

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

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

PURPOSE AND EFFECT: The purpose of the rule development is to establish a periodic review and revision cycle for the Next Generation Sunshine State Standards. The effect is to make sure Florida's curriculum standards remain current and relevant.

SUBJECT AREA TO BE ADDRESSED: Next Generation Sunshine State Standards periodic review and revision schedule.

SPECIFIC AUTHORITY: 1001.02, 1003.41(2) FS.

LAW IMPLEMENTED: 1001.03, 1003.41 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: Todd Clark, Chief, Bureau of Instruction and Innovation, Todd.Clark@fldoe.org; (850)245-9868

To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.099
RULE TITLE: Cooperative Projects and Activities

PURPOSE AND EFFECT: The purpose of the rule development is to delete obsolete references and update statutory citations. The effect is a rule aligned with current Statutes.

SUBJECT AREA TO BE ADDRESSED: Cooperative projects, activities, and consortia.

SPECIFIC AUTHORITY: 1001.02(1), 1001.42(14) FS.

LAW IMPLEMENTED: 1001.42(14) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Linda Champion, Deputy Commissioner for Finance and Operations, Department of Education, 325 West Gaines Street, Room 1214, Tallahassee, Florida 32399-0400; (850)245-0506

To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-15.0081
RULE TITLE: Toll Facilities Description and Toll Rate Schedule

PURPOSE AND EFFECT: The Florida Department of Transportation is proposing changes to the Toll Facilities Description and Toll Rate Schedule to establish tolls for the I-4/Lee Roy Selmon Expressway Interchange (Connector), a SunPass-only facility connecting I-4 and the Lee Roy Selmon Expressway in Tampa. Section 338.155(1), F.S., does not permit the use of the State's toll facilities without paying a toll.

SUBJECT AREA TO BE ADDRESSED: The Department is proposing to toll the Connector, a limited-access interchange that extends from the Lee Roy Selmon Expressway north along the west side of 31st Street to I-4 in Tampa. This is an elevated roadway that includes a series of separate ramps intended to improve the regional movement of traffic throughout the Tampa Bay area and provide dedicated truck lanes for direct access to the Port of Tampa. It is consistent with proposed improvements to I-4, the Lee Roy Selmon Reversible Lanes Project, and the Causeway Boulevard Port Access Improvement project. Tolls are proposed to be collected from vehicles using the SunPass collection method only by an overhead gantry located on the project south of 7th Avenue.

SPECIFIC AUTHORITY: 334.044(2), 338.155(1) FS.

LAW IMPLEMENTED: 338.155, 338.221, 338.222, 338.2215, 338.2216, 338.223, 338.231, 338.233 FS.

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

DATE AND TIMES: February 19, 2009, Open House: 5:00 p.m. – 6:00 p.m., Formal Presentation: 6:30 p.m.

PLACE: Tampa Port Authority Board Room, 1101 Channelside Drive, Tampa, Florida 33602

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997, February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, June 21, 1999, September 4, 2001, March 26, 2002, and April 10, 2003, October 1, 2003, December 11, 2003, March 7, 2004, May 20, 2004, November 1, 2005, February 5, 2006, July 27, 2006, October 26, 2006, January 15, 2007, and _____, is hereby incorporated by this rule and made a part of the rules of the Department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2), 338.155(1) FS. Law Implemented ~~338.222, 338.231, 338.155, 338.221, 338.222, 338.2215, 338.2216, 338.223, 338.231, 338.233~~ FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, 9-4-01, 3-26-02, 4-10-03, 10-1-03, 12-11-03, 3-7-04, 5-20-04, 11-1-05, 2-5-06, 7-27-06, 10-26-06, 1-15-07, _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.820
 RULE TITLE: Maximum Management
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the circumstances under which an inmate may be confined to maximum management and the conditions under which a maximum management inmate's status, conditions of confinement, and privileges may change.

SUBJECT AREA TO BE ADDRESSED: Maximum Management.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.820 Maximum Management.

(1) Definitions.

(a) Institutional Classification Team (ICT) – the ICT is the team consisting of the Warden, Assistant Warden, Classification Supervisor, and Chief of Security that is responsible for making inmate status decisions and for making other recommendations to the State Classification Office (SCO), Regional Director, and Warden.

(b)(a) Maximum Management – refers to a temporary status for an inmate who, through a recent incident or series of recent incidents, has been identified as being an extreme security risk to the Department and requires an immediate level of control beyond that available in confinement, close management, or death row. The Secretary ~~has shall~~ designated Florida State Prison (FSP) as the only ~~which~~ institutions are authorized to house maximum management inmates, based upon the needs of the Department.

(b) Maximum Management Review Team— refers to the committee in Central Office that has approval authority for placement in maximum management and the modification of conditions and restrictions imposed at the time an inmate is initially placed in maximum management. The Maximum Management Review Team shall consist of the following staff or those acting in that capacity:

1. Deputy Assistant Secretary of Institutions—Operations (Chairperson);
2. Chief, Bureau of Classification and Central Records;
3. Chief, Bureau of Security Operations; and
4. Deputy Director of Health Services (Clinical).

(2) Maximum Management Placement Criteria. An inmate shall have, at a minimum, met the criteria for placement in Close Management I or death row and participated in a recent incident or series of recent incidents in which the inmate has which demonstrate:

(a) Escaped from or attempted to escape from a secure perimeter ~~The inmate's ability to effect an escape from a secure environment;~~

(b) Demonstrated a ~~The inmate's demonstrated~~ willingness to use deadly force in a correctional setting;

(c) Been involved in a dangerous act targeting staff or an assault against staff, including sexual assault ~~The inmate's involvement in dangerous acts which could lead to a person's injury or death, or insurrection; or~~

(d) Been involved in a life-threatening inmate-on-inmate assault requiring that the victim receive emergency outside medical treatment ~~Other management problems that require an immediate level of control which exceeds that available in close management or death row.~~

(3) Initial Placement in Maximum Management Housing.

(a) An inmate may only be referred for initial placement in maximum management housing at Florida State Prison. If an inmate located at any other facility commits an offense that appears to meet the criteria for maximum management placement outlined in subsection (2) of this Rule, the institutional classification officer, senior classification officer, classification supervisor, or ICT at the facility shall enter into the Offender Based Information System (OBIS) a Pending Close Management Evaluation transfer request to FSP if the inmate is not already in close management. If the inmate is already in close management or death row, the institutional classification officer, senior classification officer, classification supervisor, or ICT of the facility shall enter into OBIS a request for the type of transfer to FSP that reflects the inmate's current CM level or death row status. The Warden or Regional Director is required to send an e-mail to Central Office requesting transfer approval and the immediate scheduling of a direct transport to FSP indicating the inmate's current status and including the request for maximum management placement. A description of the inmate's behavior that warrants review for maximum management placement must be included. Whenever an inmate has met at least one of the conditions above, the Shift Supervisor shall recommend immediate placement in maximum management on Form DC6-101, Referral for Maximum Management. Form DC6-101 is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is April 13, 2006.

(b) Whenever an inmate housed at FSP or an inmate transferred to FSP pursuant to paragraph (3)(a) has met at least one of the conditions listed in paragraph (2)(a), the Shift Supervisor shall place the inmate in maximum management housing. Immediately after placement, the Shift Supervisor at FSP shall enter in OBIS a referral for maximum management detailing the information and circumstances requiring maximum management placement ~~The Warden or Duty~~

~~Warden shall review the Referral for Maximum Management, Form DC6-101, and document his or her decision. Approval from the Warden or Duty Warden is required prior to placement of the inmate in maximum management pending completion of the hearing process in subsection (5).~~

(c) Within 24 hours after an inmate is placed in maximum management housing, the Warden or Duty Warden shall review the Shift Supervisor's referral for maximum management and document a decision as to whether it is necessary to keep the inmate in maximum management housing pending completion of the hearing process in subsection (4). If the Warden or Duty warden determines that it is unnecessary to keep the inmate in maximum management housing pending completion of the hearing process, the inmate shall be placed in administrative confinement and the procedure for placement in close management outlined in Rule 33-601.800, F.A.C., shall be followed if the inmate is not already in close management. If the inmate was already in close management or death row status, the inmate shall be returned to that status. If the inmate's recent behavior warrants consideration of an upward modification of his close management level, that action shall take place after his return to close management in accordance with Rule 33-601.800, F.A.C. If the Warden or Duty Warden determines that maximum management placement is appropriate, the inmate will immediately be given a written notice including the reason for the placement referral and informing the inmate that a hearing to review the placement will be held no sooner than 24 hours from the delivery of the notice. The Shift Supervisor who recommended placing an inmate in maximum management shall ensure delivery of the Referral for Maximum Management to the inmate prior of being relieved of duty. The Referral for Maximum management shall inform the inmate of the reason for the placement and that a hearing will be held no sooner than 24 hours from the delivery of the notice to review the recommendation for placement in maximum management housing. The inmate may waive the 24 hour waiting period or his or her appearance at the hearing by signing the 24 Hour/Refusal to Appear Waiver, Form DC6-104. Form DC6-104 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is April 13, 2006.

(d) The Classification Supervisor shall docket the inmate's hearing before the ICT Institutional Classification Team for consideration of considering placement in maximum management status in accordance with subsection 33-601.820(3), F.A.C.

(4) Initial Placement Hearing and Decision Process.

(a) The ICT shall conduct a hearing with the inmate to determine whether placement in maximum management is appropriate.

(b) The inmate shall be present for the hearing unless:

1. The inmate waives his right to appear by signing the 24 Hour/Refusal to Appear Waiver, Form DC6-104; or

2. The inmate's behavior jeopardizes the security or safety of the institution or the hearing as determined by the ICT chairperson.

3. If the inmate did not attend the hearing, the reasons the inmate did not appear at the hearing shall be included in the ICT recommendation entered in OBIS.

(c) If the ICT chairperson determines the need for staff assistance based upon language barriers or other existing barriers, the chairperson shall appoint a staff assistant.

(d) The chairperson shall offer the inmate the opportunity to make a verbal statement or present a written statement.

(e) The ICT chairperson shall have authority to postpone the hearing to gather further information or order an investigation regarding any pertinent issues. If the hearing is postponed, the reasons for postponement shall be entered in OBIS.

(f) The ICT shall recommend approval or disapproval of the recommendation for placement in maximum management. The ICT's recommendations and the basis for the recommendations shall be entered in OBIS.

(g) The ICT's recommendation shall be forwarded to the Warden for review. The Warden's recommendation for approval or disapproval of maximum management placement conditions and the basis for the recommendations shall be entered in OBIS.

(h) The Warden's recommendations shall be forwarded to the Regional Director for final review. The Regional Director's decision to approve or disapprove maximum management placement and the basis for the decision shall be entered in OBIS. If the Regional Director disapproves the placement, the inmate shall immediately be removed from the maximum management cell and reclassified to his original status or placed in administrative confinement pending close management referral.

(i) The Classification Supervisor at FSP shall ensure that Form DC6-229, Daily Record of Special Housing, is documented with any status changes approved by the Regional Director. The Classification Supervisor shall also ensure that the inmate is informed verbally and in writing of the Regional Director's decision. Form DC6-229 is incorporated by reference in Rule 33-601.800, F.A.C.

(5)(4) Initial Conditions of Placement in Maximum Management. Inmates shall be subject to the following conditions upon initial placement in maximum management:

(a) The inmate shall be provided clothing and bedding. If the inmate's behavior requires, the Shift Supervisor may authorize the removal of clothing or bedding or that the solid door be closed for security reasons either upon initial placement or at any time during maximum management status. The Shift Supervisor shall notify the Warden. If in agreement

~~with the action, the Warden shall notify the Regional Director. If the Regional Director agrees with the action, the Deputy Assistant Secretary of Institutions — Operations will be contacted for final approval no later than the first work day following the Shift Supervisor's action. If an inmate's clothing is removed, a modesty garment shall be immediately given to the inmate. If the inmate chooses not to wear the garment, the garment shall be left in the cell and this action shall be documented on Form DC6-229, Daily Record of Special Housing. Form DC6-229 is incorporated by reference in Rule 33-601.800, F.A.C. Under no circumstances shall an inmate be left without a means to cover him or herself.~~

~~(b) Reading materials – possession limited to a bible, religious testament, or other reading material specifically related to the inmate's faith only;~~

~~(c) Out-of-doors recreation – limited to two hours once every 30 days for the first 60 days and two hours twice every thirty days thereafter or until the inmate's exercise privileges have been reinstated pursuant to subsection (7);~~

~~(d) Meals shall be served on paper or styrofoam products only;~~

~~(d)(e) Possession of legal materials shall be permitted, and excess legal materials shall be stored pursuant to subsection 33-602.201(6), F.A.C.;~~

~~(e)(f) Legal Visits shall be permitted; and~~

~~(f)(g) Routine bank transactions or canteen purchases shall not be allowed, with the exception of stamp, paper, security pen, and envelope purchases for mail, legal work, and inmate requests and grievances.~~

~~(5) Initial Placement Hearing and Decision Process:~~

~~(a) The Institutional Classification Team (ICT) shall conduct a hearing with the inmate to determine whether placement in maximum management is appropriate.~~

~~(b) The inmate shall be present for the hearing, unless:~~

~~1. The inmate waives his right to appear by signing the 24 Hour/Refusal to Appear Waiver, Form DC6-104; or~~

~~2. The inmate's behavior jeopardizes the security or safety of the institution or the hearing as determined by the Institutional Classification Team chairperson.~~

~~3. If the inmate did not attend the hearing, the reasons the inmate did not appear at the hearing shall be included in the ICT recommendation entered on Form DC6-171, Report of Maximum Management. Form DC6-171 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is October 30, 2006.~~

~~(e) If the Institutional Classification Team chairperson determines the need for staff assistance based upon language barriers or other existing barriers, the chairperson shall appoint a staff assistant.~~

~~(d) The chairperson shall offer the inmate the opportunity to make a verbal statement or present a written statement.~~

~~(e) The Institutional Classification Team chairperson shall have authority to postpone the hearing to gather further information or order an investigation regarding any pertinent issues. If the hearing is postponed, the reasons for postponement shall be included in the ICT recommendation entered on the Report of Maximum Management, Form DC6-171.~~

~~(f) The Institutional Classification Team shall recommend approval or disapproval of the recommendation for placement in maximum management and modification of the initial conditions of placement as listed in subsection (4), if changes were made. The initial conditions of placement are intended to be short-term and should be modified when the inmate's adjustment to maximum management and the inmate's level of threat to the security of the institution indicate that modification is appropriate. These conditions can only be modified to the level permitted for Close Management I inmates. The Institutional Classification Team's recommendations and the basis for the recommendations shall be documented on the Report of Maximum Management, Form DC6-171.~~

~~(g) The Institutional Classification Team's recommendations shall be forwarded to the Warden for review. The Warden's recommendation for approval or disapproval of maximum management placement and any modifications of the initial conditions and the basis for the recommendations shall be documented on the Report of Maximum Management, DC6-171.~~

~~(h) The Warden's recommendations shall be forwarded to the Regional Director for review. The Regional Director's recommendation for approval or disapproval of maximum management placement and any modifications of the initial conditions and the basis for recommendations shall be documented on the Report of Maximum Management, Form DC6-171.~~

~~(i) The Regional Director's recommendations shall be forwarded to the Maximum Management Review Team for review and final approval or disapproval of the maximum management placement and any modifications of the initial conditions. The Maximum Management Review Team's decisions shall be documented on the Report of Maximum Management, Form DC6-171.~~

~~(j) If the Maximum Management Review Team disapproves the maximum management placement, the inmate shall immediately be reclassified to his original status and removed from the maximum management cell.~~

~~(k) The Classification Supervisor at the maximum management facility shall ensure that Form DC6-229, Daily Record of Special Housing, is documented with any status or condition changes approved by the Maximum Management Review Team. The Classification Supervisor shall also ensure~~

~~that the inmate is informed verbally and in writing of the Maximum Management Review Team's decision. Form DC6-229 is incorporated by reference in Rule 33-601.800, F.A.C.~~

~~(l) The Institutional Classification Team at the maximum management facility is responsible for ensuring that staff adhere to any time frames approved in reference to inmate conditions.~~

~~(m) An inmate shall not be released from maximum management status or be subjected to modifications of initial placement conditions until the actions are approved by the Maximum Management Review Team except as allowed in paragraph (4)(a) above.~~

~~(6) Review of Maximum Management Status and Conditions.~~

~~(a) The ICT Institutional Classification Team shall review the inmate's maximum management status, the conditions set forth in subsection (4) above, and previously modified conditions weekly for the first sixty days from the date of placement, and at least monthly thereafter.~~

~~1. Weekly reviews by the ICT Institutional Classification Team during the first sixty days of maximum management status and monthly thereafter shall be documented on Form DC6-229, Daily Record of Special Housing.~~

~~2. If the ICT Institutional Classification Team recommends the inmate's release from maximum management or a modification of the inmate's conditions during the first sixty days, the ICT Institutional Classification Team shall enter also document its recommendation in OBIS on the Report of Maximum Management, Form DC6-171.~~

~~3. All reviews conducted at least monthly by the ICT Institutional Classification Team after the first sixty days of maximum management status shall be entered in OBIS documented on the Report of Maximum Management, Form DC6-171. This documentation shall include any recommendations for modifications of the inmate's conditions.~~

~~4. The ICT shall enter in OBIS an inmate's guilty findings on any disciplinary reports and all recommendations for modification of the inmate's conditions.~~

~~(b) All ICT Institutional Classification Team reviews entered in OBIS documented on the Report of Maximum Management, Form DC6-171, shall be reviewed by the Warden. The Warden shall document his or her reason for approval, disapproval, or modification of the ICT Institutional Classification Team recommendations in OBIS on the Report of Maximum Management, Form DC6-171.~~

~~(c) The Warden's recommendations for approval, disapproval, or modification of the inmate's status or conditions shall be reviewed by the Regional Director. The Regional Director shall document approval, disapproval, or modification of the Warden's recommendation in OBIS on the Report of Maximum Management, Form DC6-171.~~

(d) If the Regional Director approves the inmate for release from maximum management status, the inmate shall be placed in close management or death row housing. The decision to release the inmate from maximum management status shall be entered in OBIS ~~continuation of maximum management status, no further review of the placement or modification of conditions is required.~~ An inmate shall not be subjected to modification of conditions until the modifications are approved by the Regional Director, except as allowed in paragraph (4)(a) above.

~~(e) If the Regional Director recommends release from maximum management status, the recommendation shall be forwarded for review and final decision to the Deputy Assistant Secretary of Institutions — Operations. The Deputy Assistant Secretary of Institutions — Operations shall document approval, disapproval, or modification of the Regional Director's recommendations on the Report of Maximum Management, Form DC6-171.~~

~~(e)(f) The Classification Supervisor at the maximum management facility shall ensure that Form DC6-229, Daily Record of Special Housing, is documented with any status or condition changes approved by the Regional Director or Deputy Assistant Secretary of Institutions — Operations. The Classification Supervisor at the maximum management facility shall ensure the inmate is immediately removed from maximum management housing if approved by the Regional Director and returned to close management or death row housing.~~

~~(f)(g) The ICT at the maximum management facility shall ensure that staff adhere to any time frames approved in reference to inmate conditions.~~

~~(h) An inmate shall not be released from maximum management status until that action is approved by the Deputy Assistant Secretary of Institutions — Operations.~~

(7) Periodic Modification of Conditions.

(a) If after the following time frames the Regional Director determines an inmate has displayed satisfactory adjustment to maximum management based on the severity of any guilty findings on disciplinary reports created since the inmate's initial placement on maximum management status and that reinstatement of privileges is appropriate, privileges shall be reinstated as follows:

1. After six consecutive months on maximum management and with the approval of the Regional Director, the following privileges shall be reinstated:

a. Recreation privileges up to one two-hour session per week; and

b. Property privileges to the extent that the inmate may possess two periodicals and may check out books from the library.

2. After nine consecutive months on maximum management and with the approval of the ICT, the following privileges shall be reinstated:

a. Recreation privileges up to two-hour sessions per week; and

b. Canteen privileges limited to one order per week. The inmate is further limited to five non-food items and five food items. In making this determination, with the exception of stamps, security pens, and notebook paper, it is the number of items counted rather than the type of item. With respect to stamps, security pens, and notebook paper, twenty-five stamps or fewer shall count as one item, three security pens or fewer shall count as one item, and two packages or fewer of notebook paper will count as one item.

3. After 12 consecutive months on maximum management and with approval of the ICT, the following privileges shall be reinstated:

a. Recreation privileges up to three two-hour sessions per week; and

b. Ability to purchase a 'walkman'-type radio, headphones, and batteries or to be issued these items from the inmate's stored property.

(b) If an inmate whose privileges have been reinstated is subsequently found guilty on a disciplinary report, the ICT shall review the report and make a determination as to whether and to what extent privileges shall be revoked.

(c) Any recommendations by the ICT and/or Warden and Regional Director decisions to modify conditions shall be entered in OBIS during weekly or monthly reviews of the inmate's maximum management status. The Classification Supervisor at FSP shall ensure that Form DC6-229, Daily Record of Special Housing, is documented with any status or condition changes approved by the Regional Director.

~~(8)(7) On-Site Review of Maximum Management.~~

(a) If an inmate remains in maximum management status for 90 days, the Regional Director or designee shall conduct an on-site review of the inmate's maximum management status and conditions ~~in conjunction with the monthly review of the Warden's recommendations.~~ This on-site review shall take place after every 90 day period of continued maximum management status. The Regional Director's designee shall be a Regional Assistant Warden, Regional Classification Administrator, or State Classification Officer.

(b) The ~~ICT Institutional Classification Team~~ shall participate in the review of the inmate's adjustment with the Regional Director or his or her designee.

(c) The Regional Director's decisions made following this on-site review will be entered in OBIS as directed in subsection (7) above ~~documented on the Report of Maximum Management, Form DC6-171.~~

~~(9)(8) Security Requirements.~~

(a) All security requirements outlined in Rule 33-601.800, F.A.C., for close management inmates are applicable for all maximum management inmates.

(b) Additionally, the following security precautions shall be followed for maximum management inmates:

1. The inmate shall remove all clothing to allow for a strip search and pass the clothing to the officers for thorough search before being restrained and exiting the cell. The inmate shall remain under constant visual surveillance during the process.

2. A maximum management inmate shall exit the cell only in handcuffs behind the back with handcuff cover and in the presence of a minimum of two officers.

3. Once out of the cell, the inmate shall be placed in leg irons and escorted by two correctional officers at all times.

4. The cell shall be thoroughly searched each time the inmate exits the cell for any reason, but no less frequently than three times each week.

5. When escorting a maximum management inmate past other maximum management inmate cells, the cells will have the solid security door and cuff/food port closed and secured.

6. Under no circumstances will any two maximum management inmates be out of the cells under escort in the same area at the same time.

7. A maximum management inmate shall submit to a visual strip search and clothing search each time the inmate is returned to the cell from any escort.

(10) Other Conditions of Confinement.

(a) Religious services shall be delivered by institutional chaplaincy staff or approved volunteers only.

(b) Inmates in maximum management shall be required to conduct legal business by correspondence rather than a personal visit to the law library, when possible. If access to the law library is required, a secure cell in the law library shall be used to prevent direct contact with other inmates including law clerks.

(c) Medication shall be dispensed and administered in accordance with Health Services protocols for confinement.

(d) Inmates who are housed in maximum management will have mental health and medical care services to the same extent as all close management inmates. Monitoring of inmates will be as described in Rule 33-601.800, F.A.C.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 12-7-00, Amended 11-23-03, 4-1-04, 4-13-06, 10-30-06, 4-27-08,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-6.010
RULE TITLE: Payment Methodology for Nursing Home Services

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to incorporate changes to the Florida Title XIX Long-Term Care Reimbursement Plan payment methodology, effective January 1, 2009. The proposed rule is in accordance with House Bill 5001, 2008-09 General Appropriations Act, Specific Appropriation 236 and House Bill 5085, Section 5 which amended Section 408.908(23), Florida Statutes.

1. The Agency shall implement a recurring methodology in the Title XIX Nursing Home Reimbursement Plan to reduce nursing home rates to achieve a reimbursement rate reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget.

2. The Agency shall establish rates at a level that ensures no increase in statewide expenditures resulting from a change in unit costs for two fiscal years effective July 1, 2009. Reimbursement rates for the two fiscal years shall be as provided in the General Appropriations Act.

3. In response to requests received from the Centers for Medicare and Medicaid Services (CMS), the Agency is removing unnecessary and outdated language from the Title XIX Long-Term Care Reimbursement Plan.

SUBJECT AREA TO BE ADDRESSED: January 1, 2009 nursing home reimbursement rates and the removal of outdated language from the Title XIX Long-Term Care Reimbursement Plan.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

DATE AND TIME: February 18, 2009, 2:00 p.m. – 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Edwin Stephens, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308; (850)414-2759 or by e-mail at: stephene@ahca.myflorida.com

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-2.009
RULE TITLE: Ineligible or Disqualified Jai Alai Player or Racing Animal

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement Florida Statutes pertaining to the entry of an ineligible or disqualified jai alai player or racing animal.

SUBJECT AREA TO BE ADDRESSED: This proposed rule addresses amendments relating to eligibility requirements for racing animals due to owners license status and responsibility of the Racing Secretary to ensure owners are currently licensed prior to entry.

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

LAW IMPLEMENTED: 550.0251, 550.105, 550.235 FS.

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

DATE AND TIME: February 20, 2009, 10:00 a.m. – Noon

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)413-0750. 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: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-3.001	Hearings Before Stewards/Judges
61D-3.002	Appeal Hearing Procedures
61D-3.003	Stay of Steward/Judges' Penalty
61D-3.004	Payment of Fines

PURPOSE AND EFFECT: The purpose and effect of the proposed rules will be to implement Florida Statutes pertaining to the conduct of proceedings before the judges and stewards officiating races at pari-mutuel facilities, and procedures pertaining to appeals of orders of judges and stewards.

SUBJECT AREA TO BE ADDRESSED: These proposed rules address amendments relating to hearing and appeal procedures.

SPECIFIC AUTHORITY: 120.80(4)(a), 550.0251, 550.054(9)(b), 550.1155, 550.2415(7) FS.

LAW IMPLEMENTED: 120.80(4)(a), 550.0251, 550.054, 550.1155, 550.2415 FS.

