800  
Fax: (407)316-3801

**LETTER OF RESPONSE ADDRESS:**

Orlando-Orange County Expressway Authority  
525 S. Magnolia Avenue  
Orlando, FL 32801  
Re: CEI Services  
Project Nos. 414-211 and 414-212  
ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
Michael Snyder, P.E.  
Executive Director

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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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**NOTICE OF INVITATION TO BID**  
**BID NO. BDC 49-06/07**

The Department of Environmental protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** Little Talbot Island State Park – Camp Area Septic System

**SCOPE OF WORK:** The contractor shall provide the necessary materials, equipment, labor and supervision to successfully complete the proposed "North & South Camp Areas – Combined Onsite Sewage Treatment and Disposal Systems (Repair) & Associated Work" at Little Talbot State Park. The work activities shall primarily include, but not be limited to the abandonment of two (2) existing septic tanks, construction of two (2) new low pressure (small diameter piping) dosing system with a combination of septic/dosing tanks (2), force mains (2), 3000 S.F. dual trench drain field (2 – 1500 S.F. fields) and associated work.

Alternatively the construction of a Department of Health (D.O.H.) pre-approved 3000 gpd Aerobic Treatment Unite or approved equal combination with an additional 1500 gallon pre-treatment tank and associated work, shall be considered and may be included as part of this project.

**PARK LOCATION:** 12157 Heckscher Dr., Jacksonville, FL 32226

**PROJECT MANAGER:** Fred Hand, Engineer Specialist IV, Telephone (850)488-5372, Fax (850)488-1141.

**MINORITY BUSINESS REQUIREMENT:** The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

**PREQUALIFICATION:** When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapter 399, 489, and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility prior to the bid closing date.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on February 9, 2007 at: Little Talbot Island State Park, 12157 Heckscher Dr., Jacksonville, FL 32226, Attn: Robert Joseph, Telephone (904)251-2320, Fax (904)251-2325.

**ADA REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)488-5372, at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**BID SUBMITTAL DUE DATE:** No later than 4:00 p.m., Tuesday, March 6, 2007 to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, FL 32309. The Department reserves the right to reject any or all bids. Michael Renard, Contracts Manager, Bureau of Design and Construction.

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**NOTICE OF INVITATION TO BID**  
**BID NO. BDC 51-06/07**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** Ft. Cooper State Park – Infrastructure & Amenities

**SCOPE OF WORK:** The contractor shall provide the necessary labor, supervision, equipment and materials required to successfully complete the entry road, trailer pad, potable water well & parking lot, including grading, drainage, water service, sewer service, lift station, force main, fencing and electrical work.

**PARK LOCATION:** 3100 S. Old Floral City Rd., Inverness, FL 34450

**PROJECT MANAGER:** Dale Quick, Construction Project Admin II, Telephone: (850)488-5372, Fax: (850)488-1141.

**MINORITY BUSINESS REQUIREMENT:** The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

**PREQUALIFICATION:** When the total bid price including alternates exceeds \$200,000.00, each bidder whose bid is governed by Chapter 399, 489, and 633 of the Florida Statutes, for licensure or certification must submit prequalification data of their eligibility prior to the bid closing date.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on February 9, 2007 at: Ft. Cooper State Park, 3100 S. Old Floral City Rd., Inverness, FL 34450, Attn: Harry Mitchell, Telephone: (352)726-0315, Fax Number: (352)726-5959.

**ADA REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard with the Bureau of Design and Construction at (850)488-5372, at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**BID SUBMITTAL DUE DATE:** No later than 3:30 p.m., Tuesday, March 6, 2007, to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, FL 32309. The Department reserves the right to reject any or all bids. Michael Renard, Contracts Manager, Bureau of Design and Construction.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**NOTICE TO ROOFING CONTRACTORS  
INVITATION TO BID**

Proposals are requested from qualified roofing contractors by the Department of Children and Family Services, hereinafter referred to as Owner, for the construction of:

**PROJECT NUMBER:** DCF 06265110  
**PROJECT:** ROOF REPAIR/REPLACEMENT  
 WEST FLORIDA COMMUNITY CARE CENTER  
 MILTON, FLORIDA

**PREQUALIFICATION:** The Owner accepts bids from those contractors who demonstrate current licensed status with the Department of Business and Professional Regulations. The Instructions to Bidders "Bidder Qualification Requirements and Procedures" are included in the specifications under Article B-2.

**PERFORMANCE BOND AND LABOR AND MATERIAL BOND:** A performance bond and labor and material payment bond are required.

**DATE AND TIME:** Sealed bids will be received at the architect's office on March 15, 2007 until 2:00 p.m. (local time), at which time they will be publicly opened and read aloud.

**MANDATORY PRE-BID INSPECTION:** We will conduct a mandatory prebid inspection with the architect at the project site on Thursday, February 22, 2007 at 10:30 a.m. (CST) for all interested contractors.

**PROPOSAL:** Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, and with a copy of the contractor's license. The contract documents may be examined and obtained from the Architect/Engineer:

STOA/CARLOS & LAW ARCHITECTS  
 121 E. GOVERNMENT STREET  
 PENSACOLA, FL, 32502  
 TELEPHONE: (850)432-0603

**CONTRACT AWARD:** The bid tabulation and Notice of Award Recommendation will be posted by 5:00 p.m. (local time), on March 16, 2007, at the architect's office. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by Certified United States mail, Return Receipt requested. Any protests of the bid must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes." If no protest is filed per Section B-21 of the Instructions to Bidders, "Notice and Protest Procedures", the contract will be awarded to the qualified, responsive low bidder by the Owner.

