

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: 5E-1.023 RULE TITLE:
 Procedures for Landowners and Leaseholders to Submit a Notice of Intent to Implement Nitrogen Best Management Practices (BMPs)

PURPOSE AND EFFECT: This amendment is proposed to provide for the adoption of an interim best management practice for fertilization for urban landscape maintenance.

SUBJECT AREA TO BE ADDRESSED: The rule amendment will address a request to adopt interim measure for nitrogen management per paragraph 5E-1.023(3)(a), F.S., by representatives of the landscape maintenance industry.

SPECIFIC AUTHORITY: 576.045(3)(b) FS.

LAW IMPLEMENTED: 576.045(3)(b) FS.

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

DATE AND TIME: April 16, 2007, 10:00 a.m.

PLACE: George Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mr. Steve Dwinell, Assistant Director of Division of Agricultural Environmental Services, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650; (850)488-7447

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-1.023 Procedures for Landowners and Leaseholders to Submit a Notice of Intent to Implement Nitrogen Best Management Practices (BMPs)

(1) through (5)(c) No change.

(d) Urban turf or lawns – The document titled “Best Management Practices for Protection of Water Resources in Florida, June 2002, Florida Green Industries” published by the Florida Department of Environmental Protection is hereby adopted and incorporated by reference.

Specific Authority 403.067(7)(d)1., 576.045(6) FS. Law Implemented 403.067, 576.045 FS. History—New 10-16-96, Amended 5-1-01, 10-17-02, 2-4-03, _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.025 RULE TITLE:
 Use of Epinephrine Auto-Injectors
 PURPOSE AND EFFECT: The purpose of the rule development is to develop a rule as required in Section 1002.20(3)(i), Florida Statutes, to address the use of epinephrine auto-injectors in school, school sponsored activities, or in transit to or from school if authorized by the parent and prescribing physician. The effect will be a rule to implement statutory requirements.

SUBJECT AREA TO BE ADDRESSED: Use of Epinephrine Auto-Injectors.

SPECIFIC AUTHORITY: 1002.20(3)(i) FS.

LAW IMPLEMENTED: 1002.20(3)(i) 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: Lynn Abbott, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0783 RULE TITLE:
 District School Board Exclusive Authority to Sponsor Charter Schools

PURPOSE AND EFFECT: The purpose of the proposed rule development is to establish procedures for school boards to seek exclusive authority to authorize charter schools within the boundaries of their school districts. The effect is to implement the requirements of Section 1002.335, Florida Statutes, by providing a fair and consistent process for school boards to follow in submitting a resolution and written application for exclusive authority, and procedures to be followed by the State Board of Education in receiving, reviewing, and taking action on an application.

SUBJECT AREA TO BE ADDRESSED: Procedures for school boards to seek exclusive authority to authorize charter schools.

SPECIFIC AUTHORITY: 1002.335 FS.

LAW IMPLEMENTED: 1002.335 FS.

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

DATES AND TIMES: April 9, 2007, 9:00 a.m. – 1:00 p.m.

April 10, 2007, 9:00 a.m. – 1:00 p.m.
 April 11, 2007, 9:00 a.m. – 1:00 p.m.
 April 12, 2007, 3:00 p.m. – 6:00 p.m.
 April 16, 2007, 9:00 a.m. – 1:00 p.m., CST
 April 9, 2007

PLACE: Nova Southeastern University, North Miami Beach Campus, 1750 N.E. 167th Street, Room 210 A & B, North Miami Beach, FL 33162

April 10, 2007

PLACE: Nova Southeastern University, 4850 Millenia Blvd., Room 232, Orlando, FL 32839

April 11, 2007

PLACE: Nova Southeastern University, 6675 Corporate Center Parkway, 2nd Floor, Room 10, Jacksonville, FL 32216

April 12, 2007

PLACE: 400 South Monroe Street, State Capitol, Cabinet Meeting Room LL-03, Tallahassee, FL 32399

April 16, 2007

PLACE: Gulf Coast Community College, 5230 Highway 98 W, Gibson Lecture Hall, Student Union East, Panama City, FL 32401

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carlo Rodriguez, Ed.D., Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Room 522, Tallahassee, Florida 32399-0400, (850)245-0502

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-10.060 The Dale Hickam Excellent Teaching Program

PURPOSE AND EFFECT: The purpose of the rule development is to review the current provisions of the rule to ensure they are consistent with the implementing statute as well as the definition of instructional personnel in Section 1012.01(2)(a)-(c), Florida Statutes. The effect will be a rule which is consistent with statute.

SUBJECT AREA TO BE ADDRESSED: Dale Hickam Excellent Teaching Program.

SPECIFIC AUTHORITY: 1012.72 FS.

LAW IMPLEMENTED: 1012.72 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: Lynn Abbott, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400

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

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:	RULE TITLES:
12A-1.0011	Schools Offering Grades K through 12; Parent-Teacher Associations; and Parent-Teacher Organizations
12A-1.005	Admissions
12A-1.011	Sales of Food Products for Human Consumption by Grocery Stores, Convenience Stores, and Supermarkets; Sales of Bakery Products by Bakeries, Pastry Shops, or Like Establishments; Drinking Water; Ice
12A-1.040	Sales of Containers, Wrapping and Packing Materials and Related Products
12A-1.071	Rentals, Leases, or License to Use Tangible Personal Property
12A-1.097	Public Use Forms

PURPOSE AND EFFECT: The Department has assembled a working draft of proposed amendments to Rule Chapter 12A-1, F.A.C. (Sales and Use Tax), for the purpose of gathering input and comment from the public regarding sales of grocery items, meals, snacks, and drinks. The Department will propose the final changes to Rule Chapter 12A-1, F.A.C., only after we receive input at this rule development workshop and input from interested parties who are unable to attend the workshop. We welcome your involvement in the development of these proposed rule amendments. If you are unable to attend, you may send comments and input to: Richard Parsons, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4838.

The purpose of the proposed amendments to Rule 12A-1.0011, F.A.C. (Schools Offering Grades K through 12; Parent-Teacher Associations; and Parent-Teacher Organizations), is to include meals or other prepared food products as examples of items sold for fund raising purposes.

The purpose of the proposed amendments to Rule 12A-1.005, F.A.C., is to provide that fees charged for entrance to a restaurant, tavern, night club, or similar place of business are subject to tax.

The purpose of the proposed substantial rewording of Rule 12A-1.011, F.A.C. (Sales of Food Products for Human Consumption by Grocery Stores, Convenience Stores, and Supermarkets; Drinking Water, Ice), is to clarify the application of tax on the sale of food products generally sold by grocery stores, convenience stores, supermarkets, bakeries, fish markets, produce markets, and other like places of business and on the sale of bakery products by bakeries, pastry shops, or like establishments. The provisions regarding the application of tax on food products generally served, prepared, or sold in or by restaurants, lunch counters, cafeterias, caterers, hotels, taverns, or other like places of business will be removed from the current rule and will be provided in Rule 12A-1.0115, F.A.C., as created. The current provisions of Rule 12A-1.011, F.A.C., are included in the substantial rewording of Rule 12A-1.011, F.A.C., or the creation of Rule 12A-1.0115, F.A.C., and, when necessary, are updated to be consistent with the provisions of Section 212.08(1), F.S., as amended by Chapter 98-408, L.O.F., regarding the taxability of food products.

The substantial rewording of Rule 12A-1.011, F.A.C., is intended to provide the application of sales or use tax for the following: (1) examples of exempt food products for human consumption; (2) the exemption provided for food products prepared off the seller's premises when sold in the original sealed container or sliced into smaller portions; (3) bakery products when sold by bakeries, pastry shops, or like establishments that do not have eating facilities and bakery products when sold by such establishments that have eating facilities; (4) candy, gum, mints, and similar products; (5) food prepared on the seller's premises and sold for immediate consumption; (6) hot prepared food products; (7) sandwiches sold ready for immediate consumption; (8) novelty items and frozen dairy or nondairy products; (9) soft drinks, including nonalcoholic beverages, noncarbonated beverage made from milk derivatives, and beverages containing fruit or vegetable juices labeled under federal standards as containing less than 100% juice; (10) tea sold in liquid form; (11) drinking water, ice, and additives; (12) the exemption provided for samples or donated food products; (13) food stamps or vouchers issued under authority of federal law; (14) packages containing both exempt food products and taxable food products or other items; and (15) the exclusion from tax for items and materials used one time only for packaging food products.

The purpose of the proposed creation of Rule 12A-1.0115, F.A.C. (Sales of Food or Drinks Served, Prepared, or Sold in or by Restaurants, Lunch Counters, Cafeterias, Caterers, Hotels, Taverns, or Other Like Places of Business and by Transportation Companies), is to provide the application of sales or use tax for the following: (1) food products generally served, prepared, or sold in or by restaurants, lunch counters, cafeterias, caterers, hotels, taverns, or other like places of business; (2) food products when sold by such establishments that also maintain a separate department that includes groceries; (3) when tax is due on the purchase of, or the cost of

furnishing, food products consumed in places where an admission is charged for entrance; (4) when sales tax is to be collected on food products separately itemized and priced from the admission charge to a patron; (5) sales of meal tickets or coupon books and coupons or discounts for food products; (6) the exemption provided for donated food products; (7) when tax is due on complimentary food products; (8) food products sold or furnished by employers to employees; (9) food products sold by airlines, railroads (except Amtrak), vessels, or other transportation companies to their passengers while in Florida; (10) food products served, prepared, or sold by caterers and event planners; (11) purchases, leases, and rentals by caterers or event planners; (12) gratuities consistent with the guidelines established by the court in *Green v. Surf Club, Inc.*, 136 So.2d 354 (Fla. 3rd DCA 1961), cert. den., 139 So.2d 694 (Fla. 1962); (13) fees for preparing or serving food products; (14) food products when furnished with living or sleeping accommodations at colleges or other institutions of higher learning; (15) the exemption provided for certain complimentary food and drinks provided by public lodging establishments; (16) food products when furnished with housing at labor camps or public housing quarters; (17) food products furnished at day care facilities, day camps, or other custodial camps; (18) the exemption provided to hospital patients and inmates or to residents of homes for the aged; (19) food products sold to or prepared and served by social clubs, civic clubs, or fraternal organizations; (20) food products sold to or by nonprofit organizations, religious institutions, and organizations sponsoring a fundraising event; and (21) the exclusion from tax for items and materials used one time only for packaging or serving food products.

The purpose of the proposed amendments to Rule 12A-1.040, F.A.C. (Sales of Containers, Wrapping and Packing Materials and Related Products), is to remove provisions regarding the packaging of food products that will be provided in Rule 12A-1.011, F.A.C., as substantially reworded, and Rule 12A-1.0115, F.A.C., as created.

The purpose of the proposed amendments to Rule 12A-1.071, F.A.C. (Rentals, Leases, or License to Use Tangible Personal Property), is to: (1) remove provisions regarding sales by caterers that will be provided in Rule 12A-1.0115, F.A.C., as created; and (2) remove provisions regarding water softening services that will be provided in Rule 12A-1.011, F.A.C., as substantially reworded.

The purpose of the proposed amendments to Rule 12A-1.097, F.A.C. (Public Use Forms), is to remove obsolete Form DR-46B (Examples of Nonalcoholic Preparations, Beverages and Drinks when Sold in Grocery Stores and Similar Establishments) which is no longer used by the Department.

SUBJECT AREA TO BE ADDRESSED: This rule development workshop is being held to solicit and receive public comment and input regarding the working draft of changes to Rule Chapter 12A-1, F.A.C. (Sales and Use Tax),

for: (1) the application of tax on the sale of food products generally sold by grocery stores, convenience stores, supermarkets, bakeries, fish markets, produce markets, and other like places of business; (2) the application of tax on bakery products sold by bakeries, pastry shops, and like establishments; (3) the application of tax on the sale of water or ice; and (4) the application of tax on the sale of food products generally served, prepared, or sold in or by restaurants, lunch counters, cafeterias, caterers, hotels, taverns, or other like places of business.

The following issues relevant to grocery stores, supermarkets, convenience stores, and others that sell grocery items will be addressed:

- Sales of grocery items, both taxable and exempt
- Sales of bakery products for consumption on the premises and those sold for consumption off the premises
- Sales of taxable soft drinks and other beverages and tax-exempt 100% juice
- Sales of hot prepared food items sold by grocery stores
- Sales of packages containing both tax-exempt food items and other taxable items
- Tax-exempt items used for packaging food for sale

Issues related to restaurants, lunch counters, cafeterias, hotels, taverns, caterers, transportation companies, tax-exempt organizations, or other places that sell prepared food items will also be addressed:

- Meals, drinks, and food items that are taxable when prepared, served, or sold in such places of business
- The taxability of food and drinks served or sold in places where an admission is charged
- How to tax meals and food items purchased with coupons or other discounts
- When gratuities are subject to tax
- The exemption for food donated to a food bank or to organizations exempt from federal tax
- The exemption from use tax on food or drinks furnished as part of a room package by hotels and other public lodging establishments
- Tax-exempt items used for packaging food or drink for sale

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

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

(3), 213.235, 213.29, 213.37, 219.07, 288.1258, 376.70, 376.75, 402.61, 403.717, 403.718, 403.7185, 443.036, 443.121(1), (3), 443.131, 443.1315, 443.1316, 443.171(2), (7), 616.260 FS.

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

DATE AND TIME: April 18, 2007, 1:30 p.m.

PLACE: Room 118, Carlton Building, 501 South Calhoun 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 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. If you are 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: Richard Parsons, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4838

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12A-1.0011 Schools Offering Grades K through 12; Parent-Teacher Associations; and Parent-Teacher Organizations.

(1) through (2) No change.

(3) SALES OF SCHOOL MATERIALS AND SUPPLIES AND FUND-RAISING ITEMS.

(a) through (b) No change.

(c)1. Schools offering grades K through 12 and parent-teacher associations or parent-teacher organizations whose primary purpose is to raise funds for such schools may pay tax to their suppliers on the cost price of items instead ~~in lieu~~ of registering as a dealer, obtaining a Consumer's Certificate of Exemption, or collecting tax on their sales of the following taxable items:

a. No change.

b. Items sold for fund raising purposes, such as meals or other prepared food products, candy, photographs, greeting cards, wrapping paper, and similar fund raising items.

c. through (5) No change.

Specific Authority 212.17(6), 212.18(3), 213.06(1) FS. Law Implemented 212.04(2)(a), 212.08(7)(o), (r), ~~(ll)(mm)~~, 212.0821 FS. History—New 6-19-01, Amended.

12A-1.005 Admissions.

(1) through (2) No change.

(3) TAXABLE ADMISSIONS AND PARTICIPATION FEES. The following paragraphs contain examples of admission charges that are subject to tax, unless such admissions are specifically exempt under the provisions of Section 212.04(2), F.S. This list is not intended to be an exhaustive list.

(a) through (h) No change.

(i) Fees charged for entrance to a restaurant, tavern, night club, or similar place of business are subject to tax.

(i) through (m) renumbered (j) through (n) No change.

(4) through (6) No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(1), 212.04, 212.08(6), (7), 616.260 FS. History—Revised 10-7-68, 1-7-70, 6-16-72, Amended 7-19-72, 12-11-74, 9-28-78, 7-3-79, 12-3-81, 7-20-82, Formerly 12A-1.05, Amended 1-2-89, 12-16-91, 10-17-94, 3-20-96, 3-4-01, 10-2-01, 4-17-03, 6-28-05, _____.

(Substantial Rewording of Rule 12A-1.011 follows. See Florida Administrative Code for present text.)

12A-1.011 Sales of Food Products and Drink for Human Consumption by Grocery Stores, Convenience Stores, and Supermarkets; Sales of Bakery Products by Bakeries, Pastry Shops, or Like Establishments; Drinking Water; Ice Sales of Food or Drinks Served, Cooked, Prepared, or Sold by Restaurants or Other Like Places of Business.

(1)(a) Section 212.08(1), F.S., exempts food products for human consumption, with certain exceptions. The purpose of this rule is to clarify the application of tax on the sale of food products generally sold in or by grocery stores, convenience stores, supermarkets, bakeries, fish markets, produce markets, and other like places of business. This rule is also intended to clarify the application of tax on the sale of bakery products by bakeries, pastry shops, or like establishments and on the sale of drinking water or ice.

(b) Rule 12A-1.0115, F.A.C., is intended to clarify the application of tax on food products generally served, prepared, or sold in or by restaurants, lunch counters, cafeterias, caterers, hotels, taverns, or other like places of business.

(2) TAX-EXEMPT FOOD PRODUCTS.

(a) Food products for human consumption, whether processed, cooked, raw, canned, or in any other form which is generally regarded as food, are exempt. The following is a non-exhaustive list of exempt food products:

1. Baby foods and baby formulas;

2. Baked goods and baking mixes, including ready-to-eat and ready-to-bake products;

3. Baking and cooking items advertised and normally sold for use in cooking or baking, such as chocolate morsels, flavored frostings, glazed or candied fruits, marshmallows, powdered sugar, or food items intended for decorating baked goods;

4. Cereals and cereal products, including ready-to-eat, instant, regular hot cereals;

5. Cheeses, including cured and whey cheese, cream, natural, grating, processed, spread, dip, and other miscellaneous cheeses;

6. Cocoa;

7. Coffee and coffee substitutes;

8. Condiments and relishes, including seasoning sauces and spreads, such as mayonnaise, ketchup, or mustard;

9. Cookies, including chocolate-coated or cream-filled;

10. Dairy products;

11. Dairy substitutes;

12. Dietary supplements and meal replacements, including liquid food supplements and nutrition bars, including those that are candy-coated or chocolate-coated;

13. Eggs and egg products, including liquid, frozen, or dried eggs;

14. Fish, shellfish, and other seafood products, whether fresh or frozen;

15. Food coloring;

16. Frozen dinners and other frozen food products;

17. Fruit, fruit snacks, fruit roll-ups, and dried fruit, including those sweetened with sugar or other sweeteners;

18. Gelatins, puddings, and fillings, including flavored gelatin desserts, puddings, custards, parfaits, pie fillings, and gelatin base salads;

19. Grain products and pastas, including macaroni and noodle products, rice and rice dishes;

20. Honey;

21. Ice cream, frozen yogurt, sherbet, and similar frozen dairy or nondairy products sold in units larger than one pint;

22. Jams and jellies;

23. Marshmallows;

24. Meat and meat products;

25. Meat substitutes;

26. Milk, including natural fluid milk, homogenized milk, pasteurized milk, whole milk, chocolate milk, buttermilk, half and half, whipping cream, condensed milk, evaporated milk, powdered milk, or similar milk products, and products intended to be mixed with milk;

27. Natural fruit or vegetable juices or their concentrates or reconstituted natural concentrated fruit juices in any form, whether frozen or unfrozen, aerated, dehydrated, powdered, granulated, sweetened or unsweetened, seasoned with salt or spice, or unseasoned. Only those juices that are permitted by federal law and regulation to be labeled "100 percent juice" or "100 percent juice with added [filled in with a term such as "ingredient(s)," "preservative," or "sweetener," as appropriate]" will be considered natural fruit or vegetable juices. [Title 21 (Food and Drug), Chapter 9 (Federal Food,

Drug, and Cosmetic Act), Subchapter IV (Food) 21 U.S.C. ss. 341; 343 (January 24, 2002)]; [21 C.F.R. Ch. 1, ss. 101.30; 102.5; 102.33, 146.114-146.187; 156.3; 156.145 (4-1-06)].

28. Peanut butter;

29. Poultry and poultry products;

30. Salad dressings and dressing mixes;

31. Salt, pepper, spices, seeds, herbs, seasonings, blends, extracts, and flavorings, whether natural or artificial;

32. Sandwich spreads;

33. Sauces and gravies;

34. Snack foods, including chips, corn chips, potato chips, cheese puffs and curls, cereal bars, cracker jacks, granola bars, nuts and edible seeds, pork rinds, and pretzels, whether such products are chocolate-coated, honey-coated, or candy-coated.

35. Soups and soup mixes;

36. Sugar, sugar products, and sugar substitutes;

37. Tea (including herbal tea), unless sold in a liquid form;

38. Vegetables and vegetable products;

39. Vegetable oils, lard, olive oil, shortenings, and oleomargarine.

(b) Food products prepared off the seller's premises are exempt when:

1. Sold in the original sealed container;

2. Sliced into smaller portions; or

3. The product is sold frozen and then heated on the seller's premises by the customer.

(c) Taxpayers who have a question regarding the taxable status or exempt status of a food product may submit a written description of the food product and a copy of the food product label to the Department to obtain a determination of the taxability of the product. This request should be addressed to the Florida Department of Revenue, Technical Assistance and Dispute Resolution, P. O. Box 7443, Tallahassee, Florida 32314-7443.

(3) BAKERY PRODUCTS SOLD BY BAKERIES, PASTRY SHOPS, OR LIKE ESTABLISHMENTS.

(a) Bakery products sold by bakeries, pastry shops, or like establishments as hot prepared food products are taxable.

1. Bakery products that are kept warm by a heat source used to maintain them in a heated state, or to reheat them, are hot prepared food products.

2. Bakery products that are sold while still warm from the initial baking are not hot prepared food products.

3. Example: A bakery establishment toasts a bagel for a customer. The sale of the bagel is subject to tax, whether the bakery establishment has eating facilities or does not have eating facilities.

(b) Bakery products, excluding items sold as a hot prepared food products, that are sold by bakeries, pastry shops, or like establishments that do not have eating facilities are exempt.

(c)1. Bakery products, excluding items sold as hot prepared food products, that are sold by bakeries, pastry shops, or like establishments that have eating facilities are subject to tax, unless the bakery product is sold for consumption off the premises.

2. For the purpose of this paragraph, there shall be a rebuttable presumption that bakery products are not intended by the customer to be consumed off the seller's premises when:

a. Such bakery products are sold in quantities of 5 or fewer items; or

b. The bakery products are not packaged in a manner consistent with an intention by the customer to consume the products off the seller's premises, such as products that are bagged or sold in packaging that is glued, stapled, wrapped, or sealed.

(d)1. Bakeries, pastry shops, or like establishments that have eating facilities and make tax-exempt sales of bakery products that are for consumption off the premises are required to separately account for the tax-exempt sales of bakery products for consumption off the premises.

2. Examples of methods to separately account for tax-exempt sales of bakery products for consumption off the premises are: using sales invoices which contain documentation that the sales of the bakery product is for consumption off the premises; using a separate key on a cash register to record tax-exempt sales of bakery products; or using a separate cash register to record tax-exempt sales of bakery products.

3. Example. A bakery operates an establishment with eating facilities. The bakery sells donuts, toasted bagels, and other pastries, as well as coffee and other drinks. The bakery sells bakery products to patrons who take the products home for consumption in sealed containers. Products sold for consumption on the premises are served to the customers on trays. The bakery uses separate keys on its cash registers to account for the sales of tax-exempt bakery products to patrons who purchase the products for consumption off the premises in sealed containers separately from the accounting for taxable sales of toasted bagels, coffee, other drinks, and bakery products for consumption on the premises. The bakery products sold for consumption off the premises are exempt because the bakery's packaging and accounting methods overcome the rebuttable presumption that the products are sold for consumption on the premises.

(4) TAXABLE FOOD PRODUCTS. The exemption for food products for human consumption does not apply to any of the items specified in this subsection.

(a) Candy, chewing gum, bubble gum, breath mints, and any similar product regarded as candy or confection, based on its normal use as indicated on the label or advertising, is subject to tax. The term "candy and similar products" does not include snack foods not regarded as candy or confection, as indicated on the label or advertising of the product.

(b) Food prepared, whether on or off the seller's premises, and sold for immediate consumption is subject to tax. This does not apply to food prepared off the seller's premises and sold in the original sealed container, or to the slicing of products into smaller portions.

1. Food prepared for immediate consumption is food prepared to a point generally accepted as ready to be eaten without further preparation and that is sold in a manner that suggests readiness for immediate consumption. In determining whether an item of food is sold for immediate consumption, the customary consumption practices prevailing at the selling facility shall be considered.

2. Examples:

a. Potato salad is prepared and delivered to a dealer in bulk. The dealer repackages the potato salad into smaller containers. Because the potato salad is not sold in the original container, the sale of the repackaged smaller containers of potato salad is subject to tax.

b. A grocery store buys cold cuts in 5-pound packages. The grocery store slices cold cuts for the customer according to the thickness and the amount the customer desires. The food is then packaged for sale to the customer. Because the cold cuts are sliced into smaller portions, the sale of the cold cuts is exempt from tax.

c. A grocery store grinds selected peanuts into peanut butter at the customer's request. The sale of the peanut butter is subject to tax.

d. A supermarket offers freshly popped popcorn for shoppers for sale. The sale of the popcorn is subject to tax.

e. A supermarket prepares seafood products, such as smoked fish or steamed shrimp, for sale. The sale of the smoked or steamed shrimp is subject to tax.

(c)1. Hot prepared food products, whether sold separately or in combination with other food items, when the food is heated by the seller rather than by the customer, is subject to tax.

2. Hot prepared food products are those products, items, or components that have been prepared for sale in a heated condition and sold at any temperature that is higher than the air temperature of the room or place where the products are sold. Preparation of a "hot prepared food product" includes cooking, microwaving, warming, toasting, or any other method of heating the food. Food products, including bakery products, are considered "hot prepared food products" when a heat source is used to maintain the food product in a heated state or is used to reheat the food product. Bakery products that are sold while still warm from the initial baking are not "hot prepared food products." Their temperature is a result of the timing of the customer's purchase rather than an indication of preparation to be sold in a heated condition.

3. When a single price is charged for a combination of hot prepared food products and cold food items or other components, the single price charged for the combination is subject to tax.

4. Examples:

a. A supermarket sells barbecued chicken that is kept hot by a rotisserie to be taken home and eaten. The sale of the chicken is subject to tax.

b. A grocery store bakes bread in an oven. The bread is packaged for sale while it is still warm. A customer purchases a package of the bread while it is still warm. The sale of the warm bread is not subject to tax.

c. A single price is charged for a combination of a hot meal, hot pizza, hot specialty dish, or hot sandwich, with cold components, such as a salad or fruit or other side items, by a convenience store. The single price charged for the combination is subject to tax.

(d) Sandwiches sold ready for immediate consumption, whether refrigerated or heated by the customer or by the retailer, are subject to tax. An example of a sandwich not sold ready for immediate consumption would be a frozen sandwich or a sandwich with a frozen or partially frozen filling.

(e) Meals sold for consumption on or off the seller's premises are subject to tax.

(f) Ice cream, frozen yogurt, and similar frozen dairy or nondairy products in cones, small cups, or pints, and popsicles, frozen fruit bars, or other novelty items, whether sold separately or in multiple units, are subject to tax.

(5) TAXABLE SOFT DRINKS. The exemption for food products for human consumption does not apply to soft drinks. The following sales of soft drinks are subject to tax:

(a) Nonalcoholic beverages, whether carbonated or noncarbonated.

(b) Any noncarbonated beverage made from milk derivatives, such as ice cream sodas, milkshakes, or malts.

(c) Any beverages and preparations commonly referred to as a "soft drink," such as sodas, soda water, ginger ale, colas, root beer, tonic, fizzes, or cocktail mixes.

(d) Any beverage containing fruit or vegetable juice labeled with the word(s) "ade," "beverage," "cocktail," "drink," or "fruit or vegetable flavor, flavored, or flavorings." Federal law and regulations require that any beverage containing more than 0 percent juice, but less than 100 percent fruit or vegetable juice, which represents or suggests by its physical characteristics, name, labeling, ingredient statement, or advertising that it contains fruit or vegetable juice, be labeled in a manner that is appropriate to advise the consumer that the product is less than 100 percent juice. [Title 21 (Food and Drug), Chapter 9 (Federal Food, Drug, and Cosmetic Act), Subchapter IV (Food) 21 U.S.C. ss. 341; 343 (January 24, 2002)]; [21 C.F.R. Ch. 1, ss. 101.30; 102.5; 102.33, 146.114-146.187; 156.3; 156.145 (4-1-06)]. Examples of taxable beverages include: apple blend, cranberry juice

cocktail, grape juice beverage, lemonade, limeade, orangeade, raspberry and cranberry flavored drink, fruit drink, fruit punch, diluted fruit juices, and diluted vegetable juices.

(e) Tea sold in a liquid form.

(6) VENDING MACHINES AND MOBILE VENDORS.

Food products sold through a vending machine, push cart, motor vehicle, or any other form of vehicle are subject to tax. See Rule 12A-1.044, F.A.C., for sales through vending machines.

(7) WATER AND ICE.

(a)1. Drinking water, including water enhanced by the addition of minerals, sold in bottles, cans, or other containers is exempt, except when carbonation or flavorings has been added to the water.