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

DATE AND TIME: February 20, 2009, 10:00 a.m. – Noon

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)413-0750. 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: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-6.011	Penalty Guidelines for Class I-V Drug Violations
61D-6.012	Penalty Guidelines for Class I-V Drug Violations in Greyhounds

PURPOSE AND EFFECT: The purpose and effect of the proposed rules will be to implement Florida Statutes which grant the Division authority to adopt rules establishing penalty guidelines for Class I, II, III, IV, and V drug violations in horses and greyhounds.

SUBJECT AREA TO BE ADDRESSED: These proposed rules implement Florida Statutes necessary to establish penalty guidelines for Class I, II, III, IV, and V drug violations in horses and greyhounds.

SPECIFIC AUTHORITY: 455.2273, 550.0251(3), 550.2415(13), (14) FS.

LAW IMPLEMENTED: 550.0251, 550.1155, 550.2415(14) FS.

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

DATE AND TIME: February 20, 2009, 10:00 a.m. – Noon
 PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850)413-0750. 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: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-18.011
 RULE TITLE: Definitions

PURPOSE AND EFFECT: Purpose and effect is to amplify and clarify the meaning of “degree of control necessary for the Engineer of Record.”

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 471.008, 471.013(1)(a)1., 2. FS.

LAW IMPLEMENTED: 471.003(2)(f), 471.005(7), 471.005(6), 471.013(1)(a)1., 2., 471.023(1), 471.025(3), 471.033(1)(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 IS: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G15-18.011 Definitions.

As used in Chapter 471, F.S., and in these rules where the context will permit the following terms have the following meanings:

(1) “Responsible Charge” shall mean that degree of control an engineer is required to maintain over engineering decisions made personally or by others over which the engineer exercises supervisory direction and control authority. The engineer in responsible charge is the Engineer of Record as defined in subsection 61G15-30.002(1), F.A.C.

(a) The degree of control necessary for the Engineer of Record shall be such that the engineer:

1. through 2. No change.

3. Approves the inclusion of standard engineering design details into the engineering work. Standard engineering design details include details mandated or directed to be contained in engineering documents by governmental agencies (such as the Florida Department of Transportation); and details contained in engineering design manuals and catalogues that are generally accepted as authoritative in the engineering profession. In order to approve the inclusion of such details the Engineer of Record must conduct such reasonable analysis of the content of the standard detail(s) as is necessary in the sound professional judgment of the Engineer of Record to be assured that the inclusion of such detail(s) into the engineering work is acceptable engineering practice.

(b) through (d) No change.

(2) through (6) No change.

Specific Authority 471.008, 471.013(1)(a)1., 2. FS. Law Implemented 471.003(2)(f), 471.005(7), 471.005(6), 471.013(1)(a)1., 2., 471.023(1), 471.025(3), 471.033(1)(j) FS. History–New 6-23-80, Amended 12-19-82, 11-22-83, Formerly 21H-18.11, Amended 1-16-91, 4-4-93, Formerly 21H-18.011, Amended 12-22-99, 4-19-01, 10-16-02, 9-15-04, 6-5-08, _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-302.200	Definitions
62-302.300	Findings, Intent, and Antidegradation Policy for Surface Water Quality
62-302.400	Classification of Surface Waters, Usage, Reclassification, Classified Waters
62-302.500	Surface Waters: Minimum Criteria, General Criteria
62-302.520	Thermal Surface Water Criteria
62-302.530	Table: Surface Water Quality Criteria
62-302.540	Water Quality Standards for Phosphorus Within the Everglades Protection Area

62-302.700 Special Protection, Outstanding Florida Waters, Outstanding National Resource Waters

62-302.800 Site Specific Alternative Criteria

PURPOSE AND EFFECT: The Department proposes to establish numeric surface water quality criteria for nutrients and associated standards, such as chlorophyll a. During the rule development process, the Department may decide to amend any or all of the rule sections contained in Chapter 62-302 of the Florida Administrative Code.

SUBJECT AREA TO BE ADDRESSED: Rule development will establish numeric nutrient surface water quality criteria and, if necessary, associated standards, such as chlorophyll a.

SPECIFIC AUTHORITY: 373.043, 373.4592, 403.061, 403.062, 403.087, 403.088, 403.504, 403.704, 403.804, 403.805 FS.

LAW IMPLEMENTED: 373.016, 373.026, 373.414, 373.4592, 403.021, 403.031, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088, 403.101, 403.141, 403.161, 403.182, 403.201, 403.502, 403.504, 403.702, 403.708, 403.802 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: Eric Shaw, Florida Department of Environmental Protection, Standards and Assessments Section, 2600 Blair Stone Road, MS 3560, Tallahassee, FL 32399-2400; telephone (850)245-8429; email Eric.Shaw@dep.state.fl.us

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-303.100	Scope and Intent
62-303.150	Relationship Between Planning and Verified Lists
62-303.200	Definitions
62-303.300	Methodology to Develop the Planning List
62-303.310	Evaluation of Aquatic Life Use Support
62-303.320	Exceedances of Aquatic Life-Based Water Quality Criteria
62-303.330	Biological Assessment
62-303.340	Toxicity
62-303.350	Interpretation of Narrative Nutrient Criteria
62-303.351	Nutrients in Streams
62-303.352	Nutrients in Lakes

62-303.353	Nutrients in Estuaries and Open Coastal Waters
62-303.360	Primary Contact and Recreation Use Support
62-303.370	Fish and Shellfish Consumption Use Support
62-303.380	Drinking Water Use Support and Protection of Human Health
62-303.400	Methodology to Develop the Verified List
62-303.410	Determination of Aquatic Life Use Support
62-303.420	Aquatic Life-Based Water Quality Criteria Assessment
62-303.430	Biological Impairment
62-303.440	Toxicity
62-303.450	Interpretation of Narrative Nutrient Criteria
62-303.460	Primary Contact and Recreation Use Support
62-303.470	Fish and Shellfish Consumption Use Support
62-303.480	Drinking Water Use Support and Protection of Human Health
62-303.500	Prioritization
62-303.600	Evaluation of Pollution Control Mechanisms
62-303.700	Listing Cycle
62-303.710	Format of Verified List and Verified List Approval
62-303.720	Delisting Procedure
62-303.810	Impairment of Interstate and Tribal Waters

PURPOSE AND EFFECT: The Department proposes to establish numeric surface water quality criteria for nutrients and, if necessary, associated standards, such as chlorophyll a. Numeric nutrient criteria and associated standards will be used in determining impairment of surface water quality under Chapter 62-303 of the Florida Administrative Code. During the rule development process, the Department may decide to amend any or all of the rule sections contained in Chapters 62-302 and 62-303 of the Florida Administrative Code.

SUBJECT AREA TO BE ADDRESSED: Rule development will establish numeric nutrient surface water quality criteria and associated standards, and the applicability of such criteria in determining impairment of surface water quality under Chapter 62-303 of the Florida Administrative Code.

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.021(11), 403.062, 403.067 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Eric Shaw, Florida Department of Environmental Protection, Standards and Assessments Section, 2600 Blair Stone Road, MS 3560, Tallahassee, FL 32399-2400; telephone (850)245-8429; email Eric.Shaw@dep.state.fl.us
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-550.200	Definitions for Public Water Systems
62-550.720	Recordkeeping
62-550.730	Reporting Requirements for Public Water Systems

PURPOSE AND EFFECT: The Department is making changes and clarifications to its cross-connection control requirements for public water systems.

SUBJECT AREA TO BE ADDRESSED: Rule 62-555.200, F.A.C., is being amended to define “backflow” and to revise the definition of “cross-connection.” Rule 62-555.720, F.A.C., is being amended to revise cross-connection control recordkeeping requirements. Rule 62-555.730, F.A.C., is being amended to revise cross-connection control reporting requirements.

SPECIFIC AUTHORITY: 403.853(3), 403.861(9) FS.

LAW IMPLEMENTED: 403.852(12), (13), 403.853, 403.854, 403.861(16), (17), 403.8615, 403.862 FS.

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

DATE AND TIME: Wednesday, February 18, 2009, 10:00 a.m.

PLACE: Seminole County Services Building, Room 1028, 1101 East First Street, Sanford, Florida 32771

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: Virginia Harmon, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 3520, Tallahassee, Florida 32399-2400; (850)245-8630, virginia.harmon@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dan Peterson, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 3520, Tallahassee, Florida 32399-2400; (850)245-8636, daniel.peterson@dep.state.fl.us

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-555.330	Engineering References for Public Water Systems
62-555.360	Cross-Connection Control for Public Water Systems
62-555.900	Forms and Instructions

PURPOSE AND EFFECT: The Department is making changes and clarifications to its cross-connection control requirements for public water systems.

SUBJECT AREA TO BE ADDRESSED: Rule 62-555.330, F.A.C., is being amended to list the latest edition of American Water Works Association Manual M14, Recommended Practice for Backflow Prevention and Cross-Connection Control. Rule 62-555.360, F.A.C., is being amended to specify the required elements of written cross-connection control programs, which must be established and implemented by community water systems; to require that community water systems submit their required written cross-connection control programs to the Department for approval; to require that community water systems submit an annual cross-connection control program status and activities report to the Department; to require that public water systems report backflow incidents to the Department; to allow community water systems to select from among a menu of backflow protection alternatives for residential premises where there is an auxiliary or reclaimed water system; and to make various other changes or clarifications. Rule 62-555.900, F.A.C., is being amended to list a new form for community water systems to use for annual cross-connection control program status and activities reports. **SPECIFIC AUTHORITY:** 403.086(8), 403.853(3), 403.861 FS.

LAW IMPLEMENTED: 367.031, 403.086(8), 403.0877, 403.852(12), 403.853(1), 403.855(3), 403.861, 403.8615 FS.

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

DATE AND TIME: Wednesday, February 18, 2009, 10:00 a.m.

PLACE: Seminole County Services Building, Room 1028, 1101 East First Street, Sanford, Florida 32771

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: Virginia Harmon, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 3520, Tallahassee, Florida 32399-2400; (850)245-8630, virginia.harmon@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dan Peterson, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 3520, Tallahassee, Florida 32399-2400; (850)245-8636, daniel.peterson@dep.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-5.004 RULE TITLE: Technician

PURPOSE AND EFFECT: The Board proposes the rule amendment for consideration of technician qualifications.

SUBJECT AREA TO BE ADDRESSED: Technician qualifications.

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

LAW IMPLEMENTED: 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-30.003 RULE TITLE: Physician Assistant Licensure

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate the PA application for licensure in the appropriate PA rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the PA application into the PA application rule.

SPECIFIC AUTHORITY: 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.031, 456.033, 458.347 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: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-31.003 RULE TITLE: Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate the application for licensure as an anesthesiologist assistant in the application rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the application in the anesthesiologist assistant application rule.

SPECIFIC AUTHORITY: 458.309, 458.3475 FS.

LAW IMPLEMENTED: 456.013(7), 456.031, 456.033, 458.3475 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: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-2.015 RULE TITLE: Standards of Nursing Education

PURPOSE AND EFFECT: The purpose and effect is to conform the rule to the statutory requirements.

SUBJECT AREA TO BE ADDRESSED: Standards of Nursing Education.

SPECIFIC AUTHORITY: 464.006, 464.019(2) FS.
 LAW IMPLEMENTED: 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 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:

- 64B9-2.015 Standards of Nursing Education.
- (1) through (11) No change.
- (12) Program Evaluation.

(a) The minimal acceptable level of performance as required by the Board on the National Council of State Boards of Nursing licensing examination for graduates of a nursing education program during the fiscal year of the Department shall be 10% below the national ~~or state average, whichever is lowest~~, as published by the contract testing service of the National Council of State Boards of Nursing.

- (b) through (c) No change.

Specific Authority 464.006, 464.019(2) FS. Law Implemented 464.019 FS. History--New 1-28-02, Amended 10-19-06,_____.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: RULE TITLE:
 64B14-4.003 Documentation of Eligibility for Licensure

PURPOSE AND EFFECT: The purpose and effect of this rule development is to incorporate application form.

SUBJECT AREA TO BE ADDRESSED: Documentation of Eligibility for Licensure.

SPECIFIC AUTHORITY: 468.802 FS.

LAW IMPLEMENTED: 456.013(1), (7), 468.803 FS.

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-4.003 Documentation of Eligibility for Licensure.

(1) In order to establish eligibility for licensure as an orthotist or prosthetist under Section 468.803(3)(a) or (b), F.S., the applicant must submit an Application for Licensure, form DH-MQA 1132, 8/08, which is available from the Board office or at the Board’s website, <http://www.doh.state.fl.us/mqa/OrthPros/index.html>, and provide:

- (a) through (d) No change.
- (2) through (5) No change.

Specific Authority 468.802 FS. Law Implemented 456.013(1), (7), 468.803 FS. History--New 12-10-98, Amended 11-11-02, 11-1-05, 9-21-06,_____.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
 64B15-6.003 Physician Assistant Licensure

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate the PA application for licensure in the appropriate PA rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the PA application into the PA application rule.

SPECIFIC AUTHORITY: 458.347(7), 459.005, 459.022 FS.

LAW IMPLEMENTED: 120.53(1)(a), 456.013, 456.031, 456.033, 459.022 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
 64B15-7.003 Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate the application for licensure as an anesthesiologist assistant in the application rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the application in the anesthesiologist assistant application rule.

SPECIFIC AUTHORITY: 459.023, 459.005 FS.
 LAW IMPLEMENTED: 459.023, 456.013(7), 456.031, 456.033 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NO.: 64B33-2.001
 RULE TITLE: Licensure Requirements

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address incorporation of the revised application for licensure and to address any other necessary changes in the rule.

SUBJECT AREA TO BE ADDRESSED: The revised application for licensure as an athletic trainer and other necessary rule changes.

SPECIFIC AUTHORITY: 456.013, 468.705, 468.707, 468.711 FS.

LAW IMPLEMENTED: 456.013, 468.707, 468.711 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.900
 RULE TITLE: Overpayment and Benefit Recovery

PURPOSE AND EFFECT: The proposed rule amendment amends policy governing the compromise of a food stamp overpayment. Included in this proposed rule amendment are

some wording changes and technical changes of a non-substantive nature improving the overall content of the rule.

SUBJECT AREA TO BE ADDRESSED: Compromise of food stamp overpayment.

SPECIFIC AUTHORITY: 409.919, 414.41, 414.45 FS.

LAW IMPLEMENTED: 414.31, 414.41 FS.

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

DATE AND TIME: February 17, 2009, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Cindy Keil, ACCESS Florida Program Policy, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, (850)410-3291

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65A-1.900 Overpayment and Benefit Recovery.

The purpose of this section is to define the administrative policies applicable to the establishment and recovery of overpayment in the public assistance programs.

(1) No change.

(a) Overpayment: Overpayment is tThe amount of public assistance received for which an individual was not entitled.

(b) Intentional Program Violation: Intentional Program Violation (IPV) or fraud is defined pursuant to Section 414.39, F.S., incorporated by reference (2008), 7 C.F.R. §273.16 incorporated by reference (2008), and 45 C.F.R. §235.110 incorporated by reference (2008).

(c) Direct Reimbursement: Direct reimbursement is repayment by an individual person to the Department or contractor ~~by cash, check or money order.~~

(d) Recoupment of Benefits: Recoupment of benefits is the deduction of repayment amounts from benefits prior to disbursing them ~~to the person receiving assistance.~~

(e) Refusal to Repay: Refusal to repay occurs when the individual person responsible for repayment ~~has~~:

1. through a. No change.

b. Advises the Department either orally or in writing that they refuse to repay the amount owed; or

c. through 2. No change.

a. Fails to contact the Department within ten days for food stamp ~~Intentional Program Violation~~, 20 days for food stamp Inadvertent Household Error (IHE), or 30 days for food stamp ~~a~~Agency ~~e~~Error and all other public assistance errors

including those for the Refugee Assistance (RAP) and Optional State Supplementation Programs from the date of such notification; or

b. Contacts the Department, but still fails to make the delinquent payment by the last day of the month following the month in which the payment was originally due, unless the individual has obtained, in writing, the Department's consent to a change in the repayment agreement.

(f) Notification: Notification, for purposes of this section, is defined as any correspondence from the Department that advises an individual of the status of an overpayment. Any such notification will shall be in compliance with 7 C.F.R. §273.18 incorporated by reference (2008) or 45 C.F.R. §235.110 as appropriate.

(g) No change.

1. Food expenses will be considered according to the current United States Department of Agriculture thrifty food plan with no income for the number of people in the household.

2. Shelter expenses will include rent or mortgage payments; taxes and insurance on the home; cost of fuel, electricity or both with which to heat, cool and cook; and the basic service fee for one telephone. These expenses will not be considered if paid by someone outside those residing together.

3. through 4. No change.

5. Clothing and personal and household incidental expenses will be considered in the amount of actual expenses. The Department requires verification will be required if it the department considers reported expenses excessive.

(2) Individuals ~~Persons~~ Responsible for Repayment of Overpayment.

(a) Individuals ~~Persons~~ who received Aid to Families with Dependent Children (AFDC) and other cash assistance overpayments as an adult will shall be responsible for repayment of the overpayment.

(b) Food stamp overpayments will shall be recovered from an individual as specified in 7 C.F.R. §273.18.

(c) Individuals ~~Persons~~ who received Medicaid overpayments as an adult will shall be responsible for repayment of the overpayment.

(d) No change.

(e) For the purpose of this rule, an adult is defined as:

1. Eighteen (~~18~~) years of age or older,
2. through (3) No change.

(a) Monthly repayment amounts of all AFDC and cash assistance overpayments shall include the following provisions:

1. Any individual ~~person~~ no longer receiving cash assistance will shall negotiate a repayment agreement with the Department or contractor.

2. Any individual ~~person~~ affected by the preceding subparagraph 65A-1.900(3)(a)1., F.A.C., is entitled to a departmental review or hearing pursuant to Chapter 65-2, F.A.C.

(b) Monthly repayment amounts of all food stamp overpayments will shall be determined in accordance with 7 C.F.R. §273.18.

(c) Monthly repayment amounts of all Medicaid overpayments will shall be determined with those individuals ~~persons~~ responsible for repayment based on factors relating to the amount of the claim, their ~~persons'~~ financial situation and the period over which the claim will be liquidated.

(4) No change.

(a) The methods of repayment of cash assistance overpayment are shall be as follows:

1. As specified in 45 C.F.R. §233.20(a)(13) incorporated by reference (2008); or

2. Through application of child support credit. Child support credit exists when child support collected and retained by the Department during any month in which overpayment occurred exceeds the amount of AFDC or cash assistance to which the assistance group was entitled for that month after computation of the overpayment has been completed. The excess amount of child support may, if requested by absent parent or recipient, be credited as repayment and the amount owed by the individual ~~person~~ responsible for repayment will be reduced by that amount. In addition, all or part of the overpayment claim can be satisfied should the absent parent of an overpaid assistance group repay to the Department all AFDC or cash assistance benefits received on behalf of the overpaid assistance group. Child support credit is not applicable to Refugee Assistance Program overpayments.

(b) The method of repayment of all food stamp overpayment will shall be as specified in 7 C.F.R. §273.18.

(c) For purposes of this rule only, the method of repayment of a Medicaid overpayment will shall be by direct reimbursement.

(5) Refusal to Repay. When an individual ~~person~~ refuses to make repayment by direct reimbursement after a being requested to do so, the Department, at its discretion, may take appropriate civil action against the income or resources of the individual ~~person~~ involved.

(6) Compromising Food Stamp Claims. Effective August 1, 2001, a food stamp claim or any portion of a food stamp claim may be compromised. The Department reserves the right to approve or not approve the compromise. Compromise will be considered to resolve (1) pending litigation; (2) bankruptcy proceedings.

(a) Individuals with an overpayment claim in the Food Stamp Program may request a compromise of their claim at any time after they are notified of the claim.

(b) The Department will only consider such claims for individuals liable on the overpayment claim being considered or someone duly authorized to do so on behalf of the liable individual(s).

(c) For purposes of a compromise request made pursuant to this rule, the Department will determine that an individual's economic household circumstances reasonably demonstrate the overpayment claim or debt will not be paid within three years of the debtor being notified of the overpayment claim or debt only when the information or materials permitted by paragraph (d) below also include or involve at least one of the following:

1. The death of the debtor or liable individual(s);
2. The probability of an impending death of the debtor or liable individual(s);
3. Pending litigation in a court, including a bankruptcy court, that involves the debtor or liable individual's obligation to repay the overpayment or debt;
4. The debtor or liable individual(s) are sentenced to a period of incarceration in a city, county, state or federal correctional institution that will exceed the three-year period by which the overpayment or debt is expected to be paid; or
5. An event or occurrence similar to the events or occurrences described in subparagraphs 1. through 4. above involving the debtor or other liable individuals(s).

(d) For purposes of evaluating a compromise request, in addition to the information or materials required by paragraph (c) above, individuals liable for an overpayment claim or debt may submit to the Department any other written information or materials related to their household's economic circumstances. The information or materials must state how the overpayment claim or debt will not be paid within the three-year period. When a decision is made concerning the compromise request, the Department will notify the individual making the request of the decision.

(7) through (a) No change.

(b) When the Department determines that it needs additional documentation of expenses is needed to compute overpayment, it the department will notify the individuals persons responsible for repayment of the information needed. The individual must provide aAny requested items must be provided within the time requested by the Department, or the expense will not be considered in computing the overpayment amount.

(8) Notification of Overpayment. The Department must notify tThe individuals persons responsible for repayment of overpayment must be notified in writing that overpayment exists and that they are required, by law, to repay the entire amount pursuant to Section 414.41, F.S., incorporated by reference (2008), or that they may seek compromise of a food stamp overpayment pursuant to 7 C.F.R. §273.18(e)(3), (7).

(a) The individual has a right to an administrative hearing in accordance with the DDepartment's hearings procedures in Chapter 65-2, F.A.C., Part VI, Hearings.

(b) The Department can send nNotification of overpayment can be sent to current recipients by regular mail at the address to which the DDepartment sends benefits or correspondence. The Department presumes dDelivery will be presumed unless the postal service returns the notice to the DDepartment.

(c) Notification of overpayment to individuals persons no longer receiving assistance will be made as follows:

1. By regular mail to the last known address available to the DDepartment. The Department presumes dDelivery will be presumed unless the postal service returns the notice to the DDepartment.

2. The last notification prior to the initiation of civil action will shall be sent certified mail, return receipt requested, or hand delivered with certification that such delivery was made to the individuals persons responsible for repayment.

(d) The assistance group or individuals persons that receive such notification will have 30 calendar days in which to contact the DDepartment before being considered to have refused to repay, except for food stamp recipients the period to contact the DDepartment will shall be, from the post-marked date of the letter: five days for IPVs intentional program violations; 10 days for IHE inadvertent household error; and; 30 days for agency error. For those individuals persons notified via mail, the time in which to contact the DDepartment begins five days after the notification is mailed.

(9) Claim Thresholds. The BBenefit RRecovery PProgram will not pursue a claim in bankruptcy proceedings if the amount of the claim is at or below \$1,250.

(10) No change.

(a) Pursuant to Sections 414.39 and 414.41, F.S., when the DDepartment has information that an individual has committed fraud, it the department will refer the case to the Division of Public Assistance Fraud (DPAF) for investigation. In cases where the DDepartment determines that an individual has committed fraud in the cash assistance or FFood SStamp PPrograms, it the department will pursue a determination of Intentional Program Violation (IPV) through either court action, administrative disqualification hearing, or both, where permitted by 7 C.F.R. §273.16, or 45 C.F.R. §235.110. The DDepartment will pursue a determination of IPV through court action in instances where it the department determines that an individual has committed fraud in the Medicaid PProgram.

(b) Individuals found by an administrative hearing officer or court to have committed an act of IPV intentional program violation while receiving, or attempting to receive, food stamp, cash assistance, or food stamp and cash assistance benefits will

shall be disqualified from participation in the program(s) under which that act was committed or attempted in accordance with 7 C.F.R. §273.16 or 45 C.F.R. §235.110.

(11) No change.

(a) The ~~D~~epartment will refer individuals who owe past-due, legally enforceable federal food stamp overpayment debts to the ~~U~~nited ~~S~~tates Department of the ~~U~~nited States Department of the Treasury for purposes of collection of such debt through offset against federal payments pursuant to 26 U.S.C. 6402, incorporated by reference (2000 Ed., Sup. 5). Referral of individuals owing such debt will be completed in accordance with procedures and criteria contained in 26 C.F.R. Part 301 et. seq., incorporated by reference (2008), and 31 C.F.R. Part 5 Subpart C et. seq., incorporated by reference (2008), as provided for in 7 C.F.R. Part 3 Subpart §3.82, incorporated by reference (2008).

(b) A past-due, legally enforceable debt exists when an individual in receipt of overpayment as defined in Section 414.41, F.S., and paragraph (1)(b) of this rule is at least 180 days delinquent in repayment of ~~the such~~ overpayment, and ~~the which~~ overpayment has not been discharged through administrative or legal action.

(c) The ~~D~~epartment must make a reasonable attempt as defined in 26 C.F.R. Part 301, §301.6402-6(d), to notify individuals owing such debt that:

1. No change.
2. Unless repaid within 180 days from the date on the notification, ~~it will refer~~ the debt ~~will be referred~~ to the ~~U~~nited ~~S~~tates Department of the Treasury for offset against any refund of federal tax due that individual, and
3. The individual debtor has 60 days from the date of notification to appeal, via presentation of evidence to the ~~D~~epartment, that all or part of the debt is not past-due or legally enforceable.

(d) The ~~D~~epartment will consider evidence presented timely by an individual in receipt of such notification described in paragraph (11)(c) above that indicates all or part of their debt is not past-due or legally enforceable, and will make a determination as to the status of that debt prior to referral for offset. This consideration process is separate and apart from the administrative hearings appeals process and will address only the past-due status or legal enforceability of all or part of the debt.

(e) The ~~D~~epartment will provide a toll free telephone number for use in obtaining information concerning the offset.