**INVITATION TO BID**

Proposals are requested from qualified General Contractors by the Florida Department of Children and Families, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF 07240270 & 07246500  
 PROJECT: ELEVATOR ADDITION & RENOVATIONS  
 DCF SERVICE CENTER BUILDINGS  
 QUINCY AND MARIANNA, FLORIDA

**PREQUALIFICATION:** The Owner accepts bids from those firms which demonstrate current relevant licensure with the Florida Department of Business and Professional Registration by submittal of a copy of that license or certificate with their bid and compliance with the pre-qualification requirements as stated hereinbefore and in the project specifications.

The work includes interior renovations and an elevator addition to the Marianna Service Center. The project shall be the construction of a 2-stop elevator, concrete block elevator shaft & machine room. Elevator shaft and machine room roof shall be structural metal steel studs and structural metal deck with 3" rigid insulation board with prefinished standing seam metal roof. Interior renovations include installing handicapped door openers, installing interior steel stud and sheetrock partitions with new steel door frames and solid core wood doors.

Additive Alternate One includes interior renovations and an elevator addition at the Quincy Service Center. The alternate shall be the construction of a 2-stop elevator, concrete block elevator shaft & machine room. Elevator shaft and machine room roof shall be structural steel studs and structural metal deck with 3" rigid insulation board with prefinished standing seam metal roof. Interior renovations include installing handicapped door openers and modifications to an existing aluminum storefront and glazing.

Additive Alternate Two includes asphalt resurfacing and stripping at the Marianna Service Center.

**PERFORMANCE BOND AND LABOR AND MATERIAL BOND:** If the construction award is \$100,000.00 or more, a Performance Bond and Labor and Material Payment Bond are required.

**BID DATE AND TIME:** Sealed bids will be received at the architect's office on March 8, 2007 until 2:00 p.m. (Local Time), at which time they will be publicly opened and read aloud.

**PRE-BID INSPECTION:** Pre-bid inspection of the on-site conditions shall be by appointment only. Bidders must contact Elaine Bowden at (850)487-1086, extension 4, with the Department of Children and Families to arrange a site visit.

**PROPOSAL:** Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, which may be examined and obtained for a \$75.00 refundable deposit from the architect:

HICKS NATION ARCHITECTS, INC.  
 1382 TIMBERLANE ROAD, SUITE C  
 TALLAHASSEE, FLORIDA 32312  
 TELEPHONE: (850)893-1130

**CONTRACT AWARD:** The bid tabulation and Notice of Award Recommendation will be posted at 2:00 p.m. (Local Time), on March 12, 2006, at the architect's office. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be otherwise notified. Any protests of the bid must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes." If no protest is filed per Section B-21 of the Instructions to Bidders, "notice and Protest Procedures: the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner.

**NOTICE TO ROOFING CONTRACTORS  
 INVITATION TO BID**

Proposals are requested from qualified roofing contractors by the Department of Children and Family Services, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF 07263040  
 PROJECT: ROOF REPAIR/REPLACEMENT  
 FLORIDA CIVIL COMMITMENT CENTER  
 ARCADIA, FLORIDA

**PREQUALIFICATION:** The Owner accepts bids from those contractors who demonstrate current licensed status with the Department of Business and Professional Regulations. The Instructions to Bidders "Bidder Qualification Requirements and Procedures" are included in the specifications under Article B-2.

**PERFORMANCE BOND AND LABOR AND MATERIAL BOND:** A performance bond and labor and material payment bond are required.

**DATE AND TIME:** Sealed bids will be received at the architect's office on March 8, 2007 until 2:00 p.m. (Local Time), at which time they will be publicly opened and read aloud.

**MANDATORY PRE-BID INSPECTION:** We will conduct a mandatory prebid inspection with the architect at the project site on Thursday, February 20, 2007, at 10:30 a.m. (EST) for all interested contractors.

**PROPOSAL:** Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, and with a copy of the contractor's license. The contract documents may be examined and obtained from the Architect/Engineer:

RENKER EICH PARKS ARCHITECTS  
 1609 DR. MARTIN LUTHER KING JR ST., N.  
 ST. PETERSBURG, FL 33704  
 TELEPHONE: (727)821-2986



CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted by 5:00 p.m. (Local Time), on March 9, 2007, at the architect’s office. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by Certified United States mail, Return Receipt requested. Any protests of the bid must be made within 72 hours of posting of the results. “Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.” If no protest is filed per Section B-21 of the Instructions to Bidders, “Notice and Protest Procedures”, the contract will be awarded to the qualified, responsive low bidder by the Owner.

**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.: BLID-03-2007-003  
 DATE RECEIVED: January 25, 2007  
 DEVELOPMENT NAME: HATCHET CREEK  
 DEVELOPER/AGENT: East Gainesville Development Partners/Linda Loomis Shelley  
 DEVELOPMENT TYPE: 28-24.023, 28-24.031, 28-24.020, F.A.C.  
 LOCAL GOVERNMENT Gainesville

DCA Final Order No.: DCA07-OR-018  
 STATE OF FLORIDA  
 DEPARTMENT OF COMMUNITY AFFAIRS  
 In re: CITY OF MARATHON LAND  
 DEVELOPMENT REGULATIONS  
 ADOPTED BY ORDINANCE NO. 2006-31

**FINAL ORDER**

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

**FINDINGS OF FACT**

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Marathon is a local government within the Florida Keys Area.
2. On November 27, 2006, the Department received for review City of Marathon Ordinance No. 2006-31 that was adopted by the City of Marathon Board of City Commissioners on November 14, 2006 (“Ord. 2006-31”). Ord. 2006-31 amends the definition of the motel/hotel room by adding subsection (f) that states “notwithstanding the foregoing, the developer of a hotel or motel containing less than twelve (12) units may convert existing, lawfully established accessory floor area in the hotel or motel to a second bedroom or third bedroom, as the case may be, to an adjacent existing hotel or motel unit without triggering the requirements of this Section 9.5-4(R-17)(d) and (e); provided, however, that the additional floor area hereunder shall not exceed four hundred twenty-five (425) square feet per unit or eight hundred fifty (850) square feet in the aggregate per property.” The anticipated result will be additional flexibility for older, smaller (less than 12 units) motels to convert a limited amount of existing accessory floor area into additional room area.
3. Ord. 2006-31 is consistent with the City’s 2010 Comprehensive Plan.

