

Section I		12D-9.1146	Appeals to the Value Adjustment Board of Denials and of Amount of Transfer of Assessment Limitation Difference (Portability)
Notices of Development of Proposed Rules and Negotiated Rulemaking		12D-9.115	Final Decisions
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RULE NOS.:	RULE TITLES:	12D-9.165	Certification of Assessment Rolls
12D-9.010	Property Taxpayer Rights and Responsibilities	12D-9.180	Complaints; Form Required
12D-9.020	Appointment of Legal Counsel to the Board	12D-9.190	Notice of Noncompliance from Department of Revenue
12D-9.030	Role of Legal Counsel to the Board	12D-9.200	Public Notice of Findings and Results of Value Adjustment Board
12D-9.050	Composition of the Value Adjustment Board	PURPOSE AND EFFECT: The purpose of these proposed rule changes is to set forth uniform procedures for hearings before value adjustment boards and their magistrates; and, to consider uniform forms related to these procedures. Notices for rule development workshops at which versions of these proposed new rules and new and amended forms were also discussed were published on: July 11, 2008, for a workshop that was held in Ft. Lauderdale, Florida, on July 28, 2008 (see Vol. 34, No. 28, pp. 3613-3614 of the Florida Administrative Weekly/F.A.W.); July 18, 2008, for a workshop that was held in Live Oak, Florida, on August 6, 2008 (see Vol. 34, No. 29, p. 3668 of the F.A.W.); July 18, 2008, for a workshop that was held in Tallahassee, Florida, on August 12, 2008 (see Vol. 34, No. 29, p. 3668 of the F.A.W.); September 19, 2008, for a workshop that was held in Tampa, Florida, on October 13, 2008 (see Vol. 34, No. 38, p. 4803, of the F. A.W.); September 19, 2008, for a workshop that was held in Panama City, Florida, on October 17, 2008 (see Vol. 34, No. 38, p. 4803, of the F.A.W.); October 31, 2008, for a workshop that was held in Orlando, Florida, on November 19, 2008 (see Vol. 34, No.44, pp. 5709-5711 of the F.A.W.); and, October 31, 2008, for a workshop that was held in Miami, Florida, on November 20, 2008 (see Vol. 34, No. 44, pp. 5709-5711 of the F.A.W.). Members of the public attended each of these workshops and made comments on the proposed rules and the proposed new and revised forms. In addition, written comments have been submitted to the Department by email, and to an Internet site at: http://dor.myflorida.com/dor/property/vabwb/vabws.html , which was created specifically to give the public access to all versions of the proposed rules and forms, to give the public a site to submit comments, and to view the comments submitted by others. The preliminary text of the proposed rules and forms will be available from the contact person listed below or from the Department's website stated above on or about December 19, 2008. The deadline for submitting written comments on the draft which will be posted on or about December 19, 2008 is	
12D-9.101	Scope of These Uniform Rules of Procedure		
12D-9.102	Definitions		
12D-9.103	Duties of the Board		
12D-9.1033	Duties of Boards that Use Special Magistrates; Required Use; Qualifications; Clerk's Duties; List of Qualified Special Magistrates		
12D-9.104	Duties of the Clerk		
12D-9.105	Authority and Duties of Special Magistrates		
12D-9.106	Petition		
12D-9.107	Representation of the Taxpayer		
12D-9.108	Standards of Conduct		
12D-9.109	Filing and Service		
12D-9.1095	Written Authorization by Agent of Taxpayer to Receive Confidential Taxpayer Information		
12D-9.110	Exchange of Evidence		
12D-9.111	Notice of Hearing; Scheduling of Hearings; 4-Hour Rule; Presentation of Evidence; Testimony of Witnesses; Conducting Hearings by Electronic Media		
12D-9.112	Disqualification or Recusal of Special Magistrates		
12D-9.113	Ex Parte Communication Prohibition		
12D-9.114	Recordation		
12D-9.1145	Procedures for Remanded Assessments		

January 16, 2009. General comments, questions, or suggestions about the value adjustment board process may be submitted to the Department at VAB@dor.state.fl.us.	12D-10.001	Composition of Value Adjustment Board
The effect of these proposed rule changes is to set forth clear, equitable, and uniform procedures for taxpayers who petition property tax matters to Value Adjustment Boards, including property tax assessments, denials of classifications, and denials of exemptions.	12D-10.0011	Definitions for Administrative Review of Just Valuations
SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is the property tax value adjustment board process.	12D-10.0012	Scope of Administrative Review of Just Valuations
SPECIFIC AUTHORITY: 194.011(5), 195.027(1), 213.06(1) FS.	12D-10.0013	Process of Administrative Review of Just Valuations
LAW IMPLEMENTED: Ch. 2008-197, Laws of Florida, 193.122, 194.011, 194.015, 194.032, 194.034, 194.035, 194.036, 194.037, 194.301, 195.002, 195.022, 195.096, 196.011, 197.122, 200.069, 213.05 FS.	12D-10.002	Appointment and Employment of Special Magistrates
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.	12D-10.003	Powers, Authority, Duties and Functions of Value Adjustment Board
Pursuant to the provisions of 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: Janice Forrester, Tax Auditor IV, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, ForrestJ@dor.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).	12D-10.0032	Review and Adoption of Recommended Decisions of Special Magistrates by Value Adjustment Boards
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janice Forrester, Tax Auditor IV, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, ForrestJ@dor.state.fl.us	12D-10.00331	Requirements for Decisions to Remand Assessments to Property Appraiser
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.	12D-10.0035	Definitions for Administrative Review of Classifications, Exemptions and "Portability" Assessment Differences
	12D-10.0036	Definitions for Administrative Review of Classifications, Exemptions and "Portability" Assessment Differences
	12D-10.0037	Process of Administrative Review of Classifications, Exemptions and "Portability" Assessment Differences
	12D-10.00395	Requirements for Decisions by Value Adjustment Boards and Recommended Decisions of Special Magistrates
	12D-10.00396	Review and Adoption of Recommended Decisions of Special Magistrates by Value Adjustment Boards
	12D-10.00397	Requirements for Decisions to Remand Classification Assessments to Property Appraiser
	12D-10.00398	Requirements for Administrative Review of Classified Use Valuations
DEPARTMENT OF REVENUE		
Property Tax Oversight Program		
RULE NOS.:	RULE TITLES:	
12D-10.0001	Property Taxpayer Rights and Responsibilities	12D-10.004
		Receipt of Taxpayer's Petition to Be Acknowledged

- 12D-10.0044 Uniform Procedures for Hearings; Procedures for Information and Evidence Exchange Between the Petitioner and Property Appraiser, Consistent with Section 194.032, F.S.; Organizational Meeting; Uniform Procedures to be Available to Petitioners
- 12D-10.005 Duty of Clerk to Prepare and Transmit Record
- 12D-10.006 Public Notice of Findings and Results of Value Adjustment Board
- 12D-10.0065 Certification of Assessment Rolls Before Commencement of Value Adjustment Board Hearings
- 12D-10.007 Certification of Assessment Rolls After Completion of Value Adjustment Board Hearings
- 12D-10.008 Complaints; Form Required
- 12D-10.009 Notice of Non-Compliance by Department of Revenue

PURPOSE AND EFFECT: The purpose of these proposed rule changes is to set forth administrative review procedures and standards for making board decisions and special magistrate recommended decisions including the value of property, the denial of exemptions, the denial of classifications and deferrals. Notices for rule development workshops at which versions of these proposed new and amended rules were also discussed were published on: July 11, 2008, for a workshop that was held in Ft. Lauderdale, Florida, on July 28, 2008 (see Vol. 34, No. 28, pp. 3613-3614 of the Florida Administrative Weekly/F.A.W.); July 18, 2008, for a workshop that was held in Live Oak, Florida, on August 6, 2008 (see Vol. 34, No. 29, p. 3668 of the F.A.W.); July 18, 2008, for a workshop that was held in Tallahassee, Florida, on August 12, 2008 (see Vol. 34, No. 29, p. 3668 of the F.A.W.); September 19, 2008, for a workshop that was held in Tampa, Florida, on October 13, 2008 (see Vol. 34, No. 38, p. 4803, of the F. A.W.); September 19, 2008, for a workshop that was held in Panama City, Florida, on October 17, 2008 (see Vol. 34, No. 38, p. 4803, of the F.A.W.); October 31, 2008, for a workshop that was held in Orlando, Florida, on November 19, 2008 (see Vol. 34, No.44, pp. 5709-5711 of the F.A.W.); and, October 31, 2008, for a workshop that was held in Miami, Florida, on November 20, 2008 (see Vol. 34, No. 44, pp. 5709-5711 of the F.A.W.). Members of the public attended each of these workshops and made comments on the proposed rules. In addition, written comments have been submitted to the Department by email, and to an Internet site at <http://dor.myflorida.com/dor/property/vabwb/vabws.html>, which was created specifically to give the public access to all versions of the proposed rules, to give the

public a site to submit comments, and to view the comments submitted by others. The preliminary text of the proposed rules will be available from the contact person listed below or from the Department's website stated above on or about December 19, 2008. The deadline for submitting written comments on the draft which will be posted on or about December 19, 2008 is January 16, 2009. General comments, questions, or suggestions about the value adjustment board process may be submitted to the Department at VAB@dor.state.fl.us.

The effect of these proposed rule changes is to set forth clear, equitable, and uniform administrative review procedures and standards for taxpayers who petition property tax matters to Value Adjustment Boards, including the value of property, the denial of exemptions, and the denial of classifications and deferrals.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is the property tax value adjustment board process.

SPECIFIC AUTHORITY: 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: Ch. 2008-197, Laws of Florida, 193.122, 194.011, 194.015, 194.032, 194.034, 194.035, 194.036, 194.037, 194.301, 195.002, 195.022, 195.096, 196.011, 197.122, 200.069, 213.05 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Janice Forrester, Tax Auditor IV, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, ForrestJ@dor.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: Janice Forrester, Tax Auditor IV, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, ForrestJ@dor.state.fl.us

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

DEPARTMENT OF REVENUE**Property Tax Oversight Program**

RULE NO.: RULE TITLE:
12D-16.002 Index to Forms

PURPOSE AND EFFECT: The purpose of the proposed revisions to this rule is to list the proposed new and amended forms that will support the proposed new rules in: a) Rule Chapter 12D-9, Florida Administrative Code (Requirements for Value Adjustment Boards; Uniform Rules of Procedure For Hearings Before Value Adjustment Boards; Certification and Complaints); and, b) the proposed new and revised rules in Rule Chapter 12D-10, Florida Administrative Code (Requirements For Decisions by Value Adjustment Boards). Notices for rule development workshops for the proposed rules at which versions of these new and amended forms were also discussed were published on: July 11, 2008, for a workshop that was held in Ft. Lauderdale, Florida, on July 28, 2008 (see Vol. 34, No. 28, pp. 3613-3614 of the Florida Administrative Weekly/F.A.W.) on proposed forms DR-485, DR-485MAG, DR-486, and DR-490; July 18, 2008, for a workshop that was held in Live Oak, Florida, on August 6, 2008 (see Vol. 34, No. 29, p. 3668 of the F.A.W.) on proposed forms DR-485, DR-485MAG, DR-486, and DR-490; July 18, 2008, for a workshop that was held in Tallahassee, Florida, on August 12, 2008 (see Vol. 34, No. 29, p. 3668 of the F.A.W.) on proposed forms DR-485, DR-485MAG, DR-486, and DR-490; September 19, 2008, for a workshop that was held in Tampa, Florida, on October 13, 2008 (see Vol. 34, No. 38, p. 4803, of the F.A.W.) on proposed forms DR-485, DR-485MAG, DR-486, and DR-490; September 19, 2008, for a workshop that was held in Panama City, Florida, on October 17, 2008 (see Vol. 34, No. 38, p. 4803, of the F.A.W.) on proposed forms DR-485, DR-485MAG, DR-486, and DR-490; October 31, 2008, for a workshop that was held in Orlando, Florida, on November 19, 2008 (see Vol. 34, No.44, pp. 5709-5711 of the F.A.W.) on proposed forms DR-485, DR-485MAG, DR-485NC, DR-485R, DR-486, DR-486PC, DR-486PORT, DR-486XCO, DR-488, DR-490, DR-490PORT, and DR-529 (form DR-490PORT was adopted by Emergency Rule 12DER08-25, and forms DR-486PORT and DR-486XCO were adopted by Emergency Rule 12DER08-26, effective July 18, 2008); and, October 31, 2008, for a workshop that was held in Miami, Florida, on November 20, 2008 (see Vol. 34, No. 44, pp. 5709-5711 of the F.A.W.) on proposed forms DR-485, DR-485MAG, DR-485NC, DR-485R, DR-486, DR-486PC, DR-486PORT, DR-486XCO, DR-488, DR-490, DR-490PORT and DR-529 (form DR-490PORT was adopted by Emergency Rule 12DER08-25, and forms DR-486PORT and DR-486XCO were adopted by Emergency Rule 12DER08-26, effective July 18, 2008). Members of the public attended each of these workshops and made comments on the proposed rules and the proposed new and revised forms. In addition, written comments have been submitted to the Department by email,

and to an Internet site at <http://dor.myflorida.com/dor/property/vabwb/vabws.html>, which was created specifically to give the public access to all revised versions of the proposed rules and forms, to give the public a site to submit comments, and to view the comments submitted by others. The preliminary text of the proposed forms will be available from the contact person listed below or from the Department's website stated above on or about December 19, 2008. The deadline for submitting written comments on the draft which will be posted on or about December 19, 2008 is January 16, 2009. General comments, questions, or suggestions about the value adjustment board process may be submitted to the Department at VAB@dor.state.fl.us.

The effect of these proposed rules is that taxpayers who petition property tax matters to Value Adjustment Boards, including property tax assessments, denials of classifications, and denials of exemptions, have an opportunity to comment on, and to have access to, the forms that support the procedures that govern the hearing of their petitions, that document certification by the board regarding compliance with such procedures, and that provide a standard form for submitting complaints regarding noncompliance with such procedures.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed by these proposed revisions to Rule 12D-16.002, Florida Administrative Code, is the new and revised forms that support the proposed new and amended rules on value adjustment board (the board) procedures. These proposed board procedures are contained in new Rule Chapter 12D-9 and revised Rule Chapter 12D-10, Florida Administrative Code.

SPECIFIC AUTHORITY: 194.011(5), 194.034, 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: ss. 3, 4, 5, and 6, Ch. 2008-197, L.O.F., 92.525, 95.18, 136.03, 192.001(18), 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.461, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 195.095, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 197.182, 197.222, 197.253, 197.304, 197.3041, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 213.05, 218.66, Ch. 475, Part II FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by

contacting: Janice Forrester, Tax Auditor IV, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, ForrestJ@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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."

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: RULE TITLE:
64B6-2.003 Licensure by Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the Licensure by Examination Application by reference; to require an applicant to apply 120 days prior to the examination; and to require proof of completion of a two-hour Laws and Rules Course prior to licensure.

SUBJECT AREA TO BE ADDRESSED: Licensure by Examination.

SPECIFIC AUTHORITY: 456.017(1)(c), (6), 484.044, 484.0445(1) FS.

LAW IMPLEMENTED: 456.017(1)(c), 484.045, 484.0445(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: RULE TITLE:
64B6-2.005 Reexamination

PURPOSE AND EFFECT: The Board proposes the rule amendment to require an applicant seeking reexamination to use the form set forth in Rule 64B6-2.003, F.A.C., and to clarify whether a person may perform hearing aid dispensing services if he or she fails the next examination.

SUBJECT AREA TO BE ADDRESSED: Reexamination.

SPECIFIC AUTHORITY: 456.017(2), 484.044, 484.0445 FS.

LAW IMPLEMENTED: 484.0445, 484.045 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:
64B9-2.016 Forms

PURPOSE AND EFFECT: The purpose and effect is to incorporate board of nursing forms.

SUBJECT AREA TO BE ADDRESSED: Forms.

SPECIFIC AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 456.013, 464.008, 464.009, 464.019 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, IF AVAILABLE, IS: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-8.005
 RULE TITLE: Disciplinary Proceedings
 PURPOSE AND EFFECT: The purpose and effect is to establish professional guidelines for the administration of conscious sedation and to update the instances of unprofessional conduct.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Proceedings.

SPECIFIC AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 464.018 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: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-16.002
 RULE TITLE: Preceptor
 PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the preceptor form.
 SUBJECT AREA TO BE ADDRESSED: Preceptor form.
 SPECIFIC AUTHORITY: 456.013(1)(a), 468.1685(1), 468.1695(4) FS.
 LAW IMPLEMENTED: 456.013(1)(a), 468.1685(1), 468.1695(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-9.0015
 RULE TITLE: Application for Examination and Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify and adopt the application for examination and to delete language in the subsection regarding application after revocation of license.

SUBJECT AREA TO BE ADDRESSED: Application for examination and application after revocation of license.

SPECIFIC AUTHORITY: 456.013, 456.017, 456.072, 484.005, 484.007, 484.014(2) FS.

LAW IMPLEMENTED: 456.013, 456.017, 484.007, 484.014(2) FS.

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

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

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-16.003
 RULE TITLE: Apprenticeship Requirements and Training Program

PURPOSE AND EFFECT: The Board proposes the rule to modify and adopt the Apprentice Optician application form and to modify the Apprentice Sponsor form.

SUBJECT AREA TO BE ADDRESSED: Apprenticeship requirements and training program.

SPECIFIC AUTHORITY: 484.005 FS.

LAW IMPLEMENTED: 484.002, 484.007(1)(d)4. FS.

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

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

DEPARTMENT OF HEALTH

School Psychology

RULE NO.: RULE TITLE:
 64B21-500.002 Application Form Required for
 Licensure

PURPOSE AND EFFECT: To update and modify questions asked of the applicant in the licensure application.

SUBJECT AREA TO BE ADDRESSED: Application Form Required for Licensure.

SPECIFIC AUTHORITY: 490.015 FS.

LAW IMPLEMENTED: 490.005(2), 490.006 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE NO.: RULE TITLE:
 64B23-2.001 Documentation for Licensure

PURPOSE AND EFFECT: To update and modify questions asked of the applicant in the licensure application.

SUBJECT AREA TO BE ADDRESSED: Documentation for Licensure.

SPECIFIC AUTHORITY: 456.004, 456.013, 483.901(6)(b) FS.

LAW IMPLEMENTED: 456.013, 483.901(6)(b) 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: Vicki Grant, Executive Director, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE NO.: RULE TITLE:
 64B23-7.001 Application for Physicist-in-Training
 PURPOSE AND EFFECT: To update and modify questions asked of the applicant in the licensure application.

SUBJECT AREA TO BE ADDRESSED: Application for Physicist-in-Training.

SPECIFIC AUTHORITY: 483.901(6)(j) FS.

LAW IMPLEMENTED: 483.901(6)(j) 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: Vicki Grant, Executive Director, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: RULE TITLE:
 64B24-2.001 Licensure to Practice Midwifery

PURPOSE AND EFFECT: To update and modify questions asked of the applicant in the licensure application.