(12) The following ~~forms notices, hereby~~ incorporated by reference, are used by the ~~D~~epartment in the process of establishing and recovering overpayment: CF-ES Form 3057, 09/2006, Information Concerning Administrative Disqualification Hearings; CF-ES Form 3400, 10/2005, Request for Additional Information; CF-ES Form 3410, 09/2006, Waiver of Administrative Disqualification Hearing With a Program Loss; CF-ES Form 3410A, 09/2006, Waiver of

Administrative Disqualification Hearing With a Program Loss; ~~and~~, CF-ES Form 3414, ~~11/Nov.~~ 2007, Disqualification Consent Agreement; ~~CF-ES 3110, 01/2009, Notice of Compromise Decision. Copies of Each of these forms are available from listed as incorporated by reference may be obtained without cost from any Benefit Recovery office or by written request to the ACCESS Florida Headquarters Program Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700 or on the Department's web site at <http://www.dcf.state.fl.us/DCFForms/Search/DCFFormSearch.aspx>.~~

Specific Authority 409.919, 414.41, 414.45 FS. Law Implemented 414.31, 414.41 FS. History--New 7-21-92, Amended 1-5-93, 9-5-93, Formerly 10C-1.900, Amended 7-9-98, 4-2-00, 2-26-02, 3-18-03, 7-21-05, 1-19-09,_____.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-21.002	Definitions
67-21.003	Application and Selection Process for Developments
67-21.0035	Applicant Administrative Appeal Procedures
67-21.004	Federal Set-Aside Requirements
67-21.0045	Determination of Method of Bond Sale
67-21.006	Development Requirements
67-21.007	Fees
67-21.008	Terms and Conditions of MMRB Loans
67-21.009	Interest Rate on Mortgage Loans
67-21.010	Issuance of Revenue Bonds
67-21.013	Non-Credit Enhanced Multifamily Mortgage Revenue Bonds
67-21.014	Credit Underwriting Procedures
67-21.015	Use of Bonds with Other Affordable Housing Finance Programs
67-21.017	Transfer of Ownership
67-21.018	Refundings and Troubled Development Review
67-21.019	Issuance of Bonds for Section 501(c)(3) Entities

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 142 of the Code and Section 420.509, F.S.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the

development of the 2009 application and program requirements for the MMRB Program, as specified in Rule Chapter 67-21, Florida Administrative Code (F.A.C.).
 SPECIFIC AUTHORITY: 420.507, 420.508 FS.
 LAW IMPLEMENTED: 420.509 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: February 17, 2009, 9:00 a.m.
 PLACE: Residence Inn Tallahassee, 600 West Gaines Street, Tallahassee, Florida 32304. The workshop will be accessible via phone at 1(888)808-6959, Conference Code #1374197.
 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: Blake Carson-Poston at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Len Stirrat, Multifamily Bonds Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS available on Florida Housing's web site www.floridahousing.org
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-48.001	Purpose and Intent
67-48.002	Definitions
67-48.004	Application and Selection Procedures for Developments
67-48.005	Applicant Administrative Appeal Procedures
67-48.007	Fees
67-48.0072	Credit Underwriting and Loan Procedures
67-48.0075	Miscellaneous Criteria
67-48.009	SAIL General Program Procedures and Restrictions
67-48.0095	Additional SAIL Application Ranking and Selection Procedures
67-48.010	Terms and Conditions of SAIL Loans
67-48.0105	Sale, Transfer or Refinancing of a SAIL Development

67-48.013	SAIL Construction Disbursements and Permanent Loan Servicing
67-48.014	HOME General Program Procedures and Restrictions
67-48.015	Match Contribution Requirement for HOME Allocation
67-48.017	Eligible HOME Activities
67-48.018	Eligible HOME Applicants
67-48.019	Eligible and Ineligible HOME Development Costs
67-48.020	Terms and Conditions of Loans for HOME Rental Developments
67-48.0205	Sale, Transfer or Refinancing of a HOME Development
67-48.022	HOME Disbursements Procedures and Loan Servicing
67-48.023	Housing Credits General Program Procedures and Requirements
67-48.027	Tax-Exempt Bond-Financed Developments
67-48.028	Carryover Allocation Provisions
67-48.029	Extended Use Agreement
67-48.030	Sale or Transfer of a Housing Credit Development
67-48.031	Termination of Extended Use Agreement and Disposition of Housing Credit Developments

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes (F.S.), and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; and (2) administer the Application process, determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of the 2009 application and program requirements for the SAIL, HOME, HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code (F.A.C.) and (2) amendments to the Florida Housing Finance Corporation's 2008 Qualified Allocation Plan (QAP).

SPECIFIC AUTHORITY: 420.507 FS.
 LAW IMPLEMENTED: 420.5087, 420.5089, 420.5099 FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: February 17, 2009, 9:00 a.m.
 PLACE: Residence Inn Tallahassee, 600 West Gaines Street, Tallahassee, Florida 32304. The workshop will be accessible via phone at 1(888)808-6959, Conference Code #1374197
 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: Blake Carson-Poston at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Deborah Dozier Blinderman, Deputy Development Officer
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF FINANCIAL SERVICES
Division of Funeral, Cemetery, and Consumer Services

RULE NO.:	RULE TITLE:
69K-5.0024	Remittances to the Regulatory Trust Fund

PURPOSE AND EFFECT: To increase the fee for each preneed contract written.

SUBJECT AREA TO BE ADDRESSED: Remittances to the Regulatory Trust Fund.

SPECIFIC AUTHORITY: 497.103, 497.453(1) FS.
 LAW IMPLEMENTED: 497.453(9) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

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

DEPARTMENT OF FINANCIAL SERVICES
Division of Funeral, Cemetery, and Consumer Services

RULE NO.:	RULE TITLE:
69K-5.003	Application for Registration of a Preneed Sales Agent

PURPOSE AND EFFECT: To remove language requiring an application fee of \$100 for each biennial period and to add language establishing a fee for licensure, additional appointments and biennial renewal of preneed sales agent appointments.

SUBJECT AREA TO BE ADDRESSED: Application for Refrigeration of a Preneed Sales Agent.

SPECIFIC AUTHORITY: 497.103(5), 497.140(1) FS.
 LAW IMPLEMENTED: 497.466(2)(h), 497.466(7)(f) 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: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

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

DEPARTMENT OF FINANCIAL SERVICES
Division of Funeral, Cemetery, and Consumer Services

RULE NO.:	RULE TITLE:
69K-12.002	Procedure for Licensing a Monument Establishment

PURPOSE AND EFFECT: To increase the initial license fee for monument establishments and to create a biennial renewal fee for monument establishments.

SUBJECT AREA TO BE ADDRESSED: Procedure for Licensing a Monument Establishment.

SPECIFIC AUTHORITY: 497.103(1), 497.105(5) FS.
 LAW IMPLEMENTED: 497.550(2)(i), 497.551(2), 497.361 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: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

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

PURPOSE AND EFFECT: To increase the annual inspection fee for monument builders.

SUBJECT AREA TO BE ADDRESSED: Annual Inspection Fees for Monument Builders.

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

LAW IMPLEMENTED: 497.103(1)(bb), 497.553(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: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-17.003 RULE TITLE: Fees

PURPOSE AND EFFECT: To increase the biennial active status fees for embalmers, funeral directors and funeral directors/embalmers.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 497.103, 497.104, 497.378, 497.379 FS.

LAW IMPLEMENTED: 497.140, 497.368, 497.373, 497.378, 497.379, 497.603 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: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-17.0030 RULE TITLE: Direct Disposer/Establishment; Fees

PURPOSE AND EFFECT: To increase the application fee and renewal fee for direct disposer; and to increase the application fee for direct disposal establishments.

SUBJECT AREA TO BE ADDRESSED: Direct Disposer/Establishment; Fees.

SPECIFIC AUTHORITY: 497.103, 497.104, 497.602, 497.603, 497.604 FS.

LAW IMPLEMENTED: 497.140, 497.602, 497.603, 497.604 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: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-21.004 RULE TITLE: Fees

PURPOSE AND EFFECT: To increase the application fee, biennial renewal fee and the annual inspection fee for funeral establishments.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 497.103, 497.104, 497.380 FS.

LAW IMPLEMENTED: 497.140, 497.146, 497.365(7), 497.380 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: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-22.003 Fees

PURPOSE AND EFFECT: To increase the application and inspection fees for cinerator facilities.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 497.103, 497.104, 497.606 FS.

LAW IMPLEMENTED: 497.140, 497.606 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: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-23.004 Direct Disposal Establishments

PURPOSE AND EFFECT: To increase the biennial renewal and inspection fees for direct disposal establishments.

SUBJECT AREA TO BE ADDRESSED: Direct Disposal Establishments.

SPECIFIC AUTHORITY: 497.103, 497.104, 497.604 FS.

LAW IMPLEMENTED: 497.140, 497.604 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: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-24.020 Licensure of Removal Services

PURPOSE AND EFFECT: To increase application and renewal fees for removal services.

SUBJECT AREA TO BE ADDRESSED: Licensure of Removal Services.

SPECIFIC AUTHORITY: 497.103, 497.385 FS.

LAW IMPLEMENTED: 497.385 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: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-24.030 Licensure of Refrigeration Services

PURPOSE AND EFFECT: To increase application and renewal fees for refrigeration services.

SUBJECT AREA TO BE ADDRESSED: Licensure of Refrigeration Services.

SPECIFIC AUTHORITY: 497.103, 497.385 FS.

LAW IMPLEMENTED: 497.385 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: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-24.040 Licensure of Centralized Embalming Facilities

PURPOSE AND EFFECT: To increase application inspection and renewal fees for centralized embalming facilities.

SUBJECT AREA TO BE ADDRESSED: Licensure of Centralized Embalming Facilities.

SPECIFIC AUTHORITY: 497.103, 497.385 FS.

LAW IMPLEMENTED: 497.385 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: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

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

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
69O-200.003	Licensing of Companies that Administer and Market Service Agreements
69O-200.004	Qualification to Obtain and Hold a License
69O-200.005	Use of the Statutory Deposit
69O-200.006	Contractual Liability Insurers
69O-200.009	Form Filings
69O-200.011	Disapproval of Forms
69O-200.013	Rate Filings
69O-200.014	Exemption From Financial Examination
69O-200.015	Forms Incorporated by Reference
69O-200.016	New Car Motor Vehicle Service Agreements Issued on Used Cars

PURPOSE AND EFFECT: Incorporates into the existing rules a new category of Motor Vehicle Service Agreement Companies: “Motor Vehicle Manufacturers.”

SUBJECT AREA TO BE ADDRESSED: Motor Vehicle Service Agreement Companies.

SPECIFIC AUTHORITY: 634.021, 634.031, 634.041, 634.121, 634.1213, 634.1216, 634.061, 634.252 FS.

LAW IMPLEMENTED: 634.041(12), 637.137(6) FS.

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

DATE AND TIME: February 17, 2009, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Amy Groszos, Office of Insurance Regulation, E-mail Amy.groszos@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Amy Groszos, Office of Insurance Regulation, E-mail Amy.groszos@flor.com

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.”

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-4.091	Publications and Agreements Incorporated by Reference

PURPOSE AND EFFECT: The purpose and effect of the proposed revision of Rule 40D-4.091, F.A.C., is to incorporate by reference changes to Section (9)(j)3. of Appendix IV of the Basis of Review for Environmental Resource Permitting (BOR) that remove the consideration of taxes in the development of cost estimates for the perpetual management of mitigation banks.

SUMMARY: Section (9)(i) of Appendix IV of the BOR requires mitigation bankers to provide financial responsibility sufficient to ensure that funds will be available to the District to perpetually manage the mitigation bank if the banker abandons the bank. Section (9)(j)3. prescribes the elements to be included in the development of cost estimates that provide the basis for determining the amount of that financial responsibility. The current requirements include taxes as one of the elements used to arrive at an appropriate cost estimate.

In 2007 the Legislature amended Section 197.572, Florida Statutes, to provide that when any lands are sold for the nonpayment of taxes or pursuant to any tax lien foreclosure proceeding the title to the lands shall continue to be subject to any easement for conservation purposes. This amendment

renders the inclusion of taxes as an element of the cost estimate for perpetual maintenance of mitigation banks unnecessary. The proposed amendment will delete the consideration of "taxes" as an element of this 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: 373.044, 373.046, 373.113, 373.171, 373.414 FS.

LAW IMPLEMENTED: 373.0361, 373.114, 373.171, 373.403, 373.413, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.429, 373.441 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: Karen West, Deputy General Counsel, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899, (352)796-7211 or 1(800)423-1476, extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-4.091 Publications and Agreements Incorporated by Reference.

The following documents are hereby incorporated into this chapter and Chapters 40D-40 and 40D-400, F.A.C.:

(1) Environmental Resource Permitting Information Manual Part B, Basis of Review, Environmental Resource Permit Applications within the Southwest Florida Water Management District, ~~June 22, 2008~~. This document is available from the District upon request.

(2) through (5) No change.

Specific Authority 373.044, 373.046, 373.113, 373.171, 373.414 FS. Law Implemented 373.0361, 373.114, 373.171, 373.403, 373.413, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.429, 373.441 FS. History—New 4-2-87, Amended 3-1-88, 9-11-88, 10-1-88, 4-1-91, 11-16-92, 1-30-94, 10-3-95, 12-26-95, 5-26-96, 7-23-96, 4-17-97, 4-12-98, 7-2-98, 12-3-98, 7-28-99, 8-3-00, 9-20-00, 6-12-01, 10-11-01, 2-27-02, 7-29-02, 3-26-03, 7-23-03, 8-3-03, 3-11-04, 6-7-04, 2-1-05, 6-30-05, 10-19-05, 2-8-06, 5-2-06, 7-1-07, 9-25-07(1), 9-25-07(4), 11-26-07, 5-12-08, 5-20-08, 6-22-08, _____.

APPENDIX 4

BASIS OF REVIEW FOR THE ESTABLISHMENT AND USE OF MITIGATION BANKS

- (1) through (8) No change.
- (9) Financial Responsibility.
- (a) through (i) No change.

(j) Cost estimates.

1. through 2. No change.

3. The cost estimate for the perpetual management of the mitigation bank shall be based on the costs of maintaining and operating any structures, controlling nuisance or exotic species, fire management, consultant fees, monitoring activities and reports, ~~taxes~~ and any other costs associated with perpetual management. The amount of financial responsibility shall equal the cost of perpetual management for the bank, or for banks constructed in phases, for all phases for which credits have been released.

NAME OF PERSON ORIGINATING PROPOSED RULE: H. Clark Hull, Jr., Environmental Resource Permitting Director, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899, (352)796-7211 or 1(800)423-1476. Email clark.hull@swfwmd.state.fl.us

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 30, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 23, 2009

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: 59C-1.0355
RULE TITLE: Hospice Programs

PURPOSE AND EFFECT: The administrative rule related to Certificate of Need for Hospice programs has been determined to require revision to incorporate the data reports from the Department of Health Office of Vital Statistics and the Office of the Governor Population Estimates. While this revision is a change that will recognize a process that has ben in place for some time, it will require that a rule promulgation be initiated. **SUMMARY:** Rule is revised to correct listings of data reports from the Department of Health Office of Vital Statistics and the Office of the Governor Population Estimates. Additional corrections are included to bring the rule current with statute changes.

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: 408.15(8), 408.034(3), (5) FS.

LAW IMPLEMENTED: 408.034(3), 408.035, 408.036(1)(d), 408.043(2), 400.606(4), (5) FS.

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

DATE AND TIME: February 24, 2009, 1:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Calvin J. Vice, Sr., PhD, (850)488-8672. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Calvin J. Vice, Sr., PhD, (850)488-8672

THE FULL TEXT OF THE PROPOSED RULE IS:

59C-1.0355 Hospice Programs.

(1) Agency Intent. This rule implements the provisions of subsection 408.034(3), paragraphs 408.036(1)(d) ~~and (e)~~, and subsection 408.043(2), Florida Statutes. It is the intent of the agency to ensure the availability of hospice programs as defined in this rule to all persons requesting and eligible for hospice services, regardless of ability to pay. This rule regulates the establishment of new hospice programs, the construction of freestanding inpatient hospice facilities as defined in this rule, and a change in licensed bed capacity of a freestanding inpatient hospice facility. A separate certificate of need application shall be submitted for each service area defined in this rule.

(2) Definitions.

(a) "Agency." The Agency for Health Care Administration.

(b) "Approved Hospice Program." A hospice program for which the agency has issued an intent to grant a certificate of need, or has issued a certificate of need, and that is not yet licensed as of 3 weeks prior to publication of the fixed need pool.

(c) "Contractual Arrangement." An arrangement for contractual services, as described in subsection 400.6085, Florida Statutes.

(d) "Fixed Need Pool." The fixed need pool defined in subsection 59C-1.002(19)(20), Florida Administrative Code. The agency shall publish a fixed need pool for hospice programs twice a year.

(e) "Freestanding Inpatient Hospice Facility." For purposes of this rule, a facility that houses inpatient beds licensed exclusively to the hospice program but does not house any inpatient beds licensed to a hospital or nursing home.

(f) "Hospice Program." A program described in subsections 400.601(3)(2), 400.602(1)(5), 400.609, and 400.6095(1), Florida Statutes, that provides a continuum of

palliative and supportive care for the terminally ill patient and his family. Hospice services must be available 24 hours a day, 7 days a week, and must be available to all terminally ill persons and their families without regard to age, gender, national origin, sexual orientation, disability, diagnosis, cost of therapy, ability to pay, or life circumstances.

(g) "Inpatient Bed." Inpatient beds located in a freestanding inpatient hospice facility, a hospital, or a nursing home and available for hospice inpatient care.

(h) "Local Health Council." The council referenced in Section 408.033(1), Florida Statutes.

(i) "Planning Horizon." The date by which a proposed new hospice program is expected to be licensed. For purposes of this rule, the planning horizon for applications submitted between January 1 and June 30 is July 1 of the year 1 year subsequent to the year the application is submitted; the planning horizon for applications submitted between July 1 and December 31 is January 1 of the year 2 years subsequent to the year the application is submitted.

(j) "Residential Facility." For purposes of this rule, a facility operated by a licensed hospice program to provide a residence for hospice patients, as defined in Section 400.601(5)(4), F.S. A residential facility is not subject to regulation under this rule. Provided, however, that a proposal to convert such a residence to a freestanding inpatient hospice facility is subject to regulation under this rule.

(k) "Service Area." The geographic area consisting of a specified county or counties, as follows:

1. Service Area 1 consists of Escambia, Okaloosa, Santa Rosa, and Walton Counties.

2. Service Area 2A consists of Bay, Calhoun, Gulf, Holmes, Jackson, and Washington Counties.

3. Service Area 2B consists of Franklin, Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla Counties.

4. Service Area 3A consists of Alachua, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Levy, Putnam, Suwanee, and Union Counties.

5. Service Area 3B consists of Marion County.

6. Service Area 3C consists of Citrus County.

7. Service Area 3D consists of Hernando County.

8. Service Area 3E consists of Lake and Sumter Counties.

9. Service Area 4A consists of Baker, Clay, Duval, Nassau, and St. Johns Counties.

10. Service Area 4B consists of Flagler and Volusia Counties.

11. Service Area 5A consists of Pasco County.

12. Service Area 5B consists of Pinellas County.

13. Service Area 6A consists of Hillsborough County.

14. Service Area 6B consists of Hardee, Highlands, and Polk Counties.

15. Service Area 6C consists of Manatee County.

- 16. Service Area 7A consists of Brevard County.
- 17. Service Area 7B consists of Orange and Osceola Counties.
- 18. Service Area 7C consists of Seminole County.
- 19. Service Area 8A consists of Charlotte and DeSoto Counties.
- 20. Service Area 8B consists of Collier County.
- 21. Service Area 8C consists of Glades, Hendry and Lee Counties.
- 22. Service Area 8D consists of Sarasota County.
- 23. Service Area 9A consists of Indian River County.
- 24. Service Area 9B consists of Martin, Okeechobee, and St. Lucie Counties.
- 25. Service Area 9C consists of Palm Beach County.
- 26. Service Area 10 consists of Broward County.
- 27. Service Area 11 consists of Dade and Monroe Counties.

(1) "Terminally Ill." As defined in subsection 400.601(10)(9), Florida Statutes, terminally ill refers to a medical prognosis that a patient's life expectancy is 1 year or less if the illness runs its normal course.

(3) General Provisions.

(a) Quality of Care. Hospice programs shall comply with the standards for program licensure described in Chapter 400, Part IV VI, Florida Statutes, and Chapter 58A-2 59A-2, Florida Administrative Code. Applicants proposing to establish a new hospice program shall demonstrate how they will meet the standards.

(b) Conformance with Statutory Review Criteria. A certificate of need for the establishment of a new hospice program, construction of a freestanding inpatient hospice facility, or change in licensed bed capacity of a freestanding inpatient hospice facility, shall not be approved unless the applicant meets the applicable review criteria in Sections 408.035 and 408.043(2), F.S., and the standards and need determination criteria set forth in this rule. Applications to establish a new hospice program shall not be approved in the absence of a numeric need indicated by the formula in paragraph (4)(a) of this rule, unless other criteria in this rule and in Sections 408.035 and 408.043(2), F.S., outweigh the lack of a numeric need.

(4) Criteria for Determination of Need for a New Hospice Program.

(a) Numeric Need for a New Hospice Program. Numeric need for an additional hospice program is demonstrated if the projected number of unserved patients who would elect a hospice program is 350 or greater. The net need for a new hospice program in a service area is calculated as follows:

$$(HPH) - (HP) \geq 350$$

where:

(HPH) is the projected number of patients electing a hospice program in the service area during the 12 month period beginning at the planning horizon. (HP) is the sum of (U65C x P1) + (65C x P2) + (U65NC x P3) + (65NC x P4)

where:

U65C is the projected number of service area resident cancer deaths under age 65, and P1 is the projected proportion of U65C electing a hospice program.

65C is the projected number of service area resident cancer deaths age 65 and over, and P2 is the projected proportion of 65C electing a hospice program.

U65NC is the projected number of service area resident deaths under age 65 from all causes except cancer, and P3 is the projected proportion of U65NC electing a hospice program.

65NC is the projected number of service area resident deaths age 65 and over from all causes except cancer, and P4 is the projected proportion of 65NC electing a hospice program.

The projections of U65C, 65C, U65NC, and 65NC for a service area are calculated as follows:

$$U65C = (u65c/CT) \times PT$$

$$65C = (65c/CT) \times PT$$

$$U65NC = (u65nc/CT) \times PT$$

$$65NC = (65nc/CT) \times PT$$

where:

u65c, 65c, u65nc, and 65nc are the service area's current number of resident cancer deaths under age 65, cancer deaths age 65 and over, deaths under age 65 from all causes except cancer, and deaths age 65 and over from all causes except cancer.

CT is the service area's current total of resident deaths, excluding deaths with age unknown, and is the sum of u65c, 65c, u65nc, and 65nc.

PT is the service area's projected total of resident deaths for the 12-month period beginning at the planning horizon.

"Current" deaths means the number of deaths during the most recent calendar year for which data are available from the Department of Health and Rehabilitative Services' Office of Vital Statistics at least 3 months prior to publication of the fixed need pool.

"Projected" deaths means the number derived by first calculating a 3-year average resident death rate, which is the sum of the service area resident deaths for the three most recent calendar years available from the Department of Health and Rehabilitative Services' Office of Vital Statistics at least 3 months prior to publication of the fixed need pool, divided by the sum of the July 1 estimates of the service area population for the same 3 years. The resulting average death rate is then multiplied by the projected total population for the service area at the mid-point of the 12-month period which begins with the applicable planning horizon. Population estimates for each year will be the most recent population estimates published by

from the Office of the Governor at least 3 months prior to publication of the fixed need pool. The following materials are incorporated by reference within this rule: Department of Health Office of Vital Statistics death statistics received annually in October and the Office of the Governor Population Estimates received annually in September.

The projected values of P1, P2, P3, and P4 are equal to current statewide proportions calculated as follows:

$$P1 = (Hu65c/Tu65c)$$

$$P2 = (H65c/T65c)$$

$$P3 = (Hu65nc/Tu65nc)$$

$$P4 = (H65nc/T65nc)$$

where:

Hu65c, H65c, Hu65nc, and H65nc are the current 12-month statewide total admissions of hospice cancer patients under age 65, hospice cancer patients age 65 and over, hospice patients under age 65 admitted with all other diagnoses, and hospice patients age 65 and over admitted with all other diagnoses. The current totals are derived from reports submitted under subsection (9) of this rule.

Tu65c, T65c, Tu65nc, and T65nc are the current 12-month statewide total resident deaths for the four categories used above.

(HP) is the number of patients admitted to hospice programs serving an area during the most recent 12-month period ending on June 30 or December 31. The number is derived from reports submitted under subsection (9) of this rule.

350 is the targeted minimum 12-month total of patients admitted to a hospice program.

(b) Licensed Hospice Programs. Regardless of numeric need shown under the formula in paragraph (4)(a), the agency shall not normally approve a new hospice program for a service area unless each hospice program serving that area has been licensed and operational for at least 2 years as of 3 weeks prior to publication of the fixed need pool.

(c) Approved Hospice Programs. Regardless of numeric need shown under the formula in paragraph (4)(a), the agency shall not normally approve another hospice program for any service area that has an approved hospice program that is not yet licensed.

(d) Approval Under Special Circumstances. In the absence of numeric need identified in paragraph (4)(a), the applicant must demonstrate that circumstances exist to justify the approval of a new hospice. Evidence submitted by the applicant must document one or more of the following:

1. That a specific terminally ill population is not being served.

2. That a county or counties within the service area of a licensed hospice program are not being served.

3. That there are persons referred to hospice programs who are not being admitted within 48 hours (~~excluding cases where a later admission date has been requested~~). The applicant shall indicate the number of such persons.

(e) Preferences for a New Hospice Program. The agency shall give preference to an applicant meeting one or more of the criteria specified in subparagraphs 1. through 5.:

1. Preference shall be given to an applicant who has a commitment to serve populations with unmet needs.

2. Preference shall be given to an applicant who proposes to provide the inpatient care component of the hospice program through contractual arrangements with existing health care facilities, unless the applicant demonstrates a more cost-efficient alternative.

3. Preference shall be given to an applicant who has a commitment to serve patients who do not have primary caregivers at home; the homeless; and patients with AIDS.

4. In the case of proposals for a hospice service area comprised of three or more counties, preference shall be given to an applicant who has a commitment to establish a physical presence in an underserved county or counties.

5. Preference shall be given to an applicant who proposes to provide services that are not specifically covered by private insurance, Medicaid, or Medicare.

(5) Consistency with Plans. An applicant for a new hospice program shall provide evidence in the application that the proposal is consistent with the needs of the community and other criteria contained in local health council plans and the State Health Plan. The application for a new hospice program shall include letters from health organizations, social services organizations, and other entities within the proposed service area that endorse the applicant's development of a hospice program.

(6) Required Program Description. An applicant for a new hospice program shall provide a detailed program description in its certificate of need application, including:

(a) Proposed staffing, including use of volunteers.