**CONCLUSIONS OF LAW**

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006).
5. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2006) and Rule 31-31.002 (superseding Chapter 27F-8), Fla. Admin. Code.
6. “Land development regulations” include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2006). The regulations adopted by Ord. 2006-31 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in § 380.0552(7), Fla. Stat. See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff’d, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 2006-31 promotes and furthers the following Principles:

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(d) To ensure the maximum well-being of the Florida Keys through sound economic development.

- 9. Ord. 2006-31 is not inconsistent with the remaining Principles. Ord. 2006-31 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 2006-31 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

THOMAS G. PELHAM
Secretary
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 31-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 29th day of January, 2007.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:  
Honorable Christopher M. Bull, Mayor  
City of Marathon  
10054-55 Overseas Highway  
Marathon, Florida 33050

Diane Clavier, City Clerk  
City of Marathon  
10045-55 Overseas Highway  
Marathon, Florida 33050

Mike Puto  
Acting City Manager  
City of Marathon  
10054-55 Overseas Highway  
Marathon, Florida 33050

John Herin, Esq.  
Stearns Weaver Miller Weissler  
Alhadeff & Sitterson, P.A.  
Suite 2200 Museum Tower  
150 West Flagler Street  
Miami, Florida 33130

**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), PowerGroup International, LLC, intends to allow the establishment of William E. Morgan d/b/a Action Golf Cars, as a dealership for the sale of Tomberlin golfcars (TOMB) at 940 North US 1, Ormond Beach (Volusia County), Florida 32174, on or after January 22, 2007.

The name and address of the dealer operator(s) and principal investor(s) of William E. Morgan d/b/a Action Golf Cars are dealer operator(s): William E. Morgan, 940 North US 1, Ormond Beach, Florida 32174; principal investor(s): William E. Morgan, 940 North US 1, Ormond Beach, Florida 32174.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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: Michelle Nobles, Regulatory Compliance Officer, PowerGroup International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

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), Adly Moto, LLC, intends to allow the establishment of Fla Cycles, Inc., as a dealership for the sale of motorcycles manufactured by HerChee Industrial Co., Ltd. (HERH) at 6022 South Tamiami Trail, Sarasota (Sarasota County), Florida 34231, on or after February 22, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Fla Cycles, Inc. are dealer operator(s): Bruce Freidlander, 6022 South Tamiami Trail, Sarasota, Florida 34231; principal investor(s): Bruce Freidlander, 6022 South Tamiami Trail, Sarasota, Florida 34231.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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: Tony Abrams, Director of Sales, Adly Moto, LLC, 1725 Hurd Drive, Suite 108, Irving, Texas 75038.

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), Forest River, Inc., intends to allow the establishment of Florida Bus Unlimited, as a dealership for the sale of Starcraft buses at 88 Broad Street, Winter Garden (Orange County), Florida 34787-3949, on or after January 22, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Florida Bus Unlimited are dealer operator(s): Jim Bay, 88 Broad Street, Winter Garden, Florida 34787, Ron Obert, 88 Broad Street, Winter Garden, Florida 34787, Tod Chapman, 88 Broad Street, Winter Garden, Florida 34787; principal investor(s): Jim Bay, 88 Broad Street, Winter Garden, Florida 34787, Ron Obert, 88 Broad Street, Winter Garden, Florida 34787, Tod Chapman, 88 Broad Street, Winter Garden, Florida 34787, George Eckes, 201 Charles Street, Maybrook, New York 12543, and First Class Coach & Equipment ESOP & Trust (Employee Stock Option Plan), 88 Broad Street, Winter Garden, Florida 34787.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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: Mike Maison, National Sales Manager, Forest River, Inc., Starcraft Bus Division, 2367 Century Drive, Goshen, Indiana 46528.

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 Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Lightening Motorsports, Inc. d/b/a Vespa Treasure Coast, as a dealership for the sale of Piaggio and Vespa motorcycles at 1974 Southwest Biltmore Street, Suite 210, Port Saint Lucie (Saint Lucie County), Florida 34984, on or after January 22, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Lightening Motorsports, Inc. d/b/a Vespa Treasure Coast are dealer operator(s): Todd Ross, 1974 Southwest Biltmore Street, Suite 210, Port Saint Lucie, Florida 34984; principal investor(s): Todd Ross, 1974 Southwest Biltmore Street, Suite 210, Port Saint Lucie, Florida 34984.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

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), Piaggio Group Americas, Inc., intends to allow the establishment of North Jax Motorsports, Inc. d/b/a North Jax

Motorsports, as a dealership for the sale of Piaggio, Vespa, Aprilia and Moto Guzzi motorcycles at 3191 Armsdale Road, Jacksonville (Duval County), Florida 32218, on or after January 19, 2007.