(b) The sale of ice, including dry ice, is subject to tax, except when the ice is purchased for use as a packaging material to package food products for sale, as provided in subsection (11) of this rule.

(c) Fluoride used in the treatment of drinking water is exempt.

(d) Germicides (such as chlorine), sodium silicate, activated charcoal, and similar purification agents used in the treatment of drinking water are exempt.

(e) The charge for water conditioning services, such as water softening services, is not subject to tax. The sale of salt for use in water softeners to regenerate the minerals required for softening water is not the sale of a purification agent used in the treatment of drinking water and is subject to tax.

(8) COMPLIMENTARY AND DONATED FOOD PRODUCTS.

(a)1. Dealers that primarily sell food products at retail are not subject to sales or use tax on any food or drink provided without charge as a sample or for the convenience of customers, even when cooked or prepared on the dealer's premises. For example, hot coffee provided in a grocery store for shoppers is not subject to sales or use tax.

2. Dealers that primarily sell food products at retail are not subject to sales or use tax on any item given to a customer as part of a price guarantee plan related to point-of-sale errors.

3. The exemption, as provided in this paragraph, does not apply to businesses whose primary activity is to serve prepared meals or alcoholic beverages for immediate consumption.

(b) Dealers that sell food products at retail are not subject to sales or use tax on any food product donated to a food bank or an organization determined to be currently exempt from federal income tax pursuant to s. 501(c) of the Internal Revenue Code of 1986, as amended.

(9) WIC VOUCHERS AND FOOD STAMPS.

(a) Food products are exempt when purchased with food stamps issued by the United States Department of Agriculture, or with Special Supplemental Food Program for Women, Infants, and Children (WIC) vouchers issued under authority of federal law.

(b) When a purchase of food products is made partly with food stamps or WIC vouchers and partly with cash or manufacturer's coupons, the food stamps or WIC vouchers will first be used to defray the cost of the taxable food and drinks, less the value of any manufacturer's coupons, that can be purchased with the food stamps or WIC vouchers. When the food stamps or WIC vouchers are insufficient to purchase the taxable items, tax is due on the remaining sales price of taxable food and drinks.

(10) MULTIPLE ITEMS PACKAGES.

(a) When a package contains both exempt food products and taxable tangible personal property (e.g., a basket of food and candy, a basket of nuts, or decorated cans or glasses filled with food items) and the tax-exempt food products are separately itemized and priced from the taxable tangible personal property, no tax is due on the tax-exempt food products.

(b) When the total charge for a package containing both exempt food products and taxable tangible personal property is a single charge, the application of tax depends upon the essential character of the complete package, as follows:

1. When the taxable tangible personal property represent more than 25 percent of the value of the package, the total charge is subject to tax.

2. When the taxable tangible personal property represent 25 or less of the value of the package, the total sale is exempt. The seller is required to pay use tax on any taxable items included in the package that were purchased tax-exempt for the purposes of resale. The cost price of any promotional items included in the package is subject to tax.

(11) ITEMS USED TO PACKAGE FOOD PRODUCTS.

(a) The purchase, use, or consumption of items and materials used one time only for packaging food products, without which delivery of the food product would be impractical, or for the convenience of the customer, is not subject to tax.

(b) For example, the following items purchased by grocery stores, convenience stores, supermarkets, bakeries, fish markets, produce markets, and other like places of business and used in the manner described are not subject to tax:

1. Beverage containers when the seller of the beverage does not require a deposit to secure the return of the container;

2. Cardboard 6-pack and 12-pack lift cartons;

3. Egg cartons, egg crates, and other containers used to transport eggs to a customer;

4. Ice, dry ice, and salt that is placed directly into the shipping container for perishable food or placed into the packaging of perishable food sold at retail;

5. Oil used to line the inside of containers in which meat is packaged for shipment;

6. Paper food dividers used to separate food sections in a container;

7. Paper or plastic bags or sacks for use by customers in carrying out purchased items;

8. Skewers used by butchers and meat shops to prepare meat or seafood for sale.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(14)(c), 212.07(2), 212.08(1), (4)(a)1., (7)(oo), (pp); ~~212.18(2)~~ FS. History--Revised 10-7-68, 6-16-72, 9-28-78, 10-29-81, Formerly 12A-1.11, Amended 12-8-87, 1-2-89, 8-10-92, 6-19-01, 4-17-03, _____.

12A-1.0115 Sales of Food Products Served, Prepared, or Sold in or by Restaurants, Lunch Counters, Cafeterias, Caterers, Hotels, Taverns, or Other Like Places of Business and by Transportation Companies.

(1) SCOPE.

(a) Section 212.08(1), F.S., exempts food products for human consumption, with certain exceptions. The purpose of this rule is to clarify the application of tax on food products generally served, prepared, or sold in or by restaurants, lunch counters, cafeterias, caterers, hotels, taverns, or other like places of business.

(b) Rule 12A-1.011, F.A.C., is intended to clarify the application of tax to the sale of food products generally sold by grocery stores, convenience stores, supermarkets, bakeries, fish markets, produce markets, and other like places of business, the sale of bakery products by bakeries, pastry shops, and like establishments, and the sale of drinking water or ice.

(2) FOOD PRODUCTS SERVED, PREPARED, OR SOLD IN OR BY RESTAURANTS OR SIMILAR PLACES OF BUSINESS.

(a) Food products served, prepared, or sold in or by restaurants, lunch counters, cafeterias, hotels, taverns, or other similar places of business are subject to tax.

(b) Food products that are furnished, prepared, or served for consumption at tables, chairs, or counters or from trays, glasses, dishes, or other tableware are subject to tax. The food products are subject to tax, even though the tables, chairs, or counters and the trays, glasses, dishes, and other tableware may be provided by a person with whom the dealer contracts to furnish, prepare, or serve the food products to others.

(c) Food products that are ordinarily sold for immediate consumption on the seller's premises or near a location at which parking facilities are provided primarily for the use of patrons in consuming the products purchased at the location are subject to tax. The food products remain subject to tax even when the product is sold on a "take out" or "to go" basis and are packaged or wrapped and taken away from the dealer's facility. The customary practices prevailing at the dealer's facility will be used to determine whether a food product is

sold for immediate consumption at the selling facility. The premises of a caterer with respect to catered meals or beverages is the place where such meals or beverages are served.

(d) Restaurants, lunch counters, cafeterias, hotels, taverns, or other like places of business that also maintain a separate department that includes groceries are not required to collect tax on tax-exempt sales of food products, as provided in Rule 12A-1.011, F.A.C., when separate records are maintained for the separate department; however, food products that are sold as prepared food through a separate department are subject to tax.

(3) FOOD PRODUCTS CONSUMED IN PLACES WHERE AN ADMISSION IS CHARGED.

(a) Food products are subject to tax when furnished, served, prepared, or sold on the premises of a place where admission is charged for entrance. The term "premises" will be construed broadly to include: the lobby, aisle, or auditorium of a theater; the seating, aisle, or parking area of an arena, rink, or stadium; the parking area of a drive-in or outdoor theater; or similar places.

(b) When food products are furnished to patrons who have paid an admission charge for entrance as a part of that admission charge and there is no separately itemized charge to the patron for the food products, tax is due on the cost of the food products furnished. When the food products are purchased from a caterer, restaurant, or similar establishment, tax is due on the total charge made by the caterer, restaurant, or similar establishment.

(c) When the charges for food products are separately itemized and priced from the admission charge to the patron, tax is required to be collected on the sales price of the food products. (See Rule 12A-1.005, F.A.C., for admission charges.) Food products that are separately itemized and sold to the patron may be purchased for resale, as provided in Rule 12A-1.039, F.A.C.

(4) VENDING MACHINES AND MOBILE VENDORS. Food products sold through a vending machine, push cart, motor vehicle, or any other form of vehicle are subject to tax. See Rule 12A-1.044, F.A.C., for sales through vending machines.

(5) COUPONS, DISCOUNTS, AND DONATED FOOD PRODUCTS.

(a) When a dealer sells two meals for the price of one meal, the dealer is required to collect tax on the total amount charged. No use tax is due on the second meal.

(b) The sale of a meal ticket or coupon book to be redeemed for the purchase of food products is not subject to tax at the time of sale. When the ticket or coupon is redeemed by a customer when purchasing food products, the seller of the food products is required to collect the tax on the total consideration

received, including the value of the ticket or coupon redeemed, and any additional compensation received by the seller for furnishing the food product to the customer.

(c) When the seller provides customers a food product without charge after purchasing a designated number of food products, tax is due on the sales price of the food products sold. No tax is due on the item provided to the customer without charge. For example, a sandwich shop offers customers a coupon that will entitle the customer to receive a free sandwich after purchasing five sandwiches. When the customer's coupon indicates that the customer has purchased five sandwiches, the customer redeems the coupon for the free sandwich. The sandwich shop is required to collect tax on the sale of the first five sandwiches. No tax is due on the sandwich provided, without charge, to the customer, who has purchased the required five sandwiches.

(d) A dealer whose primary business activity is serving food products or alcoholic beverages for immediate consumption is required to pay tax on the cost price of food products provided to customers without charge. Examples of items served without charge to customers are coffee, popcorn, nuts, chips, and pretzels.

(e) Dealers that sell food products at retail are not subject to use tax on any food product donated to a food bank or an organization determined to be currently exempt from federal income tax pursuant to s. 501(c) of the Internal Revenue Code of 1986, as amended.

(6) FOOD PRODUCTS SOLD OR FURNISHED BY EMPLOYERS.

(a) Food products furnished free of charge to an employee, or to the owner of an establishment that provides eating facilities or the owner's family, are subject to tax only when the value of the food product is required to be reported as income to the recipient under the federal income tax law.

(b) Food products sold by restaurants, lunch counters, cafeterias, hotels, taverns, or other like places of business to employees are subject to tax when the employee pays for the meal or when the charge for the meal is deducted from the employee's wages.

(7) TRANSPORTATION COMPANIES.

(a) Food products sold ready for immediate consumption by airlines, railroads (except Amtrak), vessels, or other transportation companies to their passengers, while within Florida, are subject to tax. A transportation company may extend a copy of its Annual Resale Certificate to the selling dealer instead of paying tax on the purchase of food products for purposes of resale to their passengers.

(b)1. Transportation companies, except Amtrak, are required to pay tax on their purchases of meals and food products ready for immediate consumption when:

a. The food products are delivered to the transportation company in this state, whether consumed in this state or outside this state;

b. The food products are furnished to the passengers; and
c. There is no separately itemized charge to the passenger for the food product.

2. For the partial exemption available to airlines, see Section 212.0598, F.S. For the partial exemption available to vessels engaged in interstate or foreign commerce under Section 212.08(8), F.S., see Rule 12A-1.0641, F.A.C.

(c) The purchase or sale of food products ready for immediate consumption by Amtrak, an instrumentality of the United States government, is not subject to tax.

(8) SALES OF FOOD PRODUCTS BY CATERERS.

(a) For purposes of this rule, the term "caterer" means any person engaged in the business of furnishing food products on the premises of the customer, or on premises supplied by the customer, including premises leased by the customer from a person other than the caterer. The term does not include employees hired directly by the customer by the hour or day to serve food products provided by the customer.

(b) The total charge made by caterers for furnishing food products is subject to tax. Any separately itemized charge for the use of dishes, silverware, glasses, chairs, tables, tablecloths, and similar items, or for the labor of furnishing the food products, whether performed by the caterer, the caterer's employees, or persons contracting with the caterer, is subject to tax.

(c) Tax applies to charges by a caterer, or any other person, for planning, designing, coordinating, or supervising an event when the charges to the customer are made in connection with the furnishing of food products at the event. Tax does not apply to charges for services unrelated to the furnishing and serving of meals and beverages, such as entertainment charges, when the charges are separately itemized and separately priced to the customer on the customer's bill, invoice, statement, or other evidence of sale.

(d) Caterers may rent, lease, or purchase tangible personal property for purposes of resale tax-exempt by extending a copy of their Annual Resale Certificate to the selling dealer instead of paying tax when:

1. The property is rented, leased, or purchased exclusively for resale or re-rental to the caterer's customers;

2. The charge to the customer is separately itemized on the customer's bill, invoice, statement, or other evidence of sale; and

3. The applicable tax is collected from the customer on the separately itemized charge for the rental, lease, or sale of the property.

(e) When a caterer sells food products, including any charges for serving the food products, to other caterers or event planners for the purpose of resale, the caterer may accept a copy of the purchaser's Annual Resale Certificate instead of collecting tax from the purchaser. The purchasing caterer or event planner is required to collect the applicable tax from his or her customer on the sale of the food products.

(f) Organizations that hold a valid Consumer's Certificate of Exemption may extend a copy of their certificate to the caterer or event planner to purchase food products used in the normal nonprofit activities of the organization tax-exempt. See subsection (15).

(9) GRATUITIES AND OTHER FEES FOR PREPARING OR SERVING FOOD PRODUCTS.

(a) Any charge made by a dealer to a customer for gratuities, tips, or similar charges is a part of the taxable sales price of the food or drinks except when:

1. The charge is separately stated as a gratuity, tip, or other charge on the customer's receipt or other tangible evidence of sale; and

2. The dealer does not receive, either directly or indirectly, any monetary benefit from such gratuity, tip, or other similar charge. Any fee imposed by a credit card company upon the dealer is not construed as the retention of such monies by the dealer. Any portion of the gratuity, tip, or other similar charge withheld by the dealer for purposes of payment of the employee's share of social security, withheld as federal income tax, or withheld pursuant to judicial or administrative orders is not construed as retention of such monies by the dealer.

(b) The charge for room service made by hotels for serving meals in guests' rooms is included in the total price of the meal and is subject to tax.

(c) Service charges, minimum charges, corkage fees, setup fees, or similar charges imposed by a restaurant, tavern, nightclub, or other like places of business as part of the charge for furnishing, serving, or preparing food products are subject to tax.

(d) The charge for the preparation of food products furnished by the customer to the person who prepares the food product for immediate consumption on the premises of the preparer, or who packages or wraps the food products to be taken away from the preparer's premises, is subject to tax.

(10) FOOD PRODUCTS FURNISHED WITH LIVING OR SLEEPING ACCOMMODATIONS.

(a) Food products served or sold at community colleges, junior colleges, and other institutions of higher learning, or fraternities and sororities, are subject to tax. If a lump sum amount is charged by the institution for living or sleeping accommodations and meals, a portion of the lump sum amount must be allocated to the sale of food products to reasonably reflect the value of the food products. Tax is due on the portion that is reasonably allocated to the sale of the food products.

(b)1. Public lodging establishments that advertise that they provide complimentary food and drinks are not required to pay sales or use tax on food or drinks when:

a. The food or drinks are furnished as part of a packaged room rate;

b. No separate charge or specific amount is stated to the guest for such food or drinks;

c. The public lodging establishment is licensed with the Division of Hotels and Restaurants of the Department of Business and Professional Regulation; and

d. The public lodging establishment rents or leases transient accommodations that are subject to sales and use tax.

2. The public lodging establishment may extend a copy of its Annual Resale Certificate to the selling dealer to purchase food and drinks used for this purpose tax-exempt, as provided in Rule 12A-1.039, F.A.C.

(11) DAY NURSERIES AND CUSTODIAL CAMPS.

Day care facilities, nurseries, kindergartens, day camps, and custodial camps that primarily provide professional and personal supervisory and instructions services are not required to collect tax on their charges to the students or campers for providing food products as part of their services. However, when the charges for the furnishing of meals and beverages are separately itemized and separately priced to the student or camper, tax is required to be collected on the sales price of the meals and beverages.

(12) MEALS SERVED AT LABOR CAMPS.

(a) Labor camps and commercially operated public housing quarters are operated to house and feed workers on a contract basis. The provisions of this subsection are intended to provide the taxability of the housing and meals provided to workers under such contracts.

(b) When the contract provides for meals, and no housing is furnished under the contract, the charge for the meals is subject to tax.

(c)1. When the contract provides for housing and meals for the workers, the charge for meals is subject to tax.

2. When the contract provides for housing for the workers but the workers buy groceries and prepare their own meals, no tax is due on the prepared meals.

(e) Workers residing in public housing quarters or labor camps may enter into agreements under which one worker is appointed to purchase groceries and prepare all food products. The worker may be selected and directed by the group of workers or may be designated and directed by the employer. The employer may deduct from each employee's wages the pro rata share of the groceries purchased for the group or a contracted charge for the meals prepared and served by the employer's designated cook.

1. When the employees select the designated worker to purchase groceries and prepare meals, no tax is due on the amount deducted by the employer for each employee's pro rata share of the cost of the groceries purchased by the designated worker.

2. When the employer selects the worker to be the designated cook who prepares all meals, tax is due on the amount deducted from the employee's wages by the employer for the meals.

(13) MEALS FURNISHED BY HOSPITALS AND HOMES FOR THE AGED.

(a) Meals furnished to residents of homes for the aged, as defined in Section 212.08(7)(i), F.S., are exempt.

(b) Meals furnished to patients and inmates of any hospital or other institution designed and operated primarily for the care of persons who are ill, aged, infirm, mentally or physically incapacitated or for any reason dependent upon special care or attention are exempt.

(c) Meals sold and delivered as a charitable function by a nonprofit volunteer organization to handicapped, elderly, or indigent persons at their residences are exempt.

(14) FOOD PRODUCTS SOLD TO OR BY SOCIAL CLUBS.

(a) Food products sold to members of a social club, civic club, or fraternal organization that does not hold a valid Consumer's Certificate of Exemption are subject to tax. Examples of social clubs, civic clubs, or fraternal organizations are athletic clubs, country clubs, and community clubs (e.g., YMCA, YWCA, YMHA, and YWHA).

(b) Food products sold by any social club, civic club, or fraternal organization, including organizations that hold a Consumer's Certificate of Exemption, are subject to tax.

(c) Social clubs, civic clubs, and fraternal organizations that furnish food products to their members or guests without charge, such as food products served at meetings, luncheons, or dinners, are required to pay tax on the total cost of the food products furnished or served by a caterer, restaurant, or similar establishment. When club members purchase groceries and prepare the food products to serve to members and guests without charge, no tax is due on the preparation of the food products. For example, an athletic club that does not hold a valid Consumer's Certificate of Exemption purchases meals from a local restaurant to serve to athletes, without charge, at an event held by the club to honor the athletes. The athletic club is required to pay tax on the total amount charged by the restaurant. If the members of the club buy groceries and prepare the meals themselves, the club is not required to pay tax on the cost of preparing the meals.

(d) When the charges for the furnishing of meals and beverages are separate and apart from the payment of membership dues, the meals and beverages are considered to be sold and the charges are subject to tax. If a club or fraternal organization indicates on its dues invoices, membership billing statements, dues notices, or membership applications that a specified portion of the dues payment is attributed to the furnishing of food products, the specified portion attributed to the furnishing of food products is subject to tax.

(15) FOOD PRODUCTS PREPARED, SERVED, OR SOLD BY NONPROFIT ORGANIZATIONS.

(a) Food products sold at fundraisers and similar types of events are subject to tax, unless such sales qualify as occasional sales, as provided in Rule 12A-1.037, F.A.C. For

the taxability of food products sold as fundraisers by schools offering grades K through 12, or by parent-teacher associations or parent-teacher organizations, see Rule 12A-1.0011, F.A.C.

(b) Food products are exempt when sold by a religious institution that has an established physical place for worship at which nonprofit religious services and activities are regularly conducted and carried on and that holds a valid Consumer's Certificate of Exemption.

(c) When food products are furnished to patrons by a sponsoring organization as part of a fundraising event and the contribution paid by the patron to the organization bears no relationship to the cost of the food products served at the event, the sponsoring organization is required to pay the applicable tax due on the amount charged by the restaurant or caterer to the sponsoring organization. Any sponsoring organization that holds a valid Consumer's Certificate of Exemption may extend a copy of its certificate to the restaurant or caterer to purchase food products tax-exempt when the food products are used in the normal nonprofit activities of the organization.

(16) ITEMS USED TO SERVE FOOD PRODUCTS.

(a) The purchase, use, or consumption of items and materials used one time only for packaging or serving food products, without which delivery of the food product would be impracticable, or for the convenience of the customer, is not subject to tax.

(b)1. The following are examples of items purchased by restaurants, lunch counters, cafeterias, caterers, hotels, taverns, and other like places of business, or by establishments that provide eating facilities and make sales of food products that, used in the manner described above, are not subject to tax: butter chips; paper, plastic-coated or styrofoam plates, trays, or cups; paper napkins; paper tops for individual creamers; paper covers for fruit juice glasses; paper covers for trays; plastic stir sticks served with drinks; soufflé cups used one time only; hamburger and frankfurter holders; steak markers used to indicate the extent to which meat is cooked and served to the guest; foil served with food products, such as baked potatoes; straws; toothpicks and toothpick frills used to serve food products, such as sandwiches; and wooden or plastic knives, forks, and spoons.

2. The following are examples of items purchased by such establishments that are subject to tax, as they are not intended to accompany a food product sold to a customer for which the delivery of the product would be impracticable because of the character of the food product: foil that does not accompany the food product to the customer; burger or chicken baskets; chop holders; cloth napkins or tablecloths; doilies; guest checks; leftover bags, trays, and other containers; menus; paper mats or placemats; toilet tissue; and towels.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(14)(c), 212.07(2), 212.08(1), (4)(a)1., (7)(i), (k), (m), (oo) FS. History--New _____.

12A-1.040 Sales of Containers, Wrapping and Packing Materials and Related Products.

(1) through (2) No change.

~~(3) Paper and plastic coated plates, paper napkins, paper cups, butter chips, paper tops for individual creamers, paper covers for fruit juice glasses, soufflé cups, hamburger and frankfurter holders, straws, wooden and plastic spoons and forks are exempt when sold to a purchaser for use in connection with the operation of a restaurant, drugstore, cafeteria or similar business licensed by the Division of Hotels and Restaurants of the Department of Business Regulation. Purchases by these establishments of the following items are taxable: Toothpicks, doilies, placemats, chicken baskets, burgerbaskets, guest checks, menus, paper mats, towels, toilet tissue, toothpick frills, chop holders, aluminum foil for baking and serving potatoes and leftover bags furnished by restaurants.~~

(4) through (7) renumbered (3) through (6) No change.

~~(8) Egg crates, egg cartons and other containers used for the purpose of shipping and transporting eggs to the consumer for final purchase are exempt. This rule applies to used as well as new containers.~~

(9) Skewers used by butchers and meat shops are exempt.

(10) through (13) renumbered (7) through (10) No change.

~~(14) Steak markers used to indicate the extent to which meat is cooked, such as rare, medium, etc., are removed as the meat is served. They do not become a part of the meal and are taxable under this rule.~~

~~(15) Plastic stir sticks sold to bars for one time use only and included in the price of the drink are exempt.~~

(16) through (18) renumbered (11) through (13) No change.

~~(19) Oil used to line the insides of containers in which meat is packed for sale and delivery is exempt.~~

~~(20) It has been determined that cardboard 6 pack and 12 pack lift cartons used generally by beverage bottlers and breweries are containers intended for one time use and are exempt. Cartons, boxes and containers designed and used more than one time for packaging personal property for shipment for sale are taxable, including cardboard 6 pack and 12 pack lift cartons when a deposit on the carton is required.~~

~~(14)(21) No change.~~

~~(22) Ice and salt are exempt when purchased by the seller of perishable food commodities and placed directly in the shipping container or package for shipment in either interstate or intrastate commerce.~~

Cross Reference – Rule 12A-1.029.

Specific Authority 212.17(6), 212.18(2) FS. Law Implemented 212.02(3)(b) ~~(12)(14)(e)~~ FS. History–Revised 10-7-68, 6-16-72, Formerly 12A-1.40, Amended _____.

12A-1.071 Rentals, Leases, or License to Use Tangible Personal Property.

(1) through (32) No change.

~~(33) Caterers are required to pay tax on the purchases or rentals of all dishes, tables, chairs, silver, linens, kitchen utensils, artificial palms, and other items used by them in the conduct of their business. The caterer should pay tax to his supplier and should not furnish the supplier with a resale certificate, except in those instances where he is purchasing or renting such items exclusively for rental and for which he makes a separate charge to his customer.~~

(34) through (36) renumbered (33) through (35) No change.

~~(37) The charge for water conditioning (soft water service) is exempt. The dealer shall pay tax on the acquisition of tanks, minerals, and other equipment used in furnishing such service, unless such materials and supplies are actually sold to the customer.~~

(38) through (47) renumbered (36) through (45) No change.

Specific Authority 212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(1), (4), (10)(g), (12), (14)(a), (15)(a), (16), (19), 212.04, 212.05(1)(c), (d), (f), (h), (i), 212.06(1)(a), (2)(e), (8), 212.08(7)(e), (f), (v), (y), 212.11(2), (3), 212.12(9), 212.18(2), 402.61 FS. History–Revised 10-7-68, 1-7-70, 6-16-72, Amended 12-11-74, 12-31-81, 7-20-82, Formerly 12A-1.71, Amended 1-2-89, 10-5-92, 11-16-93, 8-15-94, 10-17-94, 3-20-96, 8-1-02, 6-12-03, 9-28-04, _____.

12A-1.097 Public Use Forms.

(1) No change.

Form Number	Title	Effective Date
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(2) through (14) No change.

(15)(a) DR-46B	Sales Tax Status of Some Nonalcoholic Preparations, Beverages and Drinks When Sold In Grocery Stores and Similar Establishments (r. 10/89)	08/92
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(b) No change.

(16) through (23) No change.

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

403.7185, 443.036, 443.121(1), (3), 443.131, 443.1315, 443.1316, 443.171(2), (7) FS. History–New 4-12-84, Formerly 12A-1.97, Amended 8-10-92, 11-30-97, 7-1-99, 4-2-00, 6-28-00, 6-19-01, 10-2-01, 10-21-01, 8-1-02, 4-17-03, 5-4-03, 06-12-03, 10-1-03, 9-28-04, 6-28-05, 5-1-06, _____.

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."

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

RULE CHAPTER NO.: 18-21
 RULE CHAPTER TITLE: Sovereignty Submerged Lands Management

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to implement statutory changes in Chapter 253, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment provides for the Board of Trustees of the Internal Improvement Trust Fund to manage, administer, and perform staff functions related to the use of sovereign submerged lands for aquacultural purposes.

SPECIFIC AUTHORITY: 253.002, 570.07(23) FS.

LAW IMPLEMENTED: 253.002(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Berrigan, Division of Aquaculture, 1203 Governor’s Square Boulevard, 5th Floor, Tallahassee, FL 32301, phone (850)488-5471

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

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.:	RULE TITLES:
40B-8.021	Definitions
40B-8.051	Minimum Surfacewater Levels and Flows for the Waccasassa River and Levy Blue Spring

PURPOSE AND EFFECT: The purpose of the rule development is to codify minimum flows and levels for the Waccasassa River and Levy Blue Spring within Chapter

40B-8, F.A.C. The effect of the rule will be to provide protection for these areas from significant harm resulting from uses of ground and surface water.

SUBJECT AREA TO BE ADDRESSED: This proposed rule development will establish minimum flows and levels for the Waccasassa River and Levy Blue Spring, in accordance with Rule 62-40.473, F.A.C. and Sections 373.042 and 373.0421, F.S.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.103 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: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-2.091	Publications Incorporated by Reference
40D-2.331	Modification of Permits

PURPOSE AND EFFECT: To amend rules to extend permit durations upon modification of a water use permit where the review of the application for modification is equivalent to a renewal application review.

SUBJECT AREA TO BE ADDRESSED: Water Use Permit modifications – duration for significant modifications. Under current District rules, permits that are modified during their permit term retain the existing expiration date as the majority of modifications involve only portions of the permitted activity and the entire activity is not reevaluated. However, in some cases, the modification is of such a magnitude that it essentially results in a total reevaluation of the permitted activity. When these types of modifications are limited to the existing permit term, this results in the staff and applicant performing another total reevaluation within only a few years time. In these cases, it is more efficient for both the District and the applicant to handle the modification as a full renewal, thereby extending the permit by a full permit term. A renewal permit fee will be assessed rather than a modification fee, and such a renewal is predicated upon a request by the applicant.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.149, 373.171, 373.216, 373.249 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 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: Karen A. Lloyd, Assistant General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-2.091 Publications Incorporated by Reference.

The following publications are hereby incorporated by reference into this Chapter, and are available from the District upon request:

- (1) "Basis of Review for Water Use Permit Applications" (____) (~~1/07~~);
- (2) through (6) No change.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History--New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07,_____.

40D-2.331 Modification of Permits.

(1) A permittee may seek modification of any of the terms and conditions of an unexpired permit except when the sole purpose is to modify the expiration date. However, upon request and documentation by the permittee, modification applications that are deemed by the District to be substantial, as described in Basis of Review Section 1.12 shall be processed as a renewal application with modification. A request for modification shall be reviewed in accordance with the rules in effect at the time the modification is filed.