(b) Expected sources of patient referrals.

(c) Projected number of admissions, by payer type, including Medicare, Medicaid, private insurance, self-pay, and indigent care patients for the first 2 years of operation.

(d) Projected number of admissions, by type of terminal illness, for the first 2 years of operation.

(e) Projected number of admissions by two age groups, under 65 and 65 or older, for the first 2 years of operation.

(f) Identification of the services that will be provided directly by hospice staff and volunteers and those that will be provided through contractual arrangements.

(g) Proposed arrangements for providing inpatient care (e.g., construction of a freestanding inpatient hospice facility; contractual arrangements for dedicated or renovated space in hospitals or nursing homes).

(h) Proposed number of inpatient beds that will be located in a freestanding inpatient hospice facility, in hospitals, and in nursing homes.

(i) Circumstances under which a patient would be admitted to an inpatient bed.

(j) Provisions for serving persons without primary caregivers at home.

(k) Arrangements for the provision of bereavement services.

(l) Proposed community education activities concerning hospice programs.

(m) Fundraising activities.

(7) Construction of a Freestanding Inpatient Hospice Facility. The agency will not normally approve a proposal for construction of a freestanding inpatient hospice facility unless the applicant demonstrates that the freestanding facility will be more cost-efficient than contractual arrangements with existing hospitals or nursing homes in the service area. The application shall include the following:

(a) A description of any advantages that the hospice program will achieve by constructing and operating its own inpatient beds.

(b) Existing contractual arrangements for inpatient care at hospitals and nursing homes; or, in the case of a proposed new hospice program, contacts made with hospitals and nursing homes regarding contractual arrangements for inpatient care.

(c) Anticipated sources of funds for the construction.

~~(8) Change in Licensed Bed Capacity of a Freestanding Inpatient Hospice Facility. A hospice program proposing to change the licensed bed capacity of its freestanding inpatient hospice facility shall indicate in its application:~~

~~(a) The annual occupancy rate for the freestanding inpatient hospice facility beds for the most recent 12-month period preceding the application submission.~~

~~(b) The extent to which the number of contracted beds in hospitals and nursing homes will be modified as a result of the change in licensed capacity of the freestanding inpatient hospice facility.~~

~~(8)(9) Semi-Annual Utilization Reports. Each hospice program shall report utilization information to the agency or its designee on or before July 20 of each year and January 20 of the following year. The July report shall indicate the number of new patients admitted during the 6-month period composed of the first and second quarters of the current year, the census on the first day of each month included in the report, and the number of patient days of care provided during the reporting period. The January report shall indicate the number of new patients admitted during the 6-month period composed of the third and fourth quarters of the prior year, the census on the first day of each month included in the report, and the number of patient days of care provided during the reporting period. The following detail shall also be provided.~~

~~(a) For the number of new patients admitted:~~

1. The 6-month total of admissions under age 65 and age 65 and over by type of diagnosis (e.g., cancer; AIDS).

2. The number of admissions during each of the 6 months covered by the report, by service area of residence.

(b) For the patient census on April 1 or October 1, as applicable, the number of patients receiving hospice care in:

1. A private home.

2. An adult congregate living facility.

3. A hospice residential unit.

4. A nursing home.

5. A hospital.

~~(9)(10) Grandfathering Provisions. A hospice program licensed as of the effective date of this rule is authorized to continue to serve all counties in the service area where its principal place of business is located. A hospice program whose certificate of need or current license permits hospice services in a county or counties in an adjacent service area may continue to serve those adjacent counties. Any expansion to provide service to other counties in an adjacent service area is subject to regulation under this rule.~~

Specific Authority 408.15(8), 408.034(3), (5) FS. Law Implemented 408.034(3), 408.035, 408.036(1)(d)(e), ~~(e), (f)~~, 408.043(2), 400.606(4), (5) FS. History—New 4-17-95, Amended 7-30-95, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Calvin J. Vice, Sr., PhD

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Holly Benson, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 14, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 19, 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."

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:

64B18-11.001 Application for Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the application form for licensure.

SUMMARY: The application form for licensure will be incorporated into the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 461.005 FS.

LAW IMPLEMENTED: 456.017(1)(c), 461.006 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 Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-11.001 Application for Licensure.

(1) Any person desiring to be licensed as a podiatric physician shall apply to the Board of Podiatric Medicine. The application shall be made on the Application for Podiatric Examination Initial Licensure form DH-MQA 1138 (revised 12/08), hereby adopted and incorporated by reference, that can be obtained from the Board of Podiatric Medicine’s website at <http://www.doh.state.fl.us/mqa/podiatry/index.html>.

(2) An application file for licensure is not complete unless and until it contains verification of a passing score from examination of the National Board of Podiatric Medical Examiners, including Part I, Part II, and the PMLexis Examination. Such verification must be received by the Board office directly from the provider of the National Board of Podiatric Medical Examiners examination.

Specific Authority 461.005 FS. Law Implemented 456.017(1)(c), 461.006 FS. History–New 1-29-80, Amended 12-9-82, Formerly 21T-11.01, Amended 10-14-86, 1-26-88, 6-20-88, 7-3-89, 6-24-92, Formerly 21T-11.001, Amended 7-6-94, Formerly 61F12-11.001, Amended 1-1-96, 7-15-96, Formerly 59Z-11.001, Amended 9-3-98, 2-8-00, 4-22-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Podiatric Medicine

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

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

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-12.008
RULE TITLE: Registration Fee for Dispensing Practitioners

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the Dispensing Practitioner Registration form.

SUMMARY: The Dispensing Practitioner Registration form will be incorporated into the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 461.005, 465.0276 FS.

LAW IMPLEMENTED: 456.0276 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 Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-12.008 Registration Fee for Dispensing Practitioners.

A podiatric physician who dispenses medicinal drugs for human consumption for a fee or remuneration of any kind, whether direct or indirect, must register with the Board using the Dispensing Practitioner Registration form DH-MQA 1141 (revised 12/08), hereby adopted and incorporated by reference, that can be obtained from the Board of Podiatric Medicine’s website at <http://www.doh.state.fl.us/mqa/podiatry/index.html>, and pay a fee of \$100.00 at the time of such registration and upon each renewal of licensure.

Specific Authority 461.005, 465.0276 FS. Law Implemented 465.0276 FS. History–New 2-27-94, Formerly 61F12-12.010, Amended 1-1-96, Formerly 59Z-12.008, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Podiatric Medicine

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

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

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-14.012
 RULE TITLE: Address of Record

PURPOSE AND EFFECT: The Board proposes the rule promulgation in order to provide instruction for licensees who have a change of address.

SUMMARY: The rule provides instruction for licensees who have a change of address.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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, 463.005(1) FS.

LAW IMPLEMENTED: 456.035 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-14.012 Address of Record.

It shall be the duty of each licensee to provide to the Department of Health written notification by certified mail of the licensee's current mailing address and place of practice within 15 business days upon change thereof. The term "place of practice" means the address(es) of the physical location(s) where the licensee practices podiatric medicine.

Specific Authority 456.035, 463.005(1) FS. Law Implemented 456.035 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Podiatric Medicine

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

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

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

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-175.008
 RULE TITLE: Unfair Discrimination in Private Passenger Motor Vehicle Insurance Rates – Based on History of Accidents

PURPOSE AND EFFECT: To clarify that imposing additional premium on an existing or new insured based upon not-at-fault accidents is a violation of Section 626.9541(1)(o)3.a., F.S.

SUMMARY: The rule clarifies that insurers may not use not-at-fault accidents that occurred prior to the insured becoming insured with the particular insurer in determining the premium due.

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: 624.308(1), 626.9611 FS.

LAW IMPLEMENTED: 624.307(1), 626.9541(1)(o)3.a. FS.

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

DATE AND TIME: February 18, 2009, 12:00 noon

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Michael Milnes, P&C Product Review, Office of Insurance Regulation, E-mail Michael.milnes@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Milnes, P&C Product Review, Office of Insurance Regulation, E-mail Michael.milnes@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-175.008 Unfair Discrimination in Private Passenger Motor Vehicle Insurance Rates – Based on History of Accidents.

(1) No insurer or person authorized to engage in the business of insurance in the State of Florida shall use any motor vehicle accidents which may have occurred at any time in the past except for the 36 months immediately preceding the

effective date of the new or renewal policy as a basis for imposing or requesting an additional premium for or for refusing to renew any policy, contract, or certificate of motor vehicle liability, personal injury protection, medical payment, or collision insurance, or any combination thereof. Notwithstanding the above, the imposition of or the request for an additional premium due to at fault motor vehicle accidents referred to in this rule may be imposed on a policy, contract, or certificate of motor vehicle liability, personal injury protection, medical payment, or collision insurance, or any combination thereof in a manner consistent with the processing procedures of an insurer and may not remain in effect in excess of 36 months.

(2)(a) No insurer or person authorized to engage in the business of insurance in the State of Florida shall use any motor vehicle accident which may have occurred at any time in the past as the sole basis for imposing or requesting an additional premium for or for refusing to renew any policy, contract, or certificate of motor vehicle liability, personal injury protection, medical payment, or collision insurance, or any combination thereof unless that insurer’s file contains information from which the insurer in good faith determines that the insured was substantially at fault in the accident.

(b) The term “imposing or requesting additional premium” means that the premium charged by the insurer as consideration in exchange for indemnifying the insured is greater than such premium would have been if that motor vehicle accident had not taken place or the insured had not been substantially at fault in that accident. The term “accident” means any unexpected and unforeseen event that is definite in time and place.

Specific Authority 624.308(1), 626.9611 FS. Law Implemented 624.307(1), 626.9541(1)(o)3.a. FS. History—New 8-1-90, Formerly 4-43.007, 4-175.008, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Milnes, P&C Product Review, Office of Insurance Regulation, E-mail Michael.milnes@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 17, 2008

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE NOS.:	RULE TITLES:
5F-11.001	Definitions
5F-11.022	Marking of Containers
5F-11.026	Unsafe Container or System
5F-11.029	Inspection of DOT Cylinders
5F-11.047	Connecting or Disconnecting Cylinders, Tanks, or Systems; Notice to Owner; Transportation
5F-11.080	Administrative Penalties and Enforcements – Purpose
5F-11.081	Aggravating and Mitigating Factors
5F-11.082	Default Final Orders
5F-11.083	Repeat Violations
5F-11.084	Notice of Noncompliance; Failure to Correct
5F-11.085	Accident Related Violations
5F-11.086	Hazardous Acts
5F-11.087	Specific Violations; Enforcement Actions
5F-11.088	Violations; Enforcement Actions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in the Vol. 34, No. 6, February 8, 2008 (Notice of Proposed Rulemaking) and Vol. 34, No. 27, July 3, 2008 (Notice of Change) issues of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE NO.:	RULE TITLE:
9J-5.026	Rural Land Stewardship Area (RSLA)

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 42, October 17, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE NO.:	RULE TITLE:
9J-11.023	Procedure for the Designation of a Rural Land Stewardship Area

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 42, October 17, 2008 issue of the Florida Administrative Weekly has been withdrawn.

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-1.659 Forms and Instructions

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. 33, August 15, 2008 issue of the Florida Administrative Weekly.

Paragraph numbering and the form number for the new Meter Accuracy Verification Form have been changed so that the amendments now read as follows:

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this chapter. Copies of these forms may be obtained from the District.

(1) GROUNDWATER.

(1) through (30) renumbered (a) through (dd) No change.

(2) SURFACE WATER.

(1) through (15) renumbered (a) through (o) No change.

(3) OTHER.

(1) through (2) renumbered (a) through (b) No change.

(c) METER ACCURACY VERIFICATION FORM.

FORM NO. LEG-R.021.00 (07/08).

Specific Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 FS. History–New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1.901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00,10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05, 2-6-07, 2-26-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08, 4-7-08, 5-12-08, 5-20-08, 8-19-08, 12-30-08,_____.

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. 33, August 15, 2008 issue of the Florida Administrative Weekly.

In response to the Joint Administrative Procedures Committee, the amendments to the Basis of Review have been clarified and the form number changed so that the amendments will read as follows:

40D-2.091 Publications Incorporated by Reference.

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

(1) Water Use Permit Information Manual Part B, "Basis of Review" () (~~1-20-09~~); ~~and~~

(2) Water Use Permit Information Manual Part D, "Requirements for the Estimation of Permanent and Temporal Service Area Populations" (1-20-09); ~~and~~

(3) Meter Accuracy Verification Form, Form No. LEG-R.021.00 (07/08).

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History–New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, 7-20-08, 9-10-08, 12-30-08, 1-20-09,_____.

The following provisions are incorporated by reference in rule 40D-2.091(1)

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

Chapter

5.0 MONITORING REQUIREMENTS

The following provisions are added to the end of section 5.1. The paragraphs under the heading "Flow Meters" are primarily replicated from Chapter 6, the section titled "PUMPAGE REPORTING, 5. Flow Meters" except as noted through strikeout/underline. Paragraphs that are completely underlined are new:

Flow Meters

All required flow meters shall adhere to the following requirements and shall be installed and maintained as follows:

1. All meters shall be non-resettable, totalizing flow meters that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest

consecutive months permitted quantities. If other measuring devices or other alternative accounting methods are proposed, prior to installation, the Permittee shall submit documentation that the other measuring devices or accounting methods meet the accuracy requirement provided below stipulations listed in this condition. If the alternative accounting method involves a meter belonging to another entity or to an alternative water supply provider, the Permittee shall submit documentation from the owner/supplier that the meter readings conform to these meter requirements. Approval for other measuring devices or accounting methods must be obtained in writing from the Regulation Department Director.

a. The flow meter(s) or other approved flow-measuring device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.

b. Accuracy testing requirements:

i. For newly metered withdrawal points, ~~the~~ flow meter installation-water piping system shall be designed for inline field access for meter accuracy testing.

ii. The meter shall be tested for accuracy on-site, as installed, every five years beginning from the date of its installation for new meters or from the date of initial issuance of the this permit condition containing the metering condition with an accuracy-test requirement for existing meters.

iii. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.

iv. The test will be accepted by the District only if performed by a person certified on knowledgeable in the test equipment used as described in the section entitled Flow Meter Verification, below.

v. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.

2. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line. Existing systems that would require retrofitting to achieve the above standards will not be required to retrofit provided it is documented on the Meter Accuracy Verification Form, Form No. LEG-R.021.00 (07/08), incorporated herein by reference, that the flow meter is accurately and reliably measuring flow over different flow ranges or for the permanent operating flow. This form can be obtained from the District's website (www.watermatters.org).

3. If a metered withdrawal point, AWS inflow line or re-pump withdrawal point is not utilized during a given month, the meter report shall be submitted to the District showing the same meter reading that was submitted the previous month.

4.3. Broken or malfunctioning meter:

a. If the meter or other flow-measuring device malfunctions or breaks, the Permittee shall:

a. Notify the District within 15 days of discovering the malfunction or breakage;

b. ~~The meter must be r~~Replaced the broken or malfunctioning meter with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery; and

c. Submit estimates of their pumpage as described below.

e. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, the withdrawal point shall not lack a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

5. While the meter is not functioning correctly off the withdrawal, the Permittee shall document the total amount of time in minutes that the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons estimate their use by multiplying the number of hours the withdrawal point was used during that month times the flow capacity of the pump or mainline, whichever is appropriate, or the Permittee may request instructions on how to estimate use from the Permit Data Section. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form noted as an estimate when it is submitted to the District. The reason for the necessity to estimate pumpage shall be reported with the estimate.

6. In the event a new meter is installed to replace a broken meter, the meter ~~it~~ and its installation shall meet the specifications of this Chapter condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

Transferred from Chapter 6 -09

Flow Meter Verification

The following requirements pertain to the required flow meter testing:

1. The Flow Meter Accuracy Verification Form referenced above under the heading "Flow Meters" shall be completed and provided to the District for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org). If the test equipment provides a printout of data that was input, this shall be submitted with the worksheet. The equipment's water temperature shall be set to 72 degrees for ground water, and for other water sources the measured water temperature shall be used.

2. Permittees shall demonstrate that the results of the meter testing are accurate. This demonstration may be met by submitting documentation with the Flow Meter Accuracy Verification Form referenced above under the heading "Flow Meters" that:

a. The manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing; and,

b. Includes a date of calibration of the testing equipment within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.

3. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.

4. A picture(s) of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

5. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.

6. Flow meters that fail to meet the District's accuracy requirements must be repaired or replaced within 30 days. These meters shall be retested after the repair and the results submitted to the District within 30 days of the test.

____-09.

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 Osteopathic Medicine

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

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 41, October 10, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.:	RULE TITLE:
64B19-11.0075	Application Closure After 24 Months

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 49, December 5, 2008 issue of the Florida Administrative Weekly.

The rule number was published as 64B19-11.007, but the correct rule number is 64B19-11.0075. The foregoing correction does not affect the substance of the Notice or the subsequent adoption of the rule.

The person to be contacted regarding the above correction is: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253.

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

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

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 49, December 5, 2008 issue of the Florida Administrative Weekly.

The following changes are in response to revisions requested by the Joint Administrative Procedures Committee and technical changes to correct redundancy, punctuation and inconsistency errors.

64J-2.007 Trauma Agency Formation, Continuation, and Plan Requirements.

64J-2.007(2)(a)

~~(a)(e)~~ Hold a public hearing at least 60 days prior to the submission of the plan to the department, 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 the a-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.

64J-2.007(3)(k)2.

2. Verify that the existing communications within the trauma agency's trauma service area meet all the requirements for compliance with the Florida Emergency Medical Services Communication Plan, Volume I – March 2004 and Volume II – July 2008, to include all hospitals with emergency departments. The Florida Emergency Medical Services Communications Plan (Volumes I and II) is incorporated by reference and a copy of the document can be obtained by mail from the Department of Management Services, Division of Telecommunications, 4030 Esplanade Way, Suite 180, Tallahassee, Florida 32399; or electronically through the following web link: http://dms.myflorida.com/cits/public_safety/radio_communications/radio_communication_plans.

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 or the five-year and the trauma agency 5-year plan update, review the ~~proposed~~ trauma agency's trauma system plan, and notify the ~~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 ~~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.

(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.

64J-2.009 Trauma Agency Implementation and Operation Requirements.

(2)(b)~~2.5~~. Documentation that all trauma centers in the geographic area of the trauma agency participate in the trauma agency's quality assurance and improvement activities process.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.:

RULE TITLES:

69A-37.055

Curriculum Requirements for Training Firefighter Recruits or Firefighters

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. 52, December 24, 2008 issue of the Florida Administrative Weekly.

69A-37.055 Curriculum Requirements for Training Firefighter Recruits or Firefighters.

(1) The firefighter training embodied in the curriculum requirements for schools operated by or for any employing agency for the specific purpose of training firefighter recruits or firefighters shall consist of 206 hours of training to complete Part I (equivalent to NFPA Firefighter I compliant) and an additional 192 hours to complete Part II (equivalent to NFPA Firefighter II compliant) training. Completion of both Part I and Part II represents the required 398 hours referred to collectively hereinafter as the "Minimum Standards Course;" which is required to be certified as a firefighter. The individual courses shall have the titles, content, and at least the minimum hours of instruction ~~as~~ prescribed by the Bureau in this rule. Part I completion shall be documented when the required coursework identified in this section has been completed. These courses shall be delivered by an instructor approved by the Bureau. A score of 70% or more must be achieved on each of a written and practical examination delivered by the Bureau. Part I curriculum may be delivered by a recognized fire department. ~~The completion of the Form DFS-K4-1028 "Verification of Prescribed Training Hours" evidencing compliance with minimum curriculum requirements shall be presented to the Bureau Field Representative prior to the state certification examination.~~ The school or employing agency is permitted and encouraged to offer additional training above that training required by this chapter for firefighter recruit training.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:

RULE TITLE:

69O-163.011

Credit Disability Insurance Rates

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 44, October 31, 2008 Florida Administrative Weekly has been continued from January 13, 2009 to February 10, 2009.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-164.040	Determining Reserve Liabilities for Preneed Life Insurance

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 40, October 3, 2008 Florida Administrative Weekly has been continued from January 13, 2009 to February 10, 2009.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
69O-186.003	Title Insurance Rates
69O-186.005	Premium Schedule Applicable to “Truth in Lending” and Other Endorsements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 22, June 3, 2005 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-186.013	Title Insurance Statistical Gathering

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 40, October 6, 2006 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-204.101	Disclosures to Viator of Disbursement

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 11, March 14, 2008 issue of the Florida Administrative Weekly has been withdrawn.

**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**

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on January 14, 2009, the Criminal Justice Standards and Training Commission, received a petition for waiver of paragraph 11B-27.0013(8)(f), F.A.C., by Alan Kalfus. The Petitioner wishes to waive that portion of the rule requiring canine team evaluators to become reapproved every four years.

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

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

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on January 9, 2009, the South Florida Water Management District, received a petition for waiver from Edward A. Bakay Jr. and Sandra K. Bakay, Application No. 08-0609-2, for utilization of Works or Lands of the District known as the Golden Gate Main Canal, for the proposed installation of a cross fence within 40 feet of the top of the canal bank; Sections 10 & 11, Township 49 South, Range 27 East, Collier County. The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which governs the placement of permanent and/or

semi-permanent above-ground encroachments (cross fence within forty feet of the top of canal bank) within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kathie Ruff at (561)682-6320 or e-mail at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Kathie Ruff, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on December 23, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for An Emergency Variance request from subsections 61C-1.004(1) and 61C-4.010(5), F.A.C., for Cold Stone Creamery located in Orlando. Specifically, the Petitioner requests to share the three-compartment sink and the mop sink located within an adjacent establishment operated by the same entity.

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 January 8, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants received an Emergency Variance Request from subsections 61C-4.010(7) and 61C-4.010(6), Florida Administrative Code, for Jeremy’s Big Twist located in Mount Dora. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated...Specifically, the proposed establishment requests to use bathrooms located on a different floor than the restaurant for both customers and employees.

The variance request was approved on January 8, 2009, contingent upon the Petitioner ensuring the public bathrooms located on the second level are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, employee hand washing signage, are available during all hours of operation and are located no more than 300 feet from the establishment. The Petitioner shall also ensure directional signage is installed within and outside the establishment clearly stating the location of the bathrooms. Petitioner will be take-out only with no seats. If the circumstances governing access to the public bathrooms change, this variance approval will be revisited. Any violation of the variance is the equivalent of a violation of the Rule and may result in a

rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on January 14, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants received a Routine Variance from subsection 61C-4.010(6), Florida Administrative Code (F.A.C.), for P.J.’s Seafood Restaurant located in Indian Rocks Beach. The above referenced F.A.C. references the provisions of Chapter 6, 2001 Federal Drug Administration Food Code, which prohibits live animals on the premises of a food service establishment. Specifically, the Petitioner requests a variance from the prohibition of animals on the premise in order to have a caged parrot inside the building.

This variance request was approved on January 14, 2009 contingent upon the Petitioner ensuring the parrot will not contaminate, either directly or indirectly, food, clean equipment, utensils, linens, or unwrapped single-service or single-use articles. The public will be prohibited from direct contact with the parrot. No other prohibited animals will be allowed on the premise. The display enclosure will be maintained clean, in good repair and exhausted to the outside air. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on January 8, 2009, the The Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

On October 10, 2008, The Department of Business and Professional Regulation, Division of Hotels and Restaurants received a Petition for a Routine Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Rob’s Catering located in Clearwater. 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 3 and Chapter 6 of the 2001 FDA Food Code. Specifically, Petitioner requests to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

This variance request was approved and contingent upon the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid, the steam table is

enclosed within a cabinet with tight-fitting doors and protected by an air curtain installed and operated according to manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries per the parameters of the currently adopted FDA Food Code, and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; the grill depicted on the drawing of the unit is to be disabled; and steam table food is to be dispensed by the operator with no customer self-service.

The Petitioner shall strictly adhere to the operating procedures submitted and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation and shall be adhered to as approved by the Division. Any violation of the variance or operating procedures is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Rhonda.Steele@DBPR.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on December 30, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants received a Routine Variance Request for subsection 61C-4.010(6), Florida Administrative Code, on October 3, 2008, from The Roll Bar located in Orlando. The above referenced F.A.C. states... the physical facilities at public food service establishments shall be subject to the provisions of Chapter 6, Food Code.... Specifically, the Petitioner requests to have exposed joists in the ceiling of the inside bars.

This variance request was approved contingent upon the Petitioner having a limited menu in the inside bars where there are exposed studs, joists or rafters. The studs, joists and rafters shall be smooth, nonabsorbent, easily cleanable and maintained in good repair. Food preparation is limited to drink preparation only including the scooping of ice; there will be no other food service activities including slicing of fruit, shucking, peeling, warewashing, or cooking. Only single-service items may be utilized for bar customers. If the surface of the studs, joists or rafters is not maintained, the variance will be rescinded and a properly finished ceiling will be required. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on November 4, 2008, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Three Sisters Food Service located in Ft. Myers. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of Chapter 3 and Chapter 6 of the 2001 FDA Food Code. 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 January 12, 2009, the Board of Accountancy, received a petition for Richard Burl Gant, seeking a variance or waiver of paragraph 61H1-33.003(1)(b), F.A.C., which requires that a licensee submit an additional 8 hours of Accounting and Auditing subjects for not meeting the deadline for obtaining the required continuing education hours by June 30th of the licensee's reestablishment period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT on January 20, 2009, the Department of Environmental Protection has issued an order.

The order was for an emergency temporary variance for the Florida Department of Transportation (FDOT) to exceed the iron standard in Rule 62-520.420, F.A.C., for its dewatering project at the Intermodal Center Exchange at the Miami International Airport. The notice of receipt was published on December 24, 2008. No public comment was received. FDOT demonstrated that an emergency variance was appropriate because of the magnitude of costs involving project construction delays if the variance were processed as a non-emergency petition. Substantial hardship was

demonstrated by FDOT because of the high cost of treatment to meet the iron standard, a non-health based standard. An alternate iron level is established in the Order to be protective of public health, and ground water monitoring will continue.

A copy of the Order may be obtained by contacting: Ms. Donnie McClaugherty, DEP, MS 3530, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400, (850)245-8645.

DEPARTMENT OF HEALTH

The Board of Opticianry hereby gives notice that it has received a petition, filed on December 12, 2008, by Miguel R. Rodriguez. Petitioner did not state the rule which he is seeking a waiver or variance. However, he asks that the Board consider an exception to the requirement that he has actively practiced in another state for more than three years of the last five years immediately preceding application.