SUBJECT AREA TO BE ADDRESSED: Licensure to Practice Midwifery.

SPECIFIC AUTHORITY: 456.004(5), 467.005 FS.

LAW IMPLEMENTED: 381.0034, 456.013, 467.011, 467.0125 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: Christy Robinson, Acting Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Substance Abuse Program

RULE NO.: 65D-31.001 RULE TITLE: Managing Entities

PURPOSE AND EFFECT: Further specify the essential elements, functions and authority of Managing Entities based on specifications of Section 394.9082, F.S. Clarifies the authority residing with the department and the managing entities. Develops specifications needed to measure both DCF's performance and that of the Managing Entity.

SUBJECT AREA TO BE ADDRESSED: Delineation of the role, functions, essential elements, activities, and authorities of Managing Entities.

SPECIFIC AUTHORITY: 394.9082 FS.

LAW IMPLEMENTED: 394.9082 FS. (July 1, 2008)

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

DATE AND TIME: TBA

PLACE: TBA

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John N. Bryant, 1317 Winewood Blvd., Building 6, Room 333, Tallahassee, Florida, (850)413-6779

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-1.004 RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose and effect of this rule development is to provide definitions for language in rules of the Fish and Wildlife Conservation Commission, during calendar year 2009.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include rule language definitions.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:	RULE TITLES:
68A-4.001	General Prohibitions
68A-4.002	Possession of Gun While Using a Light Prohibited
68A-4.007	Exclusion of Certain Areas from Open Season

PURPOSE AND EFFECT: The purposes and effects of this rule development effort are to establish or revise rule provisions, during calendar year 2009, associated with general prohibitions pertaining to wildlife and freshwater fish resources, possession of a gun while using a light, and exclusion of certain areas from open season.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include general prohibitions pertaining to wildlife and freshwater fish, possession of a gun while using a light, and exclusion of certain areas from open season.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:	RULE TITLES:
68A-5.001	Issuance of Statutory Licenses, Stamps and Permits; Issuance of Duplicates
68A-5.005	Quota Hunt Permits and Special-Opportunity Permits – Application; Selection; Issuance

PURPOSE AND EFFECT: The purposes and effects of the proposed rule development are to establish or revise procedures for application, selection, or issuance of licenses, stamps, permits and quota hunt or special-opportunity hunt permits, during the 2009 calendar year.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include the application, selection, or issuance of licenses, stamps, permits and quota hunt or special-opportunity hunt permits.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 379.354 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:	RULE TITLES:
68A-9.004	Permits for Hunting or Other Recreational Use on Wildlife Management Areas
68A-9.005	Falconry
68A-9.007	Special-use Permits; Short-term Use Permits; Fees; Special-Opportunity Hunting and Fishing
68A-9.008	Permits for Physically Disabled
68A-9.010	Taking Nuisance Wildlife

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2009, associated with recreational use

permits and related fees on Wildlife Management Areas; falconry; special-use permits, short-term use permits, special-opportunity hunting and fishing permits, and any related fees; permits for the disabled; and to clarify and simplify regulations relating to nuisance wildlife.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include recreational use permits; falconry; special-use permits, short-term use permits, special-opportunity hunting and fishing, and related fees; and permits for the disabled.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 379.1025 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 375.313, 379.1025, 379.2223, 379.354 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-11.003	Use of Motorboats on Certain Waters; Permits

PURPOSE AND EFFECT: The purpose and effect of this rule development is to establish or revise rule provisions, during calendar year 2009, associated with the use of motorboats on certain waters.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include use of motorboats on certain waters.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 375.313 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 375.313 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:	RULE TITLES:
68A-12.002	General Methods of Taking Game; Prohibitions
68A-12.007	Hunting Dogs; Molesting Game in Closed Season; Training; Field Trials; Prohibited for Certain Hunting

PURPOSE AND EFFECT: The purposes and effects of the proposed rule development are to establish or revise rule provisions, during calendar year 2009, associated with general methods of taking game, and the use of dogs for taking game.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include general methods of taking game, and the use of dogs for taking game.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:	RULE TITLES:
68A-13.001	Open Season for Taking Game; Bag and Possession Limits
68A-13.003	Hunting Regulations for Ducks, Geese, and Coots

68A-13.004	Open Season for Taking and Bag Limits for Non-Migratory Game and Issuance of Antlerless Deer Permits
68A-13.006	Hunting on National Wildlife Refuges
68A-13.007	Hunting Regulations on Public Small-Game Hunting Areas
68A-13.008	Hunting Regulations for Migratory Birds Other than Ducks and Coots

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is, during calendar year 2009, to (1) establish open seasons, bag limits and possession limits for taking game; (2) establish hunting regulations for ducks, geese, coots, and other migratory birds; (3) provide for adoption of regulations pertaining to hunting on National Wildlife Refuges; (4) establish hunting regulations for public small-game hunting areas; and (5) provide for the issuance of antlerless deer permits to private landowners.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include regulations for taking game including waterfowl and other migratory birds, issuance of antlerless deer permits to private landowners, public small-game hunting area regulations, and hunting on National Wildlife Refuges.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 379.1025 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:	RULE TITLES:
68A-14.001	Establishment Orders
68A-14.0011	Opening or Closing Areas Other Than Restricted Hunting Areas, Bird Sanctuaries or Critical Wildlife Areas; General

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2009, associated with the establishment of areas as wildlife management areas, wildlife and environmental areas, refuges, bird sanctuaries, restricted hunting areas, critical wildlife areas, fish management areas, miscellaneous areas, or wild hog areas; and the opening or closing of areas other than restricted hunting areas, bird sanctuaries or critical wildlife areas.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include the establishment of areas as wildlife management areas, wildlife and environmental areas, refuges, bird sanctuaries, restricted hunting areas, critical wildlife areas, fish management areas, miscellaneous areas, or wild hog areas; and the opening or closing of areas other than restricted hunting areas, bird sanctuaries or critical wildlife areas.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 379.1025 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 379.2223 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:	RULE TITLES:
68A-15.004	General Regulations Relating to Wildlife Management Areas
68A-15.005	Quota Permits; Antlerless Deer Permits; Special-Opportunity Permits
68A-15.006	Regulations Relating to Miscellaneous Areas
68A-15.061	Specific Regulations for Wildlife Management Areas – Southwest Region
68A-15.062	Specific Regulations for Wildlife Management Areas – North Central Region

68A-15.063	Specific Regulations for Wildlife Management Areas – Northwest Region
68A-15.064	Specific Regulations for Wildlife Management Areas – South Region
68A-15.065	Specific Regulations for Wildlife Management Areas – Northeast Region

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2009, to (1) establish or revise general regulations relating to Wildlife Management Areas (WMAs); (2) establish or adjust hunter quotas for WMAs; (3) establish or modify specific area regulations for WMAs; and (4) adjust hunting season dates on WMAs to conform with proposed 2009-2010 hunting season dates for the appropriate hunting zone.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include general regulations, quota hunt permits, hunting season dates and specific area regulations pertaining to WMAs.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 375.313, 379.2223 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 375.313, 379.2223, 379.354 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:	RULE TITLES:
68A-17.004	General Regulations Relating to Wildlife and Environmental Areas
68A-17.005	Specific Regulations for Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2009, to (1) establish general regulations relating to Wildlife and Environmental Areas (WEAs); (2) establish or modify specific area regulations for WEAs; and (3)

adjust hunting season dates on WEAs to conform with proposed 2009-2010 hunting season dates for the appropriate hunting zone.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include hunting season dates, general regulations and specific area regulations pertaining to WEAs.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 375.313, 379.2223 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 375.313, 379.2223, 379.354 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.: 68A-18.004 **RULE TITLES:** Regulations in Wildlife Refuges

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to or revise rule provisions, during calendar year 2009 associated with wildlife refuges.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in the proposed rules includes regulations in wildlife refuges.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 379.2223 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-20.005 **RULE TITLE:** Specific Fish Management Area Regulations

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2009, to specific Fish Management Area (FMA) regulations.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include specific area regulations pertaining to individual FMAs.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-23.002 **RULE TITLE:** General Methods of Taking Freshwater Fish

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2009, for the taking of freshwater fish.

SUBJECT AREA TO BE ADDRESSED: Subject area addressed in proposed rule includes taking of freshwater fish.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: James V.

Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-23.003
 RULE TITLE: Commercial Fishing Devices;
 Provision for Use in Certain Waters

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2009, for commercial fishing devices in freshwater.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in proposed rule includes use of commercial fishing devices in freshwater.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.
 LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-23.004
 RULE TITLE: Lawful Methods for Using Trotlines and Bush Hooks or Set Lines

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2009, for utilizing trotlines, bush hooks, or set lines.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules includes use of trotlines and bush hooks or set lines.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.
 LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-23.005
 RULE TITLE: Bag Limits, Length Limits, Open Season: Freshwater Fish

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2009, for length limits on freshwater.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include length limits on freshwater fish.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.
 LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.: 68A-24.002, 68A-24.005
 RULE TITLES: Methods of Taking Fur-Bearing Animals; Possession; Open Season Transporting and Shipping Live Raccoons

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2009, associated with methods of taking, possession of, and open season for furbearing animals; and transporting and shipping live raccoons.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include methods of taking, possession of, and open season for furbearing animals; and transporting and shipping live raccoons.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 379.1025 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:	RULE TITLES:
68A-25.002	General Provisions for Taking Possession and Sale of Reptiles
68A-25.003	Taking and Disposal of Nuisance-Alligators Statewide
68A-25.004	Regulations Governing the Operation of Alligator Farms
68A-25.031	Regulations Governing Alligator Egg and Hatchling Collections on Lands Not Included in Alligator Management Programs
68A-25.032	Regulations Governing the Establishment of Alligator Management Programs
68A-25.042	Regulations Governing Statewide Alligator Trapping, Permitting, Taking and Sale
68A-25.052	Regulations Governing the Processing of Alligators and the Sale of Alligator Meat and Parts

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2009, to establish regulations for taking and possessing alligators and other reptiles that will ensure

conservation of alligator populations while providing for realization of their potential aesthetic, recreational, and economic values.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include requirements for taking and possessing alligators and other reptiles.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.
LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 379.26, 379.3012, 379.303, 379.304, 379.305, 379.372, 379.373, 379.374, 379.3751, 379.3752, 379.3761, 379.3762 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:	RULE TITLES:
68A-27.0011	Killing Endangered Species
68A-27.0012	Procedures for Listing, Delisting and Reclassifying Endangered, Threatened and Species of Special Concern
68A-27.002	Provision for Harassment of Endangered, Threatened and Species of Special Concern on Airport Property
68A-27.0021	Designation of Candidate Species; Prohibitions; Permits
68A-27.003	Designation of Endangered Species; Prohibitions; Permits
68A-27.004	Designation of Threatened Species; Prohibitions; Permits
68A-27.005	Designation of Species of Special Concern; Prohibitions; Permits
68A-27.006	Reward Program

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to establish or revise rule provisions, during calendar year 2009, associated with species classified as Candidate Species, Endangered Species, Threatened Species and Species of Special Concern lists.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include listing, delisting, and reclassifying procedures; designation of Candidate Species, Endangered Species, Threatened Species and Species of Special Concern; and prohibitions, permits, and rewards associated with such species.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 379.1025 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 379.2292 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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-31.001
RULE TITLE: Regulations Related to Commission Managed Shooting Ranges

PURPOSE AND EFFECT: The purpose of the proposed rule development effort is to establish regulations for Commission managed shooting ranges in 2009 that would address public safety, access, and activities. The effect of the proposed rule will be to enable the agency to better manage public use of Commission managed shooting ranges.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rule include requirements for access, activities, and public safety on Commission Managed shooting ranges.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution; 375.313, 379.2223 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution; 375.313, 379.2223 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: James V.

Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

**Section II
Proposed 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."

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-2.002
RULE TITLE: Certification for Approval
PURPOSE AND EFFECT: The purpose and effect is to require course outlines for all courses, and to permit nursing programs to submit letters of intent from clinical facilities in lieu of previously executed contracts; to permit new, small programs to combine statistics from two graduating classes to determine if the program meets the required passing rates on the national licensing exam; to extend the program approval period from three to five years or to be concurrent with national or regional accreditation, and to clarify documentation required with applications for approval.

SUMMARY: Course outlines for all courses are required, and nursing programs to submit letters of intent from clinical facilities in lieu of previously executed contracts are permitted; new, small programs to combine statistics from two graduating classes to determine if the program meets the required passing rates on the national licensing exam is permitted; the program approval period from three to five years or to be concurrent with national or regional accreditation is extended, and documentation required with applications for approval is clarified.

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

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

SPECIFIC AUTHORITY: 464.006, 464.019(2) FS.

LAW IMPLEMENTED: 464.019 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:

64B9-2.002 Certification for Approval.

(1) Provisional approval – Provisional approval will be granted to an institution to initiate a nursing program when it has presented documentation satisfactory to the Board that it meets the following requirements:

(a) No change.

1. through 2. No change.

3. Course outlines for all first-level courses shall be completed.

4. Contractual agreements, or a letter of intent to establish a contract once program approval has been received, with facilities and agencies to be used for clinical instruction for first level courses shall be in force.

5. No change.

(b) No change.

1. No change.

~~2. Course outlines for total curriculum shall be completed.~~

~~2.3. Contractual agreements with facilities and agencies to be used for clinical instruction in the total curriculum shall be in force.~~

~~3.4. Evidence of compliance with all rules in this rule chapter with the exception Rule 64B9-2.009, F.A.C., shall be demonstrated.~~

(c) Programs which have been granted provisional approval may be granted full approval when they have demonstrated they are in compliance with these rules and the licensure examination results of the first graduating class have met or exceeded the national average the standard as set forth in Rule 64B9-2.009, F.A.C. If the first graduating class has fewer than 21 students who have taken the licensure examination, the results of the next graduating class will be included in the determination of the program's passing rate on the licensure examination.

(2) Approval – An institution seeking renewed approval of a nursing program shall present documentation of compliance with these rules at least every five three years, except programs with national accreditation from an accrediting body

recognized by the U. S. Department of Education may have program approval concurrent with the period of national accreditation good cause the Board may extend the period to five years. The administrator shall notify the Board within 30 days of any change, loss or lapse in accreditation status and shall submit to the Board within 30 days any report from a national accrediting agency citing deficiencies or recommendations. Such documentation shall also be presented upon request.

(3) No change.

(4) The Board may decline to approve any program on provisional status, or decline to renew or rescind approval of any program ~~on probationary status~~ which fails to meet required standards or which fails to make satisfactory progress for corrections of deficiencies within the time period outlined by the Board.

(5) No change.

(6) Programs reapplying for approval shall submit a proposal and required fee pursuant to subsection 64B9-7.001(14) and shall meet required standards in Rules 64B9-2.011 and 64B9-2.015, as outlined in paragraph 64B9-2.002(4)(a), F.A.C., prior to renewal of the program approval by the Board. As a condition of renewal, a program may be placed on probation if it does not meet the required standards.

Specific Authority 464.006, 464.019(2) FS. Law Implemented 464.019 FS. History–New 7-15-80, Amended 11-22-84, Formerly 210-7.21, Amended 2-5-87, 6-8-88, 3-24-91, Formerly 210-7.021, 61F7-2.002, 59S-2.002, Amended 12-11-97, 1-26-98, 7-7-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 21, 2008

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.:
64B9-3.0085

RULE TITLE:
State Requirements Not Substantially
Equivalent

PURPOSE AND EFFECT: The Board proposes the rule promulgation to implement Section 464.009(2), F.S., by identifying a state that does not have licensure requirements substantially equivalent to Florida's requirement.

SUMMARY: To implement Section 464.009(2), F.S., by identifying a state that does not have licensure requirements substantially equivalent to Florida's requirement.

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

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

SPECIFIC AUTHORITY: 464.009(2) FS.

LAW IMPLEMENTED: 464.009(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C02, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-3.0085 State Requirements Not Substantially Equivalent.

The licensure requirements of the following states and territories are not presumed to be substantially equivalent to the licensure requirements in Florida.

New Mexico.

Specific Authority 464.009(2) FS. Law Implemented 464.009(2) FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 31, 2008

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-4.002
 RULE TITLE: Requirements for Certification

PURPOSE AND EFFECT: The Board proposes the rule amendment to identify an additional certifying body for ARNPs.

SUMMARY: To identify an additional certifying body for ARNPs.

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

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

SPECIFIC AUTHORITY: 456.048, 464.006, 464.012 FS.

LAW IMPLEMENTED: 456.048, 456.072(1)(f), (2), 464.012, 464.018(1)(b), (2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C02, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-4.002 Requirements for Certification.

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

(f) American Academy of Nurse Practitioners (nurse practitioner level examination only).

(4) through (5) No change.

Specific Authority 456.048, 464.006, 464.012 FS. Law Implemented 456.048, 456.072(1)(f), (2), 464.012, 464.018(1)(b), (2) FS. History--New, 8-31-80, Amended 3-16-81, 10-6-82, 6-18-85, Formerly 210-11.23, Amended 3-19-87, 4-6-92, Formerly 210-11.023, Amended 3-7-94, 7-4-94, Formerly 61F7-4.002, Amended 5-1-95, 5-29-96, Formerly 59S-4.002, Amended 2-18-98, 11-12-98, 4-5-00, 3-23-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 10, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 24, 2008

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-5.001
 RULE TITLE: Definitions

PURPOSE AND EFFECT: To conform to the Board's continuing education standards to the national standards of the American Nurses Credentialing Center.

SUMMARY: To conform the Board's continuing education standards to the national standards of the American Nurses Credentialing Center.

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

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

SPECIFIC AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 464.013(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C02, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-5.001 Definitions.

(1) through (3) No change.

(4) Contact Hour. One (1) contact hour equals sixty (60) a minimum of fifty (50) minutes. One half (1/2 or .5) contact hour equals thirty (30) a minimum of twenty-five (25) minutes.

(5) through (9) No change.

Specific Authority 464.006 FS. Law Implemented 464.013(3) FS. History–New 9-12-79, Amended 10-6-82, Formerly 21O-13.08, Amended 3-3-87, Formerly 21O-13.008, Amended 9-28-93, Formerly 61F7-5.001, Amended 5-2-95, 1-1-96, Formerly 59S-5.001, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 24, 2008

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-8.009 RULE TITLE: Payment of Fines

PURPOSE AND EFFECT: The Board proposes the rule amendment to extend time in which to pay fines.

SUMMARY: To extend time in which to pay fines.

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

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

SPECIFIC AUTHORITY: 456.072(4), 464.006 FS.

LAW IMPLEMENTED: 456.072(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 C02, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-8.009 Payment of Fines.

Unless stated otherwise in the Final Order, fines and costs are payable within 12 months of the filing of the order for each \$1,000.00 or portion thereof.