- (2) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171, 373.216, 373.294 FS. Law Implemented 373.171, 373.239 FS. History--Readopted 10-5-74, Formerly 16J-2.14(1), Amended 10-1-89, 2-10-93, 7-29-93, 1-1-07,_____.

BASIS OF REVIEW AMENDMENTS:

1.9 PERMIT DURATION

The District typically issues permits in accordance with the following guidelines:

- 1. through 3. No change.

4. Permits that are modified prior to renewal will maintain the original expiration date unless the modification is deemed by the District to be substantial as described in the Basis of Review Section 1.12, and if requested by the applicant, shall be processed as a renewal application with modification extended as a result of the modification.

- 5. through 6. No change.

Revised _____

1.11 RENEWAL OF PERMITS

1. Applications for permit renewal may be made at any time within 1 year prior to permit expiration, except as provided in Basis of Review Section 1.12. Permittees are encouraged to apply for renewal at least 90 days prior to the expiration date. Permits for which renewal applications have been submitted that are under evaluation by the District shall remain in force past the expiration date until final action is taken by the District.

- 2. through 3. No change.

Revised _____

1.12 MODIFICATION OF PERMITS

1. Formal Modification.

a. The terms and conditions of a permit may be modified at any time during the term of a permit. Any proposed change in the terms or conditions of a permit (e.g., a change in a crop or acreage or the quantities needed) requires submittal of an application for modification. Ordinarily, only the modified aspects of the permit will be addressed in the evaluation of the application for modification. Therefore, in most cases the original expiration date will remain on a modified permit. However, if the modification is deemed to be substantial by the District, as described in the paragraph below, the applicant may request that it be addressed as a renewal application with modification. Applicants who wish to change a portion of their current permit may submit an application for modification or the District may require modification of a permit to address a problem with the existing permit.

b. An application to modify a permit shall be deemed by the District to be substantial if the amount of effort, time and materials required to be submitted to complete the application and the amount of effort, time and documentation required of District staff to evaluate the submission are similar to that required for a renewal application for the same permit. Upon request by the applicant, the District shall process the application for modification as a renewal application with modification notwithstanding that it is submitted prior to one year before the permit expiration date.

- 2. No change.

(For related rules on this issue, see Chapter 40D-2.331, F.A.C.) Amended 1-1-07, Revised _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: 40E-1.659
RULE TITLE: Forms and Instructions
PURPOSE AND EFFECT: To amend and update portions of Chapter 40E-1, F.A.C., to incorporate changes consistent with changes identified in the rule development for Chapter 40E-61, F.A.C., Lake Okeechobee Works of the District.

SUBJECT AREA TO BE ADDRESSED: To amend Chapter 40E-1, General and Procedural rules.

SPECIFIC AUTHORITY: 120.53, 218.075, 373.044, 373.113, 373.4136, 373.416, 695.03, 704.06 FS.

LAW IMPLEMENTED: 120.53, 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS.

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

DATE AND TIME: Thursday, April 12, 2007, 6:00 p.m. – 8:00 p.m.

PLACE: South Florida Water Management District, Okeechobee Service Center, 205 North Parrott Avenue, Suite 201, Okeechobee, FL 34974, phone: (561)686-8800 or 1(800)432-2045

DATE AND TIME: Thursday, April 19, 2007, 1:00 p.m. – 3:00 p.m.

PLACE: Beardsley Room (behind John Boy Auditorium), 1200 South WC Owens Ave., Clewiston, FL 33440, phone: (561)686-8800 or 1(800)432-2045

DATE AND TIME: Thursday, April 26, 2007, 1:00 p.m. – 3:00 p.m.

PLACE: Highlands County Extension Office, Conference Room #2, 4509 George Blvd., Sebring, FL 33875, phone: (561)686-8800 or 1(800)432-2045

DATE AND TIME: Thursday, May 3, 2007, 1:00 p.m. – 3:00 p.m.

PLACE: South Florida Water Management District, Orlando Service Center, 1707 Orlando Central Parkway, Suite 200, Orlando, FL 32809, phone: (561)686-8800 or 1(800)432-2045

Pursuant to the provisions of 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: District Clerk, (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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: For technical issues: Steffany Gornak, (800)250-4200, Extension 3010, e-mail: sgornak@sfwmd.gov; For procedural issues: Joyce Rader, Paralegal Specialist, Office of Counsel, South

Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6259 or (561)682-6259, e-mail: jrader@sfwmd.gov
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-61.011	Policy and Purpose
40E-61.020	Scope of Part I
40E-61.021	Definitions
40E-61.023	Basin and Sub-Basin Boundaries
40E-61.024	Works of the District within the Lake Okeechobee Basin
40E-61.031	Implementation
40E-61.041	Permits Required
40E-61.042	General Permits for Use of Works of the District Within the Lake Okeechobee Basin
40E-61.051	Exemptions
40E-61.101	Content of Application for Individual and Collective Permits
40E-61.201	Permit Application Processing Fee
40E-61.301	Conditions for Issuance for Individual and Collective Permits
40E-61.321	Duration of Permits
40E-61.331	Modification
40E-61.351	Transfer
40E-61.381	Limiting Conditions

PURPOSE AND EFFECT: To amend and update specific components of Chapter 40E-61, Florida Administrative Code, the Lake Okeechobee Works of the District to clarify the District’s statutory responsibilities in the administration of this program under the Lake Okeechobee Protection Act. Amendments to these rules will eliminate any duplication between the cooperating agencies and their responsibilities under the Lake Okeechobee Protection Act.

SUBJECT AREA TO BE ADDRESSED: To amend Chapter 40E-61, Lake Okeechobee Drainage Basin.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 668.003, 668.004, 668.50 FS.

LAW IMPLEMENTED: 373.016, 373.085, 373.086, 373.109, 373.451, 373.453, 373.4595, 668.003, 668.004, 668.50 FS.

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

DATE AND TIME: Thursday, April 12, 2007, 6:00 p.m. – 8:00 p.m.

PLACE: South Florida Water Management District, Okeechobee Service Center, 205 North Parrott Avenue, Suite 201, Okeechobee, FL 34974, phone: (561)686-8800 or 1(800)432-2045

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: For technical issues: Steffany Gornak, (800)250-4200, Extension 3010, e-mail: sgornak@sfwmd.gov; For procedural issues: Joyce Rader, Paralegal Specialist, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6259 or (561)682-6259, e-mail: jrader@sfwmd.gov.

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-4.1085 RULE TITLE: Paid Feeding Assistants

PURPOSE AND EFFECT: This rule is being proposed to provide guidance and a state-approved training program for paid feeding assistants pursuant to Florida Statute and Federal Code of Regulations.

SUBJECT AREA TO BE ADDRESSED: Paid feeding assistants and a state-approved training course.

SPECIFIC AUTHORITY: 400.23(3)(b) FS.

LAW IMPLEMENTED: 400.23 FS.

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

DATE AND TIME: April 12, 2007, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Dombrowski, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, FL 32308

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.001 RULE TITLE: Qualification for Certification

PURPOSE AND EFFECT: The Board proposes a rule amendment to address contractor certification with regard to consistency with the Department's procedures.

SUBJECT AREA TO BE ADDRESSED: Qualification for Certification.

SPECIFIC AUTHORITY: 489.111 FS.

LAW IMPLEMENTED: 489.111 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.0021 RULE TITLE: Certification and Registration of Business Organizations

PURPOSE AND EFFECT: The Board proposes a rule amendment to address changes to Bond amount.

SUBJECT AREA TO BE ADDRESSED: Certification and Registration of Business Organizations.

SPECIFIC AUTHORITY: 489.108 FS.

LAW IMPLEMENTED: 455.213, 489.105, 489.107, 489.115, 489.119, 489.1195, 489.143 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: G.W. Harrell, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. 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 Professional Engineers

RULE NOS.:	RULE TITLES:
61G15-22.005	Non-Qualifying Activities
61G15-22.011	Board Approval of Continuing Education Providers

PURPOSE AND EFFECT: For Rule 61G15-22.005, F.A.C., it is to add an additional category of activities that do not qualify as Professional Development Hours. For Rule 61G15-22.011, F.A.C., it is to eliminate the requirement of no financial or commercial interest for continuing education providers in technology which is the subject of instruction.

SUBJECT AREA TO BE ADDRESSED: Non-Qualifying Activities; Board Approval of Continuing Education Providers.

SPECIFIC AUTHORITY: 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS.

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-22.005 Non-Qualifying Activities.

Activities that do not qualify as Professional Development Hours include but are not limited to the following:

(1) through (8) No change.

(9) Courses the content of which is below the level of knowledge and skill that reflects the responsibility of engineer in charge.

Specific Authority 455.213(6), 455.2178, 455.2179, 471.017(3), 471.019 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. History--New 9-16-01, Amended_____.

61G15-22.011 Board Approval of Continuing Education Providers.

(1) No change.

(2) To demonstrate the education and/or the experience necessary to instruct professional engineers in the conduct of their practice for continuing education credit, an applicant for continuing education provider status must be a regionally accredited educational institution, a commercial educator, a governmental agency, a state or national professional association whose primary purpose is to promote the profession of engineering, an engineer with a Florida license to practice engineering who is not under disciplinary restrictions pursuant to any order of the Board, or an engineering firm that possesses an active certificate of authorization issued by the Board pursuant to Section 471.023, F.S. ~~The continuing education provider shall not have any financial or commercial interest, direct or indirect, in any technology that is the subject of the instruction.~~

(3) through (9) No change.

Specific Authority 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. History--New 9-16-01, Amended 9-4-02, 12-21-03, 8-8-05, 6-11-06, 1-29-07,_____.

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:
62-716.100	Intent
62-716.200	Definitions
62-716.300	General Grant Application Requirements
62-716.310	Disbursement of Funds
62-716.320	Grant Recordkeeping
62-716.400	Specific Recycling and Education Grant Application and Matching Requirements
62-716.410	Recycling and Education Grant Eligibility Requirements
62-716.420	Recycling and Education Grant Special Requirements

62-716.430	Use of Recycling and Education Grant Funds
62-716.440	Allocation of Recycling and Education Grant Funds
62-716.450	Solid Waste Annual Reports
62-716.500	Specific Small County Grant Application Requirements
62-716.510	Use of Small County Grant Funds
62-716.600	Specific Waste Tire Grant Application Requirements
62-716.610	Allocation of Waste Tire Grant Funds
62-716.620	Use of Waste Tire Grant Funds
62-716.700	Litter Control and Prevention Grants
62-716.900	Forms

PURPOSE AND EFFECT: In 1988, the Legislature created a large grant program to help counties and municipalities develop recycling and education programs, along with lesser grants for waste tire programs and to help small counties manage solid waste. The Department adopted Chapter 62-716, F.A.C., to implement all of these grants programs. Over time, funding for the recycling and education grants declined, and a few years ago the Legislature stopped funding them altogether. This rule chapter is being amended to delete obsolete references to grants that no longer exist.

At about the same time that the recycling and education grants were being phased out, the Innovative Grants were being introduced. From 1998 through 2001, the Legislature authorized these grants a year at a time as a line item in its budget. In 2002, the program was finally codified in Section 403.7095, Florida Statutes. The Department has administered the Innovative Grants program on an ad hoc basis since 1998. This was partly because the status of the program was uncertain from year to year, and partly because of the need to spend time developing policies and processes that would effectively implement a statute that lacked clear standards. This rule chapter is being amended to incorporate those policies and processes through rulemaking.

SUBJECT AREA TO BE ADDRESSED: Grant programs for recycling, waste reduction, and solid waste management.

SPECIFIC AUTHORITY: 120.53(1), 403.061, 403.704, 403.7095 FS.

LAW IMPLEMENTED: 120.53(1), 120.55, 403.0875, 403.4131, 403.706, 403.7095 FS.

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

DATE AND TIME: April 11, 2007, 9:30 a.m.

PLACE: Orlando Public Library, Albertson Room, 101 E. Central Blvd., Orlando, Florida

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

Department of Environmental Protection, 2400 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8717, email ron.henricks@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: Ron Henricks, Waste Reduction Section, Department of Environmental Protection, 2400 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8717, email ron.henricks@dep.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Chiropractic

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

PURPOSE AND EFFECT: The Board proposes a rule amendment to specify the supporting documents required for submission with licensure application.

SUBJECT AREA TO BE ADDRESSED: Application for Licensure Examination.

SPECIFIC AUTHORITY: 460.405, 460.406 FS.

LAW IMPLEMENTED: 460.406 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.:	RULE TITLE:
64B2-12.017	Processing Fee

PURPOSE AND EFFECT: The Board proposes a rule amendment to change the fee required for processing applications.

SUBJECT AREA TO BE ADDRESSED: Processing Fee.

SPECIFIC AUTHORITY: 456.036 FS.

LAW IMPLEMENTED: 456.036 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-13.004 RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The Board proposes a rule amendment to revise the approved provider provisions and clarify approved hours.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

SPECIFIC AUTHORITY: 456.025(7), 460.408(3) FS.

LAW IMPLEMENTED: 456.013(6), 456.025(7), 456.036(10), 460.408 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: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-16.0075 RULE TITLE: Citations

PURPOSE AND EFFECT: The Board proposes a rule amendment to add violations for which citations may be issued.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.039(3), 456.077, 460.405 FS.

LAW IMPLEMENTED: 456.035, 456.039(3), 456.072(3), 456.073 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: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-18.001 RULE TITLE: Definitions

PURPOSE AND EFFECT: The Board proposes a rule amendment to clarify the definition of indirect supervision of certified chiropractic physician's assistants.

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 460.405 FS.

LAW IMPLEMENTED: 460.403(2), (3), (5), (6), (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: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-18.002 RULE TITLE: Application for Certification as a Chiropractic Physician's Assistant

PURPOSE AND EFFECT: The Board proposes a rule amendment to clarify the application process.

SUBJECT AREA TO BE ADDRESSED: Application for Certification as a Chiropractic Physician's Assistant.

SPECIFIC AUTHORITY: 460.405, 460.4165(6), (9) FS.

LAW IMPLEMENTED: 460.4165(3), (5), (6), (9) 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: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.:	RULE TITLE:
64B2-18.005	Certification of Supervising Physicians

PURPOSE AND EFFECT: The Board proposes a rule amendment to clarify the process for certifying supervising physicians of Chiropractic Physician’s Assistants.

SUBJECT AREA TO BE ADDRESSED: Certification of Supervising Physicians.

SPECIFIC AUTHORITY: 460.405, 460.4165(9) FS.

LAW IMPLEMENTED: 460.4165(6) 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: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NO.:	RULE TITLE:
64F-12.018	Fees

PURPOSE AND EFFECT: The Department proposes to review this Chapter to possibly promulgate changes to fees. This review will include adding fees for the limited prescription drug veterinary wholesaler permit.

SUBJECT AREA TO BE ADDRESSED: The proposed amendment to Rule 64F-12.018, F.A.C., will change the permit fees currently established by Rule 64F-12.018, F.A.C., and add a fee for the limited prescription drug veterinary wholesaler permit.

SPECIFIC AUTHORITY: 499.01, 499.012, 499.015, 499.04, 499.041, 499.05 FS.

LAW IMPLEMENTED: 499.01, 499.012, 499.015, 499.04, 499.041 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., Executive Director, 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 NOT AVAILABLE.

**Section II
Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NOS.:	RULE TITLES:
5E-14.106	Use of Pesticides – Labels, Limitations, Precautions
5E-14.117	Application for Examination for Pest Control Operator’s Certificate and Special Identification Card
5E-14.149	Enforcement and Penalties

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are to add amendments to the rule allowing secondary treatments for preventive treatment for subterranean termite protection for new construction that do not have to be to all areas specified on the label of the pesticide, provided that a primary treatment is applied to all areas specified on the label, implement statutory changes to the requirements for limited certification for commercial landscape maintenance, and establish failure to obtain pest control identification cards as a major violation of department rules.

SUMMARY: Use of Pesticides for Preventive Treatment for New Construction, Limited Certification for Commercial Landscape Maintenance, and Enforcement and Penalties.

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: 482.051 FS.
 LAW IMPLEMENTED: 482.051, 482.156, 482.161 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: April 16, 2007, 1:00 p.m.
 PLACE: George Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mr. Steve Dwinell, Division of Agricultural Environmental Services, 3125 Conner Blvd., Tallahassee, Florida 32399, telephone (850)488-7447

THE FULL TEXT OF THE PROPOSED RULES IS:

5E-14.106 Use of Pesticides – Labels, Limitations, Precautions.

- (1) through (5) No change.
- (6) Pesticides used as the primary for treatment for the prevention of subterranean termites for new construction shall be applied in the specific amounts, concentration, and treatment areas designated by the label.
- (7) through (8) No change.
- (9) When a pesticide registered as a preventive treatment for new construction has been applied as the primary a preventive treatment for a structure in accordance with subsection 5E-14.106(6), F.A.C., or will be applied prior to completion of construction, a secondary treatment using a second pesticide registered for preventive treatment for new construction may be applied in ~~the amounts, concentration, and treatment area~~ in accordance with label directions.

Specific Authority 482.051 FS. Law Implemented 482.051(1) FS., P.L. 92-516, Section 1, Chapter 92-203, Laws of Florida, 482.051(5) as amended July 1, 2006, ch. 2006-289, Laws of Florida. History–New 1-1-77, Amended 6-27-79, 6-22-83, 10-25-90, Formerly 10D-55.106, Amended 7-5-95, 4-17-03, 6-30-05,_____.

5E-14.117 Application for Examination for Pest Control Operator’s Certificate and Special Identification Card.

- (1) through (10) No change.
- (11) Applicants for limited certification in Commercial Landscape Maintenance shall submit an examination fee of \$150. ~~and be required to show evidence of having been in the landscape maintenance business for at least three years by submission of the following:~~
 - ~~(a) A signed statement by the applicant which recites:~~
 - ~~1. The dates during which the applicant participated in the landscape maintenance business.~~
 - ~~2. The address or addresses at which the applicant performed landscape maintenance business activities.~~

- ~~3. The name or names of the employer(s) for whom applicant performed landscape maintenance business activities.~~
- ~~(b) Independent proof of participation in the lawn maintenance business for three (3) years including any one of the following:~~
 - ~~1. W-2 employment records.~~
 - ~~2. Federal tax returns.~~
 - ~~3. Occupational licenses.~~
 - ~~4. Executed employment contracts or any other business or operational documentation which is regularly maintained as a business or operational record by any governmental agency, organization, business or person.~~
- 5. The annual recertification fee shall be \$75.
- (12) through (17) No change.

Specific Authority 482.051 FS. Law Implemented, 482.156 FS., as amended July 1, 2006, ch. 2006-289, Laws of Florida. History–New 1-1-77, Amended 6-27-79, 6-22-83, 10-25-90, Formerly 10D-55.117, Amended 8-11-93, 7-5-95, 5-28-98, 4-29-02,_____.

5E-14.149 Enforcement and Penalties.
 (1) through (2) No change.
 (3) Category of Violations. Minor violations are all violations other than those classified as major violations. Major violations are violations where:
 (a) through (k) No change.
(1) A licensee or certified operator fails to comply with Section 482.091(1) or (2), F.S.
 (4) through (15) No change.

Specific Authority 482.051, 570.07(23) FS. Law Implemented 482.161, 482.163 FS. History–New 7-13-06, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Steve Dwinell, Division of Agricultural Environmental Services, 3125 Conner Blvd., Tallahassee, Florida 32399, telephone (850)488-7447

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Anderson H. “Andy” Rackley, Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 16, 2007

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.

SUMMARY: Amends 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 by all staff to refer inmates for mental health services when the staff member determines that the inmate may need or could benefit from mental health services.

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: 944.09, 945.49 FS.

LAW IMPLEMENTED: 944.09, 945.49 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dorothy M. Ridgway, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-404.102 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 _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patrick H. Brown, M.D., Director of Health Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura E. Bedard, Ph.D., Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 24, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 9, 2007

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: 40C-8.031
 RULE TITLE: Minimum Surface Water Levels and Flows and Groundwater Levels

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to adopt minimum flows and levels for the St. Johns River at State Road 50, in Orange and Brevard counties.

SUMMARY: The proposed rule would establish minimum surface water flows and levels for the St. Johns River at State Road 50 in Orange and Volusia counties pursuant to the mandate of Section 373.042, Florida Statutes. Each of these flows and levels would have an associated duration (in days) and return interval (in years). The terms used herein are already defined in Chapter 40C-8, F.A.C. As with all minimum levels established by the District, if adopted, the minimum levels in this rule amendment would be used as a basis for imposing limitations on withdrawals of groundwater and

surface water in the consumptive use permit regulatory process and for reviewing proposed surface water management systems in the environmental resource permit regulatory process.

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: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421 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: May 8, 2007, following the regularly scheduled Governing Board Meeting, which begins at 1:00 p.m.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177

Pursuant to the provisions of 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: Norma Messer at (386)329-4459 or (386)329-4450 (TDD). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Norma K. Messer, Rules Coordinator, St. Johns River Water Management District, Office of General Counsel, P. O. Box 1429, Palatka, Florida 32178-1429, (386)329-4459, Suncom 860-4459, email nmesser@sjrwmd.com

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels.

(1) The following minimum surface water levels and flows and minimum groundwater levels are established:

(a) through (g) No change.

(h) St. Johns River at SR50 in Orange and Brevard Counties.

	<u>Level</u> <u>(ft NGVD)</u>	<u>Flow</u> <u>(cfs)</u>	<u>Duration</u> <u>(days)</u>	<u>Return Interval</u> <u>(years)</u>
<u>Minimum Frequent High</u>	8.1	1950	30	2
<u>Minimum Average</u>	5.9	580	180	1.5
<u>Minimum Frequent Low</u>	4.2	140	120	5
<u>Minimum Infrequent Low</u>	2.7	43	60	50

(2) through (4) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.0421, 373.103, 373.415 FS. History—New 9-16-92, Amended 8-17-94, 6-8-95, 1-17-96, 8-20-96, 10-20-96, 11-4-98, 6-27-00, 2-13-01, 3-19-02, 5-11-03, 11-10-03, 1-12-04, 2-1-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sonny Hall, Technical Program Manager, Division of Water Supply Management, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4368, suncom 860-4368

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 13, 2007

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.:

RULE TITLE:

61A-1.010

Approved Advertising and Promotional Gifts

PURPOSE AND EFFECT: The proposed rule amendment substantially rewords the existing rule to clarify and redefine approved advertising and promotional gifts related to the sale of alcoholic beverages.

SUMMARY: The proposed rule amendment substantially rewords the existing rule with regard to approved advertising and promotional gifts related to the sale of alcoholic beverages.

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: 561.11, 561.42(8), (12) FS.

LAW IMPLEMENTED: 561.08, 561.42 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: Christina Norman, Senior Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)487-2563

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 61A-1.010 follows. See Florida Administrative Code for present text.)

61A-1.010 Approved Advertising and Promotional Gifts.

(1) The chart below provides definitions, including where appropriate descriptions, and conditions that shall not be considered unlawful gifts, loans of money or property, or rebates for purposes of Section 561.42, F.S.

<u>DEFINITION/DESCRIPTION</u>	<u>CONDITIONS AND LIMITATIONS</u>
<u>"PRODUCT DISPLAYS"</u> Wine racks, bins, barrels, casks, and shelving used exclusively to hold and display factory sealed products for sale to the customer.	<u>The total value of the "product display" shall not exceed \$300.00 per brand, not including transportation and installation costs. The value of the "product display" is the actual costs to the industry member who initially purchased the "product display." Shall bear conspicuous, permanently-inscribed or securely-affixed product information. A minimum purchase to complete the display may be required. The vendor's name, business name and address may be a part of the product display.</u>
<u>SHELF PLANS AND SCHEMATICS OF SHELF SPACE</u>	<u>None</u>
<u>"POINT OF SALE ADVERTISING ITEMS"</u> "Point of sale advertising items" are those items designed to be used on the licensed premises of the vendor to attract consumer attention to the advertised product. The following are approved "point of sale advertising items:" Trays, coasters, mats, menu cards, paper napkins, foam scrapers, back bar mats, thermometers, clocks, calendars, alcoholic beverage lists or menus, and paper cups.	<u>Malt beverage manufacturers and distributors shall sell the items to the vendor at a price not less than the actual cost to the manufacturer or distributor who initially purchased the item.</u>

<u>DEFINITION/DESCRIPTION</u>	<u>CONDITIONS AND LIMITATIONS</u>
<u>"CONSUMER ADVERTISING SPECIALTY ITEMS"</u> "Consumer advertising specialty items" are items intended to be carried away by the consumer from the licensed premises of the vendor. The following are approved "consumer advertising specialty items": Trading stamps, matches, non-alcoholic mixers, pouring racks, ash trays, bottle or can openers, cork screws, shopping bags, printed recipes, pamphlets, cards, leaflets, blotters, post cards, pencils shirts, caps, and visors.	<u>Malt beverage manufacturers or distributors shall not be permitted to provide items advertising malt beverages as gifts to a vendor.</u>
<u>SAMPLES of new products.</u>	<u>Must meet the requirements of Rule 61A-4.046, FAC. Manufactures or distributors of beer shall not conduct any sampling activities that include tasting of their product at a vendor's premise licensed for off-premise sale only.</u>
<u>NEWSPAPER CUTS, mats, or engraved blocks.</u>	<u>Shall be available to all vendors without limitation.</u>

DEFINITION/DESCRIPTION	CONDITIONS AND LIMITATIONS
<p><u>Advertising services: the listing of the names and addresses of two or more unaffiliated vendors in a manufacturer's or distributor's advertisement. For the purpose of this rule, affiliated vendors are those with any common ownership, members of the same pool buying group or members of the same advertising cooperative.</u></p>	<p><u>Advertisements shall include two or more unaffiliated (through common ownership, members of the same pool buying group, or members of the same Advertising Cooperative Identification of vendors shall not exceed 10 percent of the total space in the advertisement. Manufacturers and distributors shall not underwrite any vendor's publications or events through the purchase of advertising.</u> <u>Manufacturers and distributors of beer shall not enter into cooperative advertising with vendors.</u></p>
<p><u>INSIDE SIGNS ADVERTISING BRANDS.</u></p>	<p><u>Shall not include any reference to a vendor's event. Vendor's name, business name and address may be printed on the item. May include the price or space for price of the alcoholic beverage product being advertised on the sign. Vendors shall not have more than one neon or electric sign per manufacturer in their window or windows.</u></p>
<p><u>COMBINATION PACKAGES (non-alcoholic beverage products packaged with alcoholic beverages).</u></p>	<p><u>The combination package shall be intended for sale to consumers.</u></p>
<p><u>EDUCATIONAL SEMINARS.</u></p>	<p><u>Shall relate to alcoholic beverage products, alcoholic beverage laws and regulations, or responsible service and sales of alcoholic beverages. May give away instructional materials, snacks, beverages, meals, and tours of a distributor's or manufacturer's facility. May be hosted at any location. Transportation or lodging to or from the seminar shall not be paid by the manufacturer or distributor.</u></p>
<p><u>POINT OF SALE COUPONS</u></p>	<p><u>Any coupon promotion, including paperless scan backs, must be structured to show a direct cash rebate to the consumer and must be supported by a verifiable audit trail. Manufacturers, distributors and vendors must maintain records that contain sufficient information to verify the nature of any payments to a vendor, even if made by a third party. Vendor's records must be sufficient to establish the payment received from the manufacturer, distributor or third party was for the coupon reimbursement by the vendor to the consumer. With "scan backs", there must be a conspicuous point-of-sale signage notifying the consumers of the electronic coupon; the notice shall be displayed at all times during which the "scan back" promotion is offered; and the notice shall advise of the amount of cents off at the cash register. Malt beverage distributors shall not provide malt beverage coupons to vendors; however, they may deliver manufacturers' coupons to vendors. Reimbursement to vendors shall not exceed the face value of the coupon and the customary handling charge (the handling charge shall be the same for all vendors during the coupon period). Shall be redeemable by all vendors who wish to participate. Shall be available to all vendors in the market area as defined below who wish to participate and on the same terms and conditions. For the purposes of this rule, the market area is that geographic location within the state designated by the manufacturer or distributor as the "market area" for the promotion offering the "coupon" or "scan back."</u></p>
<p><u>A "coupon" is a certificate with a stated value used when purchasing a specific product which reduces the price of the product at the time of retail sale. "Scan backs" are electronic coupons. For the purpose of this rule a "rebate" is not a "coupon." "Rebates" are cents off a product and require the consumer mail the "rebate" to the manufacturer, distributor or clearinghouse for reimbursement directly to the consumer.</u></p>	