The name and address of the dealer operator(s) and principal investor(s) of North Jax Motorsports, Inc. d/b/a North Jax Motorsports are dealer operator(s): Andy Kent, 3191 Armsdale Road, Jacksonville, Florida 32218; principal investor(s): Andy Kent, 3191 Armsdale Road, Jacksonville, Florida 32218.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

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), Adly Moto, LLC, intends to allow the establishment of Scooter Escapes, LLC, as a dealership for the sale of motorcycles manufactured by HerChee Industrial Co., Ltd. (HERH) at 1450 1st Avenue North, St. Petersburg (Pinellas County), Florida 33705, on or after February 22, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Escapes, LLC are dealer operator(s): Chris Densmore, 1450 1st Avenue North, St. Petersburg, Florida 33705; principal investor(s): Chris Densmore, 1450 1st Avenue North, St. Petersburg, Florida 33705.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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: Tony Abrams, Director of Sales, Adly Moto, LLC, 1725 Hurd Drive, Suite 108, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Adly Moto, LLC, intends to allow the establishment of Solano Cycle, Inc., as a dealership for the sale of motorcycles manufactured by HerChee Industrial Co., Ltd. (HERH) at 3550 Southwest 34th Street L, Gainesville (Alachua County), Florida 32608, on or after February 22, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Solano Cycle, Inc. are dealer operator(s): Martin Solano, 3550 Southwest 34th Street L, Gainesville, Florida 32608; principal investor(s): Martin Solano, 3550 Southwest 34th Street L, Gainesville, Florida 32608.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Tony Abrams, Director of Sales, Adly Moto, LLC, 1725 Hurd Drive, Suite 108, Irving, Texas 75038.

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 Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Adly Moto, LLC, intends to allow the establishment of Solano Cycle, Inc., as a dealership for the sale of motorcycles manufactured by HerChee Industrial Co., Ltd. (HERH) at 32 San Marco Avenue, St. Augustine, (St. Johns County), Florida 32084, on or after February 22, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Solano Cycle, Inc. are dealer operator(s): Martin Solano, 3550 Southwest 34th Street L, Gainesville, Florida 32608; principal investor(s): Martin Solano, 3550 Southwest 34th Street L, Gainesville, Florida 32608.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Tony Abrams, Director of Sales, Adly Moto, LLC, 1725 Hurd Drive, Suite 108, Irving, Texas 75038.

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 Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Irbit MotorWorks of America, Inc., intends to allow the establishment of Suzuki Sea-Doo of Orange Park, Inc., as a dealership for the sale of Ural motorcycles at 1510 Wells Road, Orange Park (Clay County), Florida 32073, on or after February 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Suzuki Sea-Doo of Orange Park, Inc. are dealer operator(s): Jerry Blount, 1510 Wells Road, Orange Park, Florida 32073; principal investor(s): Jerry Blount, 1510 Wells Road, Orange Park, Florida 32073.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Brian Morimoto, Dealer Relations Manager, Irbit MotorWorks of America, Inc., 15411 Northeast 95th Street, Redmond, Washington 98052.

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 Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that PowerGroup International, LLC, intends to allow the establishment of Town and Country Golf Cars, Inc.,

as a dealership for the sale of Tomberlin golfcars (TOMB) at 2101 North Pine Avenue, Ocala (Marion County), Florida 34475, on or after January 22, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Town and Country Golf Cars, Inc. are dealer operator(s): Rodney Thomason, 2101 North Pine Avenue, Ocala, Florida 34475; principal investor(s): Rodney Thomason, 2101 North Pine Avenue, Ocala, Florida 34475.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michelle Nobles, Regulatory Compliance Officer, PowerGroup International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

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), Irbit MotorWorks of America, Inc., intends to allow the establishment of Trike City, Inc., as a dealership for the sale of Ural motorcycles at 6020 B 126th Avenue, Largo (Pinellas County), Florida 33773, on or after February 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Trike City, Inc. are dealer operator(s): Renee Leclerc, 6020 B 126th Avenue, Largo, Florida 33773; principal investor(s): Renee Leclerc, 6020 B 126th Avenue, Largo, Florida 33773.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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: Brian Morimoto, Dealer Relations Manager, Irbit MotorWorks of America, Inc., 15411 Northeast 95th Street, Redmond, Washington 98052.

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), PowerGroup International, LLC, intends to allow the establishment of West Coast Golf Cars, Inc., as a dealership for the sale of Tomberlin golfcars (TOMB) at 7202 East Hillsborough, Tampa (Hillsborough County), Florida 33610, on or after January 22, 2007.

The name and address of the dealer operator(s) and principal investor(s) of West Coast Golf Cars, Inc. are dealer operator(s): Stuart Anderson, 7202 East Hillsborough, Tampa, Florida 33610; principal investor(s): Stuart Anderson, 7202 East Hillsborough, Tampa, Florida 33610.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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: Michelle Nobles, Regulatory Compliance Officer, PowerGroup International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

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), PowerGroup International, LLC, intends to allow the establishment of West Coast Golf Cars, Inc., as a dealership for the sale of Tomberlin golfcars (TOMB) at 120 South Pebble Beach Boulevard, Sun City Center (Hillsborough County), Florida 33573, on or after January 22, 2007.