Specific Authority 456.072(4), 464.006 FS. Law Implemented 456.072(4) FS. History–New 9-11-83, Formerly 21O-10.06, 21O-10.006, 61F7-8.009, 59S-8.009, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 10, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 31, 2008

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-8.011 RULE TITLE: Reinstatement of Suspended and Revoked Licenses

PURPOSE AND EFFECT: The Board proposed the rule amendment to delete a requirement no longer necessary for the reinstatement of a license.

SUMMARY: To delete a requirement no longer necessary for the reinstatement of a license.

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

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

SPECIFIC AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 112.011(1)(b), 464.018, 464.0185 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 C02, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-8.011 Reinstatement of Suspended and Revoked Licenses

(1) No change.

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

(e) Other educational achievements, employment background, references, successful completion of criminal sanctions imposed by the courts ~~and restoration of civil rights if a convicted felon~~, or other factors which would demonstrate rehabilitation and present ability to engage in the safe practice of nursing.

(3) through (5) No change.

Specific Authority 464.006 FS. Law Implemented 112.011(1)(b), 464.018, 464.0185 FS. History—New 1-192, Formerly 21O-10.013, Amended 1-26-94, Formerly 61F7-8.011, 59S-8.011, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Nursing

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 14, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 24, 2008

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.100
 RULE TITLE: Requirements for Prosthetic or Orthotic Residency or Internship

PURPOSE AND EFFECT: The Board proposes the rule amendment to implement the statutory amendments in Section 1, 2008-121, Law of Florida.

SUMMARY: To implement the statutory amendments in Section 1, 2008-121, Laws of Florida.

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

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

SPECIFIC AUTHORITY: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.100 Requirements for Prosthetic or Orthotic Residency or Internship.

(1) No change.

(2) An internship must consist of orthotic or prosthetic, clinical experience practicing under the general supervision of a licensed or ABC-certified orthotist or prosthetist, respectively. The internship must consist of a minimum of 1,900 hours ~~and may not exceed 2,700 hours. The intern is eligible to take the approved licensure examination upon completion of 1,900 hours. If the intern has not taken and passed the applicable licensure examination at the expiration of 2,700 hours of clinical experience, the intern may not practice as an orthotist or prosthetist in the state.~~

(3) through (7) No change.

Specific Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History—New 11-1-99, Amended 7-2-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Orthotists and Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 31, 2008

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-7.0011
 RULE TITLE: Practitioner and Resident Identification

PURPOSE AND EFFECT: The Board proposes the rule promulgation to implement the provisions of Section 468.808, as amended by Laws of Florida, Chapter 2008-121, Section 7 and 468.8095, adopted by Laws of Florida, Chapter 2008-121, Section 9.

SUMMARY: To implement the provisions of Section 468.808, as amended by Laws of Florida, Chapter 2008-121, Section 7 and 468.8095, adopted by Laws of Florida, Chapter 2008-121, Section 9.

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

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

SPECIFIC AUTHORITY: 468.808, 468.8095 FS.

LAW IMPLEMENTED: 468.808, 468.8095 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-7.0011 Practitioner and Resident Identification.

(1) Each licensed practitioner and each resident shall conspicuously display a current license issued by the Department and a photograph at his or her practice location.

(2) Each licensed practitioner and each resident shall wear an identification badge containing the information required by Section 468.8095, F.S., and a personal photograph of no less than 3/4 inch in size, that is a minimum size of 2 by 3 inches with the text in a font equal to at least Times New Roman 14 point font or Courier New 12 point font.

(3) All unlicensed support personnel shall wear an identification badge that identifies the person as support personnel and meets the requirements set forth in subsection (2) above.

Specific Authority 468.808, 468.8095 FS. Law Implemented 468.808, 468.8095 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 24, 2008

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-11.007 RULE TITLE: Application Closure After 24 Months

PURPOSE AND EFFECT: The Board proposes the rule promulgation to provide instruction concerning application closure after 24 months.

SUMMARY: The rule promulgation will provide instruction concerning application closure after 24 months.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost was prepared. A copy can be obtained from Allen Hall, Executive Director at the address listed below.

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: 490.004(4), 490.005(3) FS.

LAW IMPLEMENTED: 490.005(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-11.007 Application Closure After 24 Months.

(1) The Board shall close the application file of and issue a final order of denial to any applicant for licensure by examination who fails to pass the Examination for Professional Practice in Psychology and the Florida laws and rules examination or who fails to submit evidence of completion of the postdoctoral, supervised experience within 24 months of the issuance of the Board's letter advising that the applicant has been approved for examination.

(2) The Board may grant an additional twelve (12) months to comply with the requirements of subsection (1) above, of up to 36 months, to any applicant who files a written request for extension and demonstrates that the applicant has made a good faith effort to comply but has failed to comply because of illness or unusual hardship.

Specific Authority 490.004(4), 490.005(3) FS. Law Implemented 490.005(3) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 24, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 14, 2008

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: 64B20-6.001 RULE TITLE: Continuing Education as a Condition for Renewal or Reactivation

PURPOSE AND EFFECT: The proposed rule amendment would specify attendance at a board meeting when covering in the area of ethics.

SUMMARY: The proposed rule amendment would specify attendance at a board meeting when covering in the area of ethics.

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

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

SPECIFIC AUTHORITY: 456.013(7), 468.1135(4)(a), 468.1195(1), (3), 468.1205(1) FS.

LAW IMPLEMENTED: 456.013(7), 456.072(1), (2), 468.1195(1), (3), 468.1205(1), 468.1295(1), (2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Speech Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #06, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-6.001 Continuing Education as a Condition for Renewal or Reactivation.

(1) through (3) No change.

(4) Two hours of continuing education credit per year in the area of ethics shall be granted a licensee or certified assistant for attendance at a regularly scheduled face-to-face Board meeting. Licensees or certified assistants appearing before the Board on any disciplinary proceeding shall not be entitled to claim any continuing education credit for that particular Board meeting. Licensees must attend at least two hours of a Board meeting to be granted credit under this section. Proof of attendance shall be documented on Form SPA 10/AHCA, entitled, Proof of Attendance, effective 3-28-95, which is incorporated by reference herein. Copies of said form shall be provided at Board meetings.

(5) through (12) No change.

Specific Authority 456.013(7), 468.1135(4)(a), 468.1195(1), (3), 468.1205(1) FS. Law Implemented 456.013(7), 456.072(1), (2), 468.1195(1), (3), 468.1205(1), 468.1295(1), (2) FS. History--New 3-14-91, Amended 8-11-91, 5-28-92, 2-24-93, Formerly 21LL-6.001, Amended 1-31-94, 7-5-94, Formerly 61F14-6.001, Amended 3-28-95, 10-1-95, 11-20-95, 4-1-96, Formerly 59BB-6.001, Amended 7-7-98, 1-6-00, 4-4-02, 3-28-04, 5-26-05, 4-4-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Speech Language Pathology and Audiology

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Speech Language Pathology and Audiology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 18, 2008

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: 64B24-7.018

RULE TITLE: Address of Record

PURPOSE AND EFFECT: To define the current mailing address and place of practice for a licensed midwife.

SUMMARY: This rule requires licensed midwives to provide the department with a current mailing address and defines current mailing address and place of practice as an address where mail is deliverable to the licensee.

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

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

SPECIFIC AUTHORITY: 456.035, 467.005 FS.

LAW IMPLEMENTED: 456.035 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christy Robinson, Acting Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B24-7.018 Address of Record.

Each licensed midwife shall provide Council staff with either written or electronic notification of one current mailing address. The current mailing address and place of practice is defined as an address acceptable to the United States postal service where the licensed midwife shall be served with notices pertaining to licensure.

Specific Authority 456.035, 467.005 FS. Law Implemented 456.035 FS. History--New_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Christy Robinson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ana M. Viamonte Ros

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 19, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 27, 2008

DEPARTMENT OF HEALTH**Division of Environmental Health**

RULE NOS.:	RULE TITLES:
64E-5.1601	Definitions
64E-5.1602	Administrative Requirements
64E-5.1603	Training and Education
64E-5.1604	General Technical Requirements for Electronic Brachytherapy Facilities

PURPOSE AND EFFECT: There have been no substantive changes to the rules affecting radiation therapy in at least 13 years. In that time, the use of such machines has changed, and new technologies, such as the miniature x-ray tubes used in electronic brachytherapy, have been created. New rules are proposed for electronic brachytherapy devices, practices, procedures, personnel, facilities, and related equipment, to ensure all are used safely and in compliance with the current radiation requirements of Chapter 404, F.S.

SUMMARY: A new Part XVI of Chapter 64E-5, F.A.C., is created which establishes rules for: electronic brachytherapy devices and associated equipment; installation, maintenance and repair; treatment planning & simulation; computer systems; general administrative and facility requirements; shielding and safety design; technical requirements; safety procedures; radiation protection devices; personnel licensure, education, training and supervision; quality assurance & management; authorized users, operators, medical physicists & radiation safety officers; radiation protection programs, including authority and responsibilities; surveys and survey instruments; calibration; definitions; forms; fees; registration; records; notifications; reporting; medical & recordable events; signage & posting; written & oral directives; mobile services; and radiation dose & dosimetry.

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

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

SPECIFIC AUTHORITY: 404.051(4), 404.22 FS.

LAW IMPLEMENTED: 404.031, 404.051, 404.22, 404.081(1) 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: January 6, 2009, 11:00 a.m. – 12:00 Noon

PLACE: Room 240P, 4042 Bald Cypress Way, Tallahassee, FL
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: James Futch, Bin C21, 4052 Bald Cypress Way,

Tallahassee, FL 32399-1741; (850)245-4266. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James Futch, Bin C21 4052 Bald Cypress Way, Tallahassee, FL 32399-1741; (850)245-4266

THE FULL TEXT OF THE PROPOSED RULES IS:

PART XVI**ELECTRONIC BRACHYTHERAPY****64E-5.1601 Definitions.**

The following definitions apply only in this part.

(1) "AAPM" means the American Association of Physicists in Medicine, www.aapm.org.

(2) "Authorized user" means a person who has met the requirements of subsection 64E-5.1603(1), F.A.C.

(3) "Authorized medical physicist" means a person who has met the requirements of subsection 64E-5.1603(2), F.A.C.

(4) "Authorized operator" means a person who has met the requirements of subsection 64E-5.1603(3), F.A.C.

(5) "Electronic brachytherapy" means a method of radiation therapy using electrically-generated x-rays to deliver a radiation dose at a distance of up to a few centimeters by intracavitary, intraluminal or interstitial application, or by applications with the source in contact with the body surface or very close to the body surface.

(6) "Electronic brachytherapy device" or "device" means the system used to produce and deliver therapeutic radiation including the x-ray tube, the control mechanism, the cooling system, and the power source.

(7) "Electronic brachytherapy source" or "source" means the x-ray tube component used in an electronic brachytherapy device.

(8) "Medical event" means any event, except for an event that results from patient intervention, in which the administration of radiation results in:

(a) A total dose delivered that differs from the prescribed dose by 20 percent or more;

(b) A fractionated dose delivered that differs from the prescribed dose, for a single fraction, by 50 percent or more; or

(c) A dose to the wrong individual or the wrong treatment site.

(9) "Mobile electronic brachytherapy device" means a device which is transported from one address to be used at another address.

(10) "Portable shielding" means shielding that can be easily moved into the primary or secondary beam in order to reduce the radiation exposure to the patient, occupational worker or a member of the public.

Specific Authority 404.051(4), 404.22 FS. Law Implemented 404.031, 404.051, 404.22 FS. History—New .

64E-5.1602 Administrative Requirements.

(1) Registration and Notification.

(a) No electronic brachytherapy device may be used on a human without a current certificate of registration from the department.

(b) An electronic brachytherapy device that is not operational and that is under the control of a registered vendor prior to final installation is exempt from the registration and fee requirements of this section.

(c) A separate registration and radiation protection program are required for facilities for which one or more of the following applies:

1. The facilities are not at the same physical address;
2. The facilities are not under the same radiation safety program; or
3. The facilities are not under the same management.

(d) Each person who acquires an electronic brachytherapy device shall apply for registration of the radiation device with the department within 30 days after acquisition. Application for registration shall be on Form DH 1107, 03/07, "Radiation Machine Facility Registration," as incorporated in subparagraph 64E-5.511(2)(a)1., F.A.C. The application must include the following documents:

1. A list identifying the radiation safety officer and all authorized medical physicists, authorized operators, and authorized users except visiting authorized users, together with documentation of their training and education as described in Rule 64E-5.1603, F.A.C.;

2. A copy of the most current record of surveys, calculations and quality assurance checks on each device;

3. A current copy of the quality management program as described in subsection 64E-5.1604(3), F.A.C.;

4. A current copy of the quality assurance program as described in subsection 64E-5.1604(4), F.A.C.; and

5. A copy of the device manufacturer's U.S. Food and Drug Administration certification; and

6. Facility design information, which at a minimum must include:

a. A diagram of the physical facility showing the location of the electronic brachytherapy treatment rooms;

b. Whether the facility is a new structure or a modification to an existing structure, and;

c. The type and thickness of the portable shielding used for compliance and a procedure demonstrating the use of the shielding prior to treatment.

(e) The registrant shall update the registration on file with the department within 30 days of any change to any information reported in paragraph 64E-5.1602(1)(d), F.A.C.

(2) Installation, Maintenance or Repair.

(a) Only a manufacturer's representative registered as a vendor under subsection 64E-5.511(3), F.A.C., shall install an electronic brachytherapy device.

(b) Only a manufacturer's representative registered as a vendor under subsection 64E-5.511(3), F.A.C., or an authorized medical physicist shall adjust, repair, maintain, or service an electronic brachytherapy device in accordance with the manufacturer's guidelines.

(c) A registrant shall retain a record of the installation, maintenance, adjustment, service and repair of an electronic brachytherapy device for 5 years.

(3) Fees. The registrant of an electronic brachytherapy device shall comply with the requirements of paragraph 64E-5.511(2)(b), F.A.C., and pay the fees for a medical accelerator unit.

Specific Authority 404.051(4), 404.22 FS. Law Implemented 404.051, 404.081(1), 404.22 FS. History—New .

64E-5.1603 Training and Education.

(1) Qualification of Authorized User.

(a) The registrant shall require the authorized user to be a physician who:

1. Is licensed by the department as a medical doctor or doctor of osteopathy;

2. Has completed a manufacturer's device-specific training as specified in subsection 64E-5.1603(5), F.A.C., and;

3. Is certified in:

a. Radiation oncology or therapeutic radiology by the American Board of Radiology;

b. Radiation oncology by the American Osteopathic Board of Radiology;

c. Radiology, with specialization in radiotherapy, as a British "Fellow of the Faculty of Radiology" or "Fellow of the Royal College of Radiology"; or

d. Therapeutic radiology by the Canadian Royal College of Physicians and Surgeons.

(b) A physician shall not act as an authorized user for any electronic brachytherapy device until such time as said physician's training has been reviewed and approved by the department.

(2) Qualification of Authorized Medical Physicist.

(a) The registrant shall require the authorized medical physicist to be a person who:

1. Is currently licensed pursuant to Section 483.901, F.S., as a therapeutic radiological physicist, and;

2. Has completed a manufacturer's device-specific training as specified in subsection 64E-5.1603(5), F.A.C.

(b) A medical physicist shall not act as an authorized medical physicist for any electronic brachytherapy device until such time as said physicist's training has been reviewed and approved by the department.

(3) Qualification of Authorized Operator. A person, other than an authorized user, who operates an electronic brachytherapy device to apply ionizing radiation to a human, shall be:

(a) Certified in accordance with the Chapter 468, Part IV, Florida Statutes, as a radiation therapy technologist, and;

(b) Have completed a manufacturer's device-specific training as specified in subsection 64E-5.1603(5), F.A.C.

(4) Qualification of Radiation Safety Officer. The registrant shall require the radiation safety officer to be a person who has completed a manufacturer's device specific training as specified in subsection 64E-5.1603(5), F.A.C., and be:

(a) An authorized user or authorized medical physicist, or;

(b) A person certified by:

1. The American Board of Radiology in Radiology, Diagnostic Radiology, Therapeutic Radiology, or Radiation Oncology;

2. The American Board of Health Physics in Comprehensive Health Physics;

3. The American Board of Radiology in Radiological Physics, Therapeutic Radiological Physics, or Medical Nuclear Physics;

4. The American Board of Nuclear Medicine;

5. The American Board of Science in Nuclear Medicine, or;

6. The American Board of Medical Physicists, or;

(c) A person who has completed classroom and laboratory training consisting of the following:

1. One hundred hours of radiation physics and instrumentation;

2. Thirty hours of radiation protection;

3. Twenty hours of mathematics pertaining to the use and measurement of radiation;

4. Twenty hours of radiation biology;

5. Thirty hours of medical therapy training; and

6. One year of full time experience in radiation safety at a medical institution under the supervision of the individual identified as the radiation safety officer.

(5) Manufacturer's Training. The registrant shall require training in electronic brachytherapy device operation, safety procedures, and US Food & Drug Administration-approved clinical uses. All training taken to satisfy this requirement must have been completed within the 7 years preceding the date of application. This training requirement must be approved by the department and must be satisfied by:

(a) Completion of a training program provided by the manufacturer, or;

(b) Completion of a training program which is provided by an institution approved by the manufacturer, or;

(c) Receiving training that is substantially equivalent to the manufacturer's training program from an authorized user or authorized medical physicist who is authorized to use the device on a department registration.

(6) Annual Training.

(a) The registrant shall provide radiation safety training, initially and at least annually, to all personnel providing patient care and treatment planning to patients.

(b) The training should include device operation, safety procedures and clinical use updates.

(7) Training Records. The registrant shall retain for three years a record of each individual receiving initial manufacturer's training and annual training.

Specific Authority 404.051(4), 404.22 FS. Law Implemented 404.051, 404.081(1), 404.22 FS. History—New _____.

64E-5.1604 General Technical Requirements for Electronic Brachytherapy Facilities.

(1) Radiation Surveys.

(a) The registrant shall ensure that a survey, as defined in subsection 64E-5.101(151), F.A.C., of all new facilities and existing facilities not previously surveyed, is performed with an operable radiation measurement survey instrument according to the requirements of Part III of Chapter 64E-5, F.A.C.

(b) The survey shall be performed by, or under the direction of, an authorized medical physicist or radiation safety officer who shall determine and record whether radiation levels are in compliance with the dose limits of Part III of Chapter 64E-5, F.A.C. Portable shielding may be used to comply with these radiation dose limits. Such surveys shall be conducted with the electronic brachytherapy device controls, source position, portable shielding and site-specific scattering phantom all set so as to produce the highest radiation exposure level that could occur during treatment.

(c) The survey record shall include: the date of the measurements; the reason the survey is required; the manufacturer's name, model number and serial number of the electronic brachytherapy device; the instrument(s) used to measure radiation levels; a plan of the areas surrounding the treatment room that were surveyed; the measured dose rate at several points in each area expressed in microsieverts or millirems per hour; the calculated maximum level of radiation over a period of 1 week for each restricted and unrestricted area; and the signature of the individual responsible for conducting the survey.