DEFINITION/DESCRIPTION	CONDITIONS AND LIMITATIONS
<p><u>TRADE SHOWS AND CONVENTIONS sponsored by retail association(s).</u></p>	<p><u>May provide display of products. May rent display space at normal trade show rate. May provide own hospitality (independent of sponsored activities by the association or any member vendors). May pay normal registration fees. May purchase tickets to functions. May provide samples to attendees. May conduct tastings for attendees. May purchase advertisements in publications distributed during conventions and trade shows (Payments for all such advertisements shall not exceed \$300 per year to any retailer association). Malt beverage manufacturers and distributors shall not provide any gifts to retailer associations which advertise malt beverages.</u></p>
<p><u>PREMIUM OFFERS.</u> <u>Products offered to consumers with proof of purchase.</u></p>	<p><u>Shall be offered to all vendors who wish to participate in the similar quantities at the same time. May provide point-of-sale advertising and order forms. Products shall not be given or loaned to the retailer for display.</u></p>

DEFINITION/DESCRIPTION	CONDITIONS AND LIMITATIONS
<p><u>SWEEPSTAKES, DRAWINGS, OR CONTESTS.</u></p>	<p><u>Section 849.094, F.S., which is administered by the Department of State, Division of Licensing, The Capitol, MS#4, Tallahassee, Florida 32399-0250 requires registration of consumer games where prizes are awarded in excess of \$5,000. Shall be open for the general public to participate; however, no vendor shall participate. Shall be offered to all vendors who wish to participate in the similar quantities at the same time. May provide entry forms, rules, and point-of-sale advertising pieces. Shall not require proof of purchase to enter. Vendor shall not collect completed entry forms. Live or electronic contests sponsored by manufacturers or distributors shall not be held at a vendor's place of business.</u></p>
<p><u>Contests or sweepstakes that include as a prize the vendor's property.</u></p>	<p><u>Tickets and room rentals shall be purchased by the manufacturer or distributor for normal rates. Shall not be a joint venture with a vendor. Reference to a vendor shall not exceed 10 percent of the total space in the advertisement pieces or entry forms. May use the names and pictures of vendor's properties (passenger carriers, lodging establishments, theme parks, and tourist attractions) which are prizes to consumers who win contests or sweepstakes.</u></p>
<p><u>TOURNAMENTS AND COMPETITONS</u> <u>Vendor sponsored tournaments and competitions.</u></p>	<p><u>Manufacturers and distributors may participate and pay normal entry fees. Manufacturers and distributors shall not advertise, co-sponsor, underwrite, or contribute in time, money, or gifts.</u></p>

<u>DEFINITION/DESCRIPTION</u>	<u>CONDITIONS AND LIMITATIONS</u>
<u>INSURANCE COVERAGE</u>	<u>May provide vendors proof of insurance for manufacturers or distributors personnel, equipment, and products; however, they may only issue "hold harmless" or "indemnity" agreements involving product liability or copyright and patent infringement for acts or omissions of the manufacturer or distributor. Manufacturers or distributors shall not issue "hold harmless" or "indemnity" agreements directly or indirectly insuring or co-insuring acts or omissions of vendors.</u>
<u>DRAFT EQUIPMENT</u> <u>Draft cleaning service of equipment installed by a manufacturer or distributor.</u>	None
<u>NO CHARGE ALCOHOLIC BEVERAGES</u> <u>Gifts to manufacturer's and distributor's employees; charitable organizations; market testers; and non-profit civic organization permittees.</u>	<u>Alcoholic beverage products shall be invoiced to the individual or organization as a no-charge invoice. Shall not be provided to a vendor however, individuals or organizations may arrange for delivery of alcoholic beverage products to their function in care of a licensed vendor's place of business provided the alcoholic beverages do not become the property of the vendor.</u>

<u>DEFINITION/DESCRIPTION</u>	<u>CONDITIONS AND LIMITATIONS</u>
<u>RETURNS OF DAMAGED products by vendors to distributors.</u>	<u>Vendors shall notify distributors of damaged products received from the distributor within 10 days after delivery in order to obtain a credit or exact exchange. Distributors shall maintain records of request by vendors for return of damaged products, with reference made to the original invoice showing the delivery date and any credit memo issued. Damaged products shall be verified by the distributor's representative prior to issuing a credit. Damaged products shall be exchanged in exact quantities with products of near equal value made by the same manufacturer and in the same size containers unless a credit or cash is issued at the time of the return with a supporting document. A transaction record of all exchanges shall be made and kept by the distributor detailing the date, the licensed vendor, business name and address, the vendor's license number, and the product exchanged for products, cash, or credit.</u>

DEFINITION/DESCRIPTION	CONDITIONS AND LIMITATIONS
<u>PRIVATE LABELS</u>	<u>Beer, wine, and spirituous liquors may be manufactured under a vendor's trademark. A vendor shall not set the price of private labeled products with the manufacturer, importer, or distributor. Pricing shall be independently established by the manufacturer, importer, or distributor. The vendor may be paid royalties and other contractual payments if the right to the trademark is sold by the vendor. The vendor may be the exclusive outlet for the product if the vendor maintains ownership of the trademark. The vendor may petition the division for an exception to the outside sign prohibition when their business name is the same as a brand name, and such petition shall be granted if the purpose is clearly to promote the business name and not an alcoholic beverage brand.</u>
<u>RETURN OF PRODUCT</u> <u>Vendors may return product but no consignment sales shall be made to a vendor.</u>	<u>Vendors who make a request for return of products to a distributor within 5 days of the delivery date shall be entitled to cash or a credit within 10 days of the request and at the same time the distributor picks up the products. The request shall be documented by the distributor on the credit or refund memo (The 5-day requirement excludes days that either the vendor or the distributor are closed for business.)</u>
<u>WAREHOUSING</u>	<u>Distributors of wine and spirituous liquors may deliver those products during the same calendar week, which shall begin on Sunday, as the products are ordered. The prices of the products shall be set at the time of the order and shall not be adjusted based on additional products ordered during the same week as the original order after the first delivery is loaded.</u>
<u>SPLIT CASES</u>	<u>Distributors may offer split cases (boxes that contain more than 1 brand of alcoholic beverage products or more than one size of the same brand) to vendors, provided it has a written policy applying to all vendors regarding the add-on charge for all split cases, if any vendor is required to pay such a charge for any case.</u>
<u>KICKBACKS</u>	<u>No manufacturer or importer of alcoholic beverages shall give any licensed distributor any rebate on any order placed by, or on behalf of, a licensed vendor or group of licensed vendors.</u>

(2) Any other gifts, loans of money or property, or rebates not included in the "Approved Advertising and Promotional Gifts Chart", or specifically authorized by Florida Statutes, shall not be provided to a vendor.

(3) Manufacturers and distributors shall keep and maintain records for a 3-year period on their licensed premises, or other division approved location, of any gift, loan, assistance including all product displays, equipment and supplies, samples, consumer coupon promotions, scan back promotions, participation in retailer association activities, and the acquisition or production cost of and selling cost of merchandise items given, sold, or loaned to vendors. These records shall show:

- (a) The name and address of the vendor;
- (b) The vendor's license number;
- (c) The date furnished;
- (d) A description of the item;

(e) The manufacturer's or distributor's cost of the item (determined by the original purchaser's invoice price). This information is not required if no value restrictions exist;

(f) The charges to the retailer for the item, if applicable;

(g) If a scan back (electronic coupon) was offered, the amount of the discount offered to the consumer for each "market area";

(h) If a coupon promotion, a copy of the coupon; and

(i) A description of the "market area" for the promotional event.

(4) Vendors shall keep and maintain for a 3-year period on their licensed premises, or other division approved location all records of any credits, money or other forms of assistance provided to the vendor under subsection (3) of this rule. These records shall show:

(a) The name and address of the manufacturer or distributor providing the credit, money, or other form of assistance;

(b) The date the credit, money or other form of assistance was furnished;

(c) The date(s) the promotion was offered;

(d) A description of the item;

(e) If a scan back (electronic coupon) was offered, the amount of the discount offered to the consumer and a copy of the point of sale sign reflecting the discount;

(f) A copy of the coupon provided to the vendor by the customers;

(g) The number of each type of coupon received by the vendor for money off the product;

(h) The amount of assistance, reimbursement, payment, credit, or money received by the vendor and the name of the distributor, manufacturer or third part acting on behalf of the distributor or manufacturer;

(i) Sales receipts reflecting the original price of the product, the amount of the coupon or discount, and the sales price after applying the coupon or discount.

Specific Authority 561.11, 561.42(8), (12) FS. Law Implemented 561.08, 561.42 FS. History—Formerly 12-19-74, Amended 3-1-76, Formerly 7A-1.10, 7A-1.010, Amended 6-5-97,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Christina Norman, Senior Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)487-2563

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Secretary Holly Benson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 14, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 31, 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 JUVENILE JUSTICE

County and Municipal Juvenile Programs

RULE NOS.:	RULE TITLES:
63K-1.001	Purpose and Scope
63K-1.002	Operation of County or Municipal Juvenile Detention Centers
63K-1.003	Operation of County or Municipal Juvenile Delinquency Programs
63K-1.004	Transfers

PURPOSE AND EFFECT: The rule implements Section 985.688, F.S., governing the manner in which the department monitors, inspects and evaluates county and municipal delinquency programs and facilities.

SUMMARY: The proposed rule specifies the manner in which county or municipal juvenile delinquency programs and detention facilities are to be operated, and provides for department inspection and monitoring of such programs.

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

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

SPECIFIC AUTHORITY: 20.316, 985.64, 985.688 FS.

LAW IMPLEMENTED: 985.688 FS.

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

DATE AND TIME: Tuesday, April 17, 2007, 10:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: John Milla, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

63K-1.001 Purpose and Scope.

The rule establishes basic operational and monitoring requirements for county or municipal juvenile detention centers and programs. Only detention centers and programs that are planned, developed, coordinated or contracted for by local government are within the scope of this rule; centers and programs operated by local government under contract with the department are not within the scope of this rule.

Specific Authority 20.316, 985.64, 985.688 FS. Law Implemented 985.688 FS. History—New_____.

63K-1.002 Operation of County or Municipal Juvenile Detention Centers.

(1) A county or municipal juvenile detention center shall comply with pertinent quality assurance standards.

(2) The department, through its assigned regional contract manager, shall inspect the county or municipal juvenile detention center on a quarterly basis to determine its compliance with pertinent quality assurance standards.

(a) A center that materially fails to comply with quality assurance standards shall be subject to the enforcement mechanisms set out in Section 985.688(10), F.S.

1. Material failure is defined as achieving a quality assurance rating of less than 60 percent.

2. When a material failure is not corrected in the subsequent quarterly monitoring, the center must cease operating.

(b) The department shall charge, and the county or municipality shall pay, an inspection fee equal to .5 of one percent of the annual direct operating cost of the detention center.

Specific Authority 20.316, 985.64, 985.688 FS. Law Implemented 985.688 FS. History–New _____.

63K-1.003 Operation of County or Municipal Juvenile Delinquency Programs.

(1) A county or municipal juvenile delinquency program shall comply with pertinent quality assurance standards.

(2) The department, through assigned regional staff, shall inspect the county or municipal juvenile delinquency program on a quarterly basis to determine its compliance with pertinent quality assurance standards.

(a) A program that materially fails to comply with quality assurance standards shall be subject to the enforcement mechanisms set out in Section 985.688(10), F.S.

1. Material failure is defined as achieving a quality assurance rating of less than 60 percent.

2. When a material failure is not corrected in the subsequent quarterly monitoring, the program must cease operating.

(b) The department shall charge, and the county or municipality shall pay, an inspection fee equal to .5 of one percent of the annual direct operating cost of the program.

Specific Authority 20.316, 985.64, 985.688 FS. Law Implemented 985.688 FS. History–New _____.

63K-1.004 Transfers.

(1) A county or municipal juvenile delinquency program may transfer a juvenile from one county or municipal program to another for the following reasons:

(a) It is necessary to appropriately administer the juvenile's commitment;

(b) The juvenile needs different treatment or services; or

(c) Placement at the receiving county or municipal juvenile program is immediately available.

(2) The county or municipal juvenile program shall notify the department, in writing, of its desire to transfer the juvenile.

(3) The department shall schedule a transfer staffing within 48 hours of receipt of the request for transfer. The staffing shall be conducted within 5 working days of the scheduling decision.

(a) If the transfer is denied, the child shall remain in the program that requested the transfer.

(b) If the transfer is approved, and the new placement is at the same restrictiveness level, the department shall notify the program that the transfer may take place.

(c) If the transfer is approved, and the new placement is at a higher or lower restrictiveness level, then the department shall notify the committing court in writing of the intent to transfer the child. If, after 10 calendar days, the county or municipal juvenile program's request to transfer has not been denied, it shall be deemed granted.

Specific Authority 20.316, 985.64, 985.688 FS. Law Implemented 985.688 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

John Criswell, Chief of Quality Assurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Eleese Davis, Director, Office of Program Accountability

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 13, 2007

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-4.011 Dispensing Practitioners

PURPOSE AND EFFECT: The purpose of the amendment is to eliminate the registration fee.

SUMMARY: The registration fee is eliminated.

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: 464.006 FS.

LAW IMPLEMENTED: 465.0276, 464.012(3), (4) 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 Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-4.011 Dispensing Practitioners.

(1) Those ARNP's whose protocols permit them to dispense medications for a fee as contemplated by Section 465.0276, F.S., must register with the Board of Nursing.

~~(2)~~ The fee for registration shall be \$25.00, payable upon initial registration and subsequently at each biennial renewal of the ARNP license.

~~(2)(3)~~ The ARNP dispensing practitioner must comply with all state and federal laws and regulations applicable to all dispensing practitioners under Section 465.0276, F.S.

Specific Authority 464.006 FS. Law Implemented 465.0276, 464.012(3), (4) FS. History—New 9-16-91, Formerly 210-16.003, 61F7-4.011, 59S-4.011, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 12, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 2, 2007

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-7.001
RULE TITLE: Fees

PURPOSE AND EFFECT: The purpose and effect is to adjust the application, licensure and renewal fees to ensure the Board meets the requirements of Section 456.025, F.S.

SUMMARY: Application, licensure and renewal fees are adjusted to ensure the Board meets the requirements of Section 456.025, F.S.

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

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

SPECIFIC AUTHORITY: 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS.

LAW IMPLEMENTED: 119.07(1)(a), 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 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 Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-7.001 Fees.

The following fees are prescribed by the Board.

(1) For application to sit for the examination as provided in Section 464.008, F.S.:

(a) For registered nurse and licensed practical nurse ninety dollars (\$90.00) of which ~~\$23~~ \$15 is specifically earmarked to pay the fee charged by the Department of Law Enforcement for the criminal background check mandated by Section 464.008(1)(b), F.S.

~~(b) For licensed practical nurse ninety dollars (\$90.00) of which \$15 is specifically earmarked to pay the fee charged by the Department of Law Enforcement for the criminal background check mandated by Section 464.008(1)(b), F.S.~~

~~(b)(e)~~ Applicants for the NCLEX-CAT examination must pay the fee for sitting for the examination directly to the examination vendor.

(2) For application for licensure without examination by endorsement as provided in Section 464.009, F.S.:

~~(a)~~ For registered nurse and licensed practical nurse ninety dollars (\$90.00) of which ~~\$23~~ \$15 is specifically earmarked to pay the fee charged by the Department of Law Enforcement for the criminal background check mandated by Section 464.008(1)(b), F.S.

~~(b) For licensed practical nurse ninety dollars (\$90.00) of which \$15 is specifically earmarked to pay the fee charged by the Department of Law Enforcement for the criminal background check mandated by Section 464.008(1)(b), F.S.~~

(3) ~~Effective July 1, 2000, for issuance of initial license as a registered nurse or a licensed practical nurse the fee shall be eighty seven five dollars (\$80.00).~~ (\$75.00).

(4) For application for ARNP certification as provided in Section 464.012, F.S., one hundred seventy five dollars (\$100.00) ~~(\$75.00).~~

(5) For ARNP registration as a dispensing practitioner pursuant to Section 465.0276, one hundred dollars (\$100.00).

~~(6)(5)~~ For renewal of RN or LPN license as provided in Section 464.013, F.S., eighty five dollars (\$80.00) ~~(\$55.00).~~

~~(7)(6)~~ For renewal of a dual RN/ARNP license certificate, one hundred thirty five dollars (\$130.00) ~~(\$105.00).~~

(7) through (16) renumbered (8) through (17) No change.

Specific Authority 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS. Law Implemented 119.07(1)(a), 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 FS. History—New 9-12-79, Amended 3-5-81, 12-28-82, 11-17-83, Formerly 210-15.01, Amended 9-23-86, 2-5-87, 10-21-87, 11-19-89, 3-13-90, 1-1-92, 6-24-93, Formerly 210-15.001, 61F7-7.001, Amended 9-13-94, 11-6-94, 4-12-95, Formerly 59S-7.001, Amended 8-18-98, 11-2-98, 6-20-00, 7-7-02, 9-26-05, 9-4-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing

DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: October 12, 2005
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: March 2, 2007

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.: RULE TITLES:
 690-149.205 Indemnity Standard Risk Rates
 690-149.206 Preferred Provider/Exclusive
 Provider Standard Risk Rates
 690-149.207 Health Maintenance Organization
 Standard Risk Rates

PURPOSE AND EFFECT: To publish the standard risk rates as required by Section 627.6675(3)(c), F.S.

SUMMARY: The Office is required by Section 627.6675(3)(c), F.S., to conduct an annual survey of the individual market and determine “standard risk rates”. These standard risk rates are the average rates charged in the individual market for health insurance. The standard risk rates are used by the health insurers in setting their conversion rates, because pursuant to Section 627.6675(3)(a), F.S., the maximum a health insurer can charge for a conversion policy is 200% of the standard risk rate.

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: 624.308, 627.6675(3)(c) FS.
 LAW IMPLEMENTED: 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) 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: April 20, 2007, 9:30 a.m.
 PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Tracie Lambright, Life and Health Product Review, Office of Insurance Regulation, E-mail: Tracie.Lambright@fldfs.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-149.205 Indemnity Standard Risk Rates,
 (1) through (3) No change.

STANDARD HEALTH BENEFIT PLAN					
Age	Male	Female	County	Area Factor	
0-17	\$1,224.24	\$1,224.24	Alachua	0.72	
18	\$1,741.39	\$2,182.58	Baker	0.78	
19	\$1,741.39	\$2,182.58	Bay	0.77	
20	\$1,741.39	\$2,182.58	Bradford	0.82	
21	\$1,741.39	\$2,182.58	Brevard	0.95	
22	\$1,741.39	\$2,182.58	Broward	1.40	
23	\$1,741.39	\$2,182.58	Calhoun	0.75	
24	\$1,741.39	\$2,182.58	Charlotte	1.00	
25	\$1,741.39	\$2,182.58	Citrus	0.69	
26	\$1,809.30	\$2,274.25	Clay	0.81	
27	\$1,879.86	\$2,369.77	Collier	0.93	
28	\$1,953.18	\$2,469.30	Columbia	0.81	
29	\$2,029.35	\$2,573.01	Dade	1.37	
30	\$2,108.50	\$2,681.07	De Soto	0.74	
31	\$2,190.73	\$2,793.68	Dixie	0.73	
32	\$2,276.17	\$2,911.01	Duval	0.99	
33	\$2,364.94	\$3,033.27	Escambia	0.77	
34	\$2,425.93	\$3,160.67	Flagler	0.82	
35	\$2,486.93	\$3,277.77	Franklin	0.75	
36	\$2,577.45	\$3,390.52	Gadsden	0.75	
37	\$2,671.27	\$3,507.15	Gilchrist	0.75	
38	\$2,768.51	\$3,627.80	Glades	0.98	
39	\$2,869.28	\$3,752.60	Gulf	0.76	
40	\$2,973.72	\$3,881.69	Hamilton	0.77	

41	\$3,081.97	\$4,015.22
42	\$3,194.15	\$4,153.34
43	\$3,310.42	\$4,296.22
44	\$3,430.92	\$4,444.01
45	\$3,524.12	\$4,543.38
46	\$3,692.58	\$4,657.42
47	\$3,869.08	\$4,774.32
48	\$4,054.02	\$4,894.16
49	\$4,247.81	\$5,017.00
50	\$4,450.85	\$5,142.93
51	\$4,663.60	\$5,272.01
52	\$4,886.52	\$5,404.34
53	\$5,120.10	\$5,539.99
54	\$5,364.84	\$5,647.53
55	\$5,567.49	\$5,755.06
56	\$5,743.43	\$5,897.79
57	\$5,924.92	\$6,044.05
58	\$6,112.14	\$6,193.95
59	\$6,305.29	\$6,347.56
60	\$6,504.54	\$6,504.98
61	\$6,710.08	\$6,666.30
62	\$6,922.12	\$6,831.62
63	\$7,140.86	\$7,001.05
64	\$7,366.51	\$7,174.67
65	\$7,366.63	\$7,140.13
66	\$7,366.63	\$7,140.13
67	\$7,366.63	\$7,140.13
68	\$7,366.63	\$7,140.13
69	\$7,366.63	\$7,140.13
70	\$7,366.63	\$7,140.13
71	\$7,366.63	\$7,140.13
72	\$7,366.63	\$7,140.13
73	\$7,366.63	\$7,140.13
74	\$7,366.63	\$7,140.13
75	\$7,366.63	\$7,140.13
76	\$7,366.63	\$7,140.13
77	\$7,366.63	\$7,140.13
78	\$7,366.63	\$7,140.13
79	\$7,366.63	\$7,140.13

Hardee	0.80
Hendry	1.01
Hernando	0.85
Highlands	0.75
Hillsborough	0.86
Holmes	0.75
Indian River	0.97
Jackson	0.76
Jefferson	0.75
Lafayette	0.78
Lake	0.90
Lee	0.99
Leon	0.79
Levy	0.80
Liberty	0.75
Madison	0.79
Manatee	0.90
Marion	0.77
Martin	0.95
Monroe	1.37
Nassau	0.85
Okaloosa	0.72
Okeechobee	0.97
Orange	0.95
Osceola	0.92
Palm Beach	1.00
Pasco	0.90
Pinellas	0.87
Polk	0.84
Putnam	0.79
St. Johns	0.77
St. Lucie	0.99
Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.80
Suwannee	0.82
Taylor	0.79
Union	0.79
Volusia	0.88
Wakulla	0.75
Walton	0.76
Washington	0.76

0-17	\$1,110.70	\$1,110.70
18	\$1,568.94	\$1,974.82
19	\$1,568.94	\$1,974.82
20	\$1,568.94	\$1,974.82
21	\$1,568.94	\$1,974.82
22	\$1,568.94	\$1,974.82
23	\$1,568.94	\$1,974.82
24	\$1,568.94	\$1,974.82
25	\$1,568.94	\$1,974.82
26	\$1,630.13	\$2,057.77
27	\$1,693.70	\$2,144.19
28	\$1,759.75	\$2,234.25
29	\$1,828.38	\$2,328.09
30	\$1,899.69	\$2,425.87
31	\$1,973.78	\$2,527.75
32	\$2,050.76	\$2,633.92
33	\$2,130.74	\$2,744.54
34	\$2,213.84	\$2,859.81
35	\$2,209.78	\$2,963.38
36	\$2,290.22	\$3,065.32

Alachua	0.76
Baker	0.78
Bay	0.73
Bradford	0.82
Brevard	1.00
Broward	1.39
Calhoun	0.75
Charlotte	1.05
Citrus	0.66
Clay	0.82
Collier	0.91
Columbia	0.81
Dade	1.44
De Soto	0.74
Dixie	0.77
Duval	1.04
Escambia	0.79
Flagler	0.78
Franklin	0.75
Gadsden	0.75

37	\$2,373.58	\$3,170.77
38	\$2,450.98	\$3,279.84
39	\$2,549.52	\$3,392.67
40	\$2,642.33	\$3,509.38
41	\$2,738.51	\$3,630.10
42	\$2,838.19	\$3,754.97
43	\$2,941.50	\$3,884.14
44	\$3,048.57	\$4,017.76
45	\$3,166.41	\$4,104.11
46	\$3,317.77	\$4,207.12
47	\$3,476.36	\$4,312.72
48	\$3,642.53	\$4,420.97
49	\$3,816.64	\$4,531.93
50	\$3,999.08	\$4,645.69
51	\$4,190.23	\$4,762.29
52	\$4,390.53	\$4,881.83
53	\$4,600.39	\$5,004.36
54	\$4,820.29	\$5,129.97
55	\$5,007.58	\$5,148.84
56	\$5,165.82	\$5,276.53
57	\$5,329.06	\$5,407.39
58	\$5,497.46	\$5,541.50
59	\$5,671.18	\$5,678.92
60	\$5,850.39	\$5,819.76
61	\$6,035.26	\$5,964.09
62	\$6,225.97	\$6,112.00
63	\$6,422.72	\$6,263.58
64	\$6,625.67	\$6,418.92
65	\$6,627.91	\$6,419.53
66	\$6,627.91	\$6,419.53
67	\$6,627.91	\$6,419.53
68	\$6,627.91	\$6,419.53
69	\$6,627.91	\$6,419.53
70	\$6,627.91	\$6,419.53
71	\$6,627.91	\$6,419.53
72	\$6,627.91	\$6,419.53
73	\$6,627.91	\$6,419.53
74	\$6,627.91	\$6,419.53
75	\$6,627.91	\$6,419.53
76	\$6,627.91	\$6,419.53
77	\$6,627.91	\$6,419.53
78	\$6,627.91	\$6,419.53
79	\$6,627.91	\$6,419.53

Gilchrist	0.75
Glades	0.98
Gulf	0.76
Hamilton	0.77
Hardee	0.80
Hendry	1.01
Hernando	0.83
Highlands	0.79
Hillsborough	0.91
Holmes	0.75
Indian River	1.02
Jackson	0.76
Jefferson	0.75
Lafayette	0.78
Lake	0.89
Lee	1.04
Leon	0.77
Levy	0.80
Liberty	0.75
Madison	0.79
Manatee	0.89
Marion	0.76
Martin	0.98
Monroe	1.44
Nassau	0.84
Okaloosa	0.69
Okeechobee	0.97
Orange	1.00
Osceola	0.94
Palm Beach	1.00
Pasco	0.86
Pinellas	0.89
Polk	0.85
Putnam	0.77
St. Johns	0.77
St. Lucie	0.99
Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.79
Suwannee	0.82
Taylor	0.79
Union	0.79
Volusia	0.84
Wakulla	0.75
Walton	0.76
Washington	0.76

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History—New 3-2-00, Amended 4-2-01, 4-17-02, 1-20-03, Formerly 4-149.205, Amended 5-18-04, 5-22-05, 6-1-06,_____.

690-149.206 Preferred Provider/Exclusive Provider Standard Risk Rates.

(1) through (4) No change.