The name and address of the dealer operator(s) and principal investor(s) of West Coast Golf Cars, Inc. are dealer operator(s): Stuart Anderson, 120 South Pebble Beach Boulevard, Sun City Center, Florida 33573; principal investor(s): Stuart Anderson, 120 South Pebble Beach Boulevard, Sun City Center, Florida 33573.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, 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: Michelle Nobles, Regulatory Compliance Officer, PowerGroup International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

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**

**NOTICE OF LITIGATION**

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on January 19, 2007, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S., and Rule 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

- CON# INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)
- 9933 Denial, establish a 16 bed comprehensive medical rehabilitation unit, Citrus County, Citrus HMA, Inc. d/b/a Seven Rivers Regional Medical Center, (PRH) same as applicant
  - 9934 Denial, establish a 40 bed long term care hospital, Lake County, Promise Healthcare of Florida III, Inc., (PRH) same as applicant
  - 9934 Supports denial, establish a 40 bed long term care hospital, Lake County, Promise Healthcare of Florida III, Inc., (PRH) Select Specialty Hospital – Lake, Inc.
  - 9935 Denial, establish a 44 bed long term acute care hospital, Lake County, Select Specialty Hospital – Lake, Inc., (PRH) same as applicant
  - 9935 Supports denial, establish a 44 bed long term acute care hospital, Lake County, Select Specialty Hospital – Lake, Inc., (PRH) Promise Healthcare of Florida III, Inc.
  - 9936 Denial, establish a 60 bed Class I acute care hospital, Levy County, Ameris Health Systems, LLC, (PRH) same as applicant
  - 9937 Denial, establish a 100 bed acute care hospital, Sumter County, Wildwood Medical Center, Inc., (PRH) same as applicant



- 9939 Denial, establish a 5 bed Level II NICU, Orange County, The Nemours Foundation, (PRH) same as applicant
- 9940 Denial, establish a 40 bed long term acute care hospital, St. Lucie County, Promise Healthcare of Florida IX, Inc., (PRH) same as applicant
- 9940 Supports denial, establish a 40 bed long term acute care hospital, St. Lucie County, Promise Healthcare of Florida IX, Inc., (PRH) Select Specialty Hospital – St. Lucie, Inc.
- 9940 Supports denial, establish a 40 bed long term acute care hospital, St. Lucie County, Promise Healthcare of Florida IX, Inc., (PRH) Kindred Hospitals East, LLC
- 9941 Denial, establish a 50 bed long term care hospital, St. Lucie County, Kindred Hospitals East, LLC, (PRH) same as applicant
- 9941 Supports denial, establish a 50 bed long term care hospital, St. Lucie County, Kindred Hospitals East, LLC, (PRH) Promise Healthcare of Florida IX, Inc.
- 9941 Supports denial, establish a 50 bed long term care hospital, St. Lucie County, Kindred Hospitals East, LLC, (PRH) Select Specialty Hospital – St. Lucie, Inc.
- 9942 Denial, establish a 44 bed long term acute care hospital, St. Lucie County, Select Specialty Hospital – St. Lucie, Inc., (PRH) same as applicant
- 9942 Supports denial, establish a 44 bed long term acute care hospital, St. Lucie County, Select Specialty Hospital – St. Lucie, Inc., (PRH) Promise Healthcare of Florida IX, Inc.
- 9942 Supports denial, establish a 44 bed long term acute care hospital, St. Lucie County, Select Specialty Hospital – St. Lucie, Inc., (PRH) Kindred Hospitals East, LLC
- 9944 Denial, establish an 80 bed acute care hospital, St. Lucie County, Martin Memorial Medical Center, Inc., (PRH) same as applicant
- 9945 Denial, establish a 40 bed long term care hospital, Broward County, Promise Healthcare of Florida X, Inc., (PRH) same as applicant
- 9945 Supports denial, establish a 40 bed long term care hospital, Broward County, Promise Healthcare of Florida X, Inc., (PRH) Select Specialty Hospital – Broward, Inc.
- 9946 Denial, establish a 44 bed long term acute care hospital, Broward County, Select Specialty Hospital – Broward, Inc., (PRH) same as applicant
- 9946 Supports denial, establish a 44 bed long term acute care hospital, Broward County, Select Specialty Hospital – Broward, Inc., (PRH) Promise Healthcare of Florida X, Inc.
- 9947 Denial, establish a 60 bed long term acute care hospital, Miami – Dade County, Promise Healthcare of Florida XI, Inc., (PRH) same as applicant
- 9947 Supports denial, establish a 60 bed long term acute care hospital, Miami – Dade County, Promise Healthcare of Florida XI, Inc., (PRH) Kindred Hospitals East, LLC
- 9947 Supports denial, establish a 60 bed long term acute care hospital, Miami – Dade County, Promise Healthcare of Florida XI, Inc., (PRH) Select Specialty Hospital – Dade, Inc.
- 9948 Denial, establish a 60 bed long term care hospital, Miami – Dade County, Kindred Hospitals East, LLC, (PRH) same as applicant
- 9948 Supports denial, establish a new 60 bed long term care hospital, Miami – Dade County, Kindred Healthcare Corporation, (PRH) Select Specialty Hospital – Dade, Inc.
- 9948 Supports denial, establish a new 60 bed long term care hospital, Miami – Dade County, Kindred Healthcare Corporation, (PRH) Promise Healthcare of Florida XI, Inc.
- 9949 Denial, establish a 30 bed long term care hospital, Miami – Dade County, Miami Jewish Home and Hospital for the Aged, Inc., (PRH) same as applicant
- 9949 Supports denial, establish a 30 bed long term care hospital, Miami – Dade County, Miami Jewish Home and Hospital for the Aged, Inc., (PRH) Select Specialty Hospital – Dade, Inc.
- 9949 Supports denial, establish a 30 bed long term care hospital, Miami – Dade County, Miami Jewish Home and Hospital for the Aged, Inc., (PRH) Promise Healthcare of Florida, XI, Inc.
- 9949 Supports denial, establish a 30 bed long term care hospital, Miami – Dade County, Miami Jewish Home and Hospital for the Aged, Inc., (PRH) Kindred Hospitals East, LLC
- 9950 Denial, establish a 60 bed long term acute care hospital, Miami – Dade County, Select Specialty Hospital – Dade, Inc., (PRH) same as applicant
- 9950 Supports denial, establish a new 60 bed long term care hospital, Miami – Dade County, Select Specialty Hospital – Dade, Inc., (PRH) Promise Healthcare of Florida XI, Inc.
- 9950 Supports denial, establish a 60 bed long term care hospital, Miami – Dade County, Select Specialty Hospital – Dade, Inc., (PRH) Kindred Hospitals East, LLC
- 9951 Denial, establish a new 90 bed acute care satellite hospital, Miami – Dade County, Mount Sinai Medical Center of Florida, Inc., (PRH) same as applicant
- 9952 Denial, establish an 8 bed Level III NICU, Orange County, The Nemours Foundation, (PRH) same as applicant