Comments on this petition should be filed with: Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN THAT on January 14, 2009, the Board of Pharmacy, received a petition for Cardinal Health, seeking a variance or waiver of Rule 64B16-27.797, Florida Administrative Code, which requires that the buffer area is to be maintained within ISO Class 7 level of particulate contamination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on this petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on January 15, 2009, the Florida Department of Health, Division of Emergency Medical Operations, Bureau of Emergency Medical Services, received a petition for waiver from paragraph 64J-1.010(3)(d), Florida Administrative Code, from Sean Hessel.

Nature of Rule: Requires a paramedic whose certificate has been on inactive status for more than 1 year to pass the paramedic certification examination as one of the requirements for activating his or her certificate.

The petitioner mistakenly checked the "voluntary inactive" box on his 2006-2008 renewal form and was not notified by his employer or the Department that his license was in an inactive status. Therefore, he is requesting a waiver of this rule requirement.

All comments and requests for copies of the petitions must be received in writing by February 13, 2009.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Alexander Macy, Administrative Assistant, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738, Fax (850)488-9408, email alexander_macy@doh.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on January 14, 2009, the Florida Department of Health, Division of Emergency Medical Operations, Office of Trauma, received a petition for emergency variance from paragraph 64J-2.011(4)(a), Florida Administrative Code, from Variety Children's Hospital d/b/a Miami Children's Hospital.

Nature of Rule: Requires a State Approved Pediatric Trauma Center ("SAPTC") to abide by the standards set forth in Trauma Center Standards, Florida Department of Health Pamphlet 150-9 ("DHP 150-9"), January 2008.

The petitioner is requesting a permanent variance from Standard IV, A of DHP 150-9, requiring a SAPTC to staff an anesthesiologist "in-hospital and promptly available for trauma patient care 24 hours a day."

All comments and requests for copies of the petitions must be received in writing by January 26, 2009.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Susan McDevitt, Director, Office of Trauma, 4052 Bald Cypress Way, Bin C-18, Tallahassee, FL 32399-1738, (850)245-4440, ext. 2760, Fax: (850)488-2512, susan_mcdevitt@doh.state.fl.us.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys announces the following public conference which all persons are invited to attend. The conference will be followed by a press conference.

Council on the Social Status of Black Men and Boys' Annual Report Presentation and Press Conference

DATE AND TIME: February 24, 2009, 12:00 Noon – 1:00 p.m.

PLACE: Cabinet Meeting Room, Room LL-3, The Capitol Building, 400 South Monroe Street, Tallahassee, FL 32399-0950

Council on the Social Status of Black Men and Boys

DATE AND TIME: February 24, 2009, 1:00 p.m. – 2:00 p.m.

PLACE: Cabinet Meeting Room, The Capitol Building, 400 South Monroe Street, Room LL-3, Tallahassee, FL 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the meeting agenda may be obtained by visiting: <http://www.cssbmb.com>.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours prior to the meeting by contacting the Bureau of Criminal Justice Programs at (850)414-3300. 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, contact: Bureau of Criminal Justice Programs at (850)414-3300.

The **Florida Elections Commission** announces a meeting. Parts of the meeting are confidential.

DATES AND TIME: Thursday, February 26, 2009; Friday, February 27, 2009, 8:30 a.m. – 6:30 p.m.

PLACE: Senate Office Building, 404 South Monroe Street, Room 401, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and adjudication of cases relating to alleged violations of Chapters 104 and 106, Florida Statutes, and to the late filing of campaign treasurer's reports.

For a copy of the agenda or additional information call: Patsy Rushing at (850)922-4539 or write: 107 W. Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050.

If you need an accommodation because of disability in order to participate, please call Patsy Rushing at least 48 hours before the meeting.

If a person decides to appeal any decision of the Commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and will need to assure that a verbatim record of the proceedings is made.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: February 11, 2009, 9:00 a.m.

PLACE: National Key Deer Refuge – Refuge Office, 28950 Watson Blvd., Big Pine Key, Florida, (305)872-2239

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the business of the Subcommittee on Imperiled Species.

A copy of the agenda may be obtained by contacting: Max Feken at (850)487-0532. Please contact either Max Feken or Anne Morkill at (305)872-2239 if planning to attend.

The Florida **Food and Nutrition Advisory Council** announces a public meeting to which all persons are invited.

DATES AND TIMES: February 19, 2009, 8:30 a.m. – 5:00 p.m.; February 20, 2009, 8:30 a.m. – 12:30 p.m.

PLACE: The Crystal River Plantation Inn, 9301 W Fort Island Trail, Crystal River, Florida 34429, 1(800)632-6262

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review the status of food and nutrition programs and initiatives in the State of Florida.

A copy of the agenda may be obtained by contacting: Adrian Middleton at (850)414-2883.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least days before the workshop/meeting by contacting: Adrian Middleton at (850)414-2883, by January 20, 2009. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

The **Commission for Independent Education** announces a public meeting to which all persons are invited.

DATE AND TIME: February 11, 2009, 11:00 a.m.

PLACE: Florida Hotel and Conference Center, 1500 Sandlake Road, Orlando, Florida 32809, 1(800)588-4656

GENERAL SUBJECT MATTER TO BE CONSIDERED: The conduct the general committee business of the Accreditation Review Committee. Consideration of recognition of the Higher Learning Commission of the North Central Association of Colleges and Schools (HLC) pursuant to Section 1005.32(1)(b), Florida Statutes.

A copy of the agenda may be obtained by contacting: Commission for Independent Education, 325 W. Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Area of Critical State Concern at (850)488-4925. 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 **Indian River State College** announces a public meeting to which all persons are invited.

DATE AND TIME: March 4, 2009, 10:00 a.m.

PLACE: 4600 Kirby Loop Road, Fort Pierce, FL 34981

GENERAL SUBJECT MATTER TO BE CONSIDERED: Indian River State College, Criminal Justice Training Institute announces a public meeting for the Region XI Council to provide update on training classes and any other issues involving the Region.

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. 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: Director Lawrence Lawson at (772)462-7949.

DEPARTMENT OF LAW ENFORCEMENT

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

DATE AND TIME: Friday, February 6, 2009, 9:00 a.m. – 2:00 p.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: QUARTERLY Missing Endangered Persons Information Clearinghouse (MEPIC) Advisory Board Meeting.

A copy of the agenda may be obtained by contacting: Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32302.

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: Attention: Dinah Johnson. 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: Attention: Dinah Johnson.

The Florida **Department of Law Enforcement** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, February 17, 2009, 10:00 a.m. – Open

PLACE: Hilton Hotel Ocala, 3600 S. W. 36 Avenue, Ocala, Florida 34474. If you need to make reservations, please call the Hilton Hotel Ocala at (352)854-1400, Fax: (352)854-4010. CHECK-IN: 3:00 p.m. and CHECK-OUT: 11:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Criminal Justice Standards and Training Commission Officer Discipline Penalty Guidelines Task Force will discuss possible revisions to the officer discipline penalty guidelines in

subsection 11B-27.005(5), F.A.C., Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

A copy of the agenda may be obtained by contacting: Officer Discipline Manager Glen Hopkins at (850)410-8645.

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: Officer Discipline Manager Glen Hopkins at (850)410-8645. 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: Officer Discipline Manager Glen Hopkins at (850)410-8645.

DEPARTMENT OF REVENUE

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

DATE AND TIME: March 10, 2009, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish a Notice of Proposed Rulemaking for the following rule sections.

Sales and Use Tax – Rules 12A-1.004, F.A.C. (Sales Tax Brackets), 12A-1.038, F.A.C. (Consumer’s Certificate of Exemption; Exemption Certificates), 12A-1.039, F.A.C. (Sales for Resale), 12A-1.060, F.A.C. (Registration), 12A-1.061, F.A.C. (Rentals, Leases, and Licenses to Use Transient Accommodations), 12A-1.0911, F.A.C. (Self-Accrual Authorization; Direct Remittance on Behalf of Independent Distributors), and 12A-1.097, F.A.C. (Public Use Forms).

Communications Services Tax – Rule 12A-19.021, F.A.C. (Communications Services Tax Brackets).

Corporate Income Tax – Rules 12C-1.0222, F.A.C. (Returns; Extensions of Time; Payments of Tentative Tax), and 12C-1.032, F.A.C. (Payments of Tentative Tax – Repeal).

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Larry Green at (850)922-4830.

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

DATE AND TIME: March 10, 2009, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the proposed amendments to the rules listed below. These proposed rule amendments were noticed in the December 19, 2008, (Vol. 34, No. 51, pp. 6605-6615), Florida Administrative Weekly.

Documentary Stamp Tax – Rule 12B-4.003, F.A.C. (Public Use Forms), Rule 12B-4.007, F.A.C. (Recordation of Documents), and Rule 12B-4.014, F.A.C. (Conveyances Not Subject to Tax)

Fuels and Pollutants Tax – Rule 12B-5.150, F.A.C. (Public Use Forms)

Corporate Income Tax – Rule 12C-1.013, F.A.C. (Adjusted Federal Income Defined), and Rule 12C-1.068, F.A.C. (Intangible Tax Credit; Additional Tax Due – Repeal)

Estate Tax – Rule 12C-3.0015, F.A.C. (Documents, Extensions, and Due Dates for Filing), Rule 12C-3.007, F.A.C. (Interest on Overpayment of Taxes – Repeal), Rule 12C-3.008, F.A.C. (Public Use Forms), Rule 12C-3.009, F.A.C. (Penalties and Interest – Repeal), Rule 12C-3.010, F.A.C. (Final Certificate and Nontaxable Certificate Mailing Procedures), and Rule 12C-3.013, F.A.C. (Protest Procedures – Repeal)

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: February 10, 2009, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish a Notice of Proposed Rulemaking to hold a public hearing on the proposed rules about uniform procedures for hearings before value adjustment boards and their special magistrates. These proposed rules include new Chapter 12D-9 (Requirements for Value Adjustment Boards in Administrative Reviews; Uniform Rules of Procedure for

Hearings), revised Chapter 12D-10 (Requirements for Decisions By Value Adjustment Boards), and revised Rule 12D-16.002 (Index to Forms), Florida Administrative Code.

A copy of the agenda may be obtained by contacting: Janice Forrester at (850)922-7945 or ForrestJ@dor.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Janice Forrester at (850)922-7945 or 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).

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

The **State Board of Administration** (SBA) announces a public meeting to which all persons are invited.

DATE AND TIME: February 10, 2009, 9:00 a.m. (ET).

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Trustees of the SBA to address the need to raise additional revenue to fund the obligations, costs and expenses of the Florida Hurricane Catastrophe Fund and the Florida Hurricane Catastrophe Fund Finance Corporation. In addition, other general business may be addressed.

For more information, you may contact: Tracy Allen, Florida Hurricane Catastrophe Fund at (850)413-1341 or tracy.allen@sbafla.com.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a public customer meeting to which all persons are invited.

DATE AND TIME: Thursday, February 19, 2009, 6:00 p.m.

PLACE: Edison State College, Learning Resources Hall, Building J, Room 103, Corbin Auditorium, 8099 College Parkway, Fort Myers, Florida 33919

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 080247-SU – Application for increase in wastewater rates in Lee County by Utilities, Inc. of Eagle Ridge.

The purpose of this meeting is to give customer and other interested persons an opportunity to offer comments to Commission Staff regarding the quality of service the Utility

provides and to ask questions, and comment on the rate increase as well as other issues. Commission Staff will be available to address and coordinate customers' comments and to assist members of the public. A representative from the Utility may also be in attendance. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. At the beginning of the meeting, procedures will established for the order of comments. Commission Staff will have sign-up sheets, and customers will be called in the order that they sign up to speak. For questions contact: Commission Staff, Ms. Avy Crawford at (850)413-6425 before Wednesday, February 18, 2009.

EMERGENCY CANCELLATION OF CUSTOMER MEETING: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the bottom of the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of the Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of the Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The Florida **Public Service Commission** announces a public customer meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 25, 2009, 6:00 p.m.

PLACE: Martin Luther King, Jr. Center, 550 Laura Lane, Dunedin, Florida 34698

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 080250-SU – Application for increase in wastewater rates in Pinellas County by Mid-County Services, Inc.

The purpose of this meeting is to give customers and other interested persons an opportunity to offer comments to Commission Staff regarding the quality of service the Utility provides and to ask questions, and comment on the proposed rates as well as other issues. Commission Staff will be available to address and coordinate customers' comments and to assist members of the public. A representative from the Utility may also be in attendance. One or more of the Commissioners of the Florida Public Service Commission may

attend and participate in the customer meeting. All persons who wish to comment are urged to be present at the beginning of the meeting, since the meeting may be adjourned early if no customers are present.

EMERGENCY CANCELLATION OF CUSTOMER MEETING: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199. A copy of the agenda may be obtained by contacting: Mr. Dale Buys at (850)413-6536.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The Florida **Public Service Commission** announces a public customer meeting to which all persons are invited.

DATE AND TIME: Thursday, February 26, 2009, 6:00 p.m.

PLACE: City Hall Commission Chambers, 155 Corey Avenue, St. Pete Beach, Florida 33706

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 080248-SU – Application for increase in wastewater rates in Pinellas County by Tierra Verde Utilities, Inc.

The purpose of this meeting is to give customers and other interested persons an opportunity to offer comments to Commission Staff regarding the quality of service the Utility provides and to ask questions, and comment on the proposed rates as well as other issues. Commission Staff will be available to address and coordinate customers' comments and to assist members of the public. A representative from the Utility may also be in attendance. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the customer meeting. All persons who wish to comment are urged to be present at the beginning of the meeting, since the meeting may be adjourned early if no customers are present.

EMERGENCY CANCELLATION OF CUSTOMER MEETING: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation

of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199. A copy of the agenda may be obtained by contacting: Mr. Dale Buys at (850)413-6536.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: Monday, February 9, 2009, 4:00 p.m.

PLACE: Niceville City Hall, 208 North Partin Drive, Niceville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular business of the Council.

A copy of the agenda may be obtained by contacting: WFRPC at 1(800)266-8914 or (850)332-7976.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting. 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: Mrs. Terry Joseph, Executive Director, WFRPC at terry.joseph@wfrpc.org.

The **Tampa Bay Local Emergency Planning Committee** (LEPC) District VIII announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 25, 2009, 10:30 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and implement provisions of the Emergency Planning and Community Right-to-Know Act (EPCRA) pertaining to facilities with hazardous materials within the Florida LEPC District VIII.

A copy of the agenda may be obtained by contacting: John Meyer, LEPC Coordinator, Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782-6136, (727)570-5151, ext. 29.

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: John Meyer at (727)570-5151, ext. 29. 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: John Meyer at (727)570-5151, ext. 29.

DEPARTMENT OF CORRECTIONS

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

DATE AND TIME: Thursday, February 5, 2009, 10:00 a.m.

PLACE: Reception and Medical Center (Region 2 Conference Room), 7765 South County Road 231, Lake Butler, Florida 32054

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting of the RMC Hospital Governing Body.

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: Gerda Godwin at (386)496-6074. 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: Gerda Godwin at (386)496-6074.

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: February 10, 2009, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. To consider District business, and conduct public hearings on regulatory and land acquisition matters. A workshop will follow the board meeting.

A copy of the agenda may be obtained by contacting: Kristel Callahan at (386)362-1001 or kjc@srwmd.org or on the District's website at: www.mysuwanneeriver.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Kristel Callahan at (386)362-1001. 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: Kristel Callahan at (386)362-1001.

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

DATE AND TIME: Tuesday, February 10, 2009, following Committee Reports and Public Hearing on Land Acquisition at the Governing Board meeting which begins at 1:00 p.m.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public hearing to receive public testimony regarding the District's Florida Forever Work Plan Annual Update for the acquisition and management of lands funded by the Florida Forever Trust Fund pursuant to Sections 373.139(3) and 373.199(7), Florida Statutes.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Missy McDermont, 4049 Reid Street, Palatka, FL 32177, (386)329-4101, or by visiting the District's website at: www.sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: Wednesday, February 11, 2009, 9:00 a.m.

PLACE: SWFWMD, Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Manasota Basin Board Meeting: Consider Basin business. Ad Order 48964.

A copy of the agenda may be obtained by contacting: SWFWMD, Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: SWFWMD, Executive Department at the address above.

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

DATE AND TIME: Thursday, February 12, 2009, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Withlacoochee Basin Board Meeting: Consider Basin business. Ad Order 48964.

A copy of the agenda may be obtained by contacting: SWFWMD, Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: SWFWMD, Executive Department at the address above.

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

DATE AND TIME: Thursday, February 12, 2009, 1:00 p.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Coastal Rivers Basin Board Meeting: Consider Basin business. Ad Order 48964.

A copy of the agenda may be obtained by contacting: SWFWMD, Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: SWFWMD, Executive Department at the address above.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: February 11, 2009, 9:00 a.m. – completed

PLACE: South Florida Water Management District, Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: February 12, 2009, 9:00 a.m. – completed

PLACE: South Florida Water Management District, Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2008), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in Friends of the Everglades, Inc. and Fishermen Against

Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 02-80309-CV-Altonaga/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, P. Huck, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.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 **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: February 11, 2009, 9:00 a.m. – completed

PLACE: South Florida Water Management District, Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: February 12, 2009, 9:00 a.m. – completed

PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2008), Florida Statutes, to discuss strategy related

to litigation expenditures and/or settlement negotiations in Natural Resources Defense Council, Inc., et al. v. Van Antwerp, et al., United States District Court, Southern District of Florida, Case No. 07-80444-CIV-Middlebrooks. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, P. Huck, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt.

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The **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: February 11, 2009, 9:00 a.m. – completed
PLACE: South Florida Water Management District, Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

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PLACE: South Florida Water Management District Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2008), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in South Florida Water Management District v. State of Florida, Fifteenth Judicial Circuit, Palm Beach County, Florida, Case No. 50-2008-CA-031975XXXXMB. The subject matter shall

be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).
ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, P. Huck, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, F. Bartolone, R. Hanna, C. Lamia, K. Artin, F. Springer.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

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

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The **South Florida Water Management District** announces a private closed door attorney-client session.

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DATE AND TIME: February 12, 2009, 9:00 a.m. – completed
PLACE: South Florida Water Management District, Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2008), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, Petition for Administrative Hearing filed January 13, 2009. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, P. Huck, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, K. Burns, D. MacLaughlin.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.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: the 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 **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: February 11, 2009, 9:00 a.m. – completed

PLACE: South Florida Water Management District, Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: February 12, 2009, 9:00 a.m. – completed

PLACE: South Florida Water Management District, Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2008), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in *New Hope Sugar Company and Okeelanta Corporation v. South Florida Water Management District*, Petition for Administrative Hearing filed January 6, 2009. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, P. Huck, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, K. Burns, D. MacLaughlin.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

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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 **South Florida Water Management District** announces a private closed door attorney-client session.

DATE AND TIME: February 11, 2009, 9:00 a.m. – completed

PLACE: South Florida Water Management District, Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: February 12, 2009, 9:00 a.m. – completed

PLACE: South Florida Water Management District, Headquarters, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Section 286.011(8)(2008), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in *South Florida Water Management District v. Real Estate Investment Group LLC; Terranova Investments of Miami, Inc., Eleventh Judicial Circuit, Miami-Dade County, Florida, Case No. 09-00549 CA 23*. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, M. Collins, C. Dauray, S. Estenoz, P. Huck, M. Meeker, R. Montgomery, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, M. Compagno.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.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 **South Florida Water Management District** announces a public meeting to which all persons are invited.

South Florida Water Management District Leasing Corporation
 DATE AND TIME: Wednesday, February 11, 2009, Immediately following the conclusion of the Workshop of the Governing Board of the South Florida Water Management District

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

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of 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: Meeting of the South Florida Water Management District Leasing Corporation to discuss leasing corporation business.

A copy of the agenda may be obtained by contacting: Jacki McGorty at (561)682-2087, or at https://my.sfwmd.gov/portal/page?_pageid=2574,13014451&_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 **South Florida Water Management District** announces a public meeting to which all persons are invited.

Project and Lands Committee Meeting

DATE AND TIME: February 11, 2009, 9:00 a.m.

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

Audit and Finance Committee Meeting

DATE AND TIME: February 11, 2009, 10:30 a.m.

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

Workshop

DATE AND TIME: February 11, 2009, 1:00 p.m.

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

Regular Business Meeting

DATE AND TIME: February 12, 2009, 9:00 a.m.

PLACE: SFWMD, Headquarters, Building B-1, 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 workshop or regular business 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. If Workshop items are not discussed on 2/11, the items may be discussed on 2/12.

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 at 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.

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, February 16, 2009, 9:00 a.m.

PLACE: 2575 Enterprise Road, Clearwater, Florida 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors.

A copy of the agenda may be obtained by contacting: Tampa Bay Water at (727)796-2355.

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.

The **Peace River Manasota Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 4, 2009, 9:30 a.m.

PLACE: Sarasota County Administration Center, 1660 Ringling Boulevard, Sarasota, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will convene to conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: Peace River Manasota Regional Water Supply Authority, 6311 Atrium Drive, Suite 100, Bradenton, Florida 34202.

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: (941)316-1776. 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.

SPACE FLORIDA

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

DATE AND TIME: Wednesday, February 18, 2009, 1:00 p.m. – 4:00 p.m. (Eastern Standard Time)

PLACE: Double Tree Hotel, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special Board Of Directors Meeting – One Topic.

A copy of the agenda may be obtained by contacting: Deb Spicer, Vice President of Communications, Government and External Affairs at dspicer@spaceflorida.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Deb Spicer, Vice President of Communications, Government and External Affairs at dspicer@spaceflorida.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Deb Spicer, Vice President of Communications, Government and External Affairs at dspicer@spaceflorida.gov.

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

DATE AND TIME: DATE: February 19, 2009, 8:30 a.m. (Eastern Standard Time)

PLACE: DoubleTree Hotel, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Deb Spicer, Vice President of Communications, Government, and External Affairs at dspicer@spaceflorida.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Deb Spicer, Vice President of Communications, Government, and External Affairs at dspicer@spaceflorida.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Deb Spicer, Vice President of Communications, Government, and External Affairs at dspicer@spaceflorida.gov.

DEPARTMENT OF ELDER AFFAIRS

The **Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: February 4, 2009, 9:30 a.m.

PLACE: Temple Shalom, 23190 Utica Ave., Port Charlotte, FL 33980

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program Council Business.

A copy of the agenda may be obtained by contacting: Ann Proie at (239)338-2563.

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: Ann Proie at (239)338-2563. 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: Ann Proie at (239)338-2563.

The **Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: February 9, 2009, 10:00 a.m.

PLACE: 3501 Kirby Loop Rd., Ft. Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program Council Business.

A copy of the agenda may be obtained by contacting: Nancy Schoemig at (772)595-1385.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Nancy Schoemig at (772)595-1385. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Nancy Schoemig at (772)595-1385.

The **Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: February 9, 2009, 11:30 a.m.

PLACE: 111 S. Sapodilla Ave., Rm. #113B, West Palm Beach, FL 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Ombudsman Program Council Business.

A copy of the agenda may be obtained by contacting: Allen Jaggard at (561)837-5038.

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: Allen Jaggard at (561)837-5038. 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: Allen Jaggard at (561)837-5038.

The **Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: February 10, 2009, 1:00 p.m.

PLACE: 1400 West Commercial Blvd., 2nd Floor, Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program Council Business.

A copy of the agenda may be obtained by contacting: Susan Nix at (954)747-7919.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Susan Nix at (954)747-7919. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Susan Nix at (954)747-7919.

The **Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: February 11, 2009, 10:00 a.m.

PLACE: 210 N. Palmetto Ave., Rm. #148 Daytona Beach, FL 32214

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program Council Business.

A copy of the agenda may be obtained by contacting: Claudia Dinardo at (386)226-7846.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Claudia Dinardo at (386)226-7846. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Claudia Dinardo at (386)226-7846.

The **Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: February 12, 2009, 10:00 a.m.

PLACE: 7601 Little Road, Suite #100, 1st Floor, New Port Richey, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program Council Business.

A copy of the agenda may be obtained by contacting: Lynn Penley or Susan Strothers at (727)943-4955.

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: Lynn Penley or Susan Strothers at (727)943-4955. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lynn Penley or Susan Strothers at (727)943-4955.

The **Long Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: February 12, 2009, 10:00 a.m.

PLACE: Rath ConNEXTions and Education Center, 1350 E. Main St., Suite #200, Bartow, Florida 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program Council Business.

A copy of the agenda may be obtained by contacting: Tresa Johnston at (863)413-2764.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tresa Johnston at (863)413-2764. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tresa Johnston at (863)413-2764.

The **Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: February 12, 2009, 10:30 a.m.

PLACE: N. Miami Beach Public Library, 1601 N. E. 164 St., N. Miami Beach, FL 33162

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program Council Business.

A copy of the agenda may be obtained by contacting: Ramon Keppis at (786)336-1418.

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: Ramon Keppis at (786)336-1418. 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: Ramon Keppis at (786)336-1418.

The **Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: February 17, 2009, 11:00 a.m.

PLACE: First Presbyterian Church of Brandon, 121 Carver Ave., Brandon, FL 33510

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program Council Business.

A copy of the agenda may be obtained by contacting: Robin Baker at (813)558-5591.

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: Robin Baker at (813)558-5591. 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: Robin Baker at (813)558-5591.

The **Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: February 17, 2009, 12:30 p.m.

PLACE: Kendall United Methodist Church, 7600 S. W. 104 St., Miami, FL 33176

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program Council Business.

A copy of the agenda may be obtained by contacting: Debbie Sokolow at (305)671-7245.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: Debbie Sokolow at (305)671-7245. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Debbie Sokolow at (305)671-7245.

The **Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: February 19, 2009, 12:00 Noon

PLACE: 988 Woodcock Rd., Conference Room, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program Council Business.

A copy of the agenda may be obtained by contacting: LaShea Heidelberg at (407)228-7752.

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: LaShea Heidelberg at (407)228-7752. 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: LaShea Heidelberg at (407)228-7752.

The **Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: February 19, 2009, 1:00 p.m.

PLACE: Mary Grizzle Bldg., 11351 Ulmerton Rd., Ste. 303 Largo, FL 33778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program Council Business.

A copy of the agenda may be obtained by contacting: Natalie Clanzy at (727)588-6912.

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: Natalie Clanzy at (727)588-6912. 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: Natalie Clanzy at (727)588-6912.

The **Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: February 26, 2009, 9:30 a.m.

PLACE: 1101 Gulf Breeze Parkway, Gulf Breeze, FL 32561

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program Council Business.