STANDARD HEALTH BENEFIT PLAN					
Age	Male	Female	County	Area Factor	
0	\$2,084.83	\$2,020.10	Alachua	0.72	
1	\$2,084.83	\$2,020.10	Baker	0.78	
2	\$1,752.86	\$1,723.43	Bay	0.77	
3	\$1,543.96	\$1,514.54	Bradford	0.82	
4	\$1,426.28	\$1,367.43	Brevard	0.95	

<u>5</u>	<u>\$1,367.43</u>	<u>\$1,246.80</u>
<u>6</u>	<u>\$1,305.65</u>	<u>\$1,129.12</u>
<u>7</u>	<u>\$1,280.33</u>	<u>\$1,074.38</u>
<u>8</u>	<u>\$1,221.49</u>	<u>\$983.17</u>
<u>9</u>	<u>\$1,192.07</u>	<u>\$983.17</u>
<u>10</u>	<u>\$1,221.49</u>	<u>\$1,012.59</u>
<u>11</u>	<u>\$1,250.91</u>	<u>\$1,074.38</u>
<u>12</u>	<u>\$1,280.33</u>	<u>\$1,162.64</u>
<u>13</u>	<u>\$1,309.75</u>	<u>\$1,280.33</u>
<u>14</u>	<u>\$1,430.38</u>	<u>\$1,400.96</u>
<u>15</u>	<u>\$1,518.65</u>	<u>\$1,518.65</u>
<u>16</u>	<u>\$1,636.33</u>	<u>\$1,636.33</u>
<u>17</u>	<u>\$1,698.12</u>	<u>\$1,727.54</u>
<u>18</u>	<u>\$1,513.96</u>	<u>\$1,572.92</u>
<u>19</u>	<u>\$1,563.23</u>	<u>\$1,670.62</u>
<u>20</u>	<u>\$1,611.67</u>	<u>\$1,771.19</u>
<u>21</u>	<u>\$1,685.62</u>	<u>\$1,890.53</u>
<u>22</u>	<u>\$1,738.40</u>	<u>\$2,015.25</u>
<u>23</u>	<u>\$1,788.50</u>	<u>\$2,120.27</u>
<u>24</u>	<u>\$1,838.42</u>	<u>\$2,227.33</u>
<u>25</u>	<u>\$1,885.49</u>	<u>\$2,318.90</u>
<u>26</u>	<u>\$1,938.08</u>	<u>\$2,376.03</u>
<u>27</u>	<u>\$1,990.35</u>	<u>\$2,433.67</u>
<u>28</u>	<u>\$2,067.67</u>	<u>\$2,491.99</u>
<u>29</u>	<u>\$2,121.11</u>	<u>\$2,551.82</u>
<u>30</u>	<u>\$2,171.54</u>	<u>\$2,591.84</u>
<u>31</u>	<u>\$2,231.85</u>	<u>\$2,633.19</u>
<u>32</u>	<u>\$2,294.05</u>	<u>\$2,699.25</u>
<u>33</u>	<u>\$2,357.57</u>	<u>\$2,766.00</u>
<u>34</u>	<u>\$2,420.26</u>	<u>\$2,809.21</u>
<u>35</u>	<u>\$2,506.99</u>	<u>\$2,852.42</u>
<u>36</u>	<u>\$2,572.55</u>	<u>\$2,896.81</u>
<u>37</u>	<u>\$2,644.50</u>	<u>\$2,945.07</u>
<u>38</u>	<u>\$2,713.92</u>	<u>\$2,972.14</u>
<u>39</u>	<u>\$2,782.66</u>	<u>\$3,012.49</u>
<u>40</u>	<u>\$2,847.37</u>	<u>\$3,061.91</u>
<u>41</u>	<u>\$2,913.62</u>	<u>\$3,145.27</u>
<u>42</u>	<u>\$3,008.46</u>	<u>\$3,252.03</u>
<u>43</u>	<u>\$3,090.64</u>	<u>\$3,374.95</u>
<u>44</u>	<u>\$3,173.17</u>	<u>\$3,498.34</u>
<u>45</u>	<u>\$3,271.10</u>	<u>\$3,632.92</u>
<u>46</u>	<u>\$3,374.26</u>	<u>\$3,771.39</u>
<u>47</u>	<u>\$3,475.57</u>	<u>\$3,898.07</u>

<u>Broward</u>	<u>1.40</u>
<u>Calhoun</u>	<u>0.75</u>
<u>Charlotte</u>	<u>1.00</u>
<u>Citrus</u>	<u>0.69</u>
<u>Clay</u>	<u>0.81</u>
<u>Collier</u>	<u>0.93</u>
<u>Columbia</u>	<u>0.81</u>
<u>Dade</u>	<u>1.37</u>
<u>De Soto</u>	<u>0.74</u>
<u>Dixie</u>	<u>0.73</u>
<u>Duval</u>	<u>0.99</u>
<u>Escambia</u>	<u>0.77</u>
<u>Flagler</u>	<u>0.82</u>
<u>Franklin</u>	<u>0.75</u>
<u>Gadsden</u>	<u>0.75</u>
<u>Gilchrist</u>	<u>0.75</u>
<u>Glades</u>	<u>0.98</u>
<u>Gulf</u>	<u>0.76</u>
<u>Hamilton</u>	<u>0.77</u>
<u>Hardee</u>	<u>0.80</u>
<u>Hendry</u>	<u>1.01</u>
<u>Hernando</u>	<u>0.85</u>
<u>Highlands</u>	<u>0.75</u>
<u>Hillsborough</u>	<u>0.86</u>
<u>Holmes</u>	<u>0.75</u>
<u>Indian River</u>	<u>0.97</u>
<u>Jackson</u>	<u>0.76</u>
<u>Jefferson</u>	<u>0.75</u>
<u>Lafayette</u>	<u>0.78</u>
<u>Lake</u>	<u>0.90</u>
<u>Lee</u>	<u>0.99</u>
<u>Leon</u>	<u>0.79</u>
<u>Levy</u>	<u>0.80</u>
<u>Liberty</u>	<u>0.75</u>
<u>Madison</u>	<u>0.79</u>
<u>Manatee</u>	<u>0.90</u>
<u>Marion</u>	<u>0.77</u>
<u>Martin</u>	<u>0.95</u>
<u>Monroe</u>	<u>1.37</u>
<u>Nassau</u>	<u>0.85</u>
<u>Okaloosa</u>	<u>0.72</u>
<u>Okeechobee</u>	<u>0.97</u>
<u>Orange</u>	<u>0.95</u>

48	<u>\$3,626.99</u>	<u>\$4,032.97</u>
49	<u>\$3,810.31</u>	<u>\$4,174.28</u>
50	<u>\$4,012.82</u>	<u>\$4,321.61</u>
51	<u>\$4,214.32</u>	<u>\$4,450.89</u>
52	<u>\$4,465.09</u>	<u>\$4,578.17</u>
53	<u>\$4,688.76</u>	<u>\$4,677.00</u>
54	<u>\$4,947.13</u>	<u>\$4,816.24</u>
55	<u>\$5,184.67</u>	<u>\$4,955.53</u>
56	<u>\$5,463.95</u>	<u>\$5,120.27</u>
57	<u>\$5,785.99</u>	<u>\$5,311.64</u>
58	<u>\$6,098.51</u>	<u>\$5,514.89</u>
59	<u>\$6,427.77</u>	<u>\$5,736.18</u>
60	<u>\$6,647.42</u>	<u>\$5,983.42</u>
61	<u>\$6,856.36</u>	<u>\$6,196.74</u>
62	<u>\$7,020.01</u>	<u>\$6,407.38</u>
63	<u>\$7,156.05</u>	<u>\$6,561.01</u>
64	<u>\$7,252.08</u>	<u>\$6,650.07</u>
65	<u>\$7,658.43</u>	<u>\$6,942.77</u>
66	<u>\$7,684.51</u>	<u>\$6,965.97</u>
67	<u>\$7,727.50</u>	<u>\$6,989.85</u>
68	<u>\$7,785.23</u>	<u>\$7,019.80</u>
69	<u>\$7,842.79</u>	<u>\$7,051.80</u>
70	<u>\$7,900.53</u>	<u>\$7,081.44</u>
71	<u>\$7,957.91</u>	<u>\$7,111.74</u>
72	<u>\$8,018.35</u>	<u>\$7,145.25</u>
73	<u>\$8,073.20</u>	<u>\$7,171.83</u>
74	<u>\$8,125.51</u>	<u>\$7,200.10</u>
75	<u>\$8,180.54</u>	<u>\$7,230.24</u>
76	<u>\$8,235.39</u>	<u>\$7,254.79</u>
77	<u>\$8,290.24</u>	<u>\$7,283.73</u>
78	<u>\$8,317.67</u>	<u>\$7,322.17</u>
79	<u>\$8,345.26</u>	<u>\$7,360.43</u>

Osceola	<u>0.92</u>
Palm Beach	<u>1.00</u>
Pasco	<u>0.90</u>
Pinellas	<u>0.87</u>
Polk	<u>0.84</u>
Putnam	<u>0.79</u>
St. Johns	<u>0.77</u>
St. Lucie	<u>0.99</u>
Santa Rosa	<u>0.77</u>
Sarasota	<u>0.76</u>
Seminole	<u>0.92</u>
Sumter	<u>0.80</u>
Suwannee	<u>0.82</u>
Taylor	<u>0.79</u>
Union	<u>0.79</u>
Volusia	<u>0.88</u>
Wakulla	<u>0.75</u>
Walton	<u>0.76</u>
Washington	<u>0.76</u>

0-17	<u>\$1,155.51</u>	<u>\$1,141.18</u>
18	<u>\$1,129.44</u>	<u>\$1,115.11</u>
19	<u>\$1,380.57</u>	<u>\$1,780.25</u>
20	<u>\$1,383.26</u>	<u>\$1,784.73</u>
21	<u>\$1,383.26</u>	<u>\$1,790.10</u>
22	<u>\$1,386.00</u>	<u>\$1,806.40</u>
23	<u>\$1,386.00</u>	<u>\$1,823.64</u>
24	<u>\$1,388.75</u>	<u>\$1,836.41</u>
25	<u>\$1,391.49</u>	<u>\$1,847.33</u>
26	<u>\$1,386.71</u>	<u>\$1,859.14</u>
27	<u>\$1,474.29</u>	<u>\$1,949.47</u>
28	<u>\$1,547.10</u>	<u>\$2,034.52</u>
29	<u>\$1,607.01</u>	<u>\$2,122.89</u>
30	<u>\$1,660.30</u>	<u>\$2,209.27</u>
31	<u>\$1,699.87</u>	<u>\$2,293.09</u>
32	<u>\$1,757.75</u>	<u>\$2,393.24</u>
33	<u>\$1,797.62</u>	<u>\$2,489.52</u>
34	<u>\$1,837.10</u>	<u>\$2,584.95</u>
35	<u>\$1,877.27</u>	<u>\$2,684.60</u>
36	<u>\$1,907.75</u>	<u>\$2,788.23</u>
37	<u>\$1,941.83</u>	<u>\$2,871.55</u>

Alachua	<u>0.76</u>
Baker	<u>0.78</u>
Bay	<u>0.73</u>
Bradford	<u>0.82</u>
Brevard	<u>1.00</u>
Broward	<u>1.39</u>
Calhoun	<u>0.75</u>
Charlotte	<u>1.05</u>
Citrus	<u>0.66</u>
Clay	<u>0.82</u>
Collier	<u>0.91</u>
Columbia	<u>0.81</u>
Dade	<u>1.44</u>
De Soto	<u>0.74</u>
Dixie	<u>0.77</u>
Duval	<u>1.04</u>
Escambia	<u>0.79</u>
Flagler	<u>0.78</u>
Franklin	<u>0.75</u>
Gadsden	<u>0.75</u>
Gilchrist	<u>0.75</u>

38	\$1,985.10	\$2,965.83
39	\$2,024.58	\$3,067.98
40	\$2,094.46	\$3,175.24
41	\$2,175.17	\$3,293.24
42	\$2,269.15	\$3,406.75
43	\$2,382.24	\$3,526.26
44	\$2,526.45	\$3,642.71
45	\$2,673.57	\$3,764.95
46	\$2,839.14	\$3,900.01
47	\$3,009.18	\$4,029.05
48	\$3,159.64	\$4,159.51
49	\$3,286.03	\$4,239.70
50	\$3,436.42	\$4,329.13
51	\$3,607.04	\$4,432.11
52	\$3,797.75	\$4,508.47
53	\$3,987.63	\$4,594.56
54	\$4,187.01	\$4,640.69
55	\$4,405.83	\$4,689.94
56	\$4,674.80	\$4,761.84
57	\$4,952.21	\$4,825.92
58	\$5,271.90	\$4,925.57
59	\$5,580.41	\$5,030.42
60	\$5,870.33	\$5,181.01
61	\$6,119.10	\$5,318.18
62	\$6,307.60	\$5,489.75
63	\$6,424.37	\$5,655.41
64	\$6,617.10	\$5,836.86
65	\$6,848.70	\$6,041.15
66	\$7,088.41	\$6,252.59
67	\$7,207.46	\$6,483.97
68	\$7,341.93	\$6,649.34
69	\$7,418.18	\$6,715.18
70	\$7,494.43	\$6,780.14
71	\$7,569.78	\$6,846.08
72	\$7,645.13	\$6,911.03
73	\$7,721.38	\$6,977.86
74	\$7,794.04	\$7,036.54
75	\$7,865.81	\$7,098.00
76	\$7,937.58	\$7,157.58
77	\$7,989.54	\$7,207.74
78	\$8,040.60	\$7,257.91
79	\$8,067.47	\$7,305.39

Glades	0.98
Gulf	0.76
Hamilton	0.77
Hardee	0.80
Hendry	1.01
Hernando	0.83
Highlands	0.79
Hillsborough	0.91
Holmes	0.75
Indian River	1.02
Jackson	0.76
Jefferson	0.75
Lafayette	0.78
Lake	0.89
Lee	1.04
Leon	0.77
Levy	0.80
Liberty	0.75
Madison	0.79
Manatee	0.89
Marion	0.76
Martin	0.98
Monroe	1.44
Nassau	0.84
Okaloosa	0.69
Okeechobee	0.97
Orange	1.00
Osceola	0.94
Palm Beach	1.00
Pasco	0.86
Pinellas	0.89
Polk	0.85
Putnam	0.77
St. Johns	0.77
St. Lucie	0.99
Santa Rosa	0.77
Sarasota	0.76
Seminole	0.92
Sumter	0.79
Suwannee	0.82
Taylor	0.79
Union	0.79
Volusia	0.84
Wakulla	0.75
Walton	0.76
Washington	0.76

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History—New 3-2-00, Amended 4-2-01, 4-17-02, 1-20-03, Formerly 4-149.205, Amended 5-18-04, 5-22-05, 6-1-06,_____.

690-149.207 Health Maintenance Organization Standard Risk Rates.

(1) through (3) No change.

STANDARD HEALTH BENEFIT PLAN			
Age	Male	Female	
0	\$4,549.06	\$4,540.08	County
1	\$2,844.95	\$2,835.97	Alachua
2-6	\$2,795.78	\$2,786.81	Baker
7-12	\$2,722.34	\$2,713.36	Bay
13-17	\$2,853.04	\$3,396.75	Bradford
18	\$2,432.62	\$3,953.57	Brevard
			Broward
			Area Factor
			Alachua
			Baker
			Bay
			Bradford
			Brevard
			Broward

19	<u>\$2,467.46</u>	<u>\$4,161.38</u>
20	<u>\$2,484.87</u>	<u>\$4,309.58</u>
21	<u>\$2,519.74</u>	<u>\$4,452.46</u>
22	<u>\$2,537.83</u>	<u>\$4,586.82</u>
23	<u>\$2,555.92</u>	<u>\$4,720.44</u>
24	<u>\$2,636.28</u>	<u>\$4,824.84</u>
25	<u>\$2,657.34</u>	<u>\$4,916.66</u>
26	<u>\$2,750.27</u>	<u>\$5,051.52</u>
27	<u>\$2,814.76</u>	<u>\$5,178.03</u>
28	<u>\$2,893.63</u>	<u>\$5,185.92</u>
29	<u>\$2,957.60</u>	<u>\$5,199.76</u>
30	<u>\$3,057.35</u>	<u>\$5,207.63</u>
31	<u>\$3,097.50</u>	<u>\$5,198.32</u>
32	<u>\$3,154.83</u>	<u>\$5,195.85</u>
33	<u>\$3,195.81</u>	<u>\$5,114.57</u>
34	<u>\$3,253.97</u>	<u>\$5,056.36</u>
35	<u>\$3,302.10</u>	<u>\$4,975.57</u>
36	<u>\$3,382.08</u>	<u>\$4,973.32</u>
37	<u>\$3,465.24</u>	<u>\$4,900.54</u>
38	<u>\$3,542.63</u>	<u>\$4,897.93</u>
39	<u>\$3,623.88</u>	<u>\$4,910.68</u>
40	<u>\$3,690.05</u>	<u>\$4,905.22</u>
41	<u>\$3,767.50</u>	<u>\$4,954.19</u>
42	<u>\$3,861.40</u>	<u>\$4,991.64</u>
43	<u>\$3,968.29</u>	<u>\$5,109.03</u>
44	<u>\$4,068.78</u>	<u>\$5,190.95</u>
45	<u>\$4,205.16</u>	<u>\$5,284.01</u>
46	<u>\$4,370.20</u>	<u>\$5,396.17</u>
47	<u>\$4,555.28</u>	<u>\$5,517.31</u>
48	<u>\$4,769.26</u>	<u>\$5,626.02</u>
49	<u>\$4,978.66</u>	<u>\$5,737.04</u>
50	<u>\$5,231.67</u>	<u>\$5,895.35</u>
51	<u>\$5,520.59</u>	<u>\$6,063.06</u>
52	<u>\$5,838.89</u>	<u>\$6,209.12</u>
53	<u>\$6,157.94</u>	<u>\$6,373.60</u>
54	<u>\$6,515.14</u>	<u>\$6,536.05</u>
55	<u>\$6,907.68</u>	<u>\$6,669.55</u>
56	<u>\$7,237.73</u>	<u>\$6,783.55</u>
57	<u>\$7,622.33</u>	<u>\$6,946.80</u>
58	<u>\$8,065.46</u>	<u>\$7,219.43</u>
59	<u>\$8,563.34</u>	<u>\$7,528.10</u>
60	<u>\$9,071.45</u>	<u>\$7,848.00</u>
61	<u>\$9,484.04</u>	<u>\$8,252.49</u>

Calhoun	0.90
Charlotte	0.98
Citrus	0.88
Clay	1.08
Collier	0.90
Columbia	1.04
Dade	1.00
DeSoto	0.90
Dixie	1.04
Duval	1.08
Escambia	1.07
Flagler	0.90
Franklin	0.90
Gadsden	0.90
Gilchrist	1.05
Glades	0.90
Gulf	0.90
Hamilton	0.90
Hardee	0.84
Hendry	0.94
Hernando	1.04
Highlands	0.84
Hillsborough	1.01
Holmes	0.90
Indian River	0.90
Jackson	0.90
Jefferson	0.90
Lafayette	0.90
Lake	0.94
Lee	1.01
Leon	0.90
Levy	1.04
Liberty	0.90
Madison	0.90
Manatee	1.04
Marion	0.94
Martin	1.03
Monroe	0.90
Nassau	1.08
Okaloosa	1.00
Okeechobee	0.94
Orange	0.94
Osceola	0.97

62	\$9,894.47	\$8,650.37
63	\$10,399.58	\$9,142.07
64	\$10,893.65	\$9,606.52
65	\$12,936.81	\$11,527.67
66	\$12,999.71	\$11,576.46
67	\$13,062.20	\$11,624.93
68	\$13,124.13	\$11,672.96
69	\$13,185.41	\$11,720.48
70	\$13,245.82	\$11,767.35
71	\$13,305.29	\$11,813.46
72	\$13,363.66	\$11,858.73
73	\$13,420.76	\$11,903.01
74	\$13,476.48	\$11,946.23
75	\$13,530.64	\$11,988.22
76	\$13,583.13	\$12,028.95
77	\$13,633.80	\$12,068.24
78	\$13,682.54	\$12,106.03
79	\$13,729.17	\$12,142.19

Palm Beach	1.05
Pasco	1.01
Pinellas	1.01
Polk	1.10
Putnam	1.01
St. Johns	1.06
St. Lucie	0.99
Santa Rosa	1.07
Sarasota	1.05
Seminole	0.99
Sumter	0.99
Suwannee	0.90
Taylor	0.90
Union	0.90
Volusia	1.03
Wakulla	0.90
Walton	1.05
Washington	0.90

0	\$3,782.33	\$3,782.33
1	\$2,402.45	\$2,402.45
2-6	\$2,362.62	\$2,362.62
7-12	\$2,302.88	\$2,302.88
13-17	\$2,409.09	\$2,856.18
18	\$2,059.70	\$3,311.40
19	\$2,086.82	\$3,497.86
20	\$2,100.33	\$3,631.03
21	\$2,127.39	\$3,761.58
22	\$2,141.01	\$3,880.78
23	\$2,154.52	\$3,998.63
24	\$2,231.10	\$4,087.54
25	\$2,248.88	\$4,163.78
26	\$2,325.86	\$4,270.30
27	\$2,379.57	\$4,376.58
28	\$2,440.88	\$4,382.38
29	\$2,493.72	\$4,388.54
30	\$2,574.53	\$4,392.23
31	\$2,603.97	\$4,387.88
32	\$2,651.77	\$4,385.51
33	\$2,681.10	\$4,317.09
34	\$2,728.87	\$4,267.84
35	\$2,771.57	\$4,199.10
36	\$2,840.11	\$4,197.87
37	\$2,912.35	\$4,133.78
38	\$2,983.13	\$4,130.42
39	\$3,053.89	\$4,143.63
40	\$3,108.53	\$4,140.32
41	\$3,170.06	\$4,186.08
42	\$3,248.70	\$4,217.92
43	\$3,333.91	\$4,317.94
44	\$3,418.04	\$4,383.62
45	\$3,531.69	\$4,461.70
46	\$3,672.42	\$4,560.08
47	\$3,825.56	\$4,661.26
48	\$4,007.40	\$4,757.49

Alachua	1.05
Baker	1.09
Bay	0.90
Bradford	1.05
Brevard	0.96
Broward	1.00
Calhoun	0.90
Charlotte	0.97
Citrus	0.84
Clay	1.09
Collier	0.90
Columbia	1.05
Dade	1.00
De Soto	0.90
Dixie	1.05
Duval	1.09
Escambia	1.05
Flagler	0.90
Franklin	0.90
Gadsden	0.90
Gilchrist	1.05
Glades	0.90
Gulf	0.90
Hamilton	0.90
Hardee	0.84
Hendry	0.90
Hernando	1.05
Highlands	0.84
Hillsborough	1.00
Holmes	0.90
Indian River	0.90
Jackson	0.90
Jefferson	0.90
Lafayette	0.90
Lake	0.95
Lee	1.01

49	\$4,183.58	\$4,854.51	Leon	0.90
50	\$4,401.50	\$4,996.56	Levy	1.05
51	\$4,641.47	\$5,141.69	Liberty	0.90
52	\$4,910.83	\$5,266.36	Madison	0.90
53	\$5,190.77	\$5,408.58	Manatee	1.01
54	\$5,502.81	\$5,543.16	Marion	0.90
55	\$5,846.67	\$5,654.06	Martin	1.05
56	\$6,139.95	\$5,748.81	Monroe	0.90
57	\$6,481.29	\$5,885.39	Nassau	1.09
58	\$6,859.71	\$6,111.14	Okaloosa	0.95
59	\$7,289.02	\$6,367.76	Okeechobee	0.95
60	\$7,723.10	\$6,640.13	Orange	0.94
61	\$8,077.36	\$6,979.54	Osceola	0.98
62	\$8,426.64	\$7,307.21	Palm Beach	1.05
63	\$8,886.60	\$7,728.03	Pasco	1.02
64	\$9,323.09	\$8,117.30	Pinellas	1.00
65	\$11,000.08	\$9,688.83	Polk	1.05
66	\$11,113.19	\$9,773.72	Putnam	1.01
67	\$11,231.95	\$9,862.85	St. Johns	1.07
68	\$11,356.65	\$9,956.44	St. Lucie	0.95
69	\$11,487.58	\$10,054.71	Santa Rosa	1.05
70	\$11,625.06	\$10,157.90	Sarasota	1.03
71	\$11,769.42	\$10,266.24	Seminole	1.02
72	\$11,920.99	\$10,380.00	Sumter	1.02
73	\$12,080.14	\$10,499.45	Suwannee	0.90
74	\$12,247.25	\$10,624.87	Taylor	0.90
75	\$12,422.72	\$10,756.56	Union	0.90
76	\$12,606.95	\$10,894.83	Volusia	1.03
77	\$12,800.40	\$11,040.02	Wakulla	0.90
78	\$13,003.53	\$11,192.47	Walton	1.05
79	\$13,216.80	\$11,352.54	Washington	0.90

Specific Authority 624.308, 627.6675(3)(c) FS. Law Implemented 624.307(1), 627.6498(4), 627.6675(3), 641.3922(3) FS. History--New 3-2-00, Amended 4-2-01, 4-17-02, 1-20-03, Formerly 4-149.205, Amended 5-18-04, 5-22-05, 6-1-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Monica Rutkowski, Director, Life and Health Product Review,
 Office of Insurance Regulation
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Rich Robleto, Deputy
 Commissioner, Office of Insurance Regulation
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: February 13, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: January 19, 2007

Section III
Notices of Changes, Corrections and
Withdrawals

DEPARTMENT OF REVENUE

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

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. 52, December 29, 2006 issue of the Florida Administrative Weekly.

In response to public comments made a part of the public record, the following changes proposed subsections (4) and (5) of Rule 12-26.008, F.A.C., have been made to incorporate, by reference, changes to Form DR-26, Sales and Use Tax Application for Refund, and to Form DR-360026, Mutual Agreement to Audit or Verify Refund Claim, so that, when adopted, those subsections will read as follows:

Number	Title	Effective Date
(4) DR-26S	Application for Refund-Sales and Use Tax (R. 03/07 01/03)	___ 09/04
(5) DR-370026	Mutual Agreement to Audit or Verify Refund Claim (R. 03/07 07/02)	___ 09/04

The following changes to Form DR-26, Sales and Use Tax Application for Refund, have been made, so that, when adopted, those changes will be made a part of the "R. 03/07" version of that form incorporated by reference in subsection (4) of Rule 12-26.008, F.A.C.:

On page 2, Question 1, Who can apply for a refund?, the following will be added to the end of the response: See Page 8, Exempt Issues.

On page 5, Section I., Amended returns, the following statement will be removed:

~~— This refund may be taken as a credit on your next return (see FAQ #3)~~

On page 6, Section V., Credit Memo, the following statement and note box will be removed:

~~— This refund may be taken as a credit on your next return (see FAQ #3)~~

~~NOTE: This refund basis should be used to claim overpayment of tiered penalty or collection allowances not taken on the return. If the credit memo issued was due to an amended return filed, please refer to the Amended Return instructions.~~

The following changes to Form DR-360026, Mutual Agreement to Audit or Verify Refund Claim, have been made, so that, when adopted, those changes will be made a part of the “R. 03/07” version of that form incorporated by reference in subsection (5) of Rule 12-26.008, F.A.C.:

The bullet which currently provides provisions regarding when the agreement is not binding and when the Department does not receive a signed copy of the agreement, has been changed, so that when adopted, that bullet will read as follows:

This agreement is not binding until signed by both the taxpayer and the Department. If we do not receive a signed copy of this agreement within twenty (20) days of the date of the cover later accompanying this agreement, the Department will be unable to process your application for refund. If further information is not received, the Department will not consider your application to be complete.

The following bullet will be removed, so that, when adopted, that bullet will not be included in Form DR-370026:

~~By signing this form, the taxpayer acknowledges receipt of the attached list of supporting documentation. Failure to provide the required documentation within the time period indicated above may result in the issuance of a Notice of Intent to Make Refund Claim Changes, form DR-1200R, denying your refund claim.~~

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

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-4.200	Definitions
59A-4.201	Gold Seal Award
59A-4.2015	Review Process
59A-4.202	Quality of Care
59A-4.204	Turnover Ratio
59A-4.205	The State Long Term Care Ombudsman Council Review
59A-4.206	Termination and Frequency of Review

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. 33, No. 5, February 2, 2007 issue of the Florida Administrative Weekly.

These changes are in response to comment received from the Joint Administrative Procedures Committee.

59A-4.200(5) has been changed to read as follows:

(5) Quality of Care score means all of the parameters included in the Nursing Home Guide that reflect the results of the overall inspection. These parameters are defined in the Nursing Home Guide Performance Measures Algorithm, July 2000, as specified in Rule 59A-4.165, F.A.C. Selected tags means a set of deficiency citations which reflect quality of care in nursing homes. The selected tags are listed in the AHCA Gold Seal Scoring and Ranking Algorithm dated August 2000. 59A-4.201(1)(b) and 59A-4.201(2) have been changed to read as follows:

(b)(3) A completed application for Gold Seal Award (AHCA Form 3110-0007 (Rev. March 07) (September 2000), which is incorporated by reference. Copies of this form may be obtained from the Agency for Health Care Administration, Long Term Care Unit, 2727 Mahan Drive, MS 33, Tallahassee, FL 32308 or from the Agency website at http://ahca.myflorida.com/MCHQ/Long_Term_Care/LTC/index.shtml:

(2) During the effective dates of the award, a nursing home licensee may use the Gold Seal designation in facility advertising and marketing. All advertising and marketing of the Gold Seal designation must include the range of dates for which the Gold Seal was awarded and shall ~~shall~~ only represent the facility to which it has been designated. Within 90 days after termination or expiration of the Gold Seal award, the Gold Seal designation must be removed from all advertising and marketing materials.

59A-4.2015(1) and 59A-4.2015(4) have been changed to read as follows:

(1) A review process is established which provides submission deadlines for applications, and Panel meeting timeframes to review applications. Facilities may submit applications at any time for review as follows.

(4) Quality of care scoring information may be obtained by contacting the Bureau of Long Term Care Services at (850)488-5861 or from the Agency website at http://ahca.myflorida.com/MCHQ/Long_Term_Care/index.shtml under the heading Nursing Home Gold Seal Award/Governor’s Panel on Excellence in Long-Term Care.