9953 Denial, establish an 82 acute care bed Class II Children’s Hospital, Orange County, The Nemours Foundation, (PRH) same as applicant

**CERTIFICATE OF NEED  
EXEMPTIONS**

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Monroe District: 11  
 ID # E0600014 Decision: A Issue Date: 1/29/2007  
 Facility/Project: Lower Keys Medical Center  
 Applicant: Key West HMA, Inc.  
 Project Description: Establish an adult diagnostic cardiac catheterization program  
 Proposed Project Cost: \$1,600,000.00

**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.”

**DEPARTMENT OF HEALTH**

On January 23, 2007, Joseph J. Chiaro, M.D., FAAP, Interim Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Larry Grant Ellet, R.N., license number RN 9222809. 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.

**DEPARTMENT OF FINANCIAL SERVICES**

The Department of Financial Services, Division of State Fire Marshal, pursuant to Section 791.013(1), Florida Statutes, hereby approves the following sparklers for sale from February 1, 2007 to January 31, 2008. The products are listed by ITEM (the name of the product, and any major words or numbers on the product); BRAND (means the name or logo of the manufacturer); DESCRIPTION (a specific physical description

of the product, size should be accurate to within one (1) inch). ALL ASSORTMENT PACKAGES OR CONTAINERS MUST CONTAIN APPROVED SPARKLERS.

- NAME ACE OF CLUBS
- BRAND: TNT
- DESCRIPTION: 6" X 5" X 3" MULTI-TUBE BOX
- NAME ACE OF DIAMONDS
- BRAND: TNT
- DESCRIPTION: 6" X 5" X 3" MULTI-TUBE BOX
- NAME ACE OF HEARTS
- BRAND: TNT
- DESCRIPTION: 6" X 5" X 3" MULTI-TUBE BOX
- NAME ACE OF SPADES
- BRAND: TNT
- DESCRIPTION: 6" X 5" X 3" MULTI-TUBE BOX
- NAME AMERICAN HEARTLAND
- BRAND: TNT
- DESCRIPTION: 4 1/4" X 4" X 3" MULTI-TUBE HEART
- NAME TNT CRACKLING STRING
- BRAND: TNT
- DESCRIPTION: 5 1/2" X 4 3/4" X 2" BOX CONTAINING 6' FT. CRACKLING STRING
- NAME BLAZING REBEL
- BRAND: TNT
- DESCRIPTION: 8 3/4" X 3" MULTI-TUBE CYLINDER
- NAME CRICKETS
- BRAND: TNT
- DESCRIPTION: 4" X 2 1/2" MULTI-TUBE HEXAGON
- NAME EAGLE FOUNTAIN
- BRAND: TNT
- DESCRIPTION: 8 3/4" X 3" MULTI-TUBE CYLINDER
- NAME ECLIPSE
- BRAND: TNT
- DESCRIPTION: 8 3/4" X 1 1/4" CYLINDER W/BASE
- NAME GROUND BLASTER
- BRAND: TNT
- DESCRIPTION: 1" SPHERE W/FUSE
- NAME HUMMING BIRD
- BRAND: TNT
- DESCRIPTION: 4" X 2" MULTI-TUBE BOX
- NAME HURRICANE
- BRAND: TNT
- DESCRIPTION: 5" X 4 1/2" MULTI-TUBE HEXAGON
- NAME KILLER BEE