A copy of the agenda may be obtained by contacting: Mike Phillips at (850)916-6720.

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: Mike Phillips at (850)916-6720. 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: Mike Phillips at (850)916-6720.

DEPARTMENT OF MANAGEMENT SERVICES

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 9, 2009, 1:30 p.m. – 4:00 p.m. or until Board business is concluded

PLACE: Turlington Building, Room 1703, 325 W. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly meeting of the SSRC Board of Trustees.

Section 282.205, F.S., establishes the Southwood Shared Resource Center, formerly the Shared Resource Center, to enhance communication among state agencies and identify statewide enterprise information technology solutions.

A copy of the agenda may be obtained by contacting: Rick Mitchell at (850)488-9895, rick.mitchell@ssrc.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 2 days before the workshop/meeting by contacting: Rick Mitchell at (850)488-9895, rick.mitchell@ssrc.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: Rick Mitchell at (850)488-9895, rick.mitchell@ssrc.myflorida.com.

The **Governor's Mansion Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 12, 2009, 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, FL 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 February 6, 2009, 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, FL 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).

The **Department of Management Services** announces a joint meeting of the Standard Operating Procedures and Technical Committees of the Joint Task Force on State Agency Enforcement Communications announces a public meeting to which all persons are invited.

DATE AND TIME: February 10, 2009, 9:00 a.m. – 4:00 p.m.

PLACE: Florida Department of Law Enforcement, Headquarters, 2331 Phillips Road, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss operational matters of the Statewide Law Enforcement Radio System.

For more information about the agenda, contact: Victor Cullars, Florida Department of Law Enforcement at (850)410-8300 or Todd Preston, Fish and Wildlife Conservation Commission at (850)410-0656.

The Call-In Number is: 1(888)808-6959, Pin: 4108307.

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

The **Department of Management Services** announces a meeting of the Joint Task Force on State Agency Law Enforcement Communications announces a public meeting to which all persons are invited.

DATE AND TIME: February 24, 2009, 9:30 a.m.

PLACE: Florida Department of Elder Affairs, 4040 Esplanade Way, Suite 225F, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss operational matters of the Statewide Law Enforcement Radio System.

A copy of the agenda may be obtained by contacting: Bruce Meyers at (850)922-7510 or bruce.meyers@dms.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 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **E911 Board** announces a workshop to which all persons are invited.

DATE AND TIME: February 18, 2009, 2:00 p.m.

PLACE: Rosen Shingle Creek Hotel, 9939 Universal Boulevard, Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: The E 911Board hereby gives notice that a public workshop for the purposes of rule development on Rule 60FF-5.006, F.A.C. A notice of rule development was published in Vol. 35, No. 03, of the January 23, 2009, Florida Administrative Weekly.

A copy of the agenda may be obtained by contacting: John C. Ford, Executive Director, E911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida 32399-0950.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: John C. Ford, Executive Director, E911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida 32399-0950. 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: John C. Ford, Executive Director, E911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida 32399-0950

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE OF CHANGE – The **Building Code Administrators and Inspectors Board** announces a workshop to which all persons are invited.

DATE AND TIME: Friday, February 13, 2009, 10:00 a.m.

PLACE: Homewood Suites, 8745 International Drive, Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Correction of Workshop Date Given: The Building Code Administrators and Inspectors Board gave notice in Vol. 35, No. 3 of the January 23, 2009, issue of the Florida Administrative Weekly, that a public workshop for the purposes of rule development on disciplinary matters under rules in Chapter 61G19-5, F.A.C., would be held on Sunday,

February 15, 2009, 10:00 a.m. or as soon thereafter on this date as the workshop could be held. The date given was incorrect. The correct date of the Rule Development Workshop is on Friday, February 13, 2009. The time and place of the workshop remains unchanged.

A copy of the agenda may be obtained by contacting: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 calendar days before the workshop/meeting by contacting: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750. 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

The **Board of Accountancy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, February 27, 2009, 10:00 a.m. – completion of business

PLACE: The meeting will be held by Teleconference, using Teleconference Call 1(888)808-6959, Conference Code 9299108

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: June Carroll, Administrative Assistant II, 240 N. W. 76th Drive, Suite A, Gainesville, FL 32607.

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: June Carroll. 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 **Division of Certified Public Accounting**, Committee on Continuing Professional Education announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 24, 2009, 10:00 a.m.

PLACE: Via Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review individual course approval.

A copy of the agenda may be obtained by contacting: Karan Lee, Florida Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Karan Lee, Florida Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATES AND TIME: Tuesday and Wednesday, February 17-18, 2009, 8:30 a.m.

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772, (407)481-5662. 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: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

The Probable Cause Panel of the **Florida Real Estate Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 16, 2009, 2:30 p.m. or soonest thereafter (Portions of the probable cause proceedings are not open to the public.)

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772, (407)481-5662. 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: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF CANCELLATION – The **Springs Task Force Meeting** announces a public meeting to which all persons are invited.

DATE AND TIME: January 29, 2009, 9:00 a.m. – 3:00 p.m.

PLACE: Homosassa Springs Wildlife State Park, 4150 South Suncoast Blvd., Homosassa, Florida 32327

GENERAL SUBJECT MATTER TO BE CONSIDERED: Springs Task Force meeting to discuss issues related to protection, assessment, and restoration of Florida's springs has been cancelled and will be rescheduled.

Notice is hereby given that the above meeting, as noticed in Vol. 35, No. 2, January 16, 2009 F.A.W., has been cancelled and will be rescheduled.

A copy of the agenda may be obtained by contacting: Pat Waters at (850)245-8449.

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

DATE AND TIME: February 10, 2009, 2:00 p.m.

PLACE: Florida Department of Environmental Protection, Northwest District Office, Room 502, 160 Governmental Center, Pensacola, Florida 32502-5794

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting to discuss technical issues related to the Bayou Chico Basin Management Action Plan (BMAP). The primary topic of discussion during this meeting will be the BMAP development process.

A copy of the agenda may be obtained by contacting: Ms. Bonita Gorham, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3500, Tallahassee, Florida 32399-2400, or by e-mail at bonita.gorham@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Bonita Gorham at (850)245-8513. 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 **Acquisition and Restoration Council (ARC)**, as defined in Section 259.035, Florida Statutes, announces a public meeting to which all persons are invited.

Public Hearings:

DATES AND TIME: February 12, 2009; April 2, 2009; **May (Date and time TBA); June 11, 2009; August 13, 2009; October 8, 2009; **November (Date and Time TBA); December 10, 2009, 9:00 a.m. unless otherwise noted

Council Meetings:

DATES AND TIME: February 13, 2009; April 3, 2009; June 12, 2009; August 14, 2009; October 9, 2009; December 11, 2009, 9:00 a.m. unless otherwise noted

PLACE: Department of Environmental Protection, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Conference Room A, Tallahassee, Florida 32399-3000 (unless otherwise stated)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Purposes of conducting business of the Council, including the review of land acquisition proposals, management plans and proposed interim management uses of state-owned lands and to conduct other business of the Council.

A copy of the agenda may be obtained by contacting: Teresia Whalen, Office of Environmental Services at (850)245-2784 or teresia.whelen@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Teresia Whalen, Office of Environmental Services at (850)245-2784 or teresia.whelen@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Teresia Whalen, Office of Environmental Services at (850)245-2784 or teresia.whelen@dep.state.fl.us.

The **Department of Environmental Protection** announces a workshop to which all persons are invited.

DATE AND TIME: February 19, 2009, 10:00 a.m.

PLACE: Port Commission Room, 445 Challenger Road, Port Canaveral, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on development of a new Chapter 62-606, F.A.C., to be titled Releases from Gambling Vessels, to address releases of wastes from gambling vessels operating in Florida coastal waters and the minimum waste-service demand to be met by berth/waterfront-land facility owners, as required by Chapter 2008-231, Laws of Florida, Clean Ocean Act, which created Section 376.25, F.S. (2008).

A copy of the agenda may be obtained by contacting: Gregory M. Brown, P.E., Florida Department of Environmental Protection, Bureau of Water Facilities Management, 2600 Blair Stone Road, MS #3540, Tallahassee, FL 32399-2400, (850)245-8617, or e-mail: Greg.Brown@dep.state.fl.us.

Further information and updates on this proposed rule also may be obtained from the Department's Internet site at: http://www.dep.state.fl.us/water/rules_dr.htm#top (OGC No. 08-0278).

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: Gregory M. Brown, P.E., (850)245-8617. 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: Gregory M. Brown, P.E., Florida Department of Environmental Protection, Bureau of Water Facilities Management, 2600 Blair Stone Road, MS #3540, Tallahassee, FL 32399-2400, (850)245-8617, or e-mail: Greg.Brown@dep.state.fl.us.

The **Bureau of Beaches and Coastal Systems** announces a workshop to which all persons are invited.

DATE AND TIME: February 11, 2009, 3:00 p.m.

PLACE: City of Riviera Beach, City Council Chamber, 600 West Blue Heron Blvd, Riviera Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss the proposed erosion control project known as the Singer Island Erosion Control Project and the establishment of an Erosion Control Line for said project. The proposed Erosion Control Line lies along Singer Island, Palm Beach County, fronting the Atlantic Ocean at the line of mean high water. The proposed Erosion Control Line lies in: Section 10, 15, 22, 23 and 26, Township 42 South, Range 43 East in Palm Beach County, Florida.

A copy of the agenda may be obtained by contacting: Rob Buda at (850)922-7721, or by e-mail at rob.buda@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Rob Buda at (850)922-7721, or by e-mail at rob.buda@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Bureau of Beaches and Coastal Systems** announces a hearing to which all persons are invited.

DATE AND TIME: February 11, 2009, immediately following the conclusion of the Public Workshop which begins at 3:00 p.m., for the beach erosion control project known as the Singer Island Erosion Control Project

PLACE: City of Riviera Beach, City Council Chamber, 600 West Blue Heron Blvd, Riviera Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The proposed establishment of an Erosion Control Line, pursuant to Section 161.161, Florida Statutes. This hearing will consider evidence on the location of a proposed Erosion Control Line for the beach erosion control project known as the Singer Island Erosion Control Project. The proposed Erosion Control Line lies along Singer Island, Palm Beach County, Florida, fronting the Atlantic Ocean at the line of mean high water. The Erosion Control Line lies in: Section 10, 15, 22, 23 and 26, Township 42 South, Range 43 East in Palm Beach County, Florida.

A copy of the agenda may be obtained by contacting: Rob Buda at (850)922-7721, or by e-mail at rob.buda@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Rob Buda at (850)922-7721, or by e-mail at

rob.buda@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Greenways and Trails Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 19, 2009, 9:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959; Conference Code: 2452066

GENERAL SUBJECT MATTER TO BE CONSIDERED: Update of the Florida Hiking Trail Opportunity Map, designations of the Nocatee/Deep Creek Paddling Trail in St. Johns County, San Sebastian/Pomar Park Paddling Trail in St. Johns County, Canopy Shores/Mango Creek Paddling Trail in St. Johns County, and the St. Marks Wildlife Refuge in Wakulla County as part of the Florida Greenways and Trails System, and other business.

A copy of the agenda may be obtained by contacting: Jim Wood, Office of Greenways and Trails, State of Florida, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 795, Tallahassee, Florida 32399-3000. Mr. Wood may also be reached by telephone at (850)245-2052 or by email at Jim.M.Wood@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jim Wood at (850)245-2052. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Board of Clinical Laboratory Personnel** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, February 9, 2009, 9:30 a.m.

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 9849329103, Department of Health, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

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. 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 **Department of Health, Board of Medicine**, Probation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, February 21, 2009, 8:00 a.m.

PLACE: Airport Marriott, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the Committee.

A copy of the agenda may be obtained by contacting: Tiana Jackson, Medical Compliance Officer, Department of Health, Division of Medical Quality Assurance, Compliance Management Unit, 4052 Bald Cypress Way, Bin #C01, Tallahassee, FL 32399-3251.

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: Tiana Jackson at (850)245-4268, ext. 3546. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Florida **Board of Nursing**, North Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 9, 2009, 5:30 p.m. – 7:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)808-6959, Code 2456215

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Rick Garcia, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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

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

The **Board of Nursing Home Administrators** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, February 20, 2009, 9:00 a.m.

PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 9849329103, Department of Health, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/nurshome/index.html.

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

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

The **Board of Pharmacy** announces a telephone conference call to which all persons are invited.

DATES AND TIME: Every Monday beginning March 9, 2009 through May 4, 2009, 10:00 a.m.

PLACE: Conference Call Number: 1(888)808-6959, Conference Code: 5642037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative activity will be discussed.

For more information, you may contact: Board of Pharmacy at (850)245-4292.

FLORIDA HOUSING FINANCE CORPORATION

The **Affordable Housing Study Commission** announces a telephone conference call to which all persons are invited.

DATES AND TIMES: February 9, 2009 (Times subject to change), 1:15 p.m. – 4:15 p.m.; February 11, 2009, 1:00 p.m. – 3:00 p.m.; February 16, 2009, 1:15 p.m. – 4:15 p.m.; February 18, 2009, 1:00 p.m. – 3:00 p.m.; February 25, 2009, 1:00 p.m. – 3:00 p.m.; March 3, 2009, 1:00 p.m. – 3:00 p.m.; March 11, 2009, 1:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4884197#. This dial in information and conference code can be used for all conference calls.

GENERAL SUBJECT MATTER TO BE CONSIDERED: During the February 9 and February 16, 2009 conference calls the Study Commission will be discussing its recommendations on increasing the effectiveness of nonprofit affordable housing developers. The remaining conference calls will consist of reviews of drafts of the final report by a sub-committee of the Study Commission, to be selected during the February 9, 2009 conference call.

A copy of the agenda may be obtained by contacting: Odetta MacLeish-White, Florida Housing Finance Corporation at (850)488-4197. For agendas and updates, please visit our website at www.floridahousing.org/ahsc.

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: Odetta MacLeish-White at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: February 17, 2009, 9:00 a.m.

PLACE: Residence Inn Tallahassee, 600 West Gaines Street, Tallahassee, Florida 32304. The meeting will be accessible via phone at 1(888)808-6959, Conference Code #1374197.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive comments and suggestions from interested persons relative to the methodology to be used regarding the implementation of Senate Bill 2A.

A copy of the agenda may be obtained by contacting: Blake Carson-Poston or viewing the FHFC Website.

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: Blake Carson-Poston at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FISH AND WILDLIFE CONSERVATION COMMISSION

The **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: February 24, 2009, 6:30 p.m. – 8:30 p.m.

PLACE: Department of Agriculture and Consumer Services, Division of Plant Industry, 1911 S. W. 34th Street, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public meeting is for the purposes of discussing changes to the existing rules regarding captive wildlife and wildlife rehabilitation in Florida, and the development of a new rule regarding captive wildlife sanctuaries in Florida.

The public is invited to submit comments during the meeting or in writing. E-mail comments: rulechanges@MyFWC.com, and type "Captive Wildlife" on the subject line. Comments may also be submitted by mail to: Captain Linda Harrison, FWCC, Division of Law Enforcement, Investigations Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600. The deadline for submitting written comments will be close of business March 13, 2009.

A copy of the agenda may be obtained by contacting: Captain Linda Harrison, FWCC, Division of Law Enforcement, Investigations Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-6253.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: February 25, 2009, 7:00 p.m. – 9:00 p.m.

PLACE: Kissimmee Civic Center, 201 E. Dakin Avenue, Kissimmee, Florida 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public meeting is for the purposes of discussing changes to the existing rules regarding captive wildlife and wildlife rehabilitation in Florida, and the development of a new rule regarding captive wildlife sanctuaries in Florida.

The public is invited to submit comments during the meeting or in writing. E-mail comments: rulechanges@MyFWC.com, and type "Captive Wildlife" on the subject line. Comments may also be submitted by mail to: Captain Linda Harrison, FWCC, Division of Law Enforcement, Investigations Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600. The deadline for submitting written comments will be close of business March 13, 2009.

A copy of the agenda may be obtained by contacting: Captain Linda Harrison, FWCC, Division of Law Enforcement, Investigations Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-6253.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF FINANCIAL SERVICES

The **Division of State Fire Marshal** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 11, 2009, 10:00 a.m.

PLACE: State Fire Marshal Conference Room, Third Floor, Atrium, 325 John Knox Road, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Florida Fire Safety Board. Anyone wishing to attend may attend in person or by telephone conference call. Those attending by telephone conference call should dial (850)413-1591, (SC)293-1591. (Cisco VoIP Internal callers may reach the conference call by dialing 11591.) Once you have dialed the initial number you will be prompted to enter the Conference ID which is 736. The connection will be available 5 to 10 minutes before 10:00 a.m.

A copy of the agenda may be obtained by contacting: Donald Rollins, Division of State Fire Marshal, Bureau of Fire Prevention, Regulatory Licensing Section, 200 East Gaines Street, Tallahassee, FL 32399-0342, or by calling him at (850)413-3628.

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

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission**, Office of Financial Regulation announces a hearing to which all persons are invited.

DATE AND TIME: February 10, 2009, 9:00 a.m., during a regular meeting of the Financial Services Commission

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed Rule 69W-500.018, published on December 19, 2008, in Vol.

34, No. 51, issue of the Florida Administrative Weekly. No changes have been made to the proposed rule. The proposed rule provides an exemption from securities registration requirements for single-share stock certificates that are framed, and offered or sold as gifts.

A copy of the agenda may be obtained by contacting: Governor and Cabinet website at <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Andrea Moreland at (850)410-9601 or andreamoreland@flofr.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: Andrea Moreland at (850)410-9601 or andreamoreland@flofr.com.

GOVERNOR’S COMMISSION ON DISABILITIES

The **Governor’s Commission on Disabilities** announces a public meeting to which all persons are invited.

DATES AND TIMES: Monday, January 26, 2009, 8:00 a.m. – 6:00 p.m.; Public Comment: 3:30 p.m. – 4:30 p.m.; Tuesday, January 27, 2009, 8:00 a.m. – 2:00 p.m.; Public Comment: 1:00 p.m. – 1:30 p.m.

PLACE: University of North Florida University Center, 12000 Alumni Drive, Jacksonville, FL 32224-7669. The Call-In Number: 1(888)808-6959, Conference Code: 6101108#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

The **Governor’s Commission on Disabilities**, Transportation Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday February 3, 2009, 9:00 a.m. – 12:00 Noon

PLACE: 4030 Esplanade Way, Suite 301, Tallahassee, Florida 32399. The Call-In Number: 1(888)808-6959, Conference Code: 6101108#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

The **Governor’s Commission on Disabilities**, Health Care Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday February 4, 2009, 9:00 a.m. – 12:00 Noon

PLACE: 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399. The Call-In Number: 1(888)808-6959, Conference Code: 6101108#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Civil Rights Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday February 4, 2009, 2:00 p.m. – 5:00 p.m.

PLACE: 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399. The Call-In Number: 1(888)808-6959, Conference Code: 6101108#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Employment Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday February 4, 2009, 2:00 p.m. – 5:00 p.m.

PLACE: 4030 Esplanade Way, Suite 315, Tallahassee, Florida 32399. The Call-In Number: 1(888)808-6959, Conference Code: 6101108#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Education Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, February 5, 2009, 9:00 a.m. – 12:00 Noon

PLACE: 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399. The Call-In Number: 1(888)808-6959, Conference Code: 6101108#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Independent Living Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday February 5, 2009, 2:00 p.m. – 5:00 p.m.

PLACE: 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399. The Call-In Number: 1(888)808-6959, Conference Code: 6101108#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Health Care Committee's Education Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday February 11, 2009, 9:00 a.m. – 12:00 Noon

PLACE: 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399. The Call-In Number: 1(888)808-6959, Conference Code: 6101108#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Health Care Committee's Long-Term Health Care Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, February 11, 2009, 2:00 p.m. – 5:00 p.m.

PLACE: 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399. The Call-In Number: 1(888)808-6959, Conference Code: 6101108#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Health Care Committee's Behavioral Health Care Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday February 12, 2009, 9:00 a.m. – 12:00 Noon

PLACE: 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399. The Call-In Number: 1(888)808-6959, Conference Code: 6101108#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Health Care Committee's Access Health Care Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday February 12, 2009, 2:00 p.m. – 5:00 p.m.

PLACE: 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399. The Call-In Number: 1(888)808-6959, Conference Code: 6101108#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to commission@dms.myflorida.com.

SOIL AND WATER CONSERVATION DISTRICTS

The **Broward Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: February 4, 2009, 5:00 p.m.

PLACE: 6191 Orange Drive, Suite 6181-P, Davie, FL 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the business of the District Board.

A copy of the agenda may be obtained by contacting: (954)584-1306 or Mail@BrowardSWCD.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: (954)584-1306 or Mail@BrowardSWCD.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).

The **South Dade Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 19, 2009, 9:30 a.m.

PLACE: U.S.D.A. Service Center, 1450 N. Krome Avenue, Florida City, FL 33031

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Agenda items for presentation to Board of Supervisors: NURSERYBMP Lab Report, MIL Reports, DISTRICT Projects.

A copy of the agenda may be obtained by contacting: Norma H. Wilson, Administrative Assistant at (305)242-1288.

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: Mr. Morgan Levy, Administrator at (305)242-1288. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Morgan Levy, Administrator at (305)242-1288.

FLORIDA ASSOCIATION OF COMMUNITY COLLEGES

The **Florida Council of Community College Presidents** announces a public meeting to which all persons are invited.

DATE AND TIME: February 5, 2009, 8:00 a.m.

PLACE: TCC Capitol Center, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to Florida's public community colleges.

A copy of the agenda may be obtained by contacting: Tina Ingramm at (850)222-3222.

For more information, you may contact: Michael Brawer, 113 East College Ave., Tallahassee, FL 32301.

FLORIDA INDEPENDENT LIVING COUNCIL, INC.

The **Florida Independent Living Council, Inc.** announces a telephone conference call to which all persons are invited.

- MEETING: Advocacy Committee (teleconference)
- DATE AND TIME: Thursday, February 5, 2009, 1:30 p.m. (EST)
- PLACE: FILC, Inc. Administrative Office, 1416 N. Adams Street, Tallahassee, Florida 32303
- MEETING: Youth Senate Meeting (teleconference)
- DATE AND TIME: Wednesday, February 11, 2009, 5:00 p.m. (EST)
- PLACE: FILC, Inc. Administrative Office, 1416 N. Adams Street, Tallahassee, Florida 32303
- MEETING: Planning Committee (teleconference)
- DATE AND TIME: Thursday, February 12, 2009, 1:30 p.m. (EST)
- PLACE: FILC, Inc. Administrative Office, 1416 N. Adams Street, Tallahassee, Florida 32303
- MEETING: Evaluation Committee (teleconference)
- DATE AND TIME: Thursday, February 12, 2009, 2:30 p.m. (EST)
- PLACE: FILC, Inc. Administrative Office, 1416 N. Adams Street, Tallahassee, Florida 32303
- MEETING: Finance Committee (teleconference)
- DATE AND TIME: Thursday, February 19, 2009, 1:30 p.m. (EST)
- PLACE: FILC, Inc. Administrative Office, 1416 N. Adams Street, Tallahassee, Florida 32303
- MEETING: Executive Committee (teleconference)
- DATE AND TIME: (Tentatively) Thursday, February 26, 2009, 2:30 p.m. (EST)
- PLACE: FILC, Inc. Administrative Office, 1416 N. Adams Street, Tallahassee, Florida 32303

SAVE THE DATE

MEETING: Full Council Meeting
 DATES AND TIME: Wednesday- Friday, March 11-13, 2009
 Please check back for updates on time and location.
GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the council.
COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Molly Gosline at the council address.
 A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624 or Toll Free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

CITY OF PALM COAST

NOTICE OF CANCELLATION – The **City of Palm Coast** announces a hearing to which all persons are invited.
 DATE AND TIME: February 9, 2009, 6:30 p.m.
 PLACE: Palm Coast Community Center, 305 Palm Coast Parkway, N. E., Palm Coast, Florida 32137
GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing has been cancelled/postponed, at this time.
 A copy of the agenda may be obtained by contacting: Michael Esposito, City Project Manager, City of Palm Coast, 160 Cypress Point Parkway, Suite B-106, Palm Coast, Florida 32164.

FLORIDA SURPLUS ASSET FUND TRUST

The **Florida Surplus Asset Fund Trust** announces a public meeting to which all persons are invited.
 DATE AND TIME: February 10, 2009, 1:00 p.m.
 PLACE: Core Communications, 10521 S. W. Village Center Dr., Suite 201, Port St. Lucie, FL 34987
GENERAL SUBJECT MATTER TO BE CONSIDERED: Joint Meeting of The Board of Trustees and Board of Trustees of The Florida Surplus Asset Fund Trust.

- Board of Trustees:
- Dr. Henry Fishkind
- Mr. Joseph MacLaren
- Mr. James Anderson
- Mr. Mark Mason
- Mr. Harry Dressler

The joint meeting of the Board of Participants and Board of Trustees of Florida Surplus Asset Fund Trust will be held on:
 DATE AND TIME: February 10, 2009, 1:00 p.m.
 PLACE: Core Communications, 10521 S. W. Village Center Dr., Suite 201, Port St. Lucie, FL 34987
GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the following matters related to the Florida Surplus Asset Fund Trust.

- a. Minutes of November 2008 meeting.
- b. Minutes of December 2008 meeting.
- c. Fourth quarter unaudited financial report.
- d. 2009 budget.
- e. Participant elections for the Board of Trustees.
- f. Economic update and portfolio structure.
- g. 2008 audit status.
- h. Marketing activity and plans.
- i. Other business.

A copy of the agenda may be obtained by contacting: Diane Cooper at (407)482-2327 or email: diane@flsafe.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 48 hours before the workshop/meeting by contacting: Judy Minter at (407)382-3256. 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: Diane Cooper at (407)482-2327.

CITIZENS PROPERTY INSURANCE CORPORATION

The Audit Committee of **Citizens Property Insurance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 19, 2009, 2.30 p.m. (EDT)

PLACE: Tampa Airport Marriott, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: For additional information please contact Betty Veal at (904)407-0440.

In accordance with the Americans with Disabilities Act, people with disabilities or physical impairments who require assistance to participate in this meeting are requested to contact Betty Veal at least five days prior to the meeting.

A copy of the agenda may be obtained by contacting: Betty Veal.

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION

The Investment Committee of the **Florida Workers' Compensation Insurance Guaranty Association** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, February 24, 2009, 10:00 a.m. (EST)

PLACE: via Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the Investment Committee.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (850)386-9200.