59A-4.205 has been changed to read as follows:
 The State Long Term Care Ombudsman Council shall provide a profile of substantiated ~~verified~~ ombudsman program complaints against licensees facilities applying for the Gold Seal Award. Upon request, the State Long Term Care Ombudsman Council shall provide the findings of ombudsman program administrative inspections of facilities applying for the Gold Seal Award. The Panel on Excellence in Long Term Care shall make the final determination regarding whether the licensee facility demonstrated an outstanding history in regard to substantiated ~~verified~~ ombudsman complaints.

The following has been changed to read as follows below all rules noted:

Specific authority 400.235(9) ~~400.235~~ FS. Law Implemented 400.235 ~~400.235(9)~~ FS.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-18.001
 RULE TITLE: Continuing Education Requirements for Certificateholders and Registrants

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. 33, No. 5, February 2, 2007 issue of the Florida Administrative Weekly.

When changed the second sentence of subsection (2) of the rule shall read as follows:

“All registered contractors and certified contractors are required to complete fourteen (14) hours of continuing education each renewal cycle. Of the 14 hours, one hour shall be required in each of the following topics: specialized or advanced module course approved by the Florida Building Commission, or the Board, workplace safety; business practices; workers’ compensation, and until October 1, 2011, three (3) hours shall be required in courses related specifically to laws and rules regulating the construction industry.”

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-5.014
 RULE TITLE: Registration of Corporation

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. 14, April 7, 2006 issue of the Florida Administrative Weekly.

The Board held a public hearing on this Rule on December 12, 2006, in Orlando, Florida, and determined the following changes should be made:

~~Unless the Commission or BPR shall have information that the corporation has been in violation of Chapters 475 and 455, Florida Statutes, or the rules promulgated under said chapters, it will be assumed to be qualified for registration if its officers and directors are qualified and if the answers to questions in the application, or in supplemental inquiries, are satisfactory. Otherwise, investigation and other proceedings, as in cases of individual applicants, shall commence.~~ No registration shall be granted or renewed for any corporation if it shall appear that the person individual(s) having control of the corporation has been denied, revoked, or suspended and not reinstated, or if a person having control of the corporation has been convicted of a felony in any court and has not had civil rights restored for at least 5 years, or if an injunction has been entered against the person individual for operating as a real estate licensee without a license. A person shall be deemed to be in control of a corporation where such person ~~or spouse, children, or member of the household~~ shall own or control, ~~directly or indirectly,~~ more than 50 ~~40~~ percent of the voting stock of such corporation. An applicant for registration shall submit forms DBPR 0040-1(Officers and Directors) and DBPR 0030 (Attest Statement), which are incorporated herein by reference. The forms can be obtained from the Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0783, and the call Center by calling (850)487-1395. No corporation shall operate as a real estate broker until they have received written notification from the Department that the corporation has been properly registered.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suit N802, Orlando, Florida 32801

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 JUVENILE JUSTICE

Prevention Programs

RULE NOS.:	RULE TITLES:
63C-1.001	Purpose and Scope
63C-1.002	Nonjudicial Procedures For Families Needing Services
63C-1.003	Coordinating Children-in-Need-of-Services and Families-in-Need-of-Services Programs

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 45, November 9, 2006 issue of the Florida Administrative Weekly.

63C-1.001 Purpose and Scope.

No change.

Specific Authority 20.316, 985.64405, 985.601(7)404(8), 984.04(3) FS. Law Implemented 984.04(3), 985.601(7)404(8) FS. History—New_____.

63C-1.002 Nonjudicial Procedures ~~F~~for Families Needing Services.

No change.

Specific Authority 20.316, 985.64405, 985.601(7)404(8), 984.04(3), FS. Law Implemented 984.04(3), 985.601(7)404(8) FS. History—New_____.

63C-1.003 Coordinating Children-in-Need-of-Services and Families-in-Need-of-Services Programs.

(1) The department shall coordinate its efforts with those of the Federal Government, state agencies, county and municipal government, private agencies and child advocacy groups to ensure ~~the administering program and~~ service delivery to children and families in need of services in the following ways:

(a) The department shall establish an agreement and work in concert with the Department of Children and Families to claim federal Title IV-E maintenance funds for children served in shelters contracted to provide services to children and families in need of services. The department shall also comply with federal and state mandated monitoring of such funds.

(b) ~~Subject to appropriations, The~~ department shall establish programs and services for children in need of services and families in need of services. The department may establish such programs and services by contracting with state and local providers to provide such services through a provider or providers. ~~The department, through this provider or providers, shall be responsible for ensuring coordinated use of resources at the local, state and federal levels as relevant by providing~~

~~support and oversight through technical assistance, training, interagency agreements, contract management, data collection and advocacy.~~

(c) Programs, whether established by the department or through a contracted provider, shall ensure that direct care staff meet the following minimum training requirements:

1. During their first year of employment, direct care staff must receive 80 hours of training, including a program orientation component, crisis intervention/safety, suicide prevention, CINS/FINS core training, Title IV-E procedures, and an in-service component.

2. Following the first year of employment, direct care staff must receive 24 hours of job-related training annually, which shall include refresher training on the use of available fire safety equipment, and training necessary to maintain current CPR and first aid certification.

(d) The department, with its provider or providers, shall be responsible for ensuring coordinated use of resources at the local, state and federal levels by providing support and oversight through technical assistance, training, interagency agreements, contract management, data collection and advocacy.

~~(e)(e)~~ The department shall work with the local juvenile justice boards and councils throughout Florida's judicial circuits to compile a list of available resources. These boards and councils shall coordinate local community resources.

(2) The department shall monitor programs for children in need of services and families in need of services under the process established in Rule Chapter 63L-1, F.A.C., and by the standards referenced therein. ~~programs develop Quality Assurance Standards and conduct Quality Assurance site visits to ensure that children/families in need of services programs meet the following performance objectives:~~

~~(a) Provide a continuum of non-residential and residential services which have increasing levels of intensity and participation by youth and families.~~

~~(b) Provide services to youth and families that focus on resolution of family problems and conflicts in order to reduce or avoid the need for judicial intervention.~~

~~(c) Provide community outreach and education to the public at large and at-risk groups designed to increase public awareness of the needs of troubled youth and families and the services offered by children/families in need of services programs.~~

~~(d) Provide safe, humane and therapeutic temporary residential care for youth with a focus on family reunification or permanency in living arrangements.~~

~~(e) Provide follow-up, short-term aftercare services and/or referrals to longer-term community services to address family reunification and presenting problems.~~

Specific Authority 20.316, 985.64405, 985.601(7)~~404(8)~~, 984.04(3), FS. Law Implemented 984.04(3), 985.601(7)-(8)~~404(8)~~ FS. History—New _____.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER NO.: 64E-15 RULE CHAPTER TITLE: Mobile Home, Recreational Vehicle and Lodging Parks and Recreational Camps

NOTICE OF CORRECTION

The Florida Department of Health provides this correction to a Notice of Proposed Rulemaking, published in the 3/2/2007 issue of the Florida Administrative Weekly, Vol. 33, No. 9; relating to Chapter 64E-15, F.A.C., Mobile Home, Recreational Vehicle and Lodging Parks and Recreational Camps. The previously published Notice of Proposed Rulemaking inadvertently stated the Notice of Proposed Rule Development was published on 2/7/2007. The correct date the Notice of Proposed Rule Development was published was 2/2/2007.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-4.209 RULE TITLE: Income

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule published in Vol. 33, No. 1, January 5, 2007, issue of the Florida Administrative Weekly in accordance with subparagraph 120.54(3)(d)1., F.S. The specific changes were made in response to the comments received from the Joint Administrative Procedures Committee. Specific changes in rule text are as follows:

65A-4.209 Income.

(1) No change.

(2) To be financially eligible for temporary cash assistance (TCA), the total average gross monthly income, less any applicable disregards, of the standard filing unit cannot exceed the applicable payment standard for the assistance group. These standards and disregards are found in Section 414.095(10) and (11), F.S. Monthly net income is calculated based on average gross monthly family income, earned and unearned, less any applicable disregards in accordance with Section 414.095(12)(a), F.S. The monthly amount of the TCA payment is determined by subtracting the monthly net income from the applicable payment standard.

(a) The earned monthly income of the child who is a family member age 19 or younger and is full-time high school student in a secondary school or the equivalent level of vocational or technical training is disregarded in the budget. The income of a child who is a family member age 19 or

younger and is a full-time student also does not count toward the payment standard or toward calculation of eligibility against the consolidated need standard. Student refers to a minor child whose needs are included in the benefit as minor child not as a parent or relative. Definition of secondary school is found in Section 1003.413(1), F.S. Definition of full-time attendance is found in paragraph 65A-4.207(1)(b), F.A.C.

(b) through (c) No change.

(d) Infrequent ~~and~~ or irregular unearned income which does not exceed \$60 per calendar quarter is excluded, such as gifts for Christmas, birthdays, or graduation.

Specific Authority 414.45 FS. Law Implemented: 414.095 FS.

**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."

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

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."

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on March 1, 2007, the Florida Public Service Commission, received a petition for a waiver from Rule 25-12.045, F.A.C., Inactive Gas Service Lines, from the Florida Natural Gas Association in Docket No. 070135-GU.

The rule provides that the following actions shall be taken for inactive gas service lines that have been used, but have become inactive without reuse:

- (a) If there is no prospect for reuse, the service line shall be retired and physically abandoned within three months;
- (b) After a service line has been inactive for a period of two years, if there is a prospect for reuse of the line, one of the following actions shall be taken within six months:
 1. Disconnect the service line from all sources of gas and abandon or remove;
 2. A valve on the service line shall be locked in the closed position and the service line plugged to prevent the flow of gas; or
 3. Remove the meter and plug the end of the service line to prevent the flow of gas;
- (c) After five years of inactivity, service lines shall be retired and physically abandoned within six months.

Subsections (2) and (3) of Rule 25-12.045, F.A.C., provide, respectively, details on the procedures for physical abandonment of a service line and the records of service lines stubs that must be maintained and readily available to personnel assigned to pipeline locating activities. Comments on the petition should be filed with the Florida Public Service Commission, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Florida Public Service Commission, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at <http://www.psc.state.fl.us/>. For additional information, please contact Keino Young, Office of the General Counsel, at the above address or telephone (850)413-6226.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on March 5, 2007, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a Variance on Rule 61C-5.001, F.A.C., Elevators, Dumbwaiters, Escalators, Moving Walks, Manlifts, Inclined and Vertical Wheelchair Lifts and Inclined Stairway Chairlifts, from ASME A17.1, 2005 Edition, Section 2.19.3, requiring rope grippers from Aaron Smelser of KONE on behalf of Wyndham Westshore Hotel in Tampa (License Numbers 34618, 34619, 34620, 34621, and 34622).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on March 5, 2007, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition on Rule 61C-5.001, F.A.C., Elevators, Dumbwaiters, Escalators, Moving Walks, Manlifts, Inclined and Vertical Wheelchair Lifts and Inclined Stairway Chairlifts, for a variance from A17.1, Rules 102.2(d) and 2.8.2.4 prohibiting introducing water into the elevator shaft from Steve Irwin of St. Joseph’s Baptist Hospital, Tampa, FL.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on March 5, 2007, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition on Rule 61C-5.001, F.A.C., Elevators, Dumbwaiters, Escalators, Moving Walks, Manlifts, Inclined and Vertical Wheelchair Lifts and Inclined Stairway Chairlifts, for an Emergency Variance from ASME A17.1, 2004 Edition, Section 3.4.2, from Tiff Maraist of ThyssenKrupp Elevator on behalf of County Road Holdings, LLC for 105 North County Rd., Palm Beach.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on March 6, 2007, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition on Rule 61C-5.001, F.A.C., Elevators, Dumbwaiters, Escalators, Moving Walks, Manlifts, Inclined and Vertical Wheelchair Lifts and Inclined Stairway Chairlifts, for an Emergency Variance for ASME A17.1-2004 Chapter 2.27.3.3 from Tim Newton of Schlindler Elevator Corporation. Specifically, the Petitioner requested to not have the key switches enclosed behind a locked door.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on March 7, 2007, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Rule 61C-5.006, F.A.C., Elevator Fees;

Construction and Alteration Permits; Annual Certificates of Operation; Delinquency Fee; Temporary Operation Permits Certificate Replacement, an Emergency Variance from ASME A17.1 2005 Edition, Rules 2.26.1.4.4, 2.27.3.1.6(h), 2.27.3.2.5(05a) and 2.27.3.3.1(04) requiring a transfer switch in the machine room rendered inactive by the top-of-car inspection switch, a continuous audible signal when on Phase I, the recall level to remain at the designated level when the car is recalled from the alternate level and a door open and close button be provided on the same panel. The request was submitted by Fidel Mendiguren of Ace Elevator Company on behalf of Florida Ridge Condominiums, Bldgs. 3, 6 and 10.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN that on February 5, 2007, the Department of Environmental Protection, received a petition for RedoxTech LLC seeking a variance from the prohibition from a zone of discharge under subsection 62-522.300(3), F.A.C., for the use of Anaerobic Biochem Plus to clean up sites that are contaminated with chlorinated ethenes, chlorinated alkanes, and possibly chlorinated phenols, pesticides, biphenyls, and other related compounds. The petition has been assigned OGC File No. 07-0202.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Cathy McCarty, Department of Environmental Protection, Underground Injection Control Program, MS 3530, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8654. Written comments must be received by Cathy McCarty at the above address no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN that on February 9, 2007, the Department of Environmental Protection has issued an order. The order is for the RemeTech LLC variance petition (OGC File No. 06-2006), received on September 12, 2006. The petition requested a variance from the zone of discharge prohibition for discharges through wells under Rule 62-522.300(3), F.A.C., for the use of Sodium Permanganate HP (high purity) to clean up sites contaminated with organic compounds. Specifically, the variance requested a zone of discharge for antimony, arsenic, chromium, mercury,

beryllium, cadmium, lead, thallium, selenium, and vanadium within a 50-foot radius from the point of discharge for a duration of 365 days. Notice of receipt of this petition was published in the F.A.W., on October 20, 2006. No public comment was received. The final order granted a variance from the zone of discharge prohibition because the petitioner demonstrated a substantial hardship, and that the purposes of the underlying statutes would be met with the conditions imposed by the Department. The conditions require that the use of the product must be through a Department-approved remedial action plan or other Department-enforceable document, and that such approval shall not be solely by a delegated program; that the discharge must be through a Class V, Group 4 underground injection control well which meets all applicable requirements of Chapter 62-528, F.A.C.; that the extent of the zone of discharge for antimony, arsenic, chromium, mercury, beryllium, cadmium, lead, thallium, selenium, and vanadium shall be a 50-foot radius from the point of injection and the duration of the zone of discharge shall be one year; that the injection of the product shall be at such a rate and volume that no undesirable migration occurs of the product, its by-products, or the contaminants already present in the aquifers; that the Department-approved remedial action plan shall address appropriate ground water monitoring requirements associated with the use of the remediation product based on site-specific hydrogeology and conditions; and that the Sodium Permanganate HP should be of equal or greater quality as presented in the specifications of the petition. A copy of the Order may be obtained by contacting: Cathy McCarty, Department of Environmental Protection, Underground Injection Control Program, MS 3530, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8654.

NOTICE IS HEREBY GIVEN that on March 9, 2007, the Florida Department of Environmental Protection has issued an order.

The order closes the Department's file on the petition for variance under Section 120.542, F.S., received from Valero LP, on August 8, 2006. The Department sent the Petitioner a Request for Additional Information on August 23, 2006. Notice of receipt of this petition was published in the F.A.W. on September 8, 2006. The petition requested a variance from impervious dike field requirements under subparagraph 62-762.501(2)(c)1., Performance Standards for Category-C Storage Tank Systems, F.A.C., for new aboveground storage tanks to be installed at their Jacksonville terminal. On March 2, 2007, Petitioner withdrew its petition for variance.

A copy of the Order may be obtained by contacting: John P. Svec, Department of Environmental Protection, MS 4525, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8845.

NOTICE IS HEREBY GIVEN that on February 19, 2007, the Florida Department of Environmental Protection, received a petition for an extension of a variance under Section 120.542 of the Florida Statutes from the requirement under paragraph 62C-36.008(1)(d), Reclamation Standards, F.A.C., that all mandatory reclamation activities through revegetation at the state-owned Columbia City Mine be completed within three years of the cessation of mining. The petition has been assigned OGC Number 07-0435.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Alan Whitehouse, Department of Environmental Protection, Bureau of Mine Reclamation, 2051 East Dirac Drive, Tallahassee, Florida 32310. Comments must be received by the Department no later than 14 days from the date of publication of this notice.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on March 8, 2007, the Florida Housing Finance Corporation, received a petition for Variance of subsection 67-48.002(83), Definitions and Rule 67-48.025, Qualified Allocation Plan, F.A.C., and a variance of Paragraph 11 of the 2005 Qualified Allocation Plan from Pebble Hill Estates Limited Partnership, (“Petition”). The Petition is seeking a variance of the Petitioner’s Qualified Allocation Plan’s prohibition from requesting an extension of the placed in service date for the Development.

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

DEPARTMENT OF STATE

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

DATE AND TIME: Wednesday, April 4, 2007, 1:30 p.m.
 PLACE: Education Building, Mission San Luis, 2021 West Mission Road, Tallahassee, FL 32304, (850)487-1791
 GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting for the project’s Art Selection Committee to discuss project parameters and collaborate with the selected

artist on possible artwork solutions for Art in State Buildings Project No. DOS 9929/5000, Mission San Luis Visitor Center, Tallahassee, Leon County.

A copy of the agenda may be obtained by contacting: Lee Modica, Arts Administrator, Art in State Buildings Program, Division of Cultural Affairs, 500 South Bronough St., Rm. 310-A, 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 at (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).

For more information, you may contact Lee Modica at (850)245-6476.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture**, Florida Agricultural Center and Horse Park Authority announces a public meeting to which all persons are invited.

Meeting Group: Florida Agricultural Center and Horse Park Authority Executive Committee

DATE AND TIME: April 5, 2007, 4:00 p.m.
 PLACE: Horse Park, 11008 South Highway 475, Ocala, Florida 34476

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general information concerning the planning, development, construction and operation of the Florida Horse Park.

For a copy of the Agenda or to notify that you are a person desiring to attend with a disability that requires certain accommodations, please contact: Richard Gunnels, Florida Department of Agriculture and Consumer Services, Plaza Level 10, The Capitol, Tallahassee, Florida 32399-0800, gunnelr@doacs.state.fl.us.

The Florida **Citrus Production Research Advisory Council**, announces a general meeting to which all interested persons are invited.

DATE AND TIME: Wednesday April 18, 2007, 10:00 a.m. – 12:00 Noon
 PLACE: Sebring Agri-Civic Center, 4509 George Blvd., Sebring, FL 33875

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting to review, discuss, and establish approval on research pre-proposals for calendar year for 2007-2008, and discussion of general council issues.

If you need special accommodations due to disability or for directions please call Marshall Wiseheart at (850)488-4366.

Notice is hereby given that the Florida **Department of Agriculture and Consumer Services, Division of Food Safety** will conduct a public meeting of the Florida Food Safety and Food Defense Advisory Council to which all interested persons are invited.

DATE AND TIME: Wednesday, June 6, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Florida Department of Agriculture and Consumer Services, Conner Complex, George Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, Florida, (850)488-0295

GENERAL SUBJECT MATTER TO BE ADDRESSED: Council discusses general matters of food safety and defense, including coordination and cooperation among state and federal regulators, consumers, industry and academia.

THE PERSON TO BE CONTACTED REGARDING THIS MEETING IS: Dr. Marion F. Aller, Director, Division of Food Safety, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-0295.

An agenda of the meeting is available at no charge from the contact person listed above.

The **Clam Industry Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 18, 2007, 12:30 p.m. – 3:00 p.m.

PLACE: Division of Aquaculture, Fifth Floor, Conference Room, 1203 Governor's Square Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting the Florida Clam Industry.

A copy of the agenda may be obtained by contacting: Rachelle Coleman, 1203 Governor's Square Blvd., Fifth Floor, Tallahassee, FL 32301, (850)488-4033.

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 Rachelle Coleman at (850)488-4033. If you are

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

DEPARTMENT OF EDUCATION

The State **Board of Education** announces a public meeting to which all persons are invited.

DATE AND TIME: April 5, 2007, 2:30 p.m.

PLACE: Via Conference Call. The conference call number will be provided on the Department's website 24 hours prior to the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Board of Education will continue the process of selecting a Commissioner of Education by discussing their vision of qualifications with the selected search firm.

A copy of the agenda may be obtained by contacting: Lynn Abbott, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400 or by accessing the Department's website <http://www.fldoe.org>. The agenda will be available 7 days prior to the meeting.

The **Florida Schools of Excellence Commission**, Standards Sub-Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 30, 2007, 9:00 a.m. – 10:00 a.m.

PLACE: 1(888)808-6959, Conference Code 2450861

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Schools of Excellence Commission will be holding a standards sub-committee conference call to discuss general standards and practices of Charter School Applicants and Co-Sponsor Applicants.

A copy of the agenda may be obtained by contacting: Florida Department of Education, Attn: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400 or by calling (850)245-0861.

The **Charter School Appeal Commission** announces a hearing to which all persons are invited.

DATE AND TIME: April 5, 2007, 9:00 a.m. – Completion

PLACE: 400 South Monroe Street, Capitol Cabinet Meeting Room, LL-03, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Charter School Appeal Commission Hearing will be hearing the Application Denial of Cornerstone Academy vs. Palm Beach County School Board and Imagine Charter School at Indian River vs. Indian River School Board.

A copy of the agenda may be obtained by contacting: Florida Department of Education, Attn.: Jacqueline Hitchcock, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400 or by calling (850)245-0861.

The public is invited to a meeting of the **Board of Governors** of the State University System of Florida.

DATE AND TIME: April 6, 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 matters of interest to the Board of Governors being discussed by the 2007 Florida Legislature; and other matters pertaining to the Board of Governors.

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 Building Commission** announces a public meeting to which all persons are invited.

Meeting of the Fire Technical Advisory Committee

Meeting of the Florida Fire Code Advisory Council

DATE AND TIME: April 9, 2007, 1:00 p.m. – Completion

PLACE: The Jimmie B. Keel Regional Library, 2902 West Bearss Avenue, Tampa, Florida 33618-1828

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review proposed changes to both the proposed 2007 Florida Building Code and the 2007 Florida Fire Prevention Code for the purpose of correlation.

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, or call (850)487-1824 or Fax (850)414-8436, or go to the web site at www.floridabuilding.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 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 go to the web site at www.floridabuilding.org

DEPARTMENT OF LAW ENFORCEMENT

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

DATES AND TIMES: Training Center Director Test Bank Committee Meeting, Tuesday, May 8, 2007, 2:00 p.m.; Training Center Directors' Committee Meetings, Tuesday, May 8, 2007, 4:00 p.m.; Probable Cause Determination Hearings, Wednesday, May 9, 2007, 8:30 a.m.; Training Center Directors' Business Meeting, Wednesday, May 9, 2007, 8:30 a.m.; Commission Workshop, Wednesday, May 9, 2007, 3:00 p.m.; Regional Criminal Justice Selection Center Directors' Association, Wednesday, May 9, 2007, 3:00 p.m.; CJS&T Commission Business Meeting, Thursday, May 10, 2007, 8:30 a.m.; CJS&T Commission Officer Discipline Cases, Thursday, May 10, 2007, 10:30 a.m.

PLACE: Hilton Naples & Towers, 5111 Tamiami Trail North, Naples, Florida 34103, GUESTROOM RATE: \$91.00 for single and double occupancy from 5/6/07 – 5/12/07. The deadline for making reservations is April 6, 2007.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meeting is held to discuss issues relating to standards, training, examinations, certification, de-certification, record management for law enforcement, Correctional, and correctional probation officers, Commission rules, officer discipline penalty guidelines, and certification and recertification of criminal justice training schools. All parties are invited to attend.

A copy of the agenda may be obtained by contacting: Donna Hunt at (850)410-8615 or e-mail at Donnahunt@fdle.state.fl.us or write to the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Donna Hunt. The Commission meeting agenda will be posted to the FDLE website on April 27, 2007, and may be accessed at www.fdle.state.fl.us, then click on "Councils," then click on "Criminal Justice Standards and Training Commission," then click on "Commission Information," then click on "Commission," then click on "Meeting Agenda," and then click on "Criminal Justice Standards and Training Business Agenda."

If you wish to receive a copy of the May 2007 Officer Discipline Agenda please call Brenda Presnell at (850)410-8648 or e-mail at Brenda.Presnell@FDLE.state.fl.us or write to the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Brenda Presnell.

If you wish to receive a copy of the Training Center Director Association's agenda please write to: Training Center Director Association Chairman Jim Hague, Seminole Community College, 100 Weldon Boulevard, Sanford, Florida 32773-6199, or call at (407)328-2316, or e-mail at haguec@scc-fl.edu

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 Donna Hunt at (850)410-8615. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Donna Hunt at (850)410-8615.

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public meeting on Rule 12E-1.032, Electronic Remittance of Support Payments, F.A.C., to which all persons are invited.

DATE AND TIME: April 17, 2007, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the adoption of new Rule 12E-1.032, F.A.C. Notice of this proposed adoption was published in the F. A.W. on December 29, 2006 (Vol. 32, No. 52, pp. 6131-6134). A Notice of Change will be published in the next available issue of the F.A.W. in response to written comments.

A copy of the agenda may be obtained by contacting Larry Green at (850)922-4830.

Pursuant to the provisions of 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 Larry Green at (850)922-4830. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

The **Florida Hurricane Catastrophe Fund**, which is administered by the State Board of Administration (SBA) announces a public meeting to which all persons are invited.

DATE AND TIME: April 3, 2007, 9:00 a.m. – conclusion of meeting

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Trustees of the State Board of Administration to provide permission for the SBA to file Rule 19-15.001, F.A.C., Insurance Capital Build-Up Program, for Notice of Proposed Rulemaking and adoption if no hearing is requested in a timely manner; to provide the Florida Hurricane Catastrophe Fund with approval of the 2007/2008 Premium Formula and Proposed 2007 Rates; to provide permission for the Florida Hurricane Catastrophe Fund to file Rule 19-8.028, F.A.C., Reimbursement Premiums, for Notice of Proposed Rulemaking; to approve the filing for adoption of Rule 19-8.010, F.A.C., Reimbursement Contract, Rule 19-8.029, F.A.C., Insurer Reporting Requirements, and Rule 19-8.030, F.A.C., Insurer Responsibilities. In addition, the Trustees will be requested to appoint a Chair for the Florida Commission on Hurricane Loss Projection Methodology and will also address other general business.

Rule 19-15.001, F.A.C., Insurance Capital Build-Up Incentive Program, and the incorporated forms are available on the website of the State Board of Administration of Florida, www.sbafla.com. Rules 19-8.010 Reimbursement Contract, 19-8.028 Reimbursement Premium, 19-8.029 Insurer Reporting and 19-8.030, F.A.C., Insurer Responsibilities and the incorporated forms are available on the Florida Hurricane Catastrophe Fund website, www.sbafla.com/fhcf.

For more information, you may contact: Tracy Allen, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300, (850)413-1341.

The **State Board of Administration** of Florida (SBA) announces the following meeting times regarding the Invitation to Negotiate (ITN) for a MyFRS.com systems administrator for the Public Employee Optional Retirement System to which all persons are invited.

DATE AND TIME: Monday, April 2, 2007, 9:00 a.m. – until conclusion of business

PLACE: Emerald Coast Room, 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the responses received concerning the above ITN.

DATE AND TIME: Monday, April 9, 2007, 9:00 a.m. – until conclusion of business

PLACE: Emerald Coast Room, 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the responses received concerning the above ITN, and to conduct interviews with the finalist respondents.

DATE AND TIME: Friday, April 13, 2007, 9:00 a.m. – until conclusion of business

PLACE: Emerald Coast Room, 1801 Hermitage Blvd., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the responses received concerning the above ITN, and to determine a final ranking of respondents.

Any changes to the above meeting times will be posted to this website at least 7 days prior to the meeting.

Anyone wishing further information should contact Cindy Morea at (850)413-1491, or by mail: 1801 Hermitage Boulevard, Suite 100, Tallahassee, FL 32317-3300.

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, April 3, 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 to receive testimony from the USDA/Agricultural Marketing Service and commodity groups on federal marketing programs. 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 Teresa Czerny at (863)499-2500.

Pursuant to the provisions of 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 Teresa Czerny at (863)499-2500.

FLORIDA PAROLE COMMISSION

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

DATE AND TIME: Wednesday, April 4, 2007, 9:00 a.m.

PLACE: Florida Parole Commission, Bldg. C, 2601 Blair Stone Rd., Tallahassee, Florida 32399-2450

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

A copy of the agenda may be obtained by contacting: Florida Parole Commission, Bldg. C, 2601 Blair Stone Rd., Tallahassee, Florida 32399-2450.