(d) A survey shall also be performed prior to any subsequent medical use, when:

1. Making any change in the portable shielding;

2. Making any change in the location where the electronic brachytherapy device is used within the treatment room, or;

3. Relocating the electronic brachytherapy device.

(e) The registrant shall maintain the record of each survey for the duration of the registration.

(2) Dosimetry Equipment.

(a) For electronic brachytherapy devices, the calibration of the dosimetry system shall be for the source and energy or energies in use according to a current published protocol from a nationally-recognized professional association with expertise in electronic brachytherapy, such as the AAPM. In the absence of such a published protocol, the manufacturer's current protocol shall be followed.

(b) The registrant shall have available for use a dosimetry system for quality assurance check measurements. The quality assurance check system may be the same system used to meet the requirement for calibration.

(c) The registrant shall maintain a record of each dosimetry system calibration, intercomparison, and comparison for the duration of the registration. Each record shall include: the date; the model numbers and serial numbers of the instruments that were calibrated, inter-compared or compared; the names of the individuals who performed the calibration, intercomparison, or comparison, and; evidence that the intercomparison was performed by, or under the direct supervision and in the physical presence of, an authorized medical physicist of record.

(3) Quality Management Program.

(a) Each registrant under this part shall establish and maintain a written quality management program to provide a high confidence that electronic brachytherapy devices will be used as directed by the authorized user. The quality management program must include written policies and procedures to meet the following objectives:

1. Except where a delay to provide a written directive as defined in subsection 64E-5.101(173), F.A.C., would jeopardize the patient's health as specified in subparagraphs 64E-5.1604(3)(a)2. and 3., F.A.C., a written directive is prepared prior to administration of a therapeutic radiation dose;

2. An oral directive is only acceptable when a delay to provide a written directive would jeopardize the patient's health because of the emergent nature of the patient's condition. The information contained in the oral directive must be documented immediately in the patient's record and a written directive prepared within 24 hours of the oral directive;

3. An oral revision to an existing written directive is only acceptable when a delay to provide a written revision to an existing written directive would jeopardize the patient's health. The oral revision must be documented immediately in the patient's record and a revised written directive must be signed by the authorized user within 48 hours of the oral revision;

4. A written directive that changes an existing written directive for any therapeutic radiation procedure is only acceptable if the revision is dated and signed by an authorized

user prior to the administration of the therapeutic electronic brachytherapy dose, or the next electronic brachytherapy fractional dose;

5. The patient's identity is verified by more than one method as the individual named in the written directive prior to administration;

6. The final plans of treatment and related calculations agree with the respective written directives;

7. Each administration agrees with the written directive; and

8. Any unintended deviation from the written directive is identified and evaluated and appropriate action is taken.

(b) The registrant shall retain for 3 years each written directive in an auditable form.

(c) The registrant shall develop procedures for and conduct a review of the quality management program including an evaluation of the following:

1. A representative sample of patient administrations within the review period, as described in a procedure submitted to the Department;

2. All recordable events, as defined in subsection 64E-5.101(123), F.A.C., within the review period; and

3. All medical events within the review period to verify compliance with all aspects of the quality management program.

(d) The review of the quality management program shall be conducted at intervals not to exceed 12 months. The registrant shall maintain a record of each dated review for inspection by the department in an auditable form for 3 years and shall include evaluations and findings of the review.

(e) The registrant shall evaluate each of these reviews to determine the effectiveness of the quality management program and make modifications to meet the objectives of the program.

(f) The registrant may make modifications to the quality management program to increase the program's efficiency as long as the program's effectiveness is not diminished. The registrant is required to submit any modifications to the quality management program to the department within 30 days after the modifications have been made.

(g) Within 30 days of discovery of each recordable event, as defined in subsection 64E-5.101(123), F.A.C., the registrant shall:

1. Assemble the relevant facts including the cause;

2. Identify and implement any corrective action required to prevent recurrence, and;

3. Retain a record in an auditable form for 3 years of the relevant facts and any corrective action taken.

(h) Each registrant shall maintain records and reports of medical events until the termination of the registration.

(4) Quality Assurance Program.

(a) Each registrant shall develop and administer a written quality assurance program as a method of minimizing deviations from facility procedures and to document preventative measures taken prior to serious patient injury or medical event. The quality assurance program must include written procedures for performing:

1. Treatment planning, chart and treatment field parameters;
2. Patient simulation, verification of catheter placement and device exchange;
3. Dose calculation and review, and;
4. Review of daily treatment records.

(b) Deviations from the prescribed treatment or from the facility's quality assurance and operating procedures shall be investigated and brought to the attention of the authorized user, authorized medical physicist and radiation safety officer.

(c) A review of the quality assurance program shall be conducted at intervals not to exceed 3 months and shall include all the deviations from the prescribed treatment. A signed record of each dated review shall be maintained for inspection by the department in an auditable form for 3 years and shall include evaluations and findings of the review.

(5) Authority and Responsibilities.

(a) Radiation Safety Officer.

1. A registrant shall appoint a radiation safety officer responsible for implementing the radiation safety program. The registrant, through the radiation safety officer, shall ensure that radiation safety activities are performed in accordance with approved procedures and regulatory requirements in the daily operation of the electronic brachytherapy devices.

2. The radiation safety officer shall promptly investigate and implement corrective actions as necessary regarding:

- a. Incidents as defined in Rule 64E-5.344, F.A.C.;
- b. Reportable events as defined in Rule 64E-5.345, F.A.C.;

and

c. Other deviations from approved radiation safety practice. A written report of these investigations and the corrective actions taken shall be given to management within 30 days of the incident, event or deviation.

3. The radiation safety officer shall implement written policies and procedures to:

- a. Use electronic brachytherapy devices safely;
- b. Perform radiation surveys whenever necessary;
- c. Perform checks of survey instruments and other safety equipment;
- d. Train personnel who work in or frequent areas where radiation is present; and
- e. Keep a copy of all records and reports required by department regulations, a copy of these regulations, and a copy of each registration correspondence to the department, and the written policies and procedures required by the regulations.

4. The radiation safety officer shall review at least every 3 months the occupational radiation exposure records of all personnel working with radiation therapy devices.

(b) Authorized User. Authorized users shall:

1. Be physically present during the initiation of each patient treatment;

2. Be physically present during the continuation of each patient treatment or identify in writing a physician under the supervision of the authorized user who is trained in the operation of and emergency response for the device who will be physically present during the continuation of each patient treatment;

3. Personally review the patient's case to assure that the therapeutic radiation procedure is appropriate; and

4. Review the progress of the patient receiving therapy and modify the originally prescribed dose, if needed.

(c) Visiting Authorized User.

1. A registrant may permit any visiting authorized user to use an electronic brachytherapy device for medical use under the terms of the registrant's registration and radiation protection program for 60 days each year if:

a. The visiting authorized user has the prior written permission of the registrant's management;

b. The registrant has a copy of an electronic brachytherapy device registration issued by the department or another state that identifies the visiting authorized user by name as an authorized user for medical use of an electronic brachytherapy device; and

c. The visiting authorized user performs only those procedures for which he is specifically authorized by the registration described in sub-subparagraph 64E-5.1604(5)(c)1.b., F.A.C.

(2) A registrant shall retain copies of the records specified in subparagraph 64E-5.1604(5)(c)1., F.A.C., for 5 years after the last visit of the visiting authorized user.

(d) Authorized Medical Physicist. The authorized medical physicist shall:

1. Be physically present during the initiation and continuation of each patient treatment.

2. Evaluate the output from the electronic brachytherapy source;

3. Generate the necessary dosimetry information;

4. Review treatment calculations prior to initial treatment of any treatment site;

5. Establish the quality assurance spot checks and review the data from those checks as required by the submitted procedures;

6. Consult with the authorized user in treatment planning, as needed, and;

7. Perform calculations and assessments regarding patient treatments that may constitute medical events;

(6) Operating Procedures. The registrant shall ensure compliance with the following procedures.

(a) An electronic brachytherapy device shall only be used according to the US Food and Drug Administration approved criteria for human use.

(b) When not in operation, the electronic brachytherapy device shall be secured from unauthorized use.

(c) When a patient must be held in position for radiation therapy, mechanical supporting or restraining devices shall be used.

(d) A copy of the current operating and emergency procedures shall be kept in close proximity to the electronic brachytherapy device and easily accessible to the operator.

(e) No individual other than the patient shall be exposed during the treatment.

(f) The radiation safety officer or his/her designee, and an authorized user, shall be notified as soon as possible but no later than 24 hours after a patient's, or human research subject's, medical emergency or death;

(g) Only individuals approved by the authorized user, radiation safety officer, or authorized medical physicist shall be present in the treatment room during treatment and a written log shall be kept of all personnel present during treatment;

(h) Simultaneous operation of more than one radiation-producing device in a treatment room shall be prohibited; and

(i) The registrant shall develop, implement, and maintain written procedures for responding to any situation in which the operator is unable to complete the treatment in compliance with the written directive. These procedures must include:

1. Instructions for responding to equipment failures and the names of the individuals responsible for implementing corrective actions;

2. The process for restricting access to, and posting of, the treatment area to minimize the risk of inadvertent exposure; and

3. The names and telephone numbers of the authorized users, the authorized medical physicist, and the radiation safety officer to be contacted if the device operates abnormally.

(7) Possession of a Survey Instrument. Each facility location authorized to use an electronic brachytherapy device shall possess portable monitoring equipment. At a minimum, such equipment shall include a portable radiation measurement survey instrument capable of measuring dose rates over the range 0.1 microsievert (0.01 millirem) per hour to 10 millisievert (1000 millirem) per hour. All survey instruments shall be operable and calibrated annually.

(8) Calibration.

(a) Validation of the electronic brachytherapy source output shall be performed by an authorized medical physicist.

(b) Calibration validation measurements shall be made for each x-ray tube, or after any repair affecting the x-ray beam generation, or when indicated by the spot checks.

(c) Calibration validation must include determination of:

1. The output within 2% of the expected value, or determination of the output if there is no expected value;

2. Timer accuracy and linearity over the typical range of use;

3. Proper operation of back-up exposure control devices;

4. Evaluation that the relative dose distribution about the source is within 5% of that expected, and;

5. Source positioning accuracy to within 1 millimeter within the applicator;

(d) The validation of the output shall use a dosimetry system as described by the facility's procedures to measure the output. Such procedures shall use a current published protocol from a nationally-recognized professional association with expertise in electronic brachytherapy, such as the AAPM. In the absence of such a published protocol, the manufacturer's current protocol shall be followed.

(e) The registrant shall make calibration measurements required by this section according to a current published protocol from a nationally-recognized professional association with expertise in electronic brachytherapy, such as the AAPM. In the absence of such a published protocol, the manufacturer's current testing protocol shall be followed.

(9) Routine and Day-of-Use Periodic Spot Checks for Electronic Brachytherapy Devices and Dosimetry Equipment.

(a) A registrant authorized to use electronic brachytherapy devices shall have a program to perform spot checks on each unit:

1. At the beginning of each day of use of an electronic brachytherapy unit;

2. Each time the unit is moved to a new room or site, and;

3. After each x-ray tube installation.

(b) The authorized medical physicist shall:

1. Establish written procedures for performing the spot checks;

2. Supervise the making of the spot checks and review the spot check results within 2 days of completion, and;

3. Notify the registrant in writing of any failures detected during the spot checks, within 24 hours of the identification of the spot check failure.

(c) The authorized user will prevent the clinical use of a malfunctioning device until the malfunction identified in the spot check has been evaluated and corrected or, if necessary, the equipment repaired.

(d) The spot checks must, at a minimum, assure proper operation of:

1. Radiation exposure indicator lights on the electronic brachytherapy device and on the control console, and;

2. The integrity of all cables, catheters or parts of the device.

(e) Spot checks of dosimetry must include checks that the output of the electronic brachytherapy source falls within 3% of expected values, which include:

1. Output as a function of time, or output as a function of setting on a monitor chamber, and;

2. Verification of the consistency of the dose distribution to within 3% of that found during calibration;

3. Validation of the operation of positioning methods to assure that the treatment dose exposes the intended location within 1 mm; and

4. Inspection of all treatment components (e.g., connecting guide tubes, transfer tubes, transfer-tube-applicator interfaces, treatment spacers) on the day of use for any imperfections.

(f) A registrant shall retain a record of each spot check for 3 years. The record shall include:

1. The date of the check;

2. The manufacturer's name, model number, and serial number of the electronic brachytherapy source;

3. Notations indicating the operability of electronic brachytherapy source exposure indicator lights, applicators, source-transfer tubes, transfer tube-applicator interfaces, and source-positioning accuracy; and

4. The name and signature of the individual who performed the check.

(10) Mobile Electronic Brachytherapy Devices. A registrant providing mobile electronic brachytherapy services shall:

(a) Check all survey instruments before medical use at each address of use and on each day of use;

(b) Account for the x-ray tube in the device before departure from the client's address, and;

(c) Perform, at each location, all of the required periodic spot checks specified in subsection 64E-5.1604(9), F.A.C., to assure proper operation of the device.

(11) Treatment Planning.

(a) The authorized medical physicist shall perform acceptance testing on the treatment planning system of therapy-related computer systems according to a current published protocol from a nationally-recognized professional association with expertise in electronic brachytherapy, such as the AAPM. In the absence of such a published protocol, the manufacturer's current protocol shall be followed. At a minimum, the acceptance testing shall include verification of:

1. The electronic brachytherapy source-specific input parameters required by the dose-calculation algorithm;

2. The accuracy of dose, dwell-time, and treatment-time calculations at representative points;

3. The accuracy of isodose plots and graphic displays;

4. The accuracy of the software used to determine source positions from images; and

5. If the treatment-planning system is different from the treatment-delivery system, the accuracy of electronic transfer of the treatment-delivery parameters to the treatment-delivery unit from the treatment-planning system.

(b) The authorized medical physicist shall compare the position indicators in the applicator to the actual position of the source or planned dwell positions at the time of commissioning.

(c) Prior to each patient treatment regimen, the authorized medical physicist shall confirm the accuracy of the treatment parameters and dose.

Specific Authority 404.051(4), 404.22 FS. Law Implemented 404.051, 404.081(1), 404.22 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
James Futch

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ana Viamonte Ros, M.D., M.P.H.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 12, 2008

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 5, 2007 and October 3, 2008

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

RULE NOS.:	RULE TITLES:
64J-2.007	Trauma Agency Formation and Plan Requirements
64J-2.008	Trauma Agency Plan Approval and Denial Process
64J-2.009	Trauma Agency Implementation and Operation Requirements

PURPOSE AND EFFECT: To clarify the trauma agency formation; plan development, submission and approval process; and the implementation and operation requirements of Florida's trauma agencies.

SUMMARY: The proposed revisions:

1. Delineate the initial process of obtaining local authority to operate and form a trauma agency from the renewal process; and the plan development, submission and approval of the initial and five-year plan updates;
2. Clarify content requirements of the initial and the five-year plan updates;
3. Clarify the trauma agency's role in the review of trauma center applications from any hospital within the defined geographical area of the trauma agency.
4. Clarify and amends the requirements of the annual performance evaluation and the submission of an annual report on the status of the Trauma agency's trauma system; and
5. Technical amendments for the purpose of consistency and to update the submission process of the trauma agency plan from hard copy to electronic submission.

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

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

SPECIFIC AUTHORITY: 395.401, 395.405 FS.

LAW IMPLEMENTED: 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Janet Collins (850)245-4444, ext. 2775. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Susan McDevitt, Office of Trauma, Department of Health, 4052 Bald Cypress Way, Bin C-18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2760; Email: susan_mcdevitt@doh.state.fl.us; Fax: (850)488-2512

THE FULL TEXT OF THE PROPOSED RULES IS:

64J-2.007 Trauma Agency Formation and Plan Requirements.

(1) To form a trauma agency, ~~and for submission of the trauma agency 5 year plan update,~~ a county or counties (if regional), or an entity with which the county or counties contract for the purpose of trauma service administration shall:

(a) Obtain formal authority to create the agency from the county commission of each of the counties in which the agency plans to operate.

(b) Establish interlocal agreements between county governments if the proposed agency shall provide service to more than one county.

(2) For the formation and for continuation of a trauma agency, a county or counties, or an entity with which the county or counties contract for the purpose of trauma agency service administration, shall submit a trauma agency plan initially and an update at five-year intervals thereafter to the department for approval. Prior to the submission of the trauma agency plan or five-year plan update to the department, the county or counties, an entity with which the county or counties contract or the existing trauma agency shall:

~~(a)(e)~~ Hold a public hearing and give adequate notice of the hearing to the public in the defined geographic area to be served by ~~county or counties in which the proposed trauma agency shall operate.~~ Adequate notice shall consist of publishing the notice, at least 30 days prior to the public hearing, in at least one newspaper of general circulation in each affected county. If a newspaper is not published in a county in which an existing or proposed trauma agency shall operate, adequate notice may be given by publishing the notice in at least one newspaper of general circulation in adjoining affected counties.

~~(b)(d)~~ Develop and submit an electronic ~~original and four copies~~ of the trauma agency plan or five-year plan update to the department for review and approval.

~~(3)(2)~~ The trauma agency initial plan or five-year plan update shall contain the following information in the following order:

(a) Table of Contents;

(b) Population and Geographic Area to be Served.

1. Describe the population and defined geographic area to be served by the trauma agency;

2. Include a map showing the defined geographic area of the ~~proposed~~ trauma agency, each major geographical barrier, all medical facilities, all prehospital ground and air facilities, and all other significant factors that affect the determination of the geographic area boundaries; and

3. Describe the historical patient flow, patient referral, and transfer patterns used to define the geographic areas of the ~~proposed~~ trauma agency.

(c) Organizational Structure:

1. Provide a detailed description of the managerial and administrative structure of the proposed agency;

2. Include a table of organization, the names of the board of directors and each member's affiliation, and identify the individuals who will administer or operate the trauma agency, if known;

3. Provide the names, job descriptions and responsibilities of officials who shall be directly responsible for trauma agency personnel, and the names, job descriptions and responsibilities of individuals who shall be responsible for managing and operating the trauma agency on a daily basis; and

4. Describe in detail the specific authority that trauma agency personnel shall have in directing the operation of prehospital and hospital entities within the purview of the trauma agency, if approved, be it a single or multi-county trauma agency.

(d) Trauma System Structure:

1. Describe the operational functions of the system; the components of the system; the integration of the components and operational functions; and the coordination and integration of the activities and responsibilities of trauma centers, hospitals, and prehospital EMS providers; and

2. Include a list of all participating and non-participating trauma care resources within the defined geographical area of the ~~proposed~~ trauma agency and documentation showing that these entities have been given the opportunity to participate in the system. Trauma care resources shall include, but are not limited to, hospitals, trauma centers, EMS prehospital providers, training centers, emergency medical dispatch, and planning entities; and

3. Include the ~~proposed~~ trauma agency's recommendation and justification for the number and location of trauma centers required to serve its defined geographical area.