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: Cathy Irvin at (850)386-9200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA ALLIANCE FOR ASSISTIVE SERVICES AND TECHNOLOGY, INC.

The **Florida Alliance for Assistive Services and Technology, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday February 26, 2009, 9:00 a.m. – 2:00 p.m.

PLACE: The Embassy Suites Hotel Tampa – Airport/Westshore, 555 Westshore Blvd., Tampa, FL 33609-1923

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will meet to conduct such business as specified on the agenda.

If you have any questions, please contact: FFAST, Inc., 325 John Knox Road, Bldg. 400, Ste 402, Tallahassee, FL 32303, or by calling 1(888)788-9216. If you would like to present information to the Board of Directors, or if you require reasonable accommodations due to a disability, please contact FFAST, Inc. at the above address at least 14 working days in advance of the meeting.

A copy of the agenda may be obtained by contacting: Tim McCann at 1(888)788-9216, ext. 100.

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 14 days before the workshop/meeting by contacting: Tim McCann at 1(888)788-9216, ext. 100. 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: Tim McCann at 1(888)788-9216, ext. 100.

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 Fred S. Cardwell, on December 22, 2008. The petition seeks the Florida Building Commission's clarification of the requirements of sections 1502 and 1507, Florida Building Code, Building Volume (2004 as amended) as they apply to the petitioner. Petitioner seeks clarification of the Code's requirements for the use of roofing underlayment on utility sheds. It has been assigned the number DCA08-DEC-357.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Michael J. Wolfe, on behalf of Advanced Shelter Solutions, Inc., on December 19, 2008. The petition seeks the Florida Building Commission's opinion on the requirements of Chapter 9B-72, F.A.C., as they apply to the petitioner. Petitioner seeks clarification of the local building official's authority to take action when a product approved under Chapter 9B-72, F.A.C., is sold or advertised for an application that is inconsistent with the conditions or limitations of its approval. It has been assigned the number DCA08-DEC-359.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Anthony C. Apfelbeck, Fire Marshal/Building Official, In Re: Capistrano Condominium Association, Inc., Docket No. 2009000290. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(1), Florida Statutes, and Rule 61B-23.002, Florida Administrative Code, as it applies to the petitioner.

Whether Capistrano Condominium Association, Inc. may opt out of a fire sprinkler system or other engineered lifesafety system under Section 718.112(2)(1), Florida Statutes, and Rule 61B-23.002, Florida Administrative Code.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Anne L. Falkoff, Petitioner, In RE: Hillsboro Imperial Condominium, Inc., Docket No. 2008064218 on November 7, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because this case involves an issue that is in dispute and cannot be resolved in a declaratory statement proceeding.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Rick and Christine H. Irizarry, Petitioners/Unit Owners, In Re: Laguna Pointe Condominium Association of Pensacola, Inc., Docket No. 2009000291. The petition seeks the agency's opinion as to the applicability of Sections 718.113, 718.301(7), and 718.303, Florida Statutes, as it applies to the petitioner.

Whether Laguna Pointe Condominium Association of Pensacola, Inc. is required to have a Florida licensed architect supervise and approve major damage repairs to the common elements caused by construction defects and design errors under Sections 718.113, 718.301(7), and 718.303, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Chandler Sweetser, Unit Owner, In Re: Pelican Cove Condominium Association, Inc. on October 13, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because the Division has not received a copy of Pelican Cove's governing documents and may not issue a declaratory statement without reviewing the documents.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Slaughter Construction Co., Inc. on August 8, 2008. The following is a summary of the agency's disposition of the petition:

The petition seeks the agency's opinion as to the applicability of Sections 633.021(5)(e), (9) and (19), F.S. The Department interprets its statutes, rules and orders as they apply to the Petitioner's particular set of circumstances; the letter referenced in the question is not a statute, rule or order of the Department.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, or

(850)413-4238, Fax (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mailing your request to Lesley.Mendelson@myfloridacfo.com.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

Notice of Bid

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB09SVF-137, Newins-Zeigler Hall Bldg. 832 Roof Replacement, estimated budget: \$800,000, to be opened March 4, 2009 at 2:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Replace existing built-up roof

system with a new modified bitumen roof system as described in the project documents. Contractor shall have their main office within a 60 mile radius of Gainesville, FL.

Mandatory pre-bid meeting will be held: February 18, 2009, 10:00 a.m., in the PPD A/E Conference Room, Building 700, Radio Road, Gainesville, FL. Questions should be directed to Lisa Pennington, lpenn@ufl.edu or (352)392-1331. For more information visit www.purchasing.ufl.edu.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, purchasing@ufl.edu or (352)392-1331 within three (3) days of the event.

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the disciplines of engineering and architecture for Total Building Commissioning will be required for the project listed below:

Project: UF-310, East Campus Office Building (Gainesville, FL)

The facility will consist of constructing a 3 to 5 story office building that will include approximately 80,000 gross square feet. The facility will house various office and administrative functions of the university. This building will be designed as a typical office building according to Florida Building Code. The UF Design and Construction Standards will not be utilized for this building. The scope of services shall include design phase peer review, completion and maintenance of the Owner’s Project Requirements (OPR) document, development of the Commissioning Plan and Commissioning Specifications, and construction phase pre-functional, functional, and performance testing for mechanical, electrical, building automation, and building envelope systems. The consultant shall also support project efforts to achieve higher-than normal energy efficiency and attain a minimum Silver LEED certification.

Blanket professional liability insurance will be required for this project in the amount of \$1,000,000.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet for Commissioning Consultants, and other background information. The proposal shall be limited to 20 single-sided pages OR 10 double-sided, consecutively-numbered pages and shall include:

1. A Letter of Application that concisely illustrates the applicant’s understanding of the scope of services.
2. A completed Commissioning Services Proposal Form using the project-specific version available at the UF Facilities Planning & Construction website. Applications on any other form will not be considered.

3. Resumes and copies of the applicant’s current Professional Registration Certificate(s) from the appropriate governing board, corporate charter(s) if applicable, LEED accreditation, and other pertinent credentials.

At the time of application, the applicant must possess current design Professional Registration Certificate(s) from the appropriate governing board; must be properly registered to practice its profession in the State of Florida; and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected applicant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Unsigned proposals or proposals containing expired or invalid licenses will be disqualified. Submittal materials will not be returned.

The Commissioning Services Proposal Form, Project Fact Sheet, UF Design Services Guide, UF Design and Construction Standards, FP&C non-technical specifications, standard University of Florida Owner-Commissioning Consultant agreement, and other project and process information can be found on the Facilities Planning and Construction website. Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning and Construction office by 3:00 p.m. (Local Time), Friday, February 13, 2009. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction

232 Stadium/P. O. Box 115050

Gainesville, FL 32611-5050

Telephone: (352)273-4000

Fax: (352)273-4034

Internet: www.facilities.ufl.edu

NOTICE TO PROFESSIONAL CONSULTANTS

Florida Gulf Coast University Board of Trustees, announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project No. BR-1066

Project and Location: Academic Building 8
Fort Myers, Florida

Description of Project

This new building will be utilized by the FGCU College of Health Professions. Accordingly, the new building will provide new laboratory and office spaces dedicated to providing CHP

students with a state-of-the-art practice laboratory facility with faculty office and conference spaces that will nurture the interdisciplinary mission of the College and sustain its programs and enrollment for the next decade. The College is comprised of two schools: The School of Health and Rehabilitation and the School of Nursing.

Currently, the College of Health Professions has 49 full-time faculty, who teach in a variety of classrooms and locations throughout the campus. The Academic Building 8 project will allow for the consolidation of classrooms, laboratories and conference areas for undergraduate and grad students involved in the CHP programs. The AB8 will also allow for the consolidation of faculty offices in one building.

The building will be approximately 60,000 gross square feet and will be four stories in height. The building will include a large lecture room, a variety of laboratory spaces for the School of Nursing as well as the Physical Therapy and Occupational Therapy programs, advising offices, faculty offices and a variety of conference rooms.

The design of the building will be complimentary to other campus buildings, yet have a distinct appearance of its own. The location of AB8 will be adjacent to Lutgert Hall on the west and Academic Building 5 on the east. Such a building will provide a prominent and highly visible location on campus.

The project will utilize the Construction Management Delivery method. The selected firm will provide design, construction documents, and administration services for the referenced project. The estimated cost of construction is approximately \$16.8 million and the projected total budget is approximately \$24.0 million.

Instructions:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have the following attached:

1. A completed Board of Regents "Professional Qualifications Supplement," dated September 1999. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications, which do not comply with the above instructions, may be disqualified. Application materials will not be returned. The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past

36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontract, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Mr. Jack Fenwick, Director of Facility Planning, 10501 FGCU Blvd. South, Fort Myers, Florida 33965-6565, (239)590-1500.

Submittals must be received in the Facilities Planning Office, Academic Building 5, Room 217, by 2:00 p.m. (Local Time), March 2, 2009. Facsimile (FAX) submittals are not acceptable and will not be considered.

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 MILITARY AFFAIRS

NOTICE OF BID/REQUEST FOR PROPOSAL

EXHIBIT 1

PROPOSALS ARE REQUESTED FROM QUALIFIED LICENSED GENERAL CONTRACTORS BY THE State of Florida, Department of Military Affairs HEREINAFTER REFERRED TO AS OWNER, FOR CONSTRUCTION OF:

PROJECT NUMBER: 207050

PROJECT NAME AND LOCATION: Three Additional Workbays for Field Maintenance Shop Number Four (FMS #4), 1107 West Commerce Road, Haines City, Florida 33844

FOR: State of Florida, Department of Military Affairs, Construction and Facility Management Office

POTENTIAL RESPONDENTS TO THE SOLICITATION ARE ENCOURAGED TO CAREFULLY REVIEW ALL THE MATERIALS CONTAINED HEREIN AND PREPARE RESPONSES ACCORDINGLY.

FOR (PROJECT DESCRIPTION): Construct an addition to an existing vehicle maintenance building located at the Haines City National Guard Armory. The 6,000 sq. ft. addition has been designed with three vehicle workbays with motor operated roll up doors on both sides to allow for easy circulation of large military vehicles. The addition itself

consists of a brick veneer to match the adjacent building with stucco accents between the vehicle workbays and a pitched standing seam metal roof. The addition consists of multiple vehicle maintenance equipment items such as vehicle exhaust systems, overhead lubrication oil system, electrical vehicle analysis computers, 15-ton overhead bridge crane as well as hazardous material storage and containment, and providing building ventilation mechanical equipment. Other elements consist of site pavement, drainage, and relocating existing utilities.

PREQUALIFICATION: Each bidder whose field is governed by Chapters 399, 455, 489, and 633, Florida Statutes, for licensure or certification must submit prequalification data of their eligibility Form DBC 5085 Contractor's Experience Questionnaire and Financial Statement with their bid at/or prior to the bid opening. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the requirements is included in the Non-Technical Specifications Level IV/V, Instructions To Bidders under Section B-2 "Bidder Qualification Requirements and Procedures." Note: A completed experience questionnaire and financial statement form number DBC 5085 (Exhibit 3) must be submitted with bid. The Department of Military Affairs will not be performing prequalification prior to bid opening due to time constraints on this project.

CONTRACTOR INSURANCE: The contractor must provide the Owner with proof of insurance within 10 days of contract award. No work may commence in connection with the contract until he has obtained all insurance as specified in the Non-Technical Specifications Level III, Section C-4 or the Non-Technical Specifications Level IV & V, Section C-3 and such insurance has been approved by the Owner, nor shall the contractor allow any subcontractor to commence work on his subcontract until all similar insurance required of the subcontractor has been so obtained and approved by Owner. All insurance policies shall be with insurers qualified and doing business in Florida through an authorized licensed Florida Resident Agent. The insurance requirements shall be completed in a timely manner in order not to delay the construction schedule.

All questions regarding this procurement will be accepted in writing via facsimile **ONLY** to: Mr. Quinn Turner at Fax (407)658-4410.

INFORMATION WILL NOT BE AVAILABLE BY TELEPHONE: All information received through any oral communication shall not be binding on the Department of Military Affairs and shall not be relied upon by an offerer.

Pursuant to Section 287.057(26), Florida Statutes, Respondents to this solicitation of persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the Owner posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or

legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.

Any questions from proposers concerning this solicitation shall be submitted in writing, identifying the submitter, to the Contact Person listed above at the address specified above by email or by facsimile no later than the date specified in the Tentative Schedule. E-mail inquiries are preferred; however a hard copy or facsimile is acceptable.

All questions and answers/changes to the solicitation will be provided in writing and posted on the DMS Vendor Bid System (VBS). It is the prospective contractor's responsibility to check periodically for any information updates, to the solicitation, which is posted to the VBS. The Department of Military Affairs bears no responsibility for any delays, or resulting impacts, associated with a prospective contractor's failure to obtain information made available through the DMS Vendor Bid System.

MANDATORY PRE-BID MEETING

DATE AND TIME: February 11, 2009, 10:00 a.m. (Local Time)

PLACE: Field Maintenance Shop Number Four (FMS #4), 1107 West Commerce Road, Haines City, Florida 33844

All General Contractors interested in bidding on this project are required to attend this pre-bid meeting.

FINAL QUESTIONS FROM BIDDERS: February 26, 2009, before 4:30 p.m. Questions submitted after this date will not be answered. Addenda will be sent to all parties on A/E plan holders list as well as published in the Vendor Bid System.

Sealed bids will be received, publicly opened, and read aloud on:

DATE AND TIME: March 11, 2009, 10:00 a.m. (Local Time)

PLACE: Robert F. Ensslin, Jr., National Guard Armory, 2305 State Road 207, St. Augustine, Florida 32086

BIDS/RESPONSES TRANSMITTED ELECTRONICALLY WILL NOT BE CONSIDERED. BIDS/RESPONSES RECEIVED AT THE LOCATION DESIGNATED AFTER THE EXACT TIME SPECIFIED FOR RECEIPT WILL NOT BE CONSIDERED.

MARK ENVELOPES: SEALED BID for Project Number 207050, Three Additional Workbays for Field Maintenance Shop Number Four (FMS #4)

ADDRESSED TO: Department of Military Affairs, ATTN: CFMO-Contracting Branch (Ms. Michele M. Dobbs), 2305 State Road 207, St. Augustine, Florida 32086

Bids submitted via courier or mail must be delivered to the above address. Please do not send Sealed Bids to Haines City or any other Department of Military Affairs location. The Department of Military Affairs will not assume receipt of any sealed bid unless delivered to the address listed in this solicitation.

BID/PROPOSAL: All responses must be submitted in a sealed package and shall be clearly marked on the outside of package with the above information. Department of Military Affairs is not responsible for the opening of any solicitation package which is not properly marked. It is the respondent's responsibility to assure its response is submitted in the place and time indicated in this solicitation. Also, all responses must be in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, and Non-Technical Specifications, which have been prepared by the Architect/Engineer as listed, and may be obtained as follows:

ARCHITECT-ENGINEER: GLE Associates – Mr. Quinn Turner at (407)658-4151

Make all checks or money orders payable to GLE Associates. No Credit cards are accepted.

DEPOSIT: \$150.00 per set of Drawings and Specifications is required with a limit of two sets per General Contractor or Prime Bidder and one set per mechanical subcontractor and/or electrical subcontractor. The deposit shall only be returned to those General Contractors, or Prime Bidders, mechanical subcontractors and/or electrical subcontractors, who, after having examined the Drawings and Specifications:

- a. Submit a request for pre-qualification and fail to qualify, or
- b. Submit a bid (in the case of mechanical and/or electrical subcontractor's submission of a bid to a prime bidder), and return the Drawings and Specifications in good condition within 15 days of the date of receipt of bids.

-OR-

FULL SETS of drawings and specifications may be purchased by payment of the printing and handling cost at the rate of \$150.00 per set.

The Non-Technical Specifications Level IV & V are considered to be applicable to this solicitation and award of contract when made and are made a part hereof.

CONTRACT AWARD: The lowest bid will be the bid from the responsive bidder that has submitted the lowest price for the base bid or base bid plus the additive alternates or less the deductive alternates chosen by the Owner to be included in or excluded from the proposed contract, taken in numerical order listed in the bid documents. The order of the alternates may be selected by the Owner in any sequence so long as such acceptance out of order does not alter the designation of the low bidder. The official Notice of Award Recommendation will be by electronic posting on the Owner's website at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsible, and responsive low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner.

INABILITY TO POST ELECTRONICALLY: If the Owner is unable to post (due to technical difficulties) as defined above, the Owner will notify all proposers via the Point of Contact and electronic address provided to the Owner by the proposer at the Mandatory Pre-Bid meeting. Notice will be posted as defined above once the technical difficulties have been rectified; however, the official posting time will be that time at which the last proposer was electronically notified.

MINORITY PROGRAM: Minority Business Enterprises (MBE) are encouraged to participate in this Invitation to Bid. Utilization of MBE participation is highly encouraged from all Bidders. MBEs must be certified by the Office of Supplier Diversity.

The State of Florida, through the Department of Management Services, has instituted MyFloridaMarketPlace, a statewide e-procurement system. Pursuant to subsection 60A-1.032(1), Florida Administrative Code, this contract shall be exempt from the one percent (1%) transaction fee.

The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

NO VERBAL STATEMENTS MADE BY ANY STATE OF FLORIDA EMPLOYEE OR OWNER'S REPRESENTATIVE WILL OPERATE TO SUPERSEDE INFORMATION PUBLISHED IN THIS SOLICITATION. ONLY WRITTEN ADDENDUMS ISSUED BY THE STATE OF FLORIDA, DEPARTMENT OF MILITARY AFFAIRS, CONSTRUCTION & FACILITY MANAGEMENT OFFICE OR ITS REPRESENTATIVES WILL OPERATE TO ALTER OR OTHERWISE AMEND THIS SOLICITATION.

DAYTONA STATE COLLEGE

RFQ #09-021 – REQUEST FOR QUALIFICATIONS Architectural Services

Pursuant to the provisions of Section 287.055, Florida Statutes, the "Consultants' Competitive Negotiations Act", Daytona State College hereby publicly announces it will consider qualified professional firms, registered to do work in the State of Florida, for a project requiring architectural and engineering services.

The project is the design of a new Mike Curb College of Arts Music and Science Building on the Daytona Beach Campus. The scope of work will include the development of educational specifications, site planning, building design and contract administration. The facility will be approximately 60,000 gross square feet. The estimated construction budget is \$24 million inclusive of design fees and furnishings.

Submittals are due by 12:00 Noon, Friday, February 6, 2009. Interested parties may obtain required submittal information by contacting: Daytona State College, Facilities Planning

Department at (386)506-3139 or by email to EnglisS@DaytonaState.edu or at our web site http://www.daytonastate.edu/fp/new_proposal.html.

**FLORIDA HEALTH MAINTENANCE ORGANIZATION
CONSUMER ASSISTANCE PLAN**

Notice to Third Party Administrators

The Florida Health Maintenance Organization Consumer Assistance Plan (HMOCAP) is organized pursuant to Part IV of Chapter 631, Florida Statutes, to provide or arrange for continuation coverage for commercial members of an insolvent HMO. The HMOCAP is interested in identifying a Third Party Administrator (TPA) or health insurance company to provide administrative services on behalf of the HMOCAP. The selected TPA/insurance company must have proven ability to manage health insurance or health maintenance organization plans and have the resources and capacity to administer the obligations of the insolvent HMO including premium billing and collection, claim adjudication and network administration. Interested TPAs/insurance companies should forward the following initial information to the attention of the Plan Manager, Florida HMO Consumer Assistance Plan at 106 East College Avenue, Suite 1200, Tallahassee, FL 32301 by February 27, 2009:

- Copy of Florida Certificate of Authority
- Copies of most recent two audited financial statements
- Detailed information outlining experience and capabilities
- Access to provider networks in Florida

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Guidelines and Applications Available for Library Services and Technology Act Grants

Grant applications and guidelines are available for the following program administered by the Florida Department of State, State Library and Archives of Florida:

Library Services and Technology Act Grant – Applications must be postmarked by March 15, 2009.

Grant guidelines and application packets for Library Services and Technology Act Grants are available on the State Library and Archives' Web page at <http://dliis.dos.state.fl.us/bld/grants/forms/LSTAforms.html>. The guidelines and application packet may also be requested by mail: Grants Office, State Library and Archives of Florida, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399-0250, (850)245-6631 or Suncom 205-6631, or by Fax at (850)245-6643.

The completed application must be mailed to the address indicated above, postmarked on or before the March 15, 2009 application date.

DEPARTMENT OF COMMUNITY AFFAIRS

**NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
INTERLOCAL AGREEMENT CONSISTENT WITH
SECTIONS 163.31777(2) AND (3), FLORIDA STATUTES
DCA DOCKET NUMBER 62-01**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Taylor County, City of Perry and the Taylor 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 Taylor County, 201 East Green Street, Perry, Florida 32347.

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 Taylor County, City of Perry and the Taylor 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 163.3177(2) AND (3), FLORIDA STATUTES
 DCA DOCKET NO. 56-03

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the St. Lucie County School Board and the City of Port St Lucie, 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 Port St. Lucie, Planning and Zoning Department, 121 S. W. Port St. Lucie Boulevard, Port St. Lucie, Florida 34984-5099.

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 St. Lucie County School Board and the City of Port St Lucie. 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 the 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 NO. 13-17

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 Miami Shores 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 Miami Shores Village, 10050 N. E. Second Avenue, Miami Shores, Florida 33138-2382.

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 Miami-Dade County School Board and the City of Miami Shores 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

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-09-2008-002/BLIM-09-2008-002
DATE RECEIVED: January 15, 2009
DEVELOPMENT NAME: ORANGETREE
DEVELOPER/AGENT: Roberto Bollt/Tom Beck,
Wilson Miller
DEVELOPMENT TYPE: 28-24.023, 28-24.031, F.A.C.
LOCAL GOVERNMENT: Collier County

DCA Final Order No.: DCA09-OR-008
In re: LAKE COUNTY LAND DEVELOPMENT
REGULATIONS APPROVED BY
LAKE COUNTY ORDINANCE

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Section 380.05(6) and (11), Florida Statutes, (2007), partially approving and partially rejecting land development regulations adopted by a local government within the Green Swamp Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern, and Lake County is a local government within the Green Swamp Area. Section 380.0551(1), Florida Statutes (2008).
2. On November 17, 2008, the Department received for review the Lake County Land Development Code which consists of a compilation of land development regulations previously adopted¹[1] through Ordinances ("Ordinances") by the Lake County Board of County Commissioners. See Exhibit 1. The Lake County Land Development Code is identified as Chapters 1 through 10 with implementing Sections.
3. Lake County failed to render certain land development regulations to the Department for consistency review as required by Chapter 9J-1, Florida Administrative Code, which did not become effective under Section 380.05(6), Florida Statutes (2008), until a Final Order issues.
4. The Lake County Land Development Code contains definitions, administrative procedures, a list of zoning districts for each future land use district, conditions for certain types of approval, buffer set backs from environmentally sensitive lands, open space definitions, impervious surfaces in the Green Swamp, concurrency requirements, minimum requirements for road access, level of service standards, accessory uses, and general guidance for administering growth decisions.

CONCLUSIONS OF LAW

5. The Department is required to approve or Reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes (2002).
6. Lake County is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes (2007) and Rule Chapter 28-26, Florida Administrative Code.
7. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2007). The regulations adopted by the Ordinances are land development regulations.
8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Section 380.05(6), Florida Statutes; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code. ("Principles").

9. The following Chapters and underlying Sections of the Lake County Land Development Code are consistent with the Principles in Rule 28-26.003, Florida Administrative Code.

Chapter I

Approve 1.00.00; 1.01.00; 1.02.00; 1.02.08

Approve 1.03.00; 1.04.00; 1.05.00; 1.06.00; 1.07.00

Chapter II

Approve Chapter II Definitions

Chapter III

Approve 3.00.00

Approve 3.01.00

Approve 3.02.00; 3.02.01 D1c

Approve 3.02.06 Note 4

Approve 3.03.00; 3.04.00; 3.05.00; 3.06.00; 3.07.00; 3.08.00; 3.09.00; 3.10.00; 3.11.00; 3.12.00; 3.13.00

Chapter IV

Approve 4.01.00; 4.02.00; 4.02.02

Approve 4.03.00

Approve 4.04.00

Approve 4.05.00

Chapter V

Approve 5.00.00; 5.01.00; 5.01.03 B4, C4

Approve 5.02.00; 5.03.00; 5.04.00; 5.05.00; 5.06.00; 5.07.00

Chapter VI

Approve 6.01.00

Approve 6.02.00; 6.02.01 6.03.00; 6.03.02

Approve 6.04.00

Approve 6.05.00

Approve 6.06.00

Approve 6.07.00; 6.08.00

Approve 6.09.00

Approve 6.10.00; 6.11.00; 6.12.00; 6.13.00; 6.14.00; 6.15.00

Chapter VII

Approve 7.00.00

Chapter VIII

Approve 8.00.00; 8.00.05B; 8.00.06; 8.00.08; 8.00.09

Chapter IX

Approve 9.01.00; 9.02.00; 9.03.00; 9.04.00; 9.05.00; 9.06.00; 9.06.04; 9.07.00; 9.08.00

Chapter X

Approve 10.00.00

Approve 10.01.00

Approve 10.02.00; 10.03.00; 10.04.00; 10.05.00

Chapter XI

Approve 11.00.00; 11.01.00; 11.02.00; 11.03.00; 11.04.00; 11.05.00; 11.06.00

Chapter XII

Approve 12.00

Chapter XIII

Approve 13.00.00; 13.01.00; 13.02.00; 13.03.00; 13.04.00; 13.05.00; 13.06.00

Chapter XIV

Approve 14.00.00; 14.01.00; 14.02.00; 14.03.00; 14.04.00; 14.05.00; 14.06.00; 14.07.00; 14.08.00; 14.09.00; 14.10.00; 14.11.00; 14.12.00; 14.13.00; 14.14.00; 14.15.00; 14.16.00; 14.17.00; 14.18.00

Chapter XV

Approve 15.00.00; 15.01.00; 15.02.00;

10. The following Chapters and underlying Sections of the Lake County Land Development Code are inconsistent with the Principles in Rule 28-26.003, Florida Administrative Code.