BRAND: TNT	NAME AMPHIBIOUS TANK
DESCRIPTION: 6 1/2" X 1" CYLINDER W/BASE	BRAND: PHANTOM
NAME LARGE CALIFORNIA ROCKET FOUNTAIN	DESCRIPTION: 3 1/2" X 1 1/2" X 2" TANK
BRAND: TNT	NAME BLOOMING FLOWER
DESCRIPTION: 8 3/4" CYLINDER ON 2" WOODEN STICK	BRAND: PHANTOM
NAME MINI MONSTER	DESCRIPTION: 8" X 5 1/2" MULTI-TUBE CYLINDER
BRAND: TNT	NAME BOMBER
DESCRIPTION: 2 1/2" X 1" CYLINDER	BRAND: PHANTOM
NAME MONSTER BUSTER	DESCRIPTION: 3 3/4" X 5 1/4" X 2" PLANE
BRAND: TNT	NAME BREW HAHA FOUNTAIN
DESCRIPTION: 3 1/4" X 7 3/4" MULTI-TUBE CYLINDER	BRAND: PHANTOM
NAME MORNING GLORY	DESCRIPTION: 8" X 4 3/4" MULTI-TUBE CYLINDER
BRAND: TNT	NAME CAR
DESCRIPTION: 14 1/4" X 3 1/4" X 3/8" BOX W/12 SPARKLERS	BRAND: PHANTOM
NAME PIT STOP	DESCRIPTION: 3 1/2" X 1 1/2" X 1 1/4" CAR
BRAND: TNT	NAME CRACKLING SILVER SALUTE
DESCRIPTION: 3 1/2" BLUE AUTOMOBILE	BRAND: PHANTOM
NAME PIT STOP	DESCRIPTION: 2" X 1 1/2" CYLINDER
BRAND: TNT	NAME JEEP
DESCRIPTION: 3 1/2" RED AUTOMOBILE	BRAND: PHANTOM
NAME PIT STOP	DESCRIPTION: 3 1/2" X 1 1/2" X 1 1/4" VEHICLE
BRAND: TNT	NAME JUMBO GROUND BOOM FLOWERS
DESCRIPTION: 3 1/2" YELLOW AUTOMOBILE	BRAND: PHANTOM
NAME PIT STOP	DESCRIPTION: 2 3/4" X 1" CYLINDER
BRAND: TNT	NAME LOADED DICE
DESCRIPTION: 3 1/2" GREEN AUTOMOBILE	BRAND: PHANTOM
NAME PRECIOUS STONES	DESCRIPTION: 1" X 1" X 1" CUBE; PACKAGE OF 6
BRAND: TNT	NAME MT KILAUEA'S ERUPTION
DESCRIPTION: 5 1/2" X 1 3/4" MULTI-TUBE CYLINER W/BASE	BRAND: PHANTOM
NAME SOUTHERN NIGHT	DESCRIPTION: 11 3/4" X 4 3/4" CONE
BRAND: TNT	NAME SPEED BOAT
DESCRIPTION: 3 1/4" X 2" MULTI-TUBE BOX	BRAND: PHANTOM
NAME SUMMER HEAT	DESCRIPTION: 4 1/2" X 2 1/4" X 2" BOAT
BRAND: TNT	NAME SPIN'N CRACKLE
DESCRIPTION: 8 3/4" X 1 1/4" CYLINDER W/BASE	BRAND: PHANTOM
NAME WINTER STORM	DESCRIPTION: 1" ROUND BALL; PACKAGE OF 6
BRAND: TNT	NAME STROBE BLOOM FLOWER
DESCRIPTION: 8 3/4" X 1 1/4" CYLINDER W/BASE	BRAND: PHANTOM
NAME AMBULANCE	DESCRIPTION: 3" X 1" CYLINDER
BRAND: PHANTOM	NAME TANKINATOR
DESCRIPTION: 3 1/2" X 1 1/2" X 1 1/4" AMBULANCE	BRAND: PHANTOM
	DESCRIPTION: 5 1/2" X 3 1/4" X 3 1/2" TANK
	NAME WRECKER
	BRAND: PHANTOM
	DESCRIPTION: 3 1/2" X 1 1/2" X 1 1/4" TANK

NAME	HELICOPTER	BRAND:	BLACK CAT
BRAND:	PHANTOM	DESCRIPTION:	3 3/4" X 3/4" CYLINDER RASPBERRY
DESCRIPTION:	5 1/2" X 3 1/2" X 2 1/4" HELICOPTER	NAME	COLOR OF SUMMER
NAME	TANK	BRAND:	BLACK CAT
BRAND:	PHANTOM	DESCRIPTION:	3 3/4" X 3/4" CYLINDER BANANA
DESCRIPTION:	3 1/2" X 1 1/2" X 1 1/4" TANK	NAME	COLOR OF SUMMER
NAME	HYPNO SPINNER	BRAND:	BLACK CAT
BRAND:	BLACK CAT	DESCRIPTION:	3 3/4" X 3/4" CYLINDER HONEY DEW
DESCRIPTION:	4" X 1/2" SPINNER	NAME	DESERT DOMINATOR
NAME	NEON COLOR FLAME WATERFALL	BRAND:	BLACK CAT
BRAND:	BLACK CAT	DESCRIPTION:	7" X 3 1/2" X 3 1/2" TANK W/8 WHEELS
DESCRIPTION:	17" WIRE SPARKLER MULTI-COLOR; PACKAGE OF 5	NAME	DISCO SPINNER
NAME	NEON SPECIAL EFFECT	BRAND:	BLACK CAT
BRAND:	BLACK CAT	DESCRIPTION:	3" X 1" CYLINDER
DESCRIPTION:	17" WIRE SPARKLER MULTI-COLOR; PACKAGE OF 5	NAME	GROUND BLOOM FLOWER
NAME	NEON TRIPLE EFFECT	BRAND:	BLACK CAT
BRAND:	BLACK CAT	DESCRIPTION:	2" X 1/2" CYLINDER
DESCRIPTION:	17" YELLOW WIRE SPARKLER; PACKAGE OF 3	NAME	KRAKTAU
NAME	SPARKLERS	BRAND:	BLACK CAT
BRAND:	BLACK CAT	DESCRIPTION:	9 3/4" X 3 1/2" CONE
DESCRIPTION:	36" WIRE SPARKLER BOX OF 2	NAME	MINI CONE
NAME	SHOOT THE LOOP	BRAND:	BLACK CAT
BRAND:	BLACK CAT	DESCRIPTION:	2 1/2" X 1" CONE
DESCRIPTION:	8 1/4" X 1" MULTI-TUBE CYLINDER W/BASE	NAME	RED DAWN
NAME	SUPER SOLDIER	BRAND:	BLACK CAT
BRAND:	BLACK CAT	DESCRIPTION:	2" X 1" CYLINDER
DESCRIPTION:	7" X 1" MULTI-TUBE CYLINDER W/BASE	NAME	SILVERY GLITTER
NAME	COLOR OF SUMMER	BRAND:	BLACK CAT
BRAND:	BLACK CAT	DESCRIPTION:	3" X 1 3/4" CONE
DESCRIPTION:	3 3/4" X 3/4" CYLINDER LIME	NAME	THE MASK
NAME	COLOR OF SUMMER	BRAND:	BLACK CAT
BRAND:	BLACK CAT	DESCRIPTION:	4 1/2" X 4 1/2" X 1 1/2" MULTI-TUBE; CAT MASK
DESCRIPTION:	3 3/4" X 3/4" CYLINDER PEACH	NAME	COLOR OF SUMMER
NAME	COLOR OF SUMMER	BRAND:	BLACK CAT
BRAND:	BLACK CAT	DESCRIPTION:	3 3/4" X 3/4" CYLINDER
DESCRIPTION:	3 3/4" X 3/4" CYLINDER GRAPE	NAME	CALIFORNIA SUNRISE
NAME	COLOR OF SUMMER	BRAND:	
		DESCRIPTION:	4 3/4" X 3 1/2" X 3" MULTI-TUBE TRIANGLE
		NAME	HOT POTS