(e) Objectives, Proposed Actions, and Implementation Schedule. Provide a description of the objectives of the plan, a detailed list of the proposed actions necessary to accomplish each objective, and a timetable for the implementation of the objectives and action. ~~The timetable shall identify the scheduling of the annual audit and evaluation, including the completion date and submission date to the department.~~

(f) Describe the ~~proposed~~ source of income and anticipated expenses by category for the ~~proposed~~ trauma agency;

(g) Describe the ~~proposed~~ trauma agency's fiscal impact on the trauma system which includes a description of any increased costs related to providing trauma care.

(h) Transportation System Design:

1. Describe the EMS ground, water, and air transportation system design of the trauma system; and

2. Include trauma patient flow patterns, emergency inter-hospital transfer agreements and procedures, and the number, type, and level of service of the prehospital EMS providers within the trauma system.

(i) TTPs:

1. Provide confirmation that existing department-approved TTPs for each EMS provider, within the defined geographical area of the ~~proposed~~ trauma agency, are accurate and shall be adopted by the ~~proposed~~ trauma agency, pending department approval of the plan;

2. A ~~proposed~~ trauma agency may develop uniform TTPs for department approval that shall be adhered to by all EMS providers that serve the geographical area of the ~~proposed~~ trauma agency. If uniform TTPs are submitted to the department for approval, the TTPs shall include the name of each EMS provider that shall operate according to the uniform TTPs, and proof of consultation with each EMS provider's medical director. TTPs developed and submitted by a ~~proposed~~ trauma agency shall be processed in accordance with Rule 64J-2.003, F.A.C.; and

3. The ~~proposed~~ trauma agency shall provide a copy of any county ordinance governing the transport of trauma patients within the defined geographic area of the ~~proposed~~ trauma agency.

(j) Medical Control and Accountability. Identify and describe the qualifications, responsibilities and authority of individuals and institutions providing off-line (system) medical direction and on-line (direct) medical control of all hospitals and ~~prehospital~~ EMS providers operating under the purview of the trauma agency.

(k) Emergency Medical Communications:

1. Describe the EMS communication system within the ~~proposed~~ trauma agency's trauma service area; and

~~2. Describe the proposed trauma agency's compliance with the State of Florida Communications Plan, requirements for normal operating conditions, mass casualty and disaster situations in which commercial power, telephone lines or telephone services are not available, including outages of base stations controlled by leased telephone lines. The specific areas to be addressed are:~~

~~a. Statewide medical coordination (SMC);~~

~~b. Local medical coordination (LMC);~~

~~c. Vehicle dispatch and response (VDR);~~

~~d. Medical resource coordination;~~

~~e. Local scene coordination;~~

~~f. Medical alert paging;~~

~~g. Communications coverage;~~

~~h. LMC and VDR channels;~~

~~i. SMC channel;~~

~~j. Cellular phone use if applicable; and~~

~~k. Locations and types of communications equipment within the proposed trauma agency's geographical area.~~

2. Verify that the existing communications within the trauma agency's trauma service area meet all the requirements for compliance with the State of Florida's EMS Communication Plan, to include all hospitals with emergency departments.

(l) Data Collection. Describe the trauma data management system developed for the purpose of documenting and evaluating the trauma systems operation.

(m) Trauma System Evaluation. Describe the methodology by which the ~~proposed~~ trauma agency shall evaluate the trauma system.

(n) Mass Casualty and Disaster Plan Coordination. Describe the ~~proposed~~ trauma agency's role with local and/or regional emergency management entities in the coordination of the prehospital and hospital component's mass casualty and disaster plan for the defined geographic area it represents.

(o) Public Information and Education. Describe the ~~proposed~~ trauma agency's programs designed to increase public awareness of the trauma system and public education programs designed to prevent, reduce the incidence of, and care for traumatic injuries within the defined geographic area it represents.

(p) Attachments. Include the following:

1. A ~~sample copy~~ of each type of contract and agreement entered into by the ~~proposed~~ trauma agency, ~~pending department approval of the proposed trauma agency~~, for the benefit and operation of the trauma system. A description of these agreements may be substituted. ~~and;~~

2. Documentation showing that the county commission of the county or counties in the geographic area to be served by the trauma agency have endorsed the initial plan or five-year plan update, pending department approval of the same; and

~~3.2.~~ A copy of the public hearing notice and minutes of the hearing for the initial plan or five-year plan update.

Specific Authority 395.401, 395.405, 401.35 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.405, 401.35 FS. History—New 8-3-88, Amended 12-10-92, Formerly 10D-66.104, Amended 11-24-02, 6-9-05, Formerly 64E-2.019, Amended _____.

64J-2.008 Trauma Agency Plan Approval and Denial Process.

(1) The department shall, within 30 days of receipt of the ~~initial formation of a~~ trauma agency plan and ~~the five-year and the trauma agency 5-year~~ plan update, review the ~~proposed~~ trauma agency's trauma system plan and notify the ~~existing or~~ proposed trauma agency that the plan is complete, or that there are omissions. If there are omissions, the department shall request the required additional information to be submitted by the ~~existing or~~ proposed trauma agency.

(2) The existing or proposed trauma agency shall submit the requested additional information to the department within 30 days of receipt of the notice of omissions.

(3) The department shall deem the plan complete upon receipt of the additional information or the expiration of the 30-day time period, whichever occurs first.

(4) The department shall review the plan to determine compliance with Chapters 395 and 401, F.S., and Chapters 59A-3 and 64J-2, F.A.C., within 60 days of receipt of the additional information or of the plan being deemed complete.

(5) The department shall issue a letter of approval to the existing or proposed trauma agency upon determination that the plan is in compliance with Chapters 395 and 401, F.S., and Chapters 59A-3 and 64J-2, F.A.C.

(6) The department shall issue a letter of denial to the existing or proposed trauma agency upon determination that the plan is not in compliance with Chapters 395 and 401, F.S., and Chapters 59A-3 and 64J-2, F.A.C. The letter shall specify the deficiencies in the plan and include notification of any right to a hearing pursuant to Section 120.57, F.S.

Specific Authority 395.401, 395.405, 401.35 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.405, 401.35 FS. History—New 8-3-88, Amended 12-10-92, Formerly 10D-66.106, Amended 11-24-02, Formerly 64E-2.020, Amended _____.

64J-2.009 Trauma Agency Implementation and Operation Requirements.

(1) To implement a trauma system, a department-approved trauma agency shall:

(a) Implement the trauma system in accordance with its department-approved planned timetable for implementation.

(b) Submit proposed changes to the department-approved plan to the department for approval, as provided in Rule 64J-2.008, F.A.C. The trauma agency may, at its own risk, institute proposed changes to the plan and submit a request for department approval within 30 days after a change is instituted if a delay in approval would have an adverse impact on the current level of care. The trauma agency's request shall explain how the delay in approval would have adversely affected the current level of care. Each request shall document that affected trauma care resources within the defined geographical area of the agency concur with these proposed changes.

(2) Each trauma agency shall operate the trauma system in accordance with the department-approved plan, and shall:

(a) Conduct reviews of trauma center applications from any hospital within the defined geographic area of the trauma agency. Submission of a trauma center's application to the trauma agency by a hospital seeking approval shall be in accordance with the time frames described in paragraph 64J-2.012(1)(c), F.A.C. The department will coordinate the prospective trauma center's application development and review process with the relevant trauma agency to facilitate sufficient time to increase familiarity with the application and conduct the final review. Results of the trauma agency's review shall be submitted to the department no later than April 7 of each year, in order to be considered by the department.

(b) Conduct annual performance evaluations and submit annual reports on the status of the trauma agency's trauma system to the department to be included in the department's Florida Trauma System annual reports for approval, as provided in Rule 64J-2.008, F.A.C. The trauma agency annual evaluation report shall be submitted by May 1 March 1 following the end of the previous calendar year. This evaluation shall include at least the following:

1. Description of any funding sources and any other related issues, such as: the fiscal impact on the trauma agency's system, including increased costs related to providing trauma care, the reduction or increase in budget or human resources, specialty physician coverage, etc. ~~Results of monitoring each EMS provider, trauma center and hospital within the defined geographic area of the trauma agency for compliance with trauma scorecard methodology requirements as provided in Rules 64J-2.004 and 64J-2.005, F.A.C.~~

2. ~~Results of monitoring each EMS provider, trauma center and hospital within the defined geographic area of the trauma agency for compliance with TTP requirements as provided in Rule 64J-2.002, F.A.C.~~

~~3. Collection of data on both prehospital and hospital patient care data, as defined by the trauma agency plan.~~

~~4. Documentation of the continuum of care and quality of medical care for all trauma patients from injury through rehabilitation or death.~~

~~2.5. Documentation that all trauma centers in the geographic area participate of the trauma agency participate in trauma agency's quality assurance and improvement processes.~~

~~3. Description of public and healthcare education, injury prevention activities, and outreach programs, conducted in the trauma agency's geographic area, which are designed to prevent, reduce the incidence of and improve the care for traumatic injuries within the defined geographic area.~~

~~4. Documentation of data, including the nature of injuries and trends identified in the trauma agency's defined geographic area.~~

~~5. Documentation of monitoring the effectiveness of the adult and pediatric trauma alert criteria with regard to determination of appropriate destinations.~~

~~6. Results of monitoring for compliance with trauma registry reporting requirements.~~

(3) Each trauma agency shall have personnel or arrange for management service personnel with clear authority and responsibility to operate the trauma agency. The administrative function of the trauma agency shall not be carried out or performed under the direct supervision of any individual who administers or operates any health care entity in the trauma system, whether a single or multi-county system.

Specific Authority 395.405, 401.35 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.405, 401.35 FS. History--New 12-10-92, Formerly 10D-66.1065, Amended 8-4-98, 11-19-01, 11-24-02, 6-9-05, Formerly 64E-2.0021, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Susan McDevitt, Office of Trauma, Department of Health, 4052 Bald Cypress Way, Bin C-18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2760; Email: susan_mcdevitt@doh.state.fl.us; Fax: (850)488-2512

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 21, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 5, 2008

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Library and Information Services

RULE NOS.:

RULE TITLES:

1B-24.001

General

1B-24.003

Records Retention Scheduling and
Dispositioning

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 46, November 14, 2008 issue of the Florida Administrative Weekly.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 14, 2008

Change to:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 12, 2008

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:

RULE TITLE:

40D-2.091

Publications Incorporated by
Reference

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 38, September 19, 2008 issue of the Florida Administrative Weekly.

Changes are made to the following document incorporated by reference in subsection 40D-2.091(1), F.A.C.

WATER USE PERMIT INFORMATION MANUAL, PART B,
BASIS OF REVIEW

Within Section 3.6 Public Supply:

CONSERVATION REQUIREMENTS

The public supply permittee water conservation requirements included within the remainder of this Subsection 3.6, unless specifically designated to apply within the SWUCA only, shall apply to all public supply utilities and suppliers with Permits that are granted for an annual average daily quantity of 100,000 gallons per day or greater, as well as wholesale customers supplied by another entity which obtain an annual

average daily quantity of 100,000 gallons per day or greater. Failure of a wholesale customer to comply may result in modification of the wholesale permit to add a permit condition limiting or reducing the wholesale customer's quantities, or other actions by the District. Increased allocations for existing permits and allocations for public supply permits with an annual average daily quantity less than 100,000 gpd shall be based on a per capita use rate no greater than 150 gallons per day, plus allowable deductions and adjustments documented as set forth in the provisions below titled "Documentation of Per Capita Daily Water Use Calculations for the Annual Report". Changes to the proposed rule are shown in underline and strike through format.

CALCULATION OF PROJECTED PERMITTED QUANTITIES

1. New Applicants – New public water supply permit applicants shall be allocated an annual average daily quantity based on a projected compliance per capita rate no greater than 150 gpd, minus imports, plus a quantity that is equal to the allowable deductions and adjustments included in the calculation of a compliance per capita.

[insert rule effective date]

2. Existing Permittees – For this paragraph 2., a Five Year Compliance Per Capita Rate shall be calculated as the average of the compliance per capita rate reported in the Annual Report for (effective year of rule) and the four years prior.

a. Permittees With A Five Year Compliance Per Capita Rate No Greater Than 150 Gpd As Of (effective year of rule) – Upon renewal or modification to address permitted quantities, annual average daily quantity allocations shall be based on:

i. If the projected compliance per capita rate is less than the five year compliance per capita rate, the allocation shall be based on the five year compliance per capita rate; however, the permittee shall have a compliance per capita at the end of the permit that is no greater than the projected compliance per capita rate; or no more than the lesser of 150 gpd or the most recent 5 year average compliance per capita when the projected compliance per capita is less than the 5 year average compliance per capita. When allocations are based on this provision, plus a quantity that is equal to the allowable deductions and adjustments included in the calculation of the compliance per capita, minus imports.

ii. A compliance per capita rate that is the lesser of 150 gpd or the ~~most recent~~ five year ~~average of~~ compliance per capita rates, unless the applicant demonstrates factors (e.g., there are changes in the customer classes served) that justify that a compliance per capita rate higher than the most recent five year average, but less than 150 gpd, be used, ~~ii.~~ plus, a quantity that is equal to the allowable deductions and adjustments included in the calculation of the compliance per capita, minus imports.

~~iii. The (effective year) five year compliance per capita rate shall be calculated as the average of the compliance per capita rate reported in the Annual Report for (effective year of rule) and the four years prior.~~

b. Permittees With A Five Year Compliance Per Capita Rate Greater Than 150 Gpd As Of (effective year of rule) – In the event that the provisions of this section 2.b. conflict with the provisions of a permit or consent order existing as of (effective date of rule), the terms of the permit or consent order shall supersede this section 2.b. However, a permittee may request a modification of the permit condition or consent order in order to apply this section 2.b. in lieu of the applicable permit condition or consent order provision.

i. Upon renewal or modification to address permitted quantities, annual average daily quantity allocations shall be based on:

(a) A compliance per capita rate that is based on a year of interest allowable per capita determined pursuant to the provisions above titled "PER CAPITA DAILY WATER USE," Section D, Phase-In Where a Per Capita Rate of 150 gpd is Exceeded as of December 31, [year of effective date of rule],

(b) Plus, a quantity that is equal to the allowable deductions and adjustments included in the calculation of the compliance per capita minus imports.

The (effective year) five year compliance per capita rate shall be calculated as the average of the compliance per capita rate reported in the Annual Report for (effective year of rule) and the four years prior.

ii. Interpolating Per Capita –

(a) For purposes of calculating a projected permitted quantity for years between [effective year of rule] and [effective year of rule plus 5 years], the per capita rate utilized in determining annual quantities shall be based on a linear interpolation between the five year average compliance per capita rate calculated as of [effective year of rule] and the per capita rate that is 50% of the difference between that value and the per capita rate of 150 gpd as set forth in Section D.1 of Per Capita Daily Water Use.

(b) For purposes of calculating a projected permitted quantity for years between [effective year of rule plus 5 years] and [effective date of rule plus 10 years], the per capita rate utilized in determining annual quantities shall be based on a linear interpolation between the [effective year of rule plus 5 years] per capita value and the per capita rate of 150 gpd.

iii. Low or No Growth In Population – Where, based on the provisions of 2.b., above, if the quantity calculated for the last year of the proposed permit term, or ten years from [effective date of rule plus 10 years], whichever is earlier, is less than the quantity that is permitted as of (effective year of rule), or the most recent five year average compliance per capita rate upon renewal or modification, and the applicant's service area will have due to low or no growth in population,

The proposed quantity shall be calculated as follows to avoid permit quantity non-compliance at the time of permit issuance or modification pursuant to the provisions of this Section 2.b. The proposed permitted quantity shall be equal to the proposed functional population for the year of interest times the five year average compliance per capita rate for [effective year of the rule]. Permit quantity compliance shall be based on per capita reductions in accordance with the above provisions of "PER CAPITA DAILY WATER USE", section D. Phase-In Where A Per Capita Rate of 150 gpd is Exceeded as of December 31, [year of effective date of rule]. The compliance per capita rate for years between [effective year of rule] and [effective year of rule + 5 years] and [effective year of rule + 5 years] and [effective year of rule +10 years] shall be based on a linear interpolation plus allowable deductions. On January 1, [year of effective date of rule + 11 years] the permitted quantities shall adjust to equal the lesser of the projected functional population for the last year of the permit times a per capita rate of 150 gallons per day, or, if less, the most recent five year average compliance per capita rate, plus a quantity equal to the allowable deductions, minus imports and adjustments included in the calculation of a compliance per capita.

Low Persons Per Household Adjustment To Functional Population (FP)

If the PERMPPH (as calculated in Part D of the Basis of Review) for an existing service area or the projected persons per household (pph) for a new service area is less than 2.01 pph, the projected functional population (FP) may be adjusted upward to reflect a pph of 2.01 if a projected compliance per capita rate of 150 gpd or less cannot otherwise be achieved. The following adjustments may not be applied to non-residential populations such as tourists or net commuters. Documentation of the adjustment is required. The Permittee shall submit two sets of required population estimation spreadsheets A-I, set forth in Part D of the Water Use Permit Information Manual, as applicable, to document functional population using permanent resident persons-per-household (PERMPPH), census year seasonal households (SEASPPH), and the functional population using 2.01 instead of PERMPPH and SEASPPH.

1. Projected Population Based Methods – If the population projection methodology isolates the residential population, then that portion of the projected population may be increased by the ratio of 2.01/PERMPPH for existing service areas or 2.01/projected pph for new service areas.

2. Projected Dwelling Unit Methods – If the population projection methodology is based on multiplying the projected number of dwelling units times a pph, a pph of 2.01 may be used in calculating the projected residential population.

Changes are made to the following document incorporated by reference in subsection 40D-2.091(1), F.A.C.

WATER USE PERMIT INFORMATION MANUAL, PART D, REQUIREMENTS FOR THE ESTIMATION OF PERMANENT AND TEMPORAL SERVICE AREA POPULATIONS IN THE SOUTHERN WATER USE CAUTION AREA

1.0 Introduction

The calculation of per capita water use requires an estimate of the total retail water service area functional population. The required functional population includes permanent residents, seasonal residents and group quarters population only. Adding the functional tourist and net commuter population to the required functional population is optional. Data sources, more detailed explanations, and examples of calculations may be found in the appendices to this document. All calculations and documentation shall be conducted and provided in accordance with the provisions of this document, including those found in the appendices.

This methodology involves the creation of a number of demographic ratios from Census or survey data that are appropriate to the service area. The ratios, such as persons-per-household, or duration of seasonal residency, are then applied to the year of interest housing units and/or population served to estimate year of interest service area populations.

If the service area did not exist at the time of the most recent decennial Census, the permittee must conduct a survey, consistent with the provisions of Appendix B of this document to determine seasonal and permanent population served. Data collected must include both seasonal and permanent households, seasonal and permanent persons-per-household, and seasonal resident household length of stay.