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 five days before the workshop/meeting by contacting: Florida Parole Commission, Bldg. C, 2601 Blair Stone Rd., Tallahassee, Florida 32399-2450, (850)488-3417. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

PUBLIC SERVICE COMMISSION

The Telecommunications Access System Act (TASA) Advisory Committee to the Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 6, 2007, 1:00 p.m.

PLACE: Room 140, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 040763-TP – Request for submission of proposals for relay service, beginning in June 2005, for the hearing and speech impaired, and other implementation matters in compliance with the Florida Telecommunications Access System Act of 1991. The purpose of this committee meeting is to discuss current relevant issues related to relay such as CapTel, Service Quality and other items. If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website <http://www.psc.state.fl.us/> under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

A copy of the agenda may be obtained by contacting Lee Eng Tan at (850)413-6185.

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 at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lee Eng Tan, Office of General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850 or at (850)413-6185.

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: *April 9, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

* In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at <http://www.psc.state.fl.us/agendas/internalaffairs/>.

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: April 10, 2007, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

A copy of the agenda may be obtained by any person who requests a copy and pays the reasonable cost of the copy (\$1.00, see Copying Charges for Commission Records), by contacting the Division of the Commission Clerk and Administrative Services at (850)413-6770 or writing to: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Website, at <http://www.floridapsc.com> at no charge.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Faith-Based and Community-Based Advisory Council** announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, Fla. Stat. (2003).

DATE AND TIME: Wednesday, March 28, 2007, 3:00 p.m.

PLACE: Conference Call-in Number: (888)808-6959, Access Code: 4130909; Leader: Linda King, Chair

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the Council will review and discuss the work and direction of the four Council subcommittees.

For a copy of the agenda and more information about how to attend the meeting contact Mark Nelson at mark.nelson@vffund.org or (850)410-0696.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact jennie.hopkins@myflorida.com at least 48 hours in advance of the meeting.

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 5, 2007, 6:00 p.m., Projects & Land Committee Public Meeting Forum

PLACE: The Brevard Room adjacent to Brevard County Courthouse, 518 South Palm Avenue, Titusville, FL 32760

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public meeting for briefings and discussion of Indian River Lagoon, Titusville Stormwater Improvement Projects, and impoundment wetland restoration.

DATE AND TIME: Friday, April 6, 2007, 8:00 a.m., Projects & Land Committee business meeting followed by tour of Kennedy Space Center.

PLACE: The Brevard Room adjacent to Brevard County Courthouse, 518 South Palm Avenue, Titusville, FL 32760

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting is for consideration of District agenda items including regulatory and non-regulatory matters. Tour of Kennedy Space Center will follow business meeting.

NOTE: In the event a quorum of the Committee is not available for the business meeting at the date, time, and place set forth above, the Committee shall meet on the following Tuesday, April 10, 2007, 8:00 a.m., at the St. Johns River Water Management District, Highway 100 West (4049 Reid Street) Palatka, FL 32177. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting St. Johns River Water Management District, Attention: Hazel Hinton, by mail or phone (386)329-4500 or website www.sjrwmd.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 48 hours before the workshop/meeting by contacting Hazel Hinton at (386)329-4347. If you are 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 **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIMES: Tuesday, April 10, 2007

8:15 a.m. Chairmen's Meeting

8:45 a.m. Finance & Administration Committee

10:00 a.m. Regulatory Committee

1:00 p.m. Governing Board Meeting and Public Hearing on Land Acquisition

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of District business including regulatory and non-regulatory matters. Staff may recommend approval of external budget amendments which affect the adopted budget. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District by mail or calling (386)329-4500 or on website www.sjrwmd.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 48 hours before the workshop/meeting by contacting District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Wednesday, April 4, 2007, 9:00 a.m.

PLACE: West Pasco Government Center, 7530 Little Road, New Port Richey, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pinellas-Anclote River Basin Board meeting to consider Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications. Ad Order 56168.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or (352)796-7211, extension 4606.

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 General Services Department, 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are 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 SWFWMD Executive Department at the address above.

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

DATE AND TIME: Thursday, April 5, 2007, 9:00 a.m. (Time is changed from the original schedule.)

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Alafia River Basin Board meeting to consider Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications. Ad Order 56168.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or (352)796-7211, extension 4606.

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 Pursuant to the provisions of 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 General Services Department, 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are 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 SWFWMD Executive Department at the address above.

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

DATE AND TIME: Thursday, April 5, 2007, 1:30 p.m.

PLACE: SWFWMD Tampa Service Office, 7601 U.S. 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Northwest Hillsborough Basin Board meeting to consider Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications. Ad Order 56168.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or (352)796-7211, extension 4606.

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 General Services Department, 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are 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 SWFWMD Executive Department at the address above.

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

DATE AND TIME: Friday, April 6, 2007, 9:30 a.m.

PLACE: SWFWMD, Bartow Service Office, 170 Century Boulevard, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Peace River Basin Board meeting to consider Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications. Ad Order 56168.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or (352)796-7211, extension 4606.

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 General Services Department, 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are 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 SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** announces a public meeting on Rule 40D-2.801, Water-Use Caution Areas, to which all persons are invited.

DATE AND TIME: April 9, 2007, 10:00 a.m.

PLACE: Pasco County Historic Courthouse, 37918 Meridian Avenue, Dade City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public input on whether to expand the existing Northern Tampa Bay Water Use Caution Area (NTBWUCA) into those portions of Pasco County and Hillsborough County not currently within the NTBWUCA.

One or more members of the Governing Board and Basin Boards of the Southwest Florida Water Management District may attend.

A copy of the agenda may be obtained by contacting: Miki Renner, AICP, Planning Manager, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 33604-6899, (352)796-7211 or 1(800)423-1476, extension 4400.

Pursuant to the provisions of 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 Dianne Lee at (352)796-7211, ext. 4658; TDD only 1(800)231-6103. If you are 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 **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Thursday, April 5, 2007, 9:00 a.m. – 4:00 p.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission (WRAC).

A copy of the agenda may be obtained by writing to: South Florida Water Management District, Mail Stop 1131, 3301 Gun Club Road, West Palm Beach, Florida 33406, or at our website <http://my.sfwmd.gov/wrac>.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Rick Smith at (561)682-6517.

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

DATE AND TIME: April 5, 2007, 10:00 a.m.

PLACE: Westgate River Ranch Resort, in the Lodge (SR 60, 30 miles west of YeeHaw Junction)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Identify key issues regarding public use on SFWMD owned lands on the Lower Kissimmee Chain of Lakes.

A copy of the agenda may be obtained by contacting: Izell Wilson, Florida Conflict Resolution Consortium, Florida State University, Shaw Bldg., Suite 132, 2031 E. Paul Dirac Dr., Tallahassee, FL 32310, (561)682-6635, <http://consensus.fsu.edu/FWC/kcl.html>

DEPARTMENT OF ELDER AFFAIRS

The **Long Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: March 29, 2007, 10:00 a.m.

PLACE: Lake Panasoffkee Building (West Wing), 1582 County Rd. #459, Lake Panasoffkee, Florida 33538

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting.

A copy of the agenda may be obtained by contacting Michele Mule at (352)620-3088.

Pursuant to the provisions of 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 Michele Mule at (352)620-3088. If you are 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 Michele Mule at (352)620-3088.

The **Long Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: April 3, 2007, 9:30 a.m.

PLACE: Temple Shalom, 23190 Utica Ave., Port Charlotte, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting.

A copy of the agenda may be obtained by contacting Clare Caldwell-Horton at (239)338-1493.

Pursuant to the provisions of 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 hours before the workshop/meeting by

contacting Clare Caldwell-Horton at (239)338-1493. If you are 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 Clare Caldwell-Horton at (239)338-1493.

The **Long Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: April 9, 2007, 10:00 a.m.

PLACE: St. Lucie County Health Department, Auditorium, 5150 N. W. Milner Drive, Ft. Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting.

A copy of the agenda may be obtained by contacting Nancy Schoemig at (772)595-1385.

Pursuant to the provisions of 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 Schoemig at (772)595-1385. If you are 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 Nancy Schoemig at (772)595-1385.

The **Long Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: April 10, 2007, 10:00 a.m.

PLACE: 210 N. Palmetto Ave., Conference Rm. 148, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting.

A copy of the agenda may be obtained by contacting Majorie 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 Majorie Lynch at (386)226-7846. If you are 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 Majorie Lynch at (386)226-7846.

The **Long Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: April 10, 2007, 1:00 p.m.

PLACE: Plantation Police Community Outreach Center, Broward Mall, 8000 W. Broward Blvd., Suite 123, Plantation, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting.

A copy of the agenda may be obtained by contacting Toni Ricke at (954)747-7919.

Pursuant to the provisions of 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 Toni Ricke at (954)747-7919. If you are 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 Toni Ricke at (954)747-7919.

The **Long Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: April 12, 2007, 10:00 a.m.

PLACE: North Miami Beach Public Library, 1601 N. E. 164th St., North Miami Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Majorie Lynch at (386)226-7846. If you are 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 Majorie Lynch at (386)226-7846.

The **Long Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: April 16, 2007, 11:00 a.m.

PLACE: The Rath Senior ConNEXTions Center, 1350 E. Main St., Suite 200, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting.

A copy of the agenda may be obtained by contacting William Teague at (863)413-2764.

Pursuant to the provisions of 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 William Teague at (863)413-2764. If you are

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 William Teague at (863)413-2764.

The **Long Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: April 19, 2007, 1:00 p.m.

PLACE: Mary Grizzle Building, 11351 Ulmerton Rd., Conference Rm. 136, Largo, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting.

A copy of the agenda may be obtained by contacting Betty Cambor at (727)588-3648.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Betty Cambor at (727)588-3648. If you are 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 Betty Cambor at (727)588-3648.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a public meeting of the Florida Region 9 800 MHz Committee Meeting to which all persons are invited.

DATE AND TIME: May 21, 2007, 9:00 a.m.

PLACE: Doral Resort & Spa, 4400 N. W. 87th Avenue Doral, Miami, Florida (Room Location will be listed in the lobby)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and take action on the Florida Region 9 800 MHz Committee (FCC Region 9) agenda. The meeting will take place in conjunction with the 2007 Florida APCO and NENA Chapter Conference Doral. The primary agenda items include: Status of FCC 800 MHz Reconfiguration, Approval of next plan amendment, update on Homeland Security Issues, and update on other items that may arise. A formal agenda will be provided on the day of the meeting. All Committee members and Public Safety Agencies, including State, Municipality, County, Native American Tribal, and Non-governmental Organizations eligible under Section 90.523 of the Commission rules are invited to attend this session.

For more information contact: Ray Carlson, Chairman, Florida Region 9 Planning Committee, 3228 Gun Club Road, West Palm Beach, Florida 33406, (561)688-3514 or via e-mail: carlsonr@pbso.org.

If you are hearing or speech impaired, please contact the same office by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The **Department of Management Services** announces a public meeting of the Florida Region 9 700 MHz Committee Meeting to which all persons are invited.

DATE AND TIME: May 21, 2007, 1:30 p.m.

PLACE: Doral Resort & Spa, 4400 N. W. 87th Avenue Doral, Miami, Florida (Room Location will be listed in the lobby)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and take action on the Florida Region 9 700 MHz Committee (FCC Region 9) agenda. The meeting will take place in conjunction with the 2007 Florida APCO and NENA Chapter Conference in Doral. The primary agenda items include: Status of 700 MHz Licensing, Status of the Florida Region Plan for 700 MHz, Annual business duties of the Regional Committee and election of Officers. A formal agenda will be provided on the day of the meeting. All Committee members and Public Safety Agencies, including State, Municipality, County, Native American Tribal, and Non-governmental Organizations eligible under Section 90.523, F.S., of the Commission rules are invited to attend this session.

For more information contact: Ray Carlson, Chairman, Florida Region 700 MHz Committee, 3228 Gun Club Road, West Palm Beach, Florida 33406 at (561)688-3514 or via e-mail: carlsonr@pbso.org.

If you are hearing or speech impaired, please contact the same office by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The **Department of Management Services** announces a public meeting to which all persons are invited.

DATE AND TIME: April 9, 2007, 8:30 a.m.

PLACE: 4050 Esplanade Way, Room 101, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the FSECC Steering Committee to elect a chair for the Steering Committee. To ensure a quorum, Steering Committee members who are unable to attend in person should dial 1(888)808-6959, Conference Code: 4139503# to participate.

A copy of the agenda may be obtained by contacting: Erin Thoresen, Department of Management Services, 4050 Esplanade Way, Suite 235, Tallahassee, Florida 32399-0950, (850)922-1274.

Pursuant to the provisions of 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 the Department of Management Services at the

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes**, the Advisory Council on Condominiums announces a public meeting to which all persons are invited.

DATE AND TIME: April 9, 2007, 1:00 p.m. – 5:00 p.m. (or until business is completed)

PLACE: Sarasota County Terrace Building, Room 1001, 101 South Washington Boulevard, Sarasota, Florida 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public input and conduct general business of the Advisory Council.

A copy of the agenda may be obtained by contacting: Carol Windham, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1032, (850)488-1631.

Pursuant to the provisions of 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 Carol Windham, Government Analyst, (850)488-1631. If you are 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 **Barbers' Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 7, 2007, 9:00 a.m. or soon there after

PLACE: The Hyatt Regency, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the board to conduct regular business.

A copy of the agenda may be obtained by contacting: Florida Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0790.

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: Florida Barbers' Board, 1940 North Monroe Street,

Tallahassee, Florida 32399-0790. If you are 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 **Construction Industry Licensing Board** announces a meeting to which all interested persons are invited.

DATE AND TIMES: March 27, 2007, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing to: April Hammonds, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 24, 2007, 10:00 a.m.

PLACE: (888)808-6959, Conference Code 4878197

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399.

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)922-6096. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Real Estate Appraisal Board** (FREAB) announces a meeting to which all persons are invited.

DATES AND TIMES: Monday, April 2, 2007, 9:00 a.m. or the soonest thereafter; Tuesday, April 3, 2007, 8:30 a.m. or the soonest thereafter

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 901, Ninth Floor, North Tower, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part II, F.S., rule development workshops, Florida Administrative Code 61J1 rule amendments, disciplinary actions, 2008 AQB Criteria Changes and general subject matter.

If a person decides to appeal a decision made by the Board, 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.

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, (407)481-5632, 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).

A copy of the agenda may be obtained by writing to: Beverly Ridenauer, Government Analyst II, Florida Real Estate Appraisal Board, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

The Probable Cause Panel of the Florida **Real Estate Appraisal Board** announces a telephone conference call to be held via meet me number.

DATE AND TIME: Wednesday, April 4, 2007, 9:30 a.m., or the soonest thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 901, Ninth Floor, North Tower, 400 West Robinson Street, Orlando, Florida, or Teleconference Number 1(888)808-6959, Conference Code: 3177171

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

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

NOTE: In accordance with the Americans with Disabilities Act, any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (between the hours of 9:00 a.m. – 4:00 p.m.), 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).

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."

The **Department of Environmental Protection**, Orange Creek Basin TMDL Working Group announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 4, 2007, 9:30 a.m.

PLACE: Gainesville Regional Utilities, 1st Floor, Conference Room, 301 S. E. 4th Avenue, Gainesville, Florida 32601

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Orange Creek Basin (OCB) Total Maximum Daily Load (TMDL) Working Group was formed to provide a forum for stakeholders to discuss issues related to the OCB TMDLs, including development, allocation, and implementation of the TMDLs. Topics for this meeting include continued development of the Orange Creek Basin Management Action Plan and development of the list of water quality improvement projects that address TMDLs in the basin.

A copy of the agenda may be obtained by contacting: Ms. Mary Paulic, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Planning and Coordination Section, MS 3565, Tallahassee, Florida 32399-2400 or by calling her at (850)245-8560.

Pursuant to the provisions of 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. Mary Paulic at (850)245-8560. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a hearing to which all persons are invited.

DATE AND TIME: April 26, 2007, 2:00 p.m.

PLACE: Room 611, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive testimony and public comment and to take final action on proposed modification of the Fiscal Year (FY) 2007 Drinking Water State Revolving Fund (SRF) priority list. The Department may adopt, modify, or deny the proposed actions at the hearing. Prior to Department action at the hearing, all interested persons will have the opportunity to testify regarding any proposed actions. After the hearing, the Department will file the Notice of Final Agency Action.

A copy of the Notice of Final Agency Action will be sent to local governments sponsoring the projects at issue and to any person submitting a timely written request. Such written requests must be submitted at the hearing or filed with the Department's Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, no later than 5:00 p.m. on the first working day after the public hearing.

A copy of the agenda may be obtained by contacting Al Bishop, Bureau of Water Facilities Funding, at the same address, or by phone at (850)245-8393 or Suncom 205-8393 or by email at Al.Bishop@dep.state.fl.us.

The **Department of Environmental Protection**, Siting Coordination Office announces a hearing to which all persons are invited.

DATES AND TIME: May 29, 2007, 1:00 p.m.; continuing as necessary on May 30-31, 2007 and June 1, 2007

PLACE: Holiday Inn in Lakewood Ranch, 6231 Lake Osprey Dr., Sarasota, FL 34240

GENERAL SUBJECT MATTER TO BE CONSIDERED: Administrative Law Judge Bram D. E. Canter will take testimony and evidence concerning the environmental effects and any other appropriate matters regarding the site certification of the proposed Florida Power and Light Company, Bobwhite-Manatee 230 Kilovolt Transmission Line Project, Transmission Line Siting Application No. TA07-14, DOAH Case No. 07-0105TL, DEP-OGC Case No. 07-0026, pursuant to the Transmission Line Siting Act, ss.403.52-5365, Florida Statutes. Judge Canter will prepare a Recommended Order for submission to, and final action by, the Governor and Cabinet acting as the Siting Board, based on the hearing.

In regards to parties and rights to intervene, Section 403.527, F.S. states:

(2)(a) Parties to the proceeding shall be:

1. The applicant.
2. The department.
3. The commission.
4. The Department of Community Affairs.
5. The Fish and Wildlife Conservation Commission.
6. The Department of Transportation.

7. Each water management district in the jurisdiction of which the proposed transmission line or corridor is to be located.

8. The local government.

9. The regional planning council.

(b) Any party listed in paragraph (a) other than the department or the applicant may waive its right to participate in these proceedings. If such listed party fails to file a notice of its intent to be a party on or before the 30th day prior to the certification hearing, such party shall be deemed to have waived its right to be a party unless its participation would not prejudice the rights of any party to the proceeding.

(c) Notwithstanding the provisions of Chapter 120, F.S., to the contrary, upon the filing with the administrative law judge of a notice of intent to be a party by an agency, corporation, or association described in subparagraphs 1. and 2. or a petition for intervention by a person described in subparagraph 3. no later than 30 days before the date set for the certification hearing, the following shall also be parties to the proceeding:

1. Any agency not listed in paragraph (a) as to matters within its jurisdiction.
2. Any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty; to protect the environment, personal health, or other biological values; to preserve historical sites; to promote consumer interests; to represent labor, commercial, or industrial groups; or to promote comprehensive planning or orderly development of the area in which the proposed transmission line or corridor is to be located.
3. Any person whose substantial interests are affected and being determined by the proceeding.

(d) Any agency whose properties or works may be affected shall be made a party upon the request of the agency or any party to this proceeding.

For more information, you may contact: Mr. Michael P. Halpin, P.E., Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

A copy of the agenda may be obtained by contacting: Mr. Michael P. Halpin, P.E., Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002.

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: Landa Korokous, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 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 **Department of Environmental Protection**, Water Quality Standards and Special Projects Program announces a public meeting on Rule 62-302.800, F.A.C. Site Specific Alternative Criteria, to which all persons are invited.

DATE AND TIME: June 28, 2007, 9:00 a.m.

PLACE: Environmental Regulation Commission Hearing, Florida Department of Environmental Protection, 3900 Commonwealth Blvd., Conference Room A, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Environmental Protection announces that it has rescheduled the rulemaking hearing to consider proposed amendments to Rule 62-302.800, F.A.C., which will establish a site specific alternative criterion for pH in the discharge wetlands at the Orange County Eastern Water Reclamation Facility (EWRP). The notice of proposed rulemaking, published in the February 23, 2007 issue of the F.A.W., Vol. 33, No. 8, pps. 834-835, provided notice that the proposed rule amendments were scheduled for consideration and possible adoption by the Florida Environmental Regulation Commission (ERC) on March 29, 2007. The Department has rescheduled the proposed rule adoption hearing for a later date to accommodate the staff's need to provide additional information to the ERC. The adoption hearing on the proposed rule amendment is now scheduled before the ERC at the date, time and place shown above.

A copy of the agenda may be obtained by contacting: Eric Shaw, Division of Water Resource Management, Mail Station 3560, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8429, email Eric.Shaw@dep.state.fl.us or facsimile (850)205-8429.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting Eric Shaw at (850)245-8429. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 4, 2007, 7:00 p.m. (ET)

PLACE: Holiday Inn Express, Boardroom, 3025 Rocky Point Drive, Tampa, Florida 33607

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 and 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.

Pursuant to the provisions of 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 at (850)245-3068. If you are 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 Marcy Wilson at (850)245-3051 or email Marcy.Wilson@dep.state.fl.us.

The **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 5, 2007, 7:00 p.m. (ET)

PLACE: Leu Gardens, Orchid Room, 1920 North Forest Avenue, Orlando, Florida 32803

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 and 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.

Pursuant to the provisions of 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 at (850)245-3068 or email 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).

For more information, you may contact Marcy Wilson at (850)245-3051 or email marcy.wilson@dep.state.fl.us.

DEPARTMENT OF HEALTH

The Florida **Department of Health, Division of Medical Quality Assurance** announces the annual Healthcare Association Long-range Planning Meeting.

DATE AND TIME: Wednesday, May 16, 2007, 8:30 a.m. – 1:00 p.m.

PLACE: Betty Easley Center, Capitol Center Office Complex, Room 152, Capitol Center Office Complex, 4075 Esplanade Way, Tallahassee, FL 32399-3250, telephone MQA Director's Office: (850)245-4224.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is to review with the healthcare associations the long-range policy planning and monitoring process to include recommendations specific to each profession.

A copy of the agenda may be obtained by writing: Charlene Willoughby, Manager, Strategic Planning Services Unit, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Medical Quality Assurance, (850)245-4124, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call Florida Medical Quality Assurance using the Florida Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Department of Health, Division of Medical Quality Assurance** announces the MQA Unlicensed Activity Program Strategic Planning Meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, May 23, 2007, 10:00 a.m. – 3:30 p.m.

PLACE: International Plaza Resort and Spa, 10100 International Drive, Orlando, FL 32821, (407)352-1100

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is to review strategic plans regarding unlicensed healthcare.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Medical Quality Assurance, (850)245-4124, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call Florida Medical Quality Assurance using the Florida Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771(TDD).

A copy of the agenda may be obtained by writing: Charlene Willoughby, Manager, Strategic Planning Services Unit, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253.

The **Electrolysis Council** announces a workshop on Rule 64B8-56.004, Other Requirements For Electrolysis Training Program Approval, to which all persons are invited.

DATE AND TIME: Monday, May 7, 2007, 9:00 a.m. or as soon thereafter as can be heard – until 10:30 a.m.

PLACE: Teleconference Call: 1(888)808-6959, Conference Code: 4246812343#, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Language for the proposed rule development for the rule referenced above.

If anyone has additional comments to make, they can make those comments in writing to the Council, on or before May 1, 2007.

A copy of the agenda may be obtained by contacting: Susan Love, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3255.

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 hours 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).

The **Department of Health, Board of Respiratory Care** announces a public meeting on Rule 64B32-6.004, F.A.C., Procedures for Approval of Attendance at Continuing Education Courses, to which all persons are invited.

DATE AND TIME: April 6, 2007, 8:30 a.m. or soon thereafter

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, FL 32607

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting and Rule Review.

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 at (850)245-4373.

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 **Bureau of Emergency Medical Services** announces a public meeting to which all persons are invited.

DATE AND TIME: April 27, 2007, 9:00 a.m.

PLACE: Doubletree Hotel Cocoa Beach, 2080 North Atlantic Avenue, Cocoa Beach, FL 32931

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the council.

A copy of the agenda may be obtained by contacting Desi Lassiter at (850)245-4055.

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 Desi Lassiter at (850)245-4055. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Desi Lassiter at (850)245-4055.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, District 15, announces the following public meeting to which all persons are invited.

Executive Committee

DATE AND TIME: April 11, 2007, 9:00 a.m. – 11:00 a.m.

PLACE: Clem C. Benton Bldg., Room 335, 337 North US Highway #1, Fort Pierce, Florida 34950

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting.

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North US Highway. 1, Room 327C, Fort Pierce, Florida 34950, (772) 467-4177.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Shared Services Alliance of Okeechobee and the Treasure Coast of the **Department of Children and Family Services**, District 15, announces the following public meeting to which all persons are invited.

ALLIANCE MEETING

DATE AND TIME: April 27, 2007, 8:30 a.m. – 10:30 a.m.

PLACE: St. Lucie County Department of Health, 5150 N. W. Milner Drive, Port St. Lucie, Florida 34983

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting.

For more information, please contact: Linda Poston, Personal Secretary 1, 337 North US Highway 1, Room 327C, Fort Pierce, Florida 34950, (772) 467-4177.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact, Pearlie Clark, ADA Coordinator, (772)467-4184, at least five days prior to the meeting. If you are hearing or speech impaired, please contact the Agency using the Florida Dual Party Relay System 1 (800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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: Friday, April 6, 2007, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code 9229760

GENERAL SUBJECT MATTER TO BE CONSIDERED: This call will review drafts of the application instructions for the 2007-2008 Challenge and Homeless Housing Assistance Grants.

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 Heart of Florida Community Alliance of the **Department of Children and Family Services**, District 14, announces the following public meeting to which all persons are invited.

DATE AND TIME: April 12, 2007, 1:00 p.m. – 3:00 p.m.

PLACE: Heartland for Children, 2nd Floor, 1239 E. Main Street, Bartow, FL 33831

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting.

For more information, please contact: Diane S. Dvorak, Community Relations, 4720 Old Hwy 37, Lakeland, FL 33813, (863)619-4148.

SPECIAL ACCOMMODATION: Any person requiring special accommodation for this meeting because of a disability or physical impairment should contact Diane S. Dvorak,

(863)619-4148, at least five days prior to the meeting. If you are hearing or speech-impaired, please contact the Agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a workshop to which all persons are invited.

DATE AND TIME: April 27, 2007, 1:00 p.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Seltzer Room (6th Floor), Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The 2007 Farmworker Housing Recovery Program and Special Housing Assistance and Development Program Application Cycle.

To provide information related to the 2007 application cycle (opening April 9, 2007) for the Farmworker Housing Recovery and Special Housing Assistance and Development Programs to allocate funds that were not allocated in the 2006 application cycle. The discussion will include a discussion of changes to the emergency rule and application governing the programs, the application process and the timeline for the programs. Documents related to this meeting will be posted online at www.floridahousing.org.

A copy of the agenda may be obtained by contacting Robert Dearduff, (850)488-4197.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Robert Dearduff at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a meeting of the Florida Panther Technical Advisory Council to which all persons are invited.

DATE AND TIME: Thursday, April 5, 2007, 11:30 a.m. – 2:30 p.m.

PLACE: Ferris Bryant Building, Conference Room 252, 620 South Meridian Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to discuss the governance and operating procedures of the Florida Panther Technical Advisory Council (FPTAC), and to plan for future meetings. Some members of FPTAC will participate via telephone. For more information, or to submit written or other physical evidence to present at the meeting, please contact: Mr. Kipp

Frohlich, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section, Mail Station 6A, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)922-4330.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the agency ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD) or (850)488-9542 within the Tallahassee area.

FINANCIAL SERVICES COMMISSION

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: April 17, 2007, 10:30 a.m.

PLACE: 325 John Knox Road, Atrium Building, 3rd Floor, Conference Room 312, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Fire and Emergency Incident Information System Technical Advisory Panel.

A copy of the agenda may be obtained by writing: Department of Financial Services, Division of State Fire Marshal, 11655 N. W. Gainesville Road, Ocala, FL 34482-1486, or by calling (352)369-2800.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact the address or phone number listed above no later than 48 hours prior to the meeting or workshop.

The **Department of Financial Services, Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: April 17, 2007, 1:30 p.m.

PLACE: 325 John Knox Road, Atrium Building, 3rd Floor, Conference Room 312, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Florida Firefighters Employment, Standards, and Training Council.

A copy of the agenda may be obtained by writing: Department of Financial Services, Division of State Fire Marshal, 11655 N. W. Gainesville Road, Ocala, FL 34482-1486, or by calling (352)369-2800.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this meeting or workshop should contact the address or phone number listed above no later than 48 hours prior to the meeting or workshop.