BRAND: SHOWTIME	NAME FLAMENCO
DESCRIPTION: 3" MULTI-TUBE BALL	BRAND: GLORIOUS
NAME PICK SIX	DESCRIPTION: 7" X 5 1/2" MULTI-TUBE HEXAGON
BRAND: SHOWTIME	NAME KILLER BEES
DESCRIPTION: 6" BOTTLE	BRAND: GALAXY
NAME SEVENTH HEAVEN	DESCRIPTION: 6 1/2" X 1" CYLINDER W/BASE
BRAND: SHOWTIME	NAME MORNING GLORY
DESCRIPTION: 15 3/4" X 6 1/2" MULTI-TUBE CYLINDER	BRAND: GALAXY
NAME GOOGLES	DESCRIPTION: 14" SPARKLER PACKAGED IN BOX 8
BRAND: SHOWTIME	BUNDLES OF 12 SPARKLERS
DESCRIPTION: 2" SPHERE WITH 1" BALL	NAME MORNING GLORY
NAME HEARTS A-FIRE	BRAND: GALAXY
BRAND: SHOWTIME	DESCRIPTION: 10" SPARKLER BOX OF 6
DESCRIPTION: 8" X 12" X 9 1/2" MULTI-TUBE HEART	NAME PYRO PATROL AMBULANCE
NAME LAVA LAMP	BRAND: GALAXY
BRAND: SHOWTIME	DESCRIPTION: 3 1/2" X 1 1/2" TRUCK
DESCRIPTION: 8 3/4" X 3 1/4" MULTI-TUBE CYLINDER	NAME PYRO PATROL BOMBER
NAME SIRIUS BLAST	BRAND: BROTHERS
BRAND: SHOWTIME	DESCRIPTION: 4" X 5" PLANE
DESCRIPTION: 8" X 2" MULTI-TUBE TRIANGLE	NAME PYRO PATROL CAR
W/BASE	BRAND: BROTHERS
NAME BLUE ICE	DESCRIPTION: 3 1/2" X 1 1/2" CAR
BRAND: GLORIOUS	NAME PYRO PATROL HELICOPTER
DESCRIPTION: 4 1/4" X 5" MULTI-TUBE CONE	BRAND: BROTHERS
NAME CUCKOO	DESCRIPTION: 5 1/2" X 2" HELICOPTER
BRAND: GALAXY	NAME PYRO PATROL JEEP
DESCRIPTION: 7" X 1 1/4" MULTI-TUBE CYLINDER	BRAND: BROTHERS
W/BASE	DESCRIPTION: 3 1/2" X 1 1/2" JEEP
NAME FIRETONGUE FOUNTAIN	NAME PYRO PATROL BOAT
BRAND: CANNON BRAND	BRAND: BROTHERS
DESCRIPTION: 8" X 5" X 4" MULTI-TUBE ARROW	DESCRIPTION: 4" X 2 1/2" BOAT
SHAPE	NAME PYRO PATROL TANK

BRAND: BROTHERS  
 DESCRIPTION: 3 1/2" X 1 3/4" TANK  
 NAME PYRO PATROL TOW TRUCK  
 BRAND: BROTHERS  
 DESCRIPTION: 3" X 1 1/2" TRUCK

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**FINANCIAL SERVICES COMMISSION**

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at <http://www.fldfs.com/ofr/banking/cufm.asp>. 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, 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., March 2, 2007):

Name and Address of Applicant: PBC Credit Union, 3469 Summit Boulevard, West Palm Beach, Florida 33406

Expansion Includes: Geographic

Received: January 24, 2007

Name and Address of Applicant: State Employees Credit Union, 401 West First Street, Jacksonville, FL 32202

Expansion Includes: Geographic

Received: January 29, 2007

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN January 22, 2007  
 and January 26, 2007

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**EXECUTIVE OFFICE OF THE GOVERNOR**  
**Office of Tourism, Trade and Economic Development**

27M-2.001	1/23/07	2/12/07	32/51	
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**WATER MANAGEMENT DISTRICTS**  
**Southwest Florida Water Management District**

40D-8.624	1/23/07	2/12/07	32/47	
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**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Medicaid Program Office**

59G-4.230	1/22/07	2/11/07	32/45	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF HEALTH**  
**Board of Chiropractic**

64B2-13.0045	1/23/07	2/12/07	32/33	32/51
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**Board of Medicine**

64B8-9.015	1/22/07	2/11/07	32/24	32/50
64B8-53.001	1/26/07	2/15/07	31/28	32/52
64B8-55.002	1/23/07	2/12/07	32/43	33/3

**Board of Speech-Language Pathology and Audiology**

64B20-2.002	1/25/07	2/14/07	32/49	
64B20-2.004	1/25/07	2/14/07	32/49	
64B20-2.006	1/25/07	2/14/07	32/49	
64B20-4.002	1/25/07	2/14/07	32/49	