The District maintains updated default values as the data sources are updated. Permittees may choose to use these updated default values when estimating their functional population or may use existing default values until the updated default values are adopted by rule. From time to time, the District may provide additional data and default values or update data and default values and will specifically indicate that the new data and values may be used in lieu of those prescribed herein.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:
69O-164.040

RULE TITLE:
Determining Reserve Liabilities for
Preneed Life Insurance

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. 34, No. 40, October 3, 2008 issue of the Florida Administrative Weekly.

The laws implemented are Sections 625.121(5)(a)3. and 627.476(9)(h)5.

The laws authorizing are Sections 625.121(5)(a)3., 627.476(9)(h)5. and 624.308.

The agency head which approved the rule is the Financial Services Commission.

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."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on October 6, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for An Emergency Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code (F.A.C.), from Dennis's Catering located in St. Petersburg. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the

provisions of Chapter six of the FDA Food Code, as adopted by reference in Rule 61C-1.001, F.A.C. Specifically, Petitioner requests to dispense bulk potentially hazardous foods other than frankfurters from an open air Mobile Food Dispensing Vehicle.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rhonda Steele@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on November 6, 2008, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, received a petition for variance from MELBOURNE GREYHOUND PARK, LLC, Petitioner, in DBPR Case No. 2008060903 (VW 2008-309). The Petition lists Rules 61D-11.0175 and 61D-11.025, Florida Administrative Code (F.A.C.), from which it seeks a variance. The Petition requests that the Division grant the Petitioner a variance of no less than 365 days from the cardroom surveillance technology requirements imposed by subsection (3) of Rule 61D-11.0175 and subsections (4) and (5) of Rule 61D-11.025, F.A.C. Alternatively, Petitioner requests a variance until July 1, 2009, from the cardroom surveillance technology requirements imposed by subsection (3) of Rule 61D-11.0175, F.A.C., and subsection (5) of Rule 61D-11.025, F.A.C., which relate to enhanced clarity surveillance cameras, and until January 1, 2010, from the cardroom surveillance technology requirements imposed by subsection (4) of Rule 61D-11.025, F.A.C., which relates to digital video recorders that can record to a quality of 4 Common Intermediate Format (CIF). Petitioner requests the variance because of severe financial hardship as the costs to conform immediately to these cardroom surveillance requirements would be in excess of \$80,000. Any person whose substantial interests may be affected by a variance on the subject matter of the Petition may file a petition to intervene within 14 days of the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)921-0342.

NOTICE IS HEREBY GIVEN THAT on November 6, 2008, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, received a petition for variance from PALM BEACH KENNEL CLUB, INC., Petitioner, in DBPR Case No. 2008061227 (VW 2008-310). The Petition lists Rule 61D-11.025, Florida Administrative Code (F.A.C.), from which it seeks a variance. The Petition requests that the Division grant the Petitioner a variance of no less than 6 months beginning January 1, 2009, from the cardroom surveillance technology requirements in Rule 61D-11.025, F.A.C., due to significant financial hardship. Petitioner is currently soliciting bids for the renovation of its existing cardroom facility, which renovations it expects will be

completed by July 1, 2009, whereafter Petitioner’s renovated cardroom will fully comply with all of the surveillance requirements in Rule 61D-11.025, F.A.C. Petitioner’s current cardroom surveillance equipment, until completion of renovation, is unable to comply with the rule’s surveillance requirements. Any person whose substantial interests may be affected by a variance on the subject matter of the Petition may file a petition to intervene within 14 days of the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)921-0342.

NOTICE IS HEREBY GIVEN THAT on November 6, 2008, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, received a petition for variance from ST. PETERSBURG KENNEL CLUB, INC., Petitioner, in DBPR Case No. 2008061233 (VW 2008-311). The Petition lists Rule 61D-11.025, Florida Administrative Code (F.A.C.) from which it seeks a variance. The Petition requests that the Division grant the Petitioner a variance of no less than 60 days beginning January 1, 2009, from the cardroom surveillance technology requirements in Rule 61D-11.025, F.A.C., due to significant financial hardship. Petitioner is constructing a new cardroom facility that will meet the rule’s surveillance requirements, but it is not scheduled for completion until after the first of the year. Thus, requiring Petitioner to conform its existing cardroom facility to the rule’s surveillance requirements, pending completion of Petitioner’s new facility, would cause Petitioner undue financial hardship. Any person whose substantial interests may be affected by a variance on the subject matter of the Petition may file a petition to intervene within 14 days of the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)921-0342.

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 on November 20, 2008, the Board of Medicine, received a petition for for waiver or variance filed by Abdorasool Janati, M.D., from subsections 64B8-4.009(4), (5), F.A.C., with regard to the requirement for submission of documentation of medical education and

certified translation of transcripts directly from Petitioner’s medical school. Comments on this petition should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

Section VI
Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The Florida **Department of State, State Library and Archives of Florida**, announces a State Library Council Meeting via Conference Call. All persons are invited.

DATE AND TIME: Monday, December 15, 2008, 2:30 p.m. – 4:30 p.m.

PLACE: Archives Conference Room, State Library and Archives of Florida, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The council will review and discuss programs and issues related to the Division of Library and Information Services. For additional information, contact: Judith Ring, State Librarian at (850)245-6600.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least five days prior to the meeting in order to request any special assistance by calling (850)245-6600 or TDD (850)922-4085.

DEPARTMENT OF EDUCATION

The **Division of Blind Services**, Direct Support Organization announces a public telephone conference call to which all persons are invited.

DATE AND TIME: December 18, 2008, 1:00 p.m. – 4:00 p.m.

PLACE: 4700 Millenia Boulevard, Suite 175, Orlando, Florida 32839, (850)345-9122. Telephone Conference Call: 1(877)347-0172, Passcode: 72064

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board Meeting.

A copy of the agenda may be obtained by contacting: Craig Kiser, 4700 Millenia Boulevard, Suite 175, Orlando, Florida, (850)345-9122.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by

contacting: Craig Kiser at (850)345-9122. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Florida Atlantic University** announces a public meeting to which all persons are invited.

DATE AND TIME: December 15, 2008, 1:00 p.m.

PLACE: 777 Glades Road, Bldg. CO-69, Room 110, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a Slide Review Meeting regarding Florida's Art in State Buildings Program for BT-679 Marleen & Harold Forkas Alumni Center.

A copy of the agenda may be obtained by contacting: Corina Mavrodin at cmavrodi@fau.edu.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Corina Mavrodin at (561)297-0541. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Corina Mavrodin at (561)297-0541.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Century Commission for a Sustainable Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: December 15, 2008, Tentatively scheduled for 10:00 a.m. – 2:30 p.m.

PLACE: St. Petersburg, Florida. Meeting location to be determined. Please visit www.CenturyCommission.org for an update on the meeting location.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Century Commission members will continue to discuss the Commission's statutory role, including how to address the impacts of population growth during the next 25-50 years.

During the December meeting, Commissioners will discuss the final recommendations to be included in the Third Annual Report to the Governor and Legislature.

Topics under consideration for the annual report include recommendations from the Water Congress, term limits, a generational impact statement, the Critical Lands and Waters Identification Project (CLIP), a sustainable building code and education.

A copy of the agenda may be obtained by contacting: All information regarding this meeting and the Century Commission may be obtained at the Internet address www.centurycommission.org.

A copy of the agenda may be obtained by calling (850)219-0082, ext. 5, or by visiting the web site.

DEPARTMENT OF REVENUE

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

DATE AND TIME: December 9, 2008, 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: The Department is postponing requesting approval by the Governor and Cabinet at their meeting on December 9, 2008, to publish a Notice of Proposed Rulemaking to adopt proposed new rules in new Rule Chapter 12D-9, Florida Administrative Code (F.A.W.). This postponement is due to the volume and content of comments received at rule development workshops held in Orlando on November 19, 2008, and in Miami on November 20, 2008. The notice that originally scheduled this request for their approval was published in the November 26, 2008 edition of the F.A.W.

A copy of the agenda may be obtained by contacting: Janice Forrester at (850)922-7945.

Pursuant to the provisions of 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: Janice Forrester at (850)922-7945. If you are 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 Revenue** announces a public meeting to which all persons are invited.

DATE AND TIME: December 9, 2008, 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: The Department is postponing requesting approval by the Governor and Cabinet at their meeting on December 9, 2008, to publish a

Notice of Proposed Rulemaking to adopt proposed new rules and amendments in Rule Chapter 12D-10, Florida Administrative Code (F.A.W.). This postponement is due to the volume and content of comments received at rule development workshops held in Orlando on November 19, 2008, and in Miami on November 20, 2008. The notice that originally scheduled this request for their approval was published in the November 26, 2008 edition of the F.A.W.

A copy of the agenda may be obtained by contacting: Janice Forrester at (850)922-7945.

Pursuant to the provisions of 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: Janice Forrester at (850)922-7945. If you are 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 Revenue** announces a public meeting to which all persons are invited.

DATE AND TIME: December 9, 2008, 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: The Department is postponing requesting approval by the Governor and Cabinet at their meeting on December 9, 2008, to publish a Notice of Proposed Rulemaking to adopt proposed amendments to Rule 12D-16.002, Florida Administrative Code (F.A.W.). This postponement is due to the volume and content of comments received at rule development workshops held in Orlando on November 19, 2008, and in Miami on November 20, 2008. The notice that originally scheduled this request for their approval was published in the November 26, 2008 edition of the F.A.W.

A copy of the agenda may be obtained by contacting: Janice Forrester at (850)922-7945.

Pursuant to the provisions of 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: Janice Forrester at (850)922-7945. If you are 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."

EXECUTIVE OFFICE OF THE GOVERNOR

The State of Florida, **Agency for Enterprise Information Technology**, Chief Information Officers (CIO) Council announces a public meeting to which all persons are invited.

DATE AND TIME: Third Monday of every month for 2008; December 15, 2008, 10:00 a.m. – 12:00 Noon

PLACE: Betty Easley Conference Center, Rm. 152, 4075 Esplanade Way, Tallahassee, FL 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of all state agencies and assist in identifying critical statewide information technology issues.

Also, the Agency for Enterprise Information Technology (AEIT) will present a presentation on "State Data Center Consolidation", by David W. Taylor, MPA, Interim Executive Director – State CIO for the AEIT.

A copy of the agenda may be obtained by contacting: Lauren Pope, Florida Fish and Wildlife Conservation Commission, Office of Information Technology: Lauren.Pope@MyFWC.com, (850)414-2870.

Pursuant to the provisions of 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: Gail Kent, Department of Financial Services, email: Gail.Kent@myfloridacfo.com or call at (850)413-1557. If you are 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: Lauren Pope, Florida Fish and Wildlife Conservation Commission, Office of Information Technology, Lauren.Pope@MyFWC.com, (850)414-2870.

The **Brownfield Loan Guarantee Review Committee** announces a public meeting to which all persons are invited.

DATES AND TIME: December 17, 18 or 19, 2008, 1:30 p.m.

PLACE: The Capitol, Suite 1902, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Brownfield Loan Guarantee Committee will meet either December 17, 18 or 19, 2008, 1:30 p.m. in Suite 1902 of the Capitol to review a Brownfield Loan Guarantee application.

To confirm date call: Mary Helen Blakeslee or Diane Scholz at (850)487-2974 or e-mail: diane.scholz@eog.myflorida.com.

A copy of the agenda may be obtained by contacting: Mary Helen Blakeslee or Diane Scholz at (850)487-2974 or email: diane.scholz@eog.myflorida.com.

For more information, you may contact: Mary Helen Blakeslee or Diane Scholz at (850)487-2974 or email: diane.scholz@eog.myflorida.com.

The **Office of Statewide Suicide Prevention** announces a public meeting to which all persons are invited.

DATE AND TIME: January 29, 2009, 1:00 p.m. – 4:00 p.m.

PLACE: Leon Human Services Center, 1000 West Tharpe Street, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suicide Prevention.

A copy of the agenda may be obtained by contacting: Erin MacInnes at (850)922-0498.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Erin MacInnes at (850)922-0498. If you are 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: Erin MacInnes at (850)922-0498.

REGIONAL PLANNING COUNCILS

The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: December 17, 2008, 11:00 a.m.

PLACE: Treasure Coast Regional Planning Council, 421 S. W. Camden Avenue, Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of Council's Energy Committee.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting: Liz Gulick at (772)221-4060. If you are 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 Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 11, 2008, 2:00 p.m. – 3:30 p.m.

PLACE: City of Margate, Department of Environmental and Engineering Services, 901 N. W. 66th Avenue, Margate, FL 33063

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue deliberations regarding economic development, aesthetic improvement and increased intergovernmental cooperation along the corridor.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Regional Planning Council at (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021.

REGIONAL TRANSPORTATION AUTHORITIES

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 17, 2008, 10:30 a.m.

PLACE: Board Room of SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: Planning Technical Advisory Committee Meeting.

A copy of the agenda may be obtained by contacting: SFRTA Planning Office at (954)788-7928.

Pursuant to the provisions of 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: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Tampa Bay Area Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 19, 2008, 9:30 a.m.

PLACE: Florida Department of Transportation (FDOT), District Seven Office, 11201 N. McKinley Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The TBARTA Board will convene to discuss developing a comprehensive Regional Transportation Master Plan for Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota Counties.

The Citizens Advisory Committee (CAC) and the Transit Management Committee (TMC) will hold a joint meeting on Wednesday, December 10, 2008, 10:00 a.m. at Pinellas Suncoast Transit Authority, 3201 Scherer Drive in St. Petersburg. The CAC is a group of volunteers that provides region-oriented advice to the Board from a citizen's perspective. The TMC consists of representatives of the region's transit and transportation agencies, and advises the Board on the technical development of the Master Plan and its future implementation.

A copy of the agenda may be obtained by contacting: Agendas for the Board, CAC and TMC meetings will be available online approximately three to five days prior to each meeting at <http://www.tbarta.com>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Brandie Miklus, Transportation Planner at (813)217-4037. If you are 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: Brandie Miklus, Transportation Planner at (813)217-4037.

METROPOLITAN PLANNING ORGANIZATIONS

The **Metropolitan Planning Organization**, Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2008, 10:00 a.m. – 3:00 p.m.

PLACE: Hillsborough County MPO, 26th Floor, Conference Room A, 601 East Kennedy Blvd., Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues that pertain to the 26 Florida Metropolitan Planning Organizations in the state such as its Legislative platform for 2009, Federal and State Policies and Laws and Metropolitan Planning Organizations operations and administrative issues.

A copy of the agenda may be obtained by contacting: Brigitte Messina, 605 Suwannee Street, MS #28B, Tallahassee, FL 32399-0450, (850)414-4037.

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.

WATER MANAGEMENT DISTRICTS

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Fisheating Creek Sub-watershed Feasibility Report Working Team: December 8, 2008, 10:00 a.m. – 12:00 Noon

PLACE: Glades County Courthouse, Commission Chambers, 500 Avenue J, Moore Haven, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to establish a working team which will provide technical support for Feasibility Report development.

A copy of the agenda may be obtained by contacting: Armando Ramirez at (561)681-2563, ext. 3739, 1(800)432-2045, ext.3739, aramire@sfwmd.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: District Clerk's Office at (561)682-2087.

The **Big Cypress Basin** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 12, 2008, 9:00 a.m.

PLACE: The previous location of Big Cypress Basin Service Center, Mary Ellen Hawkins Building, 6089 Janes Lane, Naples, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: conduct regular Basin Board business.

A copy of the agenda may be obtained by contacting: Kathleen Tetrault at (239)263-7615.

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

contacting: Kathleen Tetrault at (239)263-7615. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Kathleen Tetrault at (239)263-7615.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATES AND TIMES: December 15, 2008, 9:30 a.m. and December 16, 2008, 9:00 a.m.

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters, and may include an amendment to the District's Fiscal Year 2009 budget to revise revenues and expenditures.

A copy of the agenda may be obtained by contacting: Jacki McGorty, (561)682-2087, or at https://my.sfwmd.gov/portal/page?_pageid=2574,13014318&_dad=portal&_schema=PORTAL.

Pursuant to the provisions of 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's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: District Clerk's Office at (561)682-2087.

The **Water Resources Advisory Commission** (WRAC) Recreation Issues Workshop announces a public meeting to which all persons are invited.

DATE AND TIME: December 15, 2008, 5:00 p.m. – 8:00 p.m.
PLACE: SFWMD, 3301 Gun Club Road, Building B-1, Auditorium, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding recreation issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 15, 2008, 9:00 a.m.

PLACE: 2575 Enterprise Road, Clearwater, Florida 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting followed by a private Attorney/Client briefing session between the Tampa Bay Water Board of Directors and legal counsel pursuant to Section 286.011(8), Florida Statutes, to discuss possible litigation expenditures and/or settlement negotiations in Tampa Bay Water v. HDR Engineering, Inc. et al.

Attorney/Client Briefing Attendees: Board of Directors of Tampa Bay Water, General Manager Jerry Seeber, General Counsel Rick Lotspeich, Richard Harrison, Esquire, Dave Forziano, Esquire, and a certified court reporter.

The entire Attorney/Client briefing session will be recorded by a certified court reporter, transcribed within a reasonable time after the meeting, and filed with Tampa Bay Water's Records Manager. The transcript of the private session shall be made part of the public record upon the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: Tampa Bay Water at (727)796-2355 or can be accessed on the Web at: www.tampabaywater.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Holly Wells at (727)796-2355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Records Department at (727)796-2355.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs, Division of Statewide Community-Based Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 18, 2008, 9:00 a.m. – 10:00 a.m. (EST)

PLACE: Conference Call Number: 1(888)808-6959, Conference Code: 4142150

GENERAL SUBJECT MATTER TO BE CONSIDERED: Alzheimer's Disease Initiative Advisory Committee Meeting via Conference Call: Discussion will include various issues regarding the Alzheimer's Disease Initiative.

A copy of the agenda may be obtained by contacting: Mary Hodges, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2184, e-mail: hodgesm@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Mary Hodges, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2184, e-mail: hodgesm@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mary Hodges, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2184; e-mail: hodgesm@elderaffairs.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 18, 2008, 1:00 p.m. – 4:00 p.m. (EST)

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Fort Knox Office Complex, Building 3, Conference Room A, Tallahassee, FL 32308. Participant Dial In Number: (877)328-7346, Conference ID 71160256.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Technical Advisory Panel Meeting.

A copy of the agenda may be obtained by contacting: dilmores@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: ruisj@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: dilmores@ahca.myflorida.com.

NOTICE OF CHANGE – The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 19, 2008, 12:30 p.m. – 1:30 p.m. (EST). Original announcement previously published on Friday, November 28, 2008. Adding additional teleconference phone numbers below.

PLACE: Agency for Health Care Administration, Medicaid Pharmacy Services, Conference Room C & D, 2727 Mahan Drive, Tallahassee, FL 32308. Or via teleconference number at: **Reservation less Dial-in Number: 1(888)808-6959, **Conference Code: 8509227702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medicaid Coverage of Atypical Antipsychotics in Children.