FINANCIAL SERVICES COMMISSION

The **Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: April 2, 2007, 10:00 a.m.

PLACE: Cabinet Room, Lower Level, Florida Capitol Building, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Nationwide Insurance Company of Florida has requested a 70% overall rate increase for its new and renewal dwelling fire policy forms, effective June 30, 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 "Nationwide."

A copy of the agenda may be obtained by contacting C. Khai Patterson, Esquire at (850)413-4276 or Sam Coskey, (850)413-2616.

Pursuant to the provisions of 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).

For more information, you may contact C. Khai Patterson, Esquire at (850)413-4276 or Sam Coskey (850)413-2616.

CHILD CARE EXECUTIVE PARTNERSHIP

The Child Care Executive Partnership announces conference call Board Meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, March 28, 2007, 10:00 a.m. – 12:00 Noon or until business is concluded

PLACE: Call in number will be (888)-808-6959 Conference Code: 9213167 (then press #). Crowne Plaza Orlando Airport, 5555 Hazeltine National Drive, Orlando, FL 32812, (407)856-0100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Business.

Materials will be available by March 23, 2007, on the CCEP website at www.ccep.bz.

FLORIDA MUNICIPAL PENSION TRUST FUND

The **Florida Municipal Pension Trust Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 29, 2007, 11:00 a.m.

PLACE: The Plaza Resort & Spa, 600 N. Atlantic Avenue, Daytona Beach, FL 32118, (386)255-4471

A joint meeting of the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Pension Trust Fund to discuss general business of the Trust.

DATE AND TIME: Thursday, March 29, 2007, 1:00 p.m.

PLACE: The Plaza Resort & Spa, 600 N. Atlantic Avenue, Daytona Beach, FL 32118, (386)255-4471

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive reports from investment manager and performance monitor.

A copy of the meeting agenda may be obtained by contacting: Jeannie Garner, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, ext. 277.

FLORIDA MUNICIPAL INVESTMENT TRUST

The **Florida Municipal Investment Trust (FMIvT)** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 29, 2007, 2:00 p.m.

PLACE: The Plaza Resort & Spa, 600 N. Atlantic Avenue, Daytona Beach, FL 32118, (386)255-4471

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Florida Municipal Investment Trust (FMIvT) to discuss general business of the Trust.

A joint meeting of the Florida Municipal Pension Trust Fund and the Florida Municipal Investment Trust

DATE AND TIME: March 29, 2007, 1:00 p.m.

PLACE: The Plaza Resort & Spa, 600 N. Atlantic Avenue, Daytona Beach, FL 32118, (386)255-4471

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive reports from investment manager and performance monitor.

A copy of the meeting agenda may be obtained by contacting: Jeannie Garner, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, ext. 277.

FLORIDA MUNICIPAL LOAN COUNCIL

The **Florida Municipal Loan Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 29, 2007, 2:30 p.m.

PLACE: The Plaza Resort & Spa, 600 N. Atlantic Avenue, Daytona Beach, FL 32118, (386)255-4471

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors for the Florida Municipal Loan Council to discuss general business of the Council.

A copy of the meeting agenda may be obtained by contacting: Jeannie Garner, Director of Financial Services, Florida League of Cities, Inc., Post Office Box 1757, Tallahassee, Florida 32302-1757, 1(800)616-1513, ext. 277.

CLERKS OF COURT OPERATIONS CORPORATION

The **Clerks of Court Operations Corporation** announces a business meeting to which all persons are invited to attend.

DATE AND TIME: Monday, April 9, 2007, 2:00 p.m.

PLACE: Bayhill I, Peabody Hotel, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget instructions, legislative update, and related issues.

Information regarding the meeting may be obtained by contacting John Dew, Florida CCOC at (850)386-2223 or by visiting the CCOC website at www.flccoc.org

COMMISSION ON MARRIAGE AND FAMILY SUPPORT INITIATIVES

The **Commission on Marriages** announces a public meeting to which all persons are invited.

MEETING TYPE: EXECUTIVE COMMITTEE

DATE AND TIME: Wednesday, May 2, 2007, 8:30 a.m. – 9:30 a.m.

MEETING TYPE: PROGRAM COMMITTEE

DATE AND TIME: Wednesday, May 2, 2007, 10:00 a.m. – 11:30 a.m.

MEETING TYPE: POLICY COMMITTEE

DATE AND TIME: Thursday, May 3, 2007, 9:00 a.m. – 11:00 a.m.

MEETING TYPE: RESOURCE DEVELOPMENT COMMITTEE

DATE AND TIME: Thursday, May 3, 2007, 11:00 a.m. – 12:30 p.m.

MEETING TYPE: PUBLIC AWARENESS COMMITTEE

DATE AND TIME: Friday, May 18, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Via Conference Call. 111 North Gadsden Street, Suite 100, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Commission Business.

A copy of the agenda may be obtained by contacting Heidi Rodriguez at hrodriguez@ounce.org or (850)488-4952.

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 Heidi Rodriguez at hrodriguez@ounce.org or (850)488-4952. If you are 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 Heidi Rodriguez at hrodriguez@ounce.org or (850)488-4952.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Department of Community Affairs, Division of Community Planning has declined to rule on the petition for declaratory statement filed by Coral Pointe Homes, LLC on November 9, 2006. The following is a summary of the agency's declination of the petition. The Department declined to answer the Petition because the Petitioner failed to state with particularity the specific statutory provision, rule, or order for interpretation or clarification by the Department; failed to identify a controversy; specific questions, or doubts surrounding the future conduct of the Petitioner; failed set forth facts demonstrating an actual, present, and practical need for a declaratory statement; and requested a response regarding the conduct of another person.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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 BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by In RE: Sea Brook Place Condominium Association, Inc., Docket Number 2006064922 on November 16, 2006. The following is a summary of the agency's disposition of the petition. The Division declared that The Sea Brook Place Condominium Association, Inc.'s procedural provisions: (1) for notice before the board imposes a fine against a unit owner for violation of the governing documents,

is consistent with Section 718.303(2), Florida Statutes; however the bylaw provisions: (2) for a hearing before the board and not a committee of other owners; and (3) the provision turning a fine into an assessment that may be collected as a lien against the unit, conflict with Section 718.303(2), Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida 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.

NOTICE IS HEREBY GIVEN THAT Building Code Administrators and Inspectors Board has received the petition for declaratory statement from William Dumbaugh. The petition seeks the agency’s opinion as to the applicability of Section 468.602(2) and (3), F.S., as it applies to the petitioner. The Petitioner seeks the Board’s interpretation of the exemptions of Section 468.602(2) and (3), F.S. Specifically, the Petitioner requests that the Board issue a Declaratory Statement as to whether under Section 468.602(2) and (3), F.S., an architect or engineer can delegate the inspection to a representative that is not licensed as an architect, engineer or building inspector.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT the Board of Dentistry hereby gives notice that on March 6, 2007 has received the petition for declaratory statement from Joseph V. Calderone, D.M.D. The petition seeks the agency’s opinion, on Rule 64B5-4.002, F.A.C., Advertising and Soliciting by Dentists, as to the applicability of Rule 64B5-4.002, F.A.C. as it applies to the petitioner.

Whether being named in the publication “Orlando-The City’s Magazine” as one of “Orlando’s Best Dentists” constitutes a laudatory statement in violation of the rule.”

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN THAT the Office of Insurance Regulation has received the petition for declaratory statement from Matthew E. Kaplan, Esq., of Debevoise & Plimpton, LLP, on behalf of Protective Life Insurance Company. The petition seeks the agency’s opinion as to the applicability of Sections 624.02 and 624.10, F.S. as it applies to the petitioner.

The petitioner plans to participate in a funding agreement-backed securitization program.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Amanda Parnell, Esquire, Office of Insurance Regulation, Division of Legal Services, 6th Floor, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4281.

Please refer all comments to: Amanda Parnell, Esquire, Office of Insurance Regulation, Division of Legal Services, 6th Floor, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4281.

**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 AGRICULTURE AND CONSUMER SERVICES

REQUEST FOR STATEMENT OF QUALIFICATIONS
(SOQ)

As an Architect or Engineer, you are invited to submit an SOQ to the FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF PLANT INDUSTRY, hereinafter referred to as the Department.

The Department is seeking professional services of an architectural/engineering firm to provide design and construction administration/oversight services for the construction of an office and head house for the Chiefland Budwood Foundation Greenhouse located at 9850 N. W. 42 Court, Chiefland, Florida 32626. The estimated budget for this project is \$775,000.00.

PROJECT LOCATION: Chiefland, Florida

SOLICITATION DOCUMENT: The entire solicitation document, which includes specifications and the additional information, may be viewed and downloaded from the Vendor Bid System at <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements, Bid Number SOQ/PI-06/07-90, or by calling the Purchasing Office at (850)487-3727.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who had been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

Statements of Qualifications will be received and publicly opened on:

DATE AND TIME: April 27, 2007, 2:00 p.m.

PLACE: Department of Agriculture and Consumer Services, 407 S. Calhoun Street, Room SB8, Mayo Building, Tallahassee, Florida 32399, (850)487-3727.

CONTRACT AWARD: The official Notice of Award recommendation will be by electronic posting at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

REQUEST FOR STATEMENT OF QUALIFICATIONS
(SOQ)

As a Contractor or Construction Management Firm, you are invited to submit an SOQ to the FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF MARKETING AND DEVELOPMENT, hereinafter referred to as the Department.

The project consists of repair and/or building replacement for four (4) hurricane damaged structures. The Department of Agriculture and Consumer Services, Division of Marketing and Development seeks a Construction Manager to monitor and manage the entire project. The project is located at the Immokalee State Farmers' Market, 424 New Market Road, Immokalee, Florida 34142. The construction budget for this project is \$7,500,000.

PROJECT LOCATION: Immokalee, Florida

SOLICITATION DOCUMENT: The entire solicitation document, which includes specifications and the additional information, may be viewed and downloaded from the Vendor Bid System at <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements, Bid Number SOQ/DM-06/07-92, or by calling the Purchasing Office at (850)487-3727.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a

public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who had been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

Statements of Qualifications will be received and publicly opened on:

DATE AND TIME: April 17, 2007, 2:00 p.m.

PLACE: Department of Agriculture and Consumer Services, 407 S. Calhoun Street, Room SB8, Mayo Building, Tallahassee, Florida 32399, (850)487-3727.

CONTRACT AWARD: The official Notice of Award recommendation will be by electronic posting at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS

The University of Florida Board of Trustees announces that Professional Services in the disciplines of engineering and architecture for Total Building Commissioning will be required for the project listed below:

Project: UF-275, Pathogens Research Facility (Main Campus)

The facility will include a new four story 95,000 GSF laboratory facility. It will consist of BSL-2, BSL-3, and BSL-3 enhanced laboratory space. There will be office, conference, and other support space to accommodate this research. The project also includes BSL-3 Greenhouse space located on the roof. The scope of services shall include design phase peer review, development of the Commissioning Plan and Commissioning Specifications, and construction phase pre-functional, functional, and performance testing for

mechanical, electrical, building automation, and building envelope systems. The consultant shall also support project efforts to attain Silver LEED certification.

Blanket professional liability insurance will be required for this project in the amount of \$1,000,000.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet for Commissioning Agent Consultants, and other background information. The proposal shall be limited to 20 single-sided pages and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services.
2. A completed Commissioning Services Proposal Form using the project-specific version available at the UF Facilities Planning and Construction website. Applications on any other form will not be considered.
3. Resumes and copies of the applicant's current Professional Registration Certificate(s) from the appropriate governing board, corporate charter(s) if applicable, LEED certification, and other pertinent credentials.

At the time of application, the applicant must possess current design Professional Registration Certificate(s) from the appropriate governing board; must be properly registered to practice its profession in the State of Florida; and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected applicant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Unsigned proposals or proposals containing expired or invalid licenses will be disqualified. Submittal materials will not be returned.

The Commissioning Services Proposal Form, Project Fact Sheet, UF Design Services Guide, UF Design and Construction Standards, standard University of Florida Owner-Commissioning Agent agreement, and other project and process information can be found on the Facilities Planning and Construction website. Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning and Construction office by 3:00 p.m. (local time), Tuesday, April 24, 2007. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction
232 Stadium / P. O. Box 115050
Gainesville, FL 32611-5050
Telephone: 352-392-1256
Fax: (352)392-6378
Internet: www.facilities.ufl.edu

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

Notice of Bid/Request for Proposal

The Northeast Florida Regional Council announces a Pre-application Bid Conference for prospective contractors for the behavioral analysis component of the Statewide Regional Evacuation Study. Attendance at this conference is required for submission of proposals and final contract award.

DATE AND TIME: Monday, April 9, 2007, 1:00 p.m. – 4:00 p.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a Pre-Application Bid Conference detailing the purpose and scope of the behavioral analysis component of the Statewide Regional Evacuation Study and to provide clarification regarding the requisite qualifications for a prospective contractor. Prospective bidders must submit information requests regarding the project at least 72 hours prior to the Pre-Application Bid Conference. At this time a two week application period is anticipated; therefore clarification of information presented at the Pre-Application Bid Conference will be limited to one week following the conference.

A copy of the meeting materials may be obtained by writing to: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216. The Northeast Florida Regional Planning Council reserves the right to reject all bids.

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."

EARLY LEARNING COALITION OF MANATEE COUNTY, INC.

NOTICE OF BIDS/REQUSET FOR PROPOSALS

ITN #01-2007

The Early Learning Coalition of Manatee County is soliciting competitive sealed replies to an ITN for early education and care services for the fiscal year beginning July 1, 2007. The purpose of the ITN is to procure services that will be part of a quality, integrated, and seamless system of School Readiness and Voluntary Pre-kindergarten programs in Manatee County.

There are 3 core components for which the Coalition intends to contract. They are: Resource and Referral and Enrollment Management, (2) Provider Fiscal and Administrative Services and Slot Management and (3) Child Health and Developmental Services. Applicants can bid on one component, all components, or a combination of components.

A Notice of Intent to Submit an Application that complies with the requirements set forth in the ITN must be received by 4:00 p.m., April 3, 2007 at the Coalition office, 1112 Manatee Ave., East, Bradenton, Florida 34208. Detailed proposals must be received at the above location no later than 1:00 p.m., on April 24, 2007.

The ITN document is available electronically at www.elc-manatee.org or may be obtained by contacting the Coalition office at (941)714-7449.

SARASOTA COUNTY PUBLIC HOSPITAL DISTRICT

REQUEST FOR PROPOSALS # 07-030107

The Sarasota County Public Hospital District invites interested buyers/developers to submit proposals for the purchase and development of a 10.4-acre tract of District-owned property at Interstate 75 and Laurel Road in Venice, Florida. Respondents must submit written proposals in strict accordance with the requirements outlined in the Request for Proposals packet, a complete copy of which is available at Sarasota Memorial Hospital's web site at http://www.smh.com/sections/corporate/Construction_Renovations/rfps/laurel-road.html or by communicating with Deborah Taylor, Operations Director, Corporate Business Development, 1991 Main Street, Suite 245, Sarasota, Florida 34236, (941)917-1426. The deadline for submission of proposals is April 11, 2007.

WEST CENTRAL FLORIDA AREA AGENCY ON AGING

**REQUEST FOR PROPOSALS
TELEPHONE SYSTEM**

The West Central Florida Area Agency on Aging, Inc. is seeking bid proposals from qualified vendors to replace the agency's telephone system.

Instructions for this Request for Proposals, including the telephone system specifications, are available beginning March 23, 2007 from 9:00 a.m. to 4:00 p.m. at the office of the West Central Florida Area Agency on Aging, Inc., 5905 Breckenridge Parkway, Suite F, Tampa, FL 33610-4239. The documents can also be accessed at the agency's website: www.agingflorida.com (click on the drop down menu under Information at the top or QuickLinks at the bottom and select Request for Proposals).

In order to be considered for this award and to receive notice of any changes or addenda to the RFP documents, a Notice of Intent to Submit a Proposal must be submitted to the West Central Florida Area Agency on Aging, Inc. Sealed bid proposals are due by 3:00 p.m. on April 23, 2007 at the office of the West Central Florida Area Agency on Aging, Inc., 5905 Breckenridge Parkway, Suite F, Tampa, FL 33610-4239. Public opening of the bid proposals will be at 3:01 p.m., on April 23, 2007.

The West Central Florida Area Agency on Aging, Inc. reserves the right to reject any and all bid proposals, and to re-advertise for bids.

**Section XII
Miscellaneous**

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

**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 Hyosung Motors America, Inc., intends to allow the establishment of All About Scooters, LLC, as a dealership for the sale of Hyosung motorcycles at 2312 Apalachee Parkway, #10, Tallahassee (Leon County), Florida 32301, on or after March 6, 2007.

The name and address of the dealer operator(s) and principal investor(s) of All About Scooters, LLC are dealer operator(s): Leroy E. Smith and Susan D. Smith, 756 Rhoden Cove Road, Tallahassee, Florida 32312; principal investor(s): Leroy E. Smith and Susan D. Smith, 756 Rhoden Cove Road, Tallahassee, Florida 32312.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, 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: Edward Park, President, Hyosung Motors America, Inc., 5815 Brook Hollow Parkway, Suite B, Norcross, Georgia 30071.

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), Hyosung Motors America, Inc., intends to allow the establishment of James Sursely d/b/a Action Orlando Motorsports, as a dealership for the sale of Hyosung motorcycles at 306 West Main Street, Apopka (Orange County), Florida 32712, on or after February 21, 2007.

The name and address of the dealer operator(s) and principal investor(s) of James Sursely d/b/a Action Orlando Motorsports are dealer operator(s): James Sursely, 1546 Ferendina Drive, Deltona, Florida 32725; principal investor(s): James Sursely, 1546 Ferendina Drive, Deltona, Florida 32725.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Edward Park, President, Hyosung Motors America, Inc., 5815 Brook Hollow Parkway, Suite B, Norcross, Georgia 30071.

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), QLINK, L.P., intends to allow the establishment of JJ's Motortoy & More, LLC, as a dealership for the sale of Zongshen and Chunfeng motorcycles at 19630 South Tamiami Trail, Fort Myers (Lee County), Florida 33908, on or after March 8, 2007.

The name and address of the dealer operator(s) and principal investor(s) of JJ's Motortoy & More, LLC are dealer operator(s): Jay Granitz, 19630 South Tamiami Trail, Fort Myers, Florida 33908; principal investor(s): Jay Granitz, 19630 South Tamiami Trail, Fort Myers, Florida 33908.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Johnny Tai, Manager, QLINK, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

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), New Era Trans, Inc., intends to allow the establishment of Mobility Tech, Inc. d/b/a Charlie's Scooter Depot, as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 5720 North Florida Avenue, #2, Tampa (Hillsborough County), Florida 33604, on or after March 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Mobility Tech, Inc. d/b/a Charlie's Scooter Depot are dealer operator(s): Carlos Urbizu, 5720 North Florida Avenue, #2, Tampa, Florida 33604; principal investor(s): Carlos Urbizu, 5720 North Florida Avenue, #2, Tampa, Florida 33604, Zenaida Urbizu, 5720 North Florida Avenue, #2, Tampa, Florida 33604.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Zev Kraiem, New Era Trans, Inc., 3350 Lawson Boulevard, Oceanside, New York, 11572.

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 QLINK, L.P., intends to allow the establishment of Moto Mania Powersports, LLC, as a dealership for the sale of Zongshen motorcycles at 3264 Southeast Dixie Highway, Stuart (Martin County), Florida 34997, on or after March 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Moto Mania Powersports, LLC are dealer operator(s): William Talero, 5910 Loxahatchee Pines Drive, Jupiter, Florida 33458; principal investor(s): Jorge A. Calvo, 2236 Southwest 156 Court, Miami, Florida 33185 and Camilo Zambrano, 11291 Southwest 26 Street, Maimi, Florida 33165.

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: Johnny Tai, Manager, QLINK, L.P., 756 Port America Place, Suite 200, Grapevine, Texas 76051.

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 CHANGE – Notice is hereby given that the following change has been made to the Agency for Health Care Administration Certificate on Need Decisions on Batched Applications with an application date of November 22, 2006, published in Vol. 33, No. 10, March 9, 2007 issue of the F.A.W. The change is as follows:

County: Pasco Service District: 5
 CON #9959 Decision Date: 2/23/07 Decision: A
 Facility/Project: Gulfside Regional Hospice, Inc.
 Applicant: Gulfside Regional Hospice, Inc.

Project Description: Establish a 12 bed inpatient hospice facility.

Approved Cost: \$5,245,013.00

There are no other changes.

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."

The Florida Department of Environmental Protection (FDEP) has determined that the JEA, Jacksonville project to rehabilitate the Main Street Water Treatment Plant will not adversely affect the environment. The Clearinghouse SAI number for this project is FL FL200603242078C. The total cost of the project is estimated to be \$12,200,403. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing to: Venkata Panchakarla, FDEP, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS# 3505, Tallahassee, Florida 32399-2400 or calling (850)245-8366.

NOTICE OF INTENT TO GRANT VARIANCE

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c) F.A.C., to the City of Fernandina Beach, 204 Ash Street, Fernandina Beach, FL 32034, (File No.0264288-002-EV) to allow a 2,000 m mixing zone radius during dredging and disposal operations associated with the beach restoration project. The requested mixing zone variance is to be authorized for activities occurring within the Ft. Clinch Aquatic Preserve only. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, 5050 W. Tennessee St., Bldg. B, Tallahassee, FL 32304, (850)414-7756, Jamie Christoff.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573 of the Florida Statutes, is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsection 28-106.111(2) and paragraph 62-110.106(3)(a)4., F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a

waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

NOTICE OF RECEIPT OF LAND USE DETERMINATION

On March 12, 2007, the Department of Environmental Protection received a determination from Hendry County that the Florida Power and Light Company, Glades Power Park, Power Plant Siting Application No. 06-49, OGC Case No. 06-2649, DOAH Case No. 06-005334, is consistent with existing local land use plans and zoning ordinances in Hendry County pursuant to the Florida Electrical Power Plant Siting Act, Section 403.50665, F.S. A copy of the determination of compliance is available for review in the office of Michael P. Halpin, P.E., Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002. Pursuant to Section 403.50665(4), F.S., if any substantially affected person wishes to dispute Hendry County's determination that the proposed Glades Power Park is consistent with Hendry County's existing land use plans and zoning ordinances, he or she must file a petition with the Department within 21 days after the publication of notice of the local government's determination. If a hearing is requested, the provisions of Section 403.508(1), F.S., shall apply. Should a land use hearing be held, the notice of land use hearing will be published as per the provisions of Section 403.5115, F.S. Pursuant to Section 403.508(1), F.S., the sole issue for determination at a land use hearing shall be whether or not the proposed site is consistent and in compliance with existing land use plans and zoning ordinances. If the administrative law judge concludes that the proposed site is not consistent or in compliance with existing land use plans and zoning ordinances, the administrative law judge shall receive at the hearing evidence on, and address in the recommended order, any changes to or approvals or variances under the applicable land use plans or zoning ordinances which will render the proposed site consistent and in compliance with the local land use plans and zoning ordinances.

A person whose substantial interests are affected by the proposed determination of consistency may petition for an administrative hearing in accordance with Section 403.5066(4), F.S. The petition must be filed with the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, (850)245-2241, Fax (850)245-2303. The petition should contain: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the determination; (c) A statement of how and when each petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact; If there are none, the petitioner

shall so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the proposed action; and, (g) A statement of the relief sought by the petitioner. A petition that does not dispute the material facts shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

NOTICE OF INTENT TO ISSUE PROPOSED
MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501 et seq., F.S., concerning: Florida Power and Light Company, Turkey Point Power Plant, Power Plant Siting Application No. PA 03-45B, OGC Case No. 07-0127, Palm Beach County, Florida. On January 25, 2007 the Department received a request from the Florida Power and Light Company to modify the Conditions of Certification for the Turkey Point Power Plant. That request seeks authorization to allow the use of Floridan Aquifer water for process water for Turkey Point units 1, 2, and 5.

A copy of the proposed modification may be obtained by contacting: Michael P. Halpin, P.E., Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, MS 48, Tallahassee, Florida 32399-2400, (850)245-8002. Pursuant to Section 403.516, F.S., and Rule 62-17.211, F.A.C., all parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has thirty days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification will be issued by the Department. If objections are raised and agreement can not be reached, then pursuant to subparagraph 62-17.211(1)(b)6.a., F.A.C., the applicant may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

NOTICE OF PUBLIC OPPORTUNITY TO COMMENT ON
GEOLOGICAL AND GEOPHYSICAL PERMIT
APPLICATION FOR FEDERAL WATERS OF THE
EASTERN GULF OF MEXICO OFFSHORE FLORIDA

Interested persons are hereby given notice that a U.S. Department of the Interior, Minerals Management Service, Geological and Geophysical Permit Application submitted by TGS, to collect data in federal waters off Florida, was received by the State of Florida. Proposed activities include collecting seismic data in the eastern Gulf of Mexico.

The permit application is available for inspection at the Florida Department of Environmental Protection (FDEP), Office of Intergovernmental Programs, Room 953 DA, Douglas Building, 3900 Commonwealth Boulevard, MS 47, Tallahassee, Florida 32399-3000, (850)245-2163. Written comments regarding this activity and its consistency with the Florida Coastal Management Program should be submitted to FDEP, at the address listed above, by April 6, 2007. Contact: Shana Kinsey or Debby Tucker, (850)245-2163, email address Shana.Kinsey@dep.state.fl.us or Debby.Tucker@dep.state.fl.us.

This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On March 7, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Restriction with regard to the license of Rodney E. Fountain, D.D., license number CH 4734. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 7, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Restriction with regard to the license of Todd Charles Rabone, L.M.H.C., license number MH 6966. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 8, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Robert L. Moore, M.D., license number ME 10111. This Emergency Suspension Order was predicated upon the Secretary's findings

of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 7, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Kimberly A. Rosier, R.N., license number RN 2732552. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On March 7, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Restriction with regard to the license of Izell Ricardo Adams, R.Ph., license number PS 21238. 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.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation (Florida Housing) announces a funding cycle for the Farmworker Housing Recovery Program and Special Housing Assistance and Development Programs, pursuant to Section 2006-69, L.O.F. and 67ER07-01 through 67ER07-10, F.A.C.

Florida Housing currently anticipates the allocation of approximately \$11,000,000 (approximately \$3 million is available for the Farmworker Housing Recovery Program and approximately \$8 million for the Special Housing Assistance and Development Program).

For more information on opening and closing dates of the application cycle, or on how to obtain an Application, please access the Florida Housing Finance Corporation Website at www.floridahousing.org or contact Rob Dearduff at (850)488-4197. The Application Package, when available, may be obtained at the Florida Housing web site or by submitting a written request to: Florida Housing Finance Corporation, City Centre Building, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, ATTN: Rob Dearduff-Application Request.

If you are hearing or speech impaired please contact Florida Housing using the Dual Party Relay System at 1(800)955-8770 or 1(800)955-8771.

All applications must be submitted to: Florida Housing Finance Corporation, City Centre Building, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329 in accordance with the provisions of all applicable laws and the application package.

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, F.A.C., 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., April 13, 2007):

Name and Address of Applicant: Holmes Washington Credit Union, Post Office Box 246, Bonifay, Florida 32425

Expansion Includes: Select Employee Groups

Received: March 5, 2007

HARDEE COUNTY

The Hardee County Economic Development Authority will accept grant applications for projects that provide economic development and infrastructure within the geographic boundaries of Hardee County. The Authority shall rank applications to the extent of estimated available program funds based on criteria relating to administrative capacity, public benefit, economic benefits, and public use.

Applications and Program Guidelines are available at the Hardee County Board of County Commissioners Office, 412 W. Orange Street, Room 103, Wauchula, FL 33873; Phone: (863)773-9430, Fax (863)773-0958, e-mail: bcc@hardee-county.net.

Applications will be accepted from May 1, 2007 through May 31, 2007, 8:00 a.m. to 5:00 p.m.

Please Note: Site of benefiting business for consideration of these funds must be located entirely within Hardee County.

For more information, please call (863)773-9430.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN March 5, 2007
 and March 9, 2007

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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14-1.013	3/5/07	3/25/07	33/4	
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59A-8.022	3/9/07	3/29/07	32/52	
59A-8.027	3/9/07	3/29/07	32/52	

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Medicaid Program Office

59G-4.002	3/7/07	3/27/07	33/2	
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DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

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61G19-10.003	3/8/07	3/28/07	32/41	
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DEPARTMENT OF HEALTH

Division of Medical Quality Assurance Boards

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Board of Respiratory Care

64B32-5.001	3/9/07	3/29/07	33/4	
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