A copy of the agenda may be obtained by contacting: Dyanna (Ryann) Purvis at (850)922-7330, e-mail: purvisd@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Dyanna (Ryann) Purvis at (850)922-7330, e-mail: purvisd@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Dyanna (Ryann) Purvis at (850)922-7330, e-mail: purvisd@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

The **Governor's Mansion Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 9, 2008, 1:00 p.m.

PLACE: The Governor's Mansion, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by contacting: Department of Management Services, Division of Real Estate Development and Management, 4050 Esplanade Way, Suite 315, Tallahassee, Florida 32399-0950, (850)413-8417.

Persons wishing to attend must submit written background information to Kay Clement at the address listed above on or before December 2, 2008, to allow for the required security check. This written information must contain the name, address, social security number and date of birth of the person planning to attend, as well as driver's license number.

Pursuant to the provisions of 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: Department of Management Services, Division of Real Estate Development and Management, 4050 Esplanade Way, Suite 315, Tallahassee, Florida 32399-0950, (850)413-8417. If you are 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 **Construction Industry Licensing Board** announces a telephone conference call to which all persons are invited.

DATE AND TIMES: Thursday, December 18, 2008, 9:30 a.m. (Additional Business Entity Committee); 11:00 a.m. (Application Review Committee) or soon thereafter

PLACE: Via Telephone Conference Call. To connect dial: 1(888)808-6959, Conference Code: 4879516

GENERAL SUBJECT MATTER TO BE CONSIDERED: Additional Business Entity and Application Review Committee meetings of the board.

A copy of the agenda may be obtained by contacting: Andy Janecek, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)922-2701.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Andy Janecek, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)922-2701. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Andy Janecek, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)922-2701.

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

The **Children's Medical Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 12, 2008, 1:00 p.m. – 4:00 p.m.

PLACE: Capital Circle Office Center, 4025 Esplanade Way, Room #301, Tallahassee, FL 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida KidCare Coordinating Council, an advisory body appointed by the Florida Department of Health, will meet to discuss Florida KidCare, the state children's health insurance program. The Council is charged with making recommendations to the Department, the Governor and the Legislature, as well as other state government groups about possible changes and adjustments to the Florida KidCare Program which may result in recommendations for legislative action, state agency rule change, federal agency rule or policy change, or Congressional action.

A copy of the agenda may be obtained by contacting: Gail Vail, Department of Health at (850)245-4200, ext. 2238, Gail_Vail@doh.state.fl.us.

DEPARTMENT OF FINANCIAL SERVICES

The **Financial and Cash Management System Task Force** announces a public meeting to which all persons are invited.

DATES AND TIMES: January 7, 2009, 3:00 p.m.; January 14, 2009, 3:00 p.m.; January 23, 2009, 10:00 a.m. Please refer to the following website for the most up-to-date meeting schedule: www.myfloridacfo.com/FCMTaskForce

PLACE: The Capitol, Cabinet Room, Tallahassee Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business related to the oversight for a successor financial and cash management system for the State of Florida.

A copy of the agenda may be obtained by contacting: Susan Sloan at (850)413-5510 or on line at www.myfloridacfo.com/FCMTaskForce.

Pursuant to the provisions of 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: Susan Sloan at (850)413-5510 or susan.sloan@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Susan Sloan at (850)413-5510 or susan.sloan@myfloridacfo.com.

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: December 16, 2008, 9:00 a.m. – conclusion

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider a Workers' Compensation filing made by the National Council on Compensation Insurance, Inc., by which the Council requests an overall average increase in rate levels of 8.9% for the voluntary market for all new, renewal and outstanding Workers' Compensation Insurance policies written in the State of Florida, effective March 1, 2009.

A copy of the agenda may be obtained by writing: Office of Insurance Regulation, Attention: James Watford, Actuary, Room 212-F, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0330.

Pursuant to the provisions of 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: Veronica Moss at (850)413-2616 or e-mail her at Veronica.Moss@flor.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: James Watford, Actuary, Room 212-F, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0330.

The **Financial Services Commission, Office of Insurance Regulation** announces a public meeting to which all persons are invited.

DATE AND TIME: December 17, 2008, 9:00 a.m. – 2:00 p.m.

PLACE: 412 Knott Building, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is the third meeting of the Developmental Disabilities Compact Workgroup. Pursuant to the "Window of Opportunity Act," Section 624.916, F.S. the Office of Insurance Regulation (the Office) was charged with convening a workgroup to develop and execute a compact relating to insurance coverage and access to services for persons with developmental disabilities. The first two meetings were held on September 18 and October 14, respectively. The third meeting was originally scheduled for November 20; however, it was cancelled.

Relevant forms, documents and updates will be posted to <http://www.floir.com/ddcompact.aspx>.

A copy of the agenda may be obtained by contacting: Amy Hardee at DDCompact@floir.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Amy Hardee at DDCompact@floir.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: Amy Hardee at DDCompact@floir.com or connect <http://www.floir.com/ddcompact.aspx>.

SOIL AND WATER CONSERVATION DISTRICTS

The **Duval Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: December 10, 2008, 10:00 a.m.

PLACE: Agricultural Extension Center, 1010 N. McDuff Avenue, Jacksonville, FL 32254

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss business of the district board.

A copy of the agenda may be obtained by contacting: Agricultural Extension Center, 1010 N. McDuff Avenue, Jacksonville, FL 32254.

The **Osceola Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: December 11, 2008, 6:00 p.m.

PLACE: Osceola County Extension Office, Kissimmee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Supervisor Election.

A copy of the agenda may be obtained by contacting: (407)847-4465, ext. 3.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation**, Market Accountability Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 11, 2008, 10:00 a.m. (EST)

PLACE: Citizens Offices, 8301 Cypress Plaza Drive, Suite 108, Jacksonville, Florida 32256

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, business before the committee.

A copy of the agenda may be obtained by contacting: Sara Golding at 1(800)807-7647, extension 3874.

Pursuant to the provisions of 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: Sara Golding at 1(800)807-7647, extension 3874. If you are 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: Sara Golding at 1(800)807-7647, extension 3874.

FLORIDA PATIENT SAFETY CORPORATION

The **Florida Patient Safety Corporation** announces a telephone conference call to which all persons are invited.

DATES AND TIMES: December 12, 2008, 9:00 a.m.; December 17, 2008, 2:00 p.m.

PLACE: To participate, please dial: 1(866)200-9760, followed by PIN 8938936#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Task Force to discuss FPSC structure.

A copy of the agenda may be obtained by contacting: Susan Moore, CEO at susan.a.moore@comcast.net.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Brad Weatherholtz, on behalf of Florida Roofing Sheet

Metal and Air Conditioning Contractors Association, Inc., on November 4, 2008. The petition seeks the Florida Building Commission's opinion on Sections 1507.2.2 and 1507.2.8, Florida Building Code, Building Volume, 2004 (as amended) as they apply to the petitioner. The Petitioner asks whether these code provisions require the use of double underlayment on asphalt shingled roofs with a 33 percent slope. It has been assigned the number DCA08-DEC-331.

A copy 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 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 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:

Historic Shipwreck Salvage Policy Council; Shipwreck Exploration and Salvage Policy Council; Jupiter Wreck, Inc.; Amelia Research and Recovery, LLC; Mel Fisher Center, Inc.; and Motivation, Inc. vs. Florida Division of Historical Resources; Case No.: 08-5454RP; Chapter No.: 1A-31

FM Liquors, Inc. vs. Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco; Case No.: 08-5640RP; Rule No.: 61A-3.0535

United Healthcare of Florida, Inc.; United Healthcare Insurance Company; and Florida Association of Health Plans vs. Financial Services Commission and Office of Insurance Regulation; Case No.: 08-5612RP; Rule No.: 69O-149.041

SA-PG Clearwater, LLC d/b/a Palm Garden of Clearwater; SA-PG Gainesville, LLC, d/b/a Palm Garden of Gainesville; SA-PG Jacksonville, LLC, d/b/a Palm Garden of Jacksonville; SA-PG Largo, LLC, d/b/a Palm Garden of Largo; Et. AL. vs. Agency for Health Care Administration; Case No.: 08-5360RU

Good Shepherd Hospice, Inc. vs. Agency for Health Care Administration; Case No.: 08-5387RU

Hartman and Tyner, Inc., A FL Corp.; Gadsden Jai Alai, Inc., A FL Corp; and Washington County Kennel Club, Inc., A FL Corp vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 08-5403RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

St. Anthony’s Hospital, Inc., d/b/a St. Anthony’s Hospital vs. Agency for Health Care Administration and Galencare, Inc., d/b/a Northside Hospital; Et. AL. (Intervenors) Martin Memorial Medical Center, Inc. vs. Agency for Health Care Administration and Galencare, Inc., d/b/a Northside Hospital; Et. AL. (Intervenors); Case Nos.: 07-5133RP, 07-5193RP; Rule No.: 59A-3.2085; Valid

Carrie Johnson, as lawful custodian and next friend of minor child, Jevon Evens vs. Department of Children and Family Services; Case No.: 08-1577RP; Rule No.: 65A-1.900(2)(a); Dismissed

Carrie Johnson, as lawful custodian and next friend of minor child Jevon Evens vs. Department of Children and Family Services; Case No.: 08-3106RP; Rule No.: 65A-1.900(2)(a); Dismissed

Emmett and Linda Hildreth vs. Florida Fish and Wildlife Conservation Commission; Case No.: 08-1243RU; Invalid

Good Shepherd Hospice, Inc. vs. Agency for Health Care Administration; Case No.: 08-5387RU; Dismissed

Carrie Johnson, as lawful Custodian and Next Friend of Minor Child Jevon Evens vs. Department of Children and Family Services; Case No.: 07-5066RU; Dismissed

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

INVITATION TO BID

The Florida State University Facilities Purchasing will receive sealed bids until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Florida State University
Facilities
114F Mendenhall Building A
Tallahassee, Florida 32306

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the:

Bid Number: FAC62113-08
Purchasing Agent: B. J. Lewis, Facilities
Public Bid Opening: December 22, 2008, 9:30 a.m.
Location: FSU-Facilities Purchasing
114 Mendenhall Hall, Building A
Tallahassee, Florida 32306-4150

Bid Documents: We are in the market for an IT solution to consolidate 8-10 production servers. This solution will be in addition to several stand alone servers, EMC SAN/NAS, Sun Oracle services, and tape libraries. This solution will include licensing to maximize the utilization of the hardware (legacy, existing, new, and future) through VMW are enterprise. The solution must include all power, KVM, networking equipment and cables/adaptors needed to fully utilize the blade chassis. Individual blade systems must include dual Intel CPU, on board hard drive, and minimum 16GB RAM. Please include knowledge transfer, setup, training, and troubleshooting over and above the base level hardware support from the manufacturer. Please detail both individual system and possible overall solution configurations.

Contact Person: B. J. Lewis, Purchasing Agent
 FSU, Facilities
 (P) (850)644-7639; (F) (850)644-5071
 blewis@admin.fsu.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
 Hardee, Highlands, Okeechobee Counties
 Community Transportation Coordinator
 Request for Letters of Interest

The Central Florida Regional Planning Council is seeking letters of interest and statements of qualifications from agencies or firms interested in coordinating transportation services for the Transportation Disadvantaged in the multi-county service area of Hardee, Highlands, and Okeechobee, Florida. The selected contractor will be the designated Community Transportation Coordinator for Florida's Transportation Disadvantaged program, as authorized by Chapter 427, Florida Statutes, and more fully described in Rule Chapter 41-2, Florida Administrative Code. Experience with eligibility-based transportation services is required.

The Community Transportation Coordinator is defined by Chapter 427, Florida Statutes, as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The Community Transportation Coordinator has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in Section 427.015(2), F.S.

The transportation disadvantaged are defined by Chapter 427, Florida Statutes, as "those persons who because of physical or mental disability, income status, or age are unable to transport themselves or purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life sustaining activities, or children who are handicapped or high-risk or at-risk as defined in Section 411.202, F.S."

Interested agencies or firms are required to provide proof of qualifications in the following areas: coordination experience, scheduling and routing software used by the agency/firm, contracting with transportation providers, vehicle acquisition, and grant applications and administration. Letters of interest and qualifications should be limited to four (4) pages.

Potential coordinators should submit their expression of interest and qualifications in a sealed envelope to: Central Florida Regional Planning Council, Attention: Patricia M. Steed, Executive Director, 555 E Church Street, Bartow, FL 33830. Letters must be marked, "LETTER OF INTEREST AND QUALIFICATIONS FOR HARDEE, HIGHLANDS, AND OKEECHOBEE COUNTIES COMMUNITY TRANSPORTATION COORDINATOR." Letters of interest and qualifications must be received by 4:00 p.m. (EST), Friday, December 12, 2008.

The Council will not accept faxed and e-mail responses. Late letters of interest will be returned unopened with the notation, "This letter of interest was received after the delivery time designated for receipt and opening in the legal notice." Only responses to the request for letters of interest will be considered if a request for proposals is issued for Community Transportation Coordinator. The Central Florida Regional Planning Council reserves the right to accept or reject any and all responses in the best interest of the service area and the State.

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."

PORT ST. JOE PORT AUTHORITY

SECOND REQUEST FOR QUALIFICATIONS

(NOTE: Due date revised to January 9, 2009)

The Port St. Joe Port Authority (PA) invites the submittal of statements of qualifications from firms or teams interested in providing a broad range of professional services including but not limited to engineering, planning, environmental, governmental advocacy, port marketing, and other as may be deemed appropriate to accomplish the objective of a "new start" port development as further described below. This solicitation is issued pursuant to the Consultants Competitive Negotiations Act, Section 287.055, F.S. Submittals should be in compliance with that act and other related general laws.

BACKGROUND

The PA's Port St. Joe Port Master Plan (the Plan) provides the framework for the development of various properties on St. Joseph Bay and the Gulf County Canal (the Canal). A copy of the Plan in CD format may be obtained by making request to the Port staff office at (850)229-5240.

The subject properties, totaling approximately 130 acres, are identified on the attached Figure 2-2 from that Port Master Plan and include "Port Land", "Parcel A", and "Parcel B" within the Port Planning Area, and an additional 20 acres on the "Former Paper Mill Site" that includes 1,000 feet on the existing bulkhead at that site. That Bulkhead Site is located on

the existing turning basin and ship channel. The PA anticipates initiating port cargo operations on that site immediately while efforts are underway to develop Parcel A as the permanent deep water port site.

Parcel A is an undeveloped site, a portion of which is a brownfield. The primary objective of this RFQ is to secure a team with the capabilities and commitment to acquire the permitting and funding, to plan and design the infrastructure and improvements (dredging, bulkhead, rail, road, utilities, security, etc.), and to provide construction management to develop the site into an operational deepwater port as quickly as possible.

Parcel B is owned by the PA and the construction of a bulkhead is underway on the Canal waterfront of that site. Parcels A and B are readily accessible from each other via a lengthy grade separation under the U.S. Highway 98 Bridge; that bridge has a vertical clearance of 75 feet over the Canal. These features present opportunities for Parcel B to be a support area for cargo operations initiated either on the waterfront of the newly developed Parcel A or on the Canal waterfront of Parcel B.

The Port St. Joe Ship Channel is a Federal channel Congressionally authorized to a depth of 35 feet, though maintenance dredging has not been performed in many years and is badly needed. The Parcel A improvements will require new deepwater access with depth of 35 feet. The Canal channel is a part of the Gulf Intracoastal Waterway and is authorized to a depth of twelve feet; however, the Parcel B bulkhead is designed for a depth of 22 feet in anticipation of possible deepening of the Canal to that property so that some oceangoing vessels can access it. In light of these needs, dredge project permitting and design will be a major component of the work effort assigned to the successful team.

Funding of the improvements is vital and therefore a priority task of the selected team will be to assist in the pursuit of funding through all available channels. The PA is a member of the Florida Ports Council and the Florida Seaport Transportation Economic Development Council, is authorized in statute to secure funding through bonds, and is an independent special district with members appointed by the Governor of Florida. Each of these represents funding opportunities; it is expected that many others must be explored, including public-private partnership, in order to accomplish the objective of an operational deepwater seaport at Port St. Joe. Consequently, the PA welcomes the interest of potential private partners who may wish to respond to this RFQ. One likely task of the selected team is the preparation of planning, market, and financial documents that could be used to solicit the interests of private partners or investors or to support a bond issue, loan, or combination of funding mechanisms.

A vital component of funding is a reliable revenue stream. As such, it is anticipated that the selected team must develop and, after PA approval, implement a marketing strategy that will attract customers, tenants, users, and/or partners to the Port of

Port St. Joe. There is little if any interest in an expensive print advertising campaign; instead respondents should communicate their ideas and strategy for attracting customers, users, tenants, and port-related industry to the Port St. Joe area as the selected team is expected to be a vital component to a port marketing effort.

EXPERTISE AND EXPERIENCE

The firm/team selected through this process will be engaged to provide to the PA general planning and engineering services, environmental consulting and permitting services, port marketing, advocacy at the State and Federal levels, and such other services as are required to develop the Port properties into a functioning seaport. Those services are anticipated to cover the broad range of disciplines needed to develop a port, including but not limited to: marine, civil, and environmental engineering; facility design and planning, including buildings, warehouses, etc. and both deep and shallow draft marine facilities; specifications and bid document preparation; construction management and oversight; application for and securing of environmental permits; advocacy for funding support; financial planning; and such other services as might be required. The information submitted in response to this RFQ must demonstrate the respondents' comprehensive expertise and experience in these diverse areas.

QUALIFICATIONS OF KEY PERSONNEL

Responses to this RFQ should identify the project manager/point of contact as well as other key personnel who are anticipated to be assigned to tasks and projects for the Port of Port St. Joe. Information must be included to show their qualifications and experience on projects of similar scope and magnitude.

REFERENCES

Responses to this RFQ should include references from at least five clients for whom each firm has performed work similar in nature. Provide client name, project title and description, cost, date of assignment, and telephone number of contact person.

SUBMITTAL REQUIREMENTS

Nine bound copies of the response to this RFQ must be submitted to the following address by 5:00 p.m. on January 9, 2009. Faxed or e-mail submittals will not be accepted.

Port St. Joe Port Authority
Mr. Tommy Pitts, Port Director
206 Monument Ave.
Port St. Joe, FL 32456
Phone: (850)229-5240

Submittals should include the following sections, for a total of no more than forty pages, exclusive of resumes and corporate brochures.

- Cover letter
- Statement of the firm's/team's understanding of the objective and needs of the PA and how they are prepared and equipped to meet them

- Overview of corporate/team qualifications and experience
- Key management and technical staff including a chart showing hourly rates for the relevant professional and support personnel categories and other corporate cost factors
- References
- Resumes of key personnel
- Company brochures

SELECTION PROCESS

No more than three firms will be selected to participate in personal interviews with the PA based on the information contained in the responses to this RFQ. Interviews with the selected firms will be held in Port St. Joe. For those firms selected for an interview, key team members, including a representative authorized to make commitments for the firm should be present.

ADDITIONAL INFORMATION

All responses to the RFQ become the property of the Port Authority. This RFQ does not commit the PA to award a contract or to pay any costs incurred in the preparation of the proposal. The PA reserves the sole right to evaluate the submitted responses to this RFQ, waive any irregularity therein, reconfigure proposed teams, insert added team members, select consultant, and/or reject any and all submittals for any reason, should such be deemed to be in the best interest of the PA.

State of Florida Public Records Law – Once a final award is made, all RFQ responses become a matter of public record and shall be regarded by the PA as public records. The PA shall not in any way be liable or responsible for the disclosure of any such records or portions thereof if the disclosure is made pursuant to a request under the State of Florida Public Records Law.

Any questions regarding this RFQ may be directed to: Mr. Tommy Pitts, Port Director (telephone (850)229-5240, e-mail tpitts@gtcom.net).

BALFOUR BEATTY CONSTRUCTION, LLC.

INVITATION FOR QUALIFIED CONTRACTORS TO SUBMIT SEALED BIDS

Balfour Beatty Construction LLC (BBC) is requesting SEALED BIDS from qualified Contractors for the above referenced project until 2:00 p.m., December 19, 2008, at the address provided below: Sealed bids will be opened publicly immediately following the 2:00 p.m. cut off.

Address: 804 N. W. Jackson Bluff Rd.
 Mayo, FL 32066
 Phone: (386)294-3100
 Fax: (386)294-2485
 E-Mail: kgray@balfourbeattyus.com
 Bid Package will be available at NGI.

Interested parties can obtain plans, specifications, bid package and prequalification forms at the following location starting December 1, 2008.

NGI (Ocala)
 (352)622-5039
 304A Southwest Broadway Street
 Ocala, FL 34474

SEALED BIDS AND PREQUALIFICATION FORMS ARE TO BE SENT TO:

Kevin Gray / Balfour Beatty Construction, 804 N. W. Jackson Bluff Rd., Mayo, FL 32066, for receipt prior to 2:00 p.m., December 19, 2008.

A pre-bid conference will be held at 9:00 a.m., Thursday, December 4, 2008. The location of the pre-bid conference is: Mayo Correctional Annex, Project Construction Trailer Conference Room, 804 N. W. Jackson Bluff Rd., Mayo, FL 32066 (same location bids will be received).

Balfour Beatty Construction does not discriminate on the basis of race, color, religion, age, sex, national origin, marital status, handicap or other reason prohibited by law.

LICENSE CGC 05623.

**Section XII
 Miscellaneous**

DEPARTMENT OF EDUCATION

The School Board of Hillsborough
 County Policy 5517.01

The School Board of Hillsborough County gives notice of its intent to post for public inspection, a policy entitled POLICY AGAINST BULLYING AND HARASSMENT. To view the proposed Bullying and Harassment Policy please go to: <http://www.sdhc.k12.fl.us/notices/bullying.pdf>. For additional information or comments call: (813)272-4076.

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT CONSISTENT WITH SECTIONS 163.3177(2) AND (3), FLORIDA STATUTES DCA DOCKET NO. 48-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Orange County School Board and each of the following local governments: the Cities of Belle Isle and Winter Garden, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the City of Belle Isle, 1600 Nela Avenue, Belle Isle, Florida 32809 and the City of Winter Garden, 300 West Plant street, Winter Garden, Florida 34787.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with: Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Orange County School Board, the Cities of Belle Isle and Winter Garden. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at: Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
INTERLOCAL AGREEMENT CONSISTENT WITH
SECTIONS 163.31777(2) AND (3), FLORIDA STATUTES
DCA DOCKET NUMBER 20-04

The Department gives notice of its intent to find the Public Schools Interlocal Agreement ("Agreement") entered into by the City of Gretna and the Gadsden County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the City of Gretna, 14615 Main Street, Gretna, Florida 32332-0220.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with: Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to the City of Gretna and the Gadsden County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at: Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

**NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
INTERLOCAL AGREEMENT CONSISTENT WITH
SECTIONS 163.31777(2) AND (3), FLORIDA STATUTES
DCA DOCKET NO. 13-19**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement ("Agreement") executed between the Miami-Dade County School Board and the City of North Bay Village, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the North Bay Village, City Hall, Office of the City Clerk, 1666 Kennedy Causeway, Suite 700, Miami, Florida 33141.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Miami-Dade County School Board and the City of North Bay Village. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at: Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed

time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

HIGHWAY SAFETY AND MOTOR VEHICLES

**Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population**

Pursuant to Section 320.642, Florida Statutes, notice is given that Rhino Motorcycles, Inc., intends to allow the establishment of Kevi Brezil d/b/a Blazin Motorsports, as a dealership for the sale of motorcycles manufactured by Jiangmen Qipai Motorcycle Co. Ltd. (QIPA) at 12510 San Jose Boulevard, Jacksonville (Duval County), Florida 32223, on or after November 18, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Kevi Brezil d/b/a Blazin Motorsports are dealer operator(s): Kevin Brezil, 12510 San Jose Boulevard, Jacksonville, Florida 32223; principal investor(s): Kevin Brezil, 12510 San Jose Boulevard, Jacksonville, Florida 32223.

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: Alex Chividian, Rhino Motorcycles, Inc., 229 North Central Avenue, Suite #304, Glendale, California 91205.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Genuine Scooters, LLC, intends to allow the establishment of Richard Weber Real Estate Investment Company d/b/a Orlando Yamaha Kawasaki, as a dealership for the sale of motorcycles manufactured by LML Limited (LMLL) at 9334 East Colonial Drive, Orlando (Orange County), Florida 32817, on or after November 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Richard Weber Real Estate Investment Company d/b/a Orlando Yamaha Kawasaki are dealer operator(s): Richard Weber, 9334 East Colonial Drive, Orlando, Florida 32817; principal investor(s): Richard Weber, 9334 East Colonial Drive, Orlando, Florida 32817.

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: Jim Kolbe, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Genuine Scooters, LLC, intends to allow the establishment of Richard Weber Real Estate Investment Company d/b/a Orlando Yamaha Kawasaki, as a dealership for the sale of motorcycles manufactured by Motive Power Industry Co. Ltd. (MOTI) at 9334 East Colonial Drive, Orlando (Orange County), Florida 32817, on or after November 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Richard Weber Real Estate Investment Company d/b/a Orlando Yamaha Kawasaki are dealer operator(s): Richard Weber, 9334 East Colonial Drive, Orlando, Florida 32817; principal investor(s): Richard Weber, 9334 East Colonial Drive, Orlando, Florida 32817.

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: Jim Kolbe, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorcycles and Sidecars, Inc., intends to allow the establishment of Scooter City USA, LLC, as a dealership for the sale of motorcycles manufactured by

Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 2164 Platinum Road, Unit K, Apopka (Orange County), Florida 32703, on or after November 24, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter City USA, LLC are dealer operator(s): Randy Lazarus, 2164 Platinum Road, Unit K, Apopka, Florida 32703; principal investor(s): Randy Lazarus, 2164 Platinum Road, Unit K, Winter Park, Florida 32703.

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: Thomas Lynott, Classic Motorcycles and Sidecars, Inc., Post Office Box 969, Preston, Washington 98050.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorcycles and Sidecars, Inc., intends to allow the establishment of Scooter City USA, LLC, as a dealership for the sale of motorcycles manufactured by Classic Motorcycles and Sidecars, Inc. (CLMS) at 2650 West Fairbanks Avenue, Winter Park (Orange County), Florida 32789, on or after November 24, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter City USA, LLC are dealer operator(s): Randy Lazarus, 2650 West Fairbanks Avenue, Winter Park, Florida 32789; principal investor(s): Randy Lazarus, 2650 West Fairbanks Avenue, Winter Park, Florida 32789.

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: Thomas Lynott, Classic Motorcycles and Sidecars, Inc., Post Office Box 969, Preston, Washington 98050.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorcycles and Sidecars, Inc., intends to allow the establishment of Scooter City USA, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 2650 West Fairbanks Avenue, Winter Park (Orange County), Florida 32789, on or after November 24, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter City USA, LLC are dealer operator(s): Randy Lazarus, 2650 West Fairbanks Avenue, Winter Park, Florida 32789; principal investor(s): Randy Lazarus, 2650 West Fairbanks Avenue, Winter Park, Florida 32789.

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: Thomas Lynott, Classic Motorcycles and Sidecars, Inc., Post Office Box 969, Preston, Washington 98050.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorcycles and Sidecars, Inc., intends to allow the establishment of Scooter City USA, LLC, as a dealership for the sale of motorcycles manufactured by Classic Motorcycles and Sidecars, Inc. (CLMS) at 2164 Platinum Road, Unit K, Apopka (Orange County), Florida 32703, on or after November 24, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter City USA, LLC are dealer operator(s): Randy Lazarus, 2164 Platinum Road, Unit K, Apopka, Florida 32703; principal investor(s): Randy Lazarus, 2164 Platinum Road, Unit K, Winter Park, Florida 32703.

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: Thomas Lynott, Classic Motorcycles and Sidecars, Inc., Post Office Box 969, Preston, Washington 98050.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Stay Safe, LLC, as a dealership for the sale of motorcycles manufactured Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 1130 Manasota Beach Road, Englewood (Sarasota County), Florida 34223, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Stay Safe, LLC are dealer operator(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223; principal investor(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Stay Safe, LLC, as a dealership for the sale of motorcycles manufactured Taizhou Chuanl Motorcycle Manufacturing Co. Ltd. (CHUA) at 1130 Manasota Beach Road, Englewood (Sarasota County), Florida 34223, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Stay Safe, LLC are dealer operator(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223; principal investor(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Stay Safe, LLC, as a dealership for the sale of motorcycles manufactured Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 1130 Manasota Beach Road, Englewood (Sarasota County), Florida 34223, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Stay Safe, LLC are dealer operator(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223; principal investor(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Stay Safe, LLC, as a dealership for the sale of motorcycles manufactured Zhejiang Kangdi Vehicle Co. Ltd. (KANG) at 1130 Manasota Beach Road, Englewood (Sarasota County), Florida 34223, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Stay Safe, LLC are dealer operator(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223; principal investor(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Stay Safe, LLC, as a dealership for the sale of motorcycles manufactured Shanghai Meitian Motorcycle Co. Ltd. (MEIT) at 1130 Manasota Beach Road, Englewood (Sarasota County), Florida 34223, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Stay Safe, LLC are dealer operator(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223; principal investor(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Stay Safe, LLC, as a dealership for the sale of motorcycles manufactured Zhejiang Mengdeli Electric Co. Ltd. (MENG) at 1130 Manasota Beach Road, Englewood (Sarasota County), Florida 34223, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Stay Safe, LLC are dealer operator(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223; principal investor(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Stay Safe, LLC, as a dealership for the sale of motorcycles manufactured China Qingqi Group Co. Ltd. (QING) at 1130 Manasota Beach Road, Englewood (Sarasota County), Florida 34223, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Stay Safe, LLC are dealer operator(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223; principal investor(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Stay Safe, LLC, as a dealership for the sale of motorcycles manufactured Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 1130 Manasota Beach Road, Englewood (Sarasota County), Florida 34223, on or after November 19, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Stay Safe, LLC are dealer operator(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223; principal investor(s): Ralph Torres, 1130 Manasota Beach Road, Englewood, Florida 34223.

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: Mei Zhou, President, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

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, notice is given that Electric Car Distributors, Inc., intends to allow the establishment of Villages Golf Cart Man, LLC, as a dealership for the sale of low speed vehicles manufactured by American Custom Golfcars, Inc. (ACGC) at 110 La Plaza Grande, Lady Lake (Lake County), Florida 32159, on or after December 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Villages Golf Cart Man, LLC are dealer operator(s): Anthony J. Colangelo, Sr., Villages Golf Cart Man, LLC, 110 La Plaza Grande, Lady Lake, Florida 32159; principal investor(s): Anthony J. Colangelo, Sr., Post Office Box 7057, Brandon, Florida 33508.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Warren Sistare, President, Electric Car Distributors, Inc., 2306 North Dixie Highway, Fort Lauderdale, Florida 33305.

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 WITHDRAWAL

The Agency for Health Care Administration hereby notices withdrawal from review of the following Certificate on Need application:

County: Broward District: 10

LOI #0810009 Decision Date: 11/20/08 Decision: W
 Facility/Project: Memorial Regional Hospital
 Applicant: South Broward Hospital District
 Project Description: Establish a pediatric heart transplantation program.

A request for administrative hearing, if any, must be made in writing and must be actually received by the Agency within 21 days of the first day of publication of this notice in the Florida Administrative Weekly, pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

NOTICE OF BATCH APPLICATION RECEIPT AND NOTICE OF PUBLIC HEARINGS

The Agency for Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Other Beds and Programs review cycle with an application due date of November 19, 2008.

- County: Hillsborough District: 6A
 CON # 10035
 Facility/Project: VITAS Healthcare Corporation of Florida
 Applicant: VITAS Healthcare Corporation of Florida
 Project Description: Establish a hospice program
 County: Hardee District: 6B
 CON # 10036
 Facility/Project: Compassionate Care Hospice of Miami-Dade, Inc.
 Applicant: Compassionate Care Hospice of Miami-Dade, Inc.
 Project Description: Establish a hospice program
 County: Hardee District: 6B
 CON # 10037
 Facility/Project: Florida Hospital HospiceCare
 Applicant: Memorial Hospital – Flagler, Inc.
 Project Description: Establish a hospice program
 County: Hardee District: 6B
 CON # 10038
 Facility/Project: Odyssey HealthCare of Central Florida
 Applicant: Odyssey HealthCare of Collier County, Inc.
 Project Description: Establish a hospice program
 County: Orange District: 7B
 CON # 10039
 Facility/Project: HCR Manor Care Services of Florida II, Inc.
 Applicant: HCR Manor Care Services of Florida II, Inc.

Project Description: Establish a hospice program
 County: Orange District: 7B
 CON # 10040
 Facility/Project: Florida Hospital Hospice Care
 Applicant: Memorial Hospital-Flagler, Inc.
 Project Description: Establish a hospice program
 County: Miami-Dade District: 11
 CON # 10041
 Facility/Project: University of Miami Hospital & Clinics
 Applicant: University of Miami
 Project Description: Establish an adult autologous and
 allogenic bone marrow transplantation program
 County: Miami-Dade District: 11
 CON # 10042
 Facility/Project: Compassionate Care Hospice of Miami Dade,
 Inc.
 Applicant: Compassionate Care Hospice of Miami Dade, Inc.
 Project Description: Establish a hospice program
 County: Miami-Dade District: 11
 CON # 10043
 Facility/Project: HCR Manor Care Services of Florida II, Inc.
 Applicant: HCR Manor Care Services of Florida II, Inc.
 Project Description: Establish a hospice program

Also, IF REQUESTED, tentative public hearings have
 been scheduled as follows:

PROPOSALS: District 6 – Hospice Program in 6A
 DATE/TIME: Tuesday, January 6, 2009, 9:00 a.m. – 12:00
 Noon
 PLACE: Children’s Board of Hillsborough County
 1002 East Palm Avenue
 Tampa, FL 33605
 PROPOSALS: District 6 – Hospice Programs in 6B
 DATE/TIME: Thursday, January 8, 2009, 1:00 p.m. – 5:00
 p.m.
 PLACE: Polk County Cooperative Extension Services

Valencia Room
 1702 Highway 17-98, South
 Bartow, FL 33830
 PROPOSALS: District 7
 DATE/TIME: Friday, January 9, 2009, 9:00 a.m.
 PLACE: Health Council of East Central Florida, Inc.
 2461 West State Road 426, Suite 2041
 Oviedo, FL 32765
 PROPOSALS: District 11 – Adult Bone Marrow Transplant
 Program
 DATE/TIME: Wednesday, January 7, 2009, 9:00 a.m. –
 10:30 a.m.
 PLACE: Health Council of South Florida, Inc.
 8095 N. W. 12th Street, Suite 300
 Miami, FL 33126
 PROPOSALS: District 11 – Hospice Programs
 DATE/TIME: Thursday, January 8, 2009, 9:00 a.m. – 10:30
 a.m.
 PLACE: Health Council of South Florida, Inc.
 8095 N. W. 12th Street, Suite 300
 Miami, FL 33126

Public hearing requests must be in writing and be received
 at: Agency for Health Care Administration, CON Office, 2727
 Mahan Drive, Mail Stop 28, Tallahassee, Florida 32308,
 Attention: James B. McLemore, by 5:00 p.m., December 19,
 2008. In lieu of requesting and attending a public hearing,
 written comments submitted to the department relative to the
 merits of these applications will become part of the official
 project application file. Pursuant to subsection 59C-1.010(3),
 F.A.C., written comments must be received by December 24,
 2008.

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."

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/. For information call: (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On November 19, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon, issued an Order of Emergency Suspension Order with regard to the license of Steven Glenn Greye, L.M.T. license number MA 31468. 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 November 19, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon, issued an Order of Emergency Suspension Order with regard to the license of Fernando Granda Delgado,

R.N. license number RN 9262094. 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 November 19, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon, issued an Order of Emergency Suspension Order with regard to the license of Cheryl Pelikan, R.N. license number RN 3168312. 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 November 19, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon, issued an Order of Emergency Suspension Order with regard to the license of Ronald Loconto, C.R.T. license number TT 2536. 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.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN November 17, 2008
 and November 21, 2008

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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STATE BOARD OF ADMINISTRATION

19-11.002	11/18/08	12/8/08	34/32	34/43
19-11.004	11/18/08	12/8/08	34/32	
19-11.006	11/18/08	12/8/08	34/32	
19-11.007	11/18/08	12/8/08	34/32	34/43
19-11.008	11/18/08	12/8/08	34/32	
19-11.009	11/18/08	12/8/08	34/32	

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications and Information Technology Services

60FF-5.002	11/17/08	12/7/08	34/28	34/41
60FF-5.003	11/17/08	12/7/08	34/28	34/41

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

61G1-12.001	11/17/08	12/7/08	34/35	
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Construction Industry Licensing Board

61G4-12.009	11/18/08	12/8/08	34/33	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-204.800	11/21/08	12/1/08	34/43	
62-304.410	11/17/08	12/7/08	34/36	

DEPARTMENT OF JUVENILE JUSTICE

Division of Commitment

63E-7.010	11/19/08	12/9/08	34/31	34/43
63E-7.011	11/19/08	12/9/08	34/31	34/43

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

69A-62.002	11/18/08	1/1/09	34/34	
69A-62.003	11/18/08	1/1/09	34/34	
69A-62.007	11/18/08	1/1/09	34/34	
69A-62.021	11/18/08	1/1/09	34/34	

Division of Consumer Services

69J-7.005	11/18/08	12/8/08	34/8	
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FINANCIAL SERVICES COMMISSION

OIR Insurance Regulation

69O-170.0144	11/18/08	12/8/08	34/35	34/42
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Section XIV
List of Rules Affected