Chapter III

Reject 3.01.03 – Junk Yard, Landfills, Primary or Secondary schools; 3.01.04, 9, 21, and 24

Chapter IV

Reject 4.03.01, A2; 4.03.04, C1-2; D; 4.03.05 A, B; 4.03.06 A

Reject 4.04.02 A-E; 4.04.03 A-H

Chapter VI

Reject 6.01.04 B; 6.01.05 A, B; 6.01.05 D (3)

Reject 6.02.02 A1; B; E;

Reject 6.04.03 C1; 6.04.04 A1; B1-B3

Reject 6.06.01 F2.a (1); 6.06.01J; 6.06.02 B (9)

Reject 6.09.02 C

Chapter X

Reject 10.01.00 A-G

WHEREFORE, IT IS ORDERED that the above identified Lake County Code Sections are found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and are hereby APPROVED.

WHEREFORE, IT IS ORDERED that the above identified Lake County Code Sections are found to be inconsistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and are hereby REJECTED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

CHARLES GAUTHIER, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE

PROCEEDING ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, “PETITION FOR ADMINISTRATIVE PROCEEDINGS” WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 16th day of January, 2009.

Paula Ford, Agency Clerk

By U.S. Mail:
Sanford A. Minkoff
County Attorney
Lake County
P. O. Box 7800
Tavares, FL 32778-7800

By Hand Delivery or Interagency Mail:
Rebecca Jetton, DCA Area of Critical State Concern Administrator
Richard E. Shine, DCA Assistant General Counsel

Exhibit 1

Lake County Ordinances

- | | | | |
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| 1998-001.tif, | 1998-019.tif, | 1998-021.tif, | 1998-027.tif, |
| 1998-029.tif, | 1998-035.tif, | 1998-062.tif, | 1998-063.tif, |
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 2008-001.tif, 2008-008.tif, 2008-009.tif, 2008-016.tif,
 2008-027.tif, 2008-028.tif, 2008-029.tif, 2008-044.tif,
 2008-045.tif.

¹[1] Exhibit 1 contains a list of the approximate 209 Lake County Ordinances that previously adopted the individual land development regulations comprising the proposed Lake County Land Development Code. Pursuant to Section 380.05(11), Florida Statutes, the Ordinances are not effective until approved by the Department and fall into three categories: 1) those previously submitted for review and rejected; 2) those

previously submitted for review and approved; and 3) those not previously submitted for review as required by Section 380.05(6) and (11), Florida Statutes.

**WATERFRONTS FLORIDA PARTNERSHIP PROGRAM
 NOTICE OF APPLICATION PERIOD – 2009-2011**

The Department of Community Affairs announces the availability of forms for application for designation as a Waterfronts Florida Partnership Community. The Waterfronts Florida Partnership Program provides technical assistance, training, and small planning grants to working waterfront communities for revitalization efforts. Communities develop and implement special area management plans that address such issues as community visioning, maintaining a viable traditional waterfront economy, hazard mitigation, environmental and cultural resource protection, and public access. New communities are designated every two years.

DEADLINE: The deadline for submitting applications shall be 4:30 p.m. (EDT) on Tuesday, May 19, 2009. Applications must be received by the Department of Community Affairs by the above-stated deadline. Applications received after the published deadline shall be deemed late and will not be considered by the Department.

ELIGIBILITY: Local governments and non-profit environmental organizations working with local governments are eligible to apply for designation. The community must be located within a county or municipality that is required to adopt a coastal element as part of its local government comprehensive plan. The designated waterfront area cannot be a major deep water port (i.e., it cannot generate more than \$5 million annually in operating revenues).

APPLICATION FORMS: Applications for designation must be made on the Waterfronts Florida Application Form. Copies of the application form may be obtained by calling (850)921-4801 or by writing: Department of Community Affairs, Waterfronts Florida Partnership Program, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

ADDRESS: For mail and carrier service deliveries, the delivery address is: Waterfronts Florida Partnership Program, 2555 Shumard Oak Boulevard, Suite 310, Tallahassee, FL 32399-2100. For hand deliveries, the delivery location is Suite 310, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida.

FUNDS AVAILABLE: The Department of Community Affairs expects that \$25,000 per community will be available for grant awards during the 2009-2010 state fiscal year and an additional \$25,000 per community will be available for continuation grant awards during the 2010-2011 state fiscal year. The program is financed in part with a grant from the Florida Coastal Management Program, Department of Environmental Protection, made possible through a grant from the National Oceanic and Atmospheric Administration.

LOCAL MATCH: Applicants must commit a dollar-for-dollar match, either cash (non-federal funds) or in-kind. As a condition of the designation, applicants must also commit to provide a local program manager.

MORE INFORMATION: Interested parties may obtain more information from the Department's website at www.dca.state.fl.us/fdcp/dcp/waterfronts, by contacting the Department at (850)921-4801 or by writing the above-stated address.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that X-Power Motorsports, intends to allow the establishment of Charles A. McLean d/b/a Beach Classic Scooters, as a dealership for the sale of motorcycles manufactured by Jiangsu Linhai Power Machinery Group (LINH) at 220 Arthur Avenue, Cocoa Beach (Brevard County), Florida 32931, on or after January 6, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Charles A. McLean d/b/a Beach Classic Scooters are dealer operator(s): Charles Alan Mclean, 729 Scallop Drive, Port Canaveral, Florida 32920; principal investor(s): Charles Alan Mclean, 220 Arthur Avenue, Cocoa Beach, Florida 32931.

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: Ronald Ho, President, X-Power Motorsports, 225 Horizon Drive, Suwanee, Georgia 30024.

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 AIH Acquisitions, LLC, intends to allow the establishment of Black Jack Custom Cycles, Inc., as a dealership for the sale of American Iron Horse motorcycles (IRHO) at 1809 Thomas Drive, Panama City (Bay County), Florida 32408, on or after March 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Black Jack Custom Cycles, Inc. are dealer operator(s): Ronald F. Roberts, 1809 Thomas Drive, Panama City Beach, Florida 32408; principal investor(s): Ronald F. Roberts, 1809 Thomas Drive, Panama City Beach, Florida 32408.

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: Susan Meyers, AIH Acquisitions, LLC, 4600 Blue Mound Road, Fort Worth, Texas 76106.

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 SunL Group, Inc., intends to allow the establishment of Gas Sippers, LLC, as a dealership for the sale of motorcycles manufactured by Astronautical Bashan

Motorcycle Manufacture Co. Ltd. (BASH) at 6480 20th Street, Suite 106, Vero Beach (Indian River County), Florida 32966, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Gas Sippers, LLC are dealer operator(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966; principal investor(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966.

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: 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 SunL Group, Inc., intends to allow the establishment of Gas Sippers, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Chuanl Motorcycle Manufacturing Co. Ltd. (CHUA) at 6480 20th Street, Suite 106, Vero Beach (Indian River County), Florida 32966, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Gas Sippers, LLC are dealer operator(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966; principal investor(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966.

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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 SunL Group, Inc., intends to allow the establishment of Gas Sippers, LLC, as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 6480 20th Street, Suite 106, Vero Beach (Indian River County), Florida 32966, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Gas Sippers, LLC are dealer operator(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966; principal investor(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966.

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Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Gas Sippers, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Kangdi Vehicles Co. Ltd. (KANG) at 6480 20th Street, Suite 106, Vero Beach (Indian River County), Florida 32966, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Gas Sippers, LLC are dealer operator(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966; principal investor(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966.

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Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Gas Sippers, LLC, as a dealership for the sale of motorcycles manufactured by Shanghai Meitian Motorcycle Co. Ltd. (MEIT) at 6480 20th Street, Suite 106, Vero Beach (Indian River County), Florida 32966, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Gas Sippers, LLC are dealer operator(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966; principal investor(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966.

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Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Gas Sippers, LLC, as a dealership for the sale of

motorcycles manufactured by Zhejiang Mengdeli Electric Co. Ltd. (MENG) at 6480 20th Street, Suite 106, Vero Beach (Indian River County), Florida 32966, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Gas Sippers, LLC are dealer operator(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966; principal investor(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966.

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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 SunL Group, Inc., intends to allow the establishment of Gas Sippers, LLC, as a dealership for the sale of motorcycles manufactured by China Qingqi Group Co. Ltd. (QING) at 6480 20th Street, Suite 106, Vero Beach (Indian River County), Florida 32966, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Gas Sippers, LLC are dealer operator(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966; principal investor(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966.

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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 SunL Group, Inc., intends to allow the establishment of Gas Sippers, LLC, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 6480 20th Street, Suite 106, Vero Beach (Indian River County), Florida 32966, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Gas Sippers, LLC are dealer operator(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966; principal investor(s): Keith Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Suite 106, Vero Beach, Florida 32966.

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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 Mod Cycles Corporation, intends to allow the establishment of House of Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 6370 North Highway US 1, Melbourne (Brevard County), Florida 32940, on or after January 16, 2009.

The name and address of the dealer operator(s) and principal investor(s) of House of Scooters, Inc. are dealer operator(s): Orestes Nunez, 6370 North Highway US 1, Melbourne, Florida 32940; principal investor(s): Orestes Nunez, 6370 North Highway US 1, Melbourne, Florida 32940.

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: Javier Opoczynski, Mod Cycles Corporation, 7547 Northwest 52 Street, Miami, Florida 33166.

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 United Motors of America, Inc., intends to allow the establishment of Morgan Tanning, Inc. d/b/a Santa Fe Powersports, as a dealership for the sale of motorcycles manufactured by United Motors of America, Inc. (UNMO) at 16324 US 441 North, Alachua (Alachua County), Florida 32615, on or after January 20, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Morgan Tanning, Inc. d/b/a Santa Fe Powersports are dealer operator(s): Greg Waitcus, 15218 Northwest 258th Place, Alachua, Florida 32615; principal investor(s): Greg Waitcus, 15218 Northwest 258th Place, Alachua, Florida 32615.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Melissa Bell, United Motors of America, Inc., 8801 Northwest 23rd Street, Miami, Florida 33172.

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 United Motors of America, Inc., intends to allow the establishment of Morgan Tanning, Inc. d/b/a Santa Fe Powersports, as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 16324 US 441 North, Alachua (Alachua County), Florida 32615, on or after January 20, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Morgan Tanning, Inc. d/b/a Santa Fe Powersports are dealer operator(s): Greg Waitcus, 15218 Northwest 258th Place, Alachua, Florida 32615; principal investor(s): Greg Waitcus, 15218 Northwest 258th Place, Alachua, Florida 32615.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

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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 4535 34th Street, Orlando (Orange County), Florida 32811, on or after January 30, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter City USA, LLC are dealer operator(s): Randy Lazarus, 4535 34th Street, Orlando, Florida 32811; principal investor(s): Randy Lazarus, 4535 34th Street, Orlando, Florida 32811.

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 Southern Motor Sports, Inc., as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 1991 Tamiami Trail, East, Naples (Collier County), Florida 34112, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Southern Motor Sports, Inc. are dealer operator(s): James Schmidt, 1991 Tamiami Trail, East, Naples, Florida 34112; principal investor(s): Ralph Torres, 1991 Tamiami Trail, East, Naples, Florida 34112.

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.

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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 Southern Motor Sports, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Chuanl Motorcycle Manufacturing Co. Ltd. (CHUA) at 1991 Tamiami Trail, East, Naples (Collier County), Florida 34112, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Southern Motor Sports, Inc. are dealer operator(s): James Schmidt, 1991 Tamiami Trail, East, Naples, Florida 34112; principal investor(s): Ralph Torres, 1991 Tamiami Trail, East, Naples, Florida 34112.

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Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
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Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Southern Motor Sports, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 1991 Tamiami Trail, East, Naples (Collier County), Florida 34112, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Southern Motor Sports, Inc. are dealer operator(s): James Schmidt, 1991 Tamiami Trail, East, Naples, Florida 34112; principal investor(s): Ralph Torres, 1991 Tamiami Trail, East, Naples, Florida 34112.

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Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Southern Motor Sports, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Kangdi Vehicles Co. Ltd. (KANG) at 1991 Tamiami Trail, East, Naples (Collier County), Florida 34112, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Southern Motor Sports, Inc. are dealer operator(s): James Schmidt, 1991 Tamiami Trail, East, Naples, Florida 34112; principal investor(s): Ralph Torres, 1991 Tamiami Trail, East, Naples, Florida 34112.

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Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Southern Motor Sports, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Meitian Motorcycle Co. Ltd. (MEIT) at 1991 Tamiami Trail, East, Naples (Collier County), Florida 34112, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Southern Motor Sports, Inc. are dealer operator(s): James Schmidt, 1991 Tamiami Trail, East, Naples, Florida 34112; principal investor(s): Ralph Torres, 1991 Tamiami Trail, East, Naples, Florida 34112.

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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 Southern Motor Sports, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Mengdeli Electric Co. Ltd. (MENG) at 1991 Tamiami Trail, East, Naples (Collier County), Florida 34112, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Southern Motor Sports, Inc. are dealer operator(s): James Schmidt, 1991 Tamiami Trail, East, Naples, Florida 34112; principal investor(s): Ralph Torres, 1991 Tamiami Trail, East, Naples, Florida 34112.

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 Southern Motor Sports, Inc., as a dealership for the sale of motorcycles manufactured by China Qingqi Group Co. Ltd. (QING) at 1991 Tamiami Trail East, Naples (Collier County), Florida 34112, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Southern Motor Sports, Inc. are dealer operator(s): James Schmidt, 1991 Tamiami Trail, East, Naples, Florida 34112; principal investor(s): Ralph Torres, 1991 Tamiami Trail, East, Naples, Florida 34112.

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.

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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 Southern Motor Sports, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 1991 Tamiami Trail, East, Naples (Collier County), Florida 34112, on or after January 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Southern Motor Sports, Inc. are dealer operator(s): James Schmidt, 1991 Tamiami Trail, East, Naples, Florida 34112; principal investor(s): Ralph Torres, 1991 Tamiami Trail, East, Naples, Florida 34112.

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 Galaxy Powersports, LLC d/b/a JCL International, LLC, intends to allow the establishment of E and M Freire Enterprises, Inc. d/b/a Space Coast Cycle Center, as a dealership for the sale of motorcycles manufactured by Kaitong Motorcycle Manufacture Co. Ltd. (KAIT) at 2315 North Cocoa Boulevard, Cocoa (Brevard County), Florida 32922, on or after January 15, 2009.

The name and address of the dealer operator(s) and principal investor(s) of E and M Freire Enterprises, Inc. d/b/a Space Coast Cycle Center are dealer operator(s): Ernesto Freire, 3650 Satterfield Road, Titusville, Florida 32780; principal investor(s): Ernesto Freire, 3650 Satterfield Road, Titusville, Florida 32780 and Marie Freire, 3650 Satterfield Road, Satterfield, Florida 32780.

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: Leo Su, Galaxy Powersports, LLC d/b/a JCL International, LLC, 2667 Northaven Road, Dallas, Texas 75229.

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 Galaxy Powersports, LLC d/b/a JCL International, LLC, intends to allow the establishment of E and M Freire Enterprises, Inc. d/b/a Space Coast Cycle Center, as a dealership for the sale of motorcycles manufactured by Benzhou Vehicle Industry Group Co. Ltd. (SHWI) at 2315 North Cocoa Boulevard, Cocoa (Brevard County), Florida 32922, on or after January 15, 2009.

The name and address of the dealer operator(s) and principal investor(s) of E and M Freire Enterprises, Inc. d/b/a Space Coast Cycle Center are dealer operator(s): Ernesto Freire, 3650 Satterfield Road, Titusville, Florida 32780; principal investor(s): Ernesto Freire, 3650 Satterfield Road, Titusville, Florida 32780 and Marie Freire, 3650 Satterfield Road, Satterfield, Florida 32780.

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: Leo Su, Galaxy Powersports, LLC d/b/a JCL International, LLC, 2667 Northaven Road, Dallas, Texas 75229.

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 Galaxy Powersports, LLC d/b/a JCL International, LLC, intends to allow the establishment of E and M Freire Enterprises, Inc. d/b/a Space Coast Cycle Center, as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 2315 North Cocoa Boulevard, Cocoa (Brevard County), Florida 32922, on or after January 15, 2009.

The name and address of the dealer operator(s) and principal investor(s) of E and M Freire Enterprises, Inc. d/b/a Space Coast Cycle Center are dealer operator(s): Ernesto Freire, 3650 Satterfield Road, Titusville, Florida 32780; principal investor(s): Ernesto Freire, 3650 Satterfield Road, Titusville, Florida 32780 and Marie Freire, 3650 Satterfield Road, Satterfield, Florida 32780.

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: Leo Su, Galaxy Powersports, LLC d/b/a JCL International, LLC, 2667 Northaven Road, Dallas, Texas 75229.

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 Galaxy Powersports, LLC d/b/a JCL International, LLC, intends to allow the establishment of E and M Freire Enterprises, Inc. d/b/a Space Coast Cycle Center, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 2315 North Cocoa Boulevard, Cocoa (Brevard County), Florida 32922, on or after January 15, 2009.

The name and address of the dealer operator(s) and principal investor(s) of E and M Freire Enterprises, Inc. d/b/a Space Coast Cycle Center are dealer operator(s): Ernesto Freire, 3650 Satterfield Road, Titusville, Florida 32780; principal investor(s): Ernesto Freire, 3650 Satterfield Road, Titusville, Florida 32780 and Marie Freire, 3650 Satterfield Road, Satterfield, Florida 32780.

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: Leo Su, Galaxy Powersports, LLC d/b/a JCL International, LLC, 2667 Northaven Road, Dallas, Texas 75229.

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 Galaxy Powersports, LLC d/b/a JCL International, LLC, intends to allow the establishment of E and M Freire

Enterprises, Inc. d/b/a Space Coast Cycle Center, as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 2315 North Cocoa Boulevard, Cocoa (Brevard County), Florida 32922, on or after January 20, 2009.

The name and address of the dealer operator(s) and principal investor(s) of E and M Freire Enterprises, Inc. d/b/a Space Coast Cycle Center are dealer operator(s): Ernesto Freire, 3650 Satterfield Road, Titusville, Florida 32780; principal investor(s): Ernesto Freire, 3650 Satterfield Road, Titusville, Florida 32780 and Marie Freire, 3650 Satterfield Road, Satterfield, Florida 32780.

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: Leo Su, Galaxy Powersports, LLC d/b/a JCL International, LLC, 2667 Northaven Road, Dallas, Texas 75229.

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 Cobra Scooters, LLC, intends to allow the establishment of Stiver's of Englewood, Inc., as a dealership for the sale of motorcycles manufactured by Taiwan Golden Bee Co. Ltd. (TAIW) at 850 South River Road, Englewood (Sarasota County), Florida 34223, on or after January 20, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Stiver's of Englewood, Inc. are dealer operator(s): Bill Stiver, 850 South River Road, Englewood, Florida 34223; principal investor(s): Bill Stiver, 850 South River 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: Robert P. Bates, Cobra Scooters, LLC, 3939 Royal Drive Northwest, Suite 139, Kennesaw, Georgia 30144.

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 Keeway America, LLC, intends to allow the establishment of Sunset Point Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (ZHQM) at 2300 Sunset Point Road, Clearwater (Pinellas County), Florida 33765, on or after January 9, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Sunset Point Scooters, Inc. are dealer operator(s): Doug Vitello, 112 South Maywood Avenue, Clearwater, Florida 33765 and Gary Parr, 6481 27th Avenue North, St. Petersburg, Florida 33710; principal investor(s):

Doug Vitello, 112 South Maywood Avenue, Clearwater, Florida 33765 and Gary Parr, 6481 27th Avenue North, St. Petersburg, Florida 33710.

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: Zhong Zhuang, President, Keeway America, LLC, 2912 Skyway Circle North, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorcycles and Sidecars, Inc., intends to allow the establishment of Swanders, Inc. d/b/a Swanders Auto Mart, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 5546 North Lecanto Highway, Beverly Hills (Citrus County), Florida 34465, on or after January 14, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Swanders, Inc. d/b/a Swanders Auto Mart are dealer operator(s): Carl Swander, 5546 North Lecanto Highway, Beverly Hills, Florida 34465; principal investor(s): Carl Swander, 5546 North Lecanto Highway, Beverly Hills, Florida 34465.

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: Bobbette 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.

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."

**NOTICE OF AVAILABILITY
FLORIDA REAFFIRMATION NOTICE**

The Department of Environmental Protection has determined that the City of Dunnellon proposed project for construction of wastewater improvements will not have a significant adverse impact on the environment. The project cost is estimated at

\$7,000,000. The project is expected to qualify for a Disadvantaged Small Community Grant composed of federal and state matching funds.

A full copy of the Florida Reaffirmation Notice can be obtained by writing: Bob Ballard, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8358.

NOTICE OF RECEIPT OF APPLICATIONS FOR PERMIT COVERAGE UNDER THE GENERIC PERMIT FOR STORMWATER DISCHARGE FROM PHASE II MUNICIPAL SEPARATE STORM SEWER SYSTEMS

The Department announces the receipt of the applications listed below for permit coverage under the Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems (MS4). The applications are being processed and are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Science Applications International Corporation (SAIC), 2343 Hansen Lane, Tallahassee, Florida 32301, (850)523-1449. Any comments related to the noticed applications or objections to the use of the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice.

Phase II MS4 applications received December 10, 2008 – January 5, 2009

1. Village of Virginia Gardens – FLR04E093
2. City of Milton – FLR04E104
3. Town of Mount Dora – FLR04E121
4. Town of Lady Lake – FLR04E105

Comments may be mailed to the following address:
Steven Kelly
NPDES Stormwater Program
2600 Blair Stone Road, MS #2500
Tallahassee, Florida 32399-2400

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.

**NOTICE OF PUBLIC OPPORTUNITY TO COMMENT ON
AN INITIAL PLAN OF EXPLORATION FOR FEDERAL
WATERS OF THE CENTRAL GULF OF MEXICO
PLANNING AREA**

Interested persons are hereby given notice that a U.S. Department of the Interior, Minerals Management Service, Initial Plan of Exploration submitted by Murphy, for Desoto Canyon Blocks 90, 91, and 134, was received by the State of Florida. Proposed activities include drilling up to four exploration wells in approximately 6,000 feet of water located approximately 90 miles south of Alabama.

The plan is available for inspection at: Florida Department of Environmental Protection (FDEP), Office of Intergovernmental Programs, Room 953 DA, Douglas Building, 3900 Commonwealth Boulevard, MS 47, Tallahassee, Florida 32399-3000, (850)245-2163.

Written comments regarding this activity and its consistency with the Florida Coastal Management Program should be submitted to FDEP, at the address listed above, by February 13, 2009. Contact: Shana Kinsey or Debby Tucker, (850)245-2163, email address Shana.Kinsey@dep.state.fl.us or Debby.Tucker@dep.state.fl.us.

This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted one revised policy for review and comment on MyFlorida.com at: http://www.djj.state.fl.us/policies_procedures/policyreview.html that impacts contracted service providers.

Records and Information Management (FDJJ 1316) is an existing policy that revises the procedures that Department employees and contracted delinquency service providers shall follow for managing, storing and disposing of department records regardless of media format.

The policy is posted for a single 20 working day review and comment period, with the closure date for submission of comments on the policy of February 26, 2008. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

DEPARTMENT OF HEALTH

On January 20, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Deborah Michele Newsom R.N. license number RN 2889772. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On January 16, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Reginald M. Dawson, R.Ph. license number PS 26434. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On January 16, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Alan R. Edmunds, R.Ph. license number PS 18295. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon

General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida

32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., February 20, 2009):

**APPLICATION FOR AN INTERNATIONAL
BANK OFFICE**

Application and Location: The Bank of Scotia, Scotia Plaza, 44 King Street West, Toronto, Ontario, Canada, M5H 1H1

Proposed Florida Location: Biscayne Boulevard or Brickell Avenue, Miami, Florida 33131

Received: January 20, 2009

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN January 12, 2009
 and January 16, 2009

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

5M-10.001	1/16/09	2/5/09	34/33	34/48
5M-10.002	1/16/09	2/5/09	34/33	34/48
5M-10.003	1/16/09	2/5/09	34/33	34/48
5M-10.004	1/16/09	2/5/09	34/33	34/48

DEPARTMENT OF EDUCATION

State Board of Education

6A-1.09401	1/12/09	2/1/09	34/45	34/51
6A-1.094221	1/12/09	2/1/09	34/29	34/34

SPACEPORT FLORIDA AUTHORITY

57-1.001	1/12/09	2/1/09	34/42	
57-1.0015	1/12/09	2/1/09	34/42	
57-1.003	1/12/09	2/1/09	34/42	
57-1.005	1/12/09	2/1/09	34/42	
57-1.007	1/12/09	2/1/09	34/42	
57-1.009	1/12/09	2/1/09	34/42	
57-1.025	1/12/09	2/1/09	34/42	
57-1.035	1/12/09	2/1/09	34/42	
57-1.040	1/12/09	2/1/09	34/42	
57-2.001	1/12/09	2/1/09	34/42	
57-2.002	1/12/09	2/1/09	34/42	
57-2.003	1/12/09	2/1/09	34/42	
57-2.004	1/12/09	2/1/09	34/42	
57-2.005	1/12/09	2/1/09	34/42	
57-3.001	1/12/09	2/1/09	34/42	
57-3.002	1/12/09	2/1/09	34/42	
57-3.003	1/12/09	2/1/09	34/42	
57-4.001	1/12/09	2/1/09	34/42	
57-4.002	1/12/09	2/1/09	34/42	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
57-4.003	1/12/09	2/1/09	34/42	
57-4.004	1/12/09	2/1/09	34/42	
57-4.005	1/12/09	2/1/09	34/42	
57-5.001	1/12/09	2/1/09	34/42	
57-5.002	1/12/09	2/1/09	34/42	
57-5.003	1/12/09	2/1/09	34/42	
57-5.004	1/12/09	2/1/09	34/42	
57-5.005	1/12/09	2/1/09	34/42	
57-6.001	1/12/09	2/1/09	34/42	
57-6.002	1/12/09	2/1/09	34/42	
57-6.003	1/12/09	2/1/09	34/42	
57-6.004	1/12/09	2/1/09	34/42	
57-7.001	1/12/09	2/1/09	34/42	
57-7.002	1/12/09	2/1/09	34/42	
57-7.003	1/12/09	2/1/09	34/42	
57-7.004	1/12/09	2/1/09	34/42	
57-7.005	1/12/09	2/1/09	34/42	
57-7.006	1/12/09	2/1/09	34/42	

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family

64B4-4.002	1/16/09	2/5/09	34/45	
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Board of Dentistry

64B5-16.001	1/16/09	2/5/09	34/50	
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Council of Licensed Midwifery

64B24-8.003	1/13/09	2/2/09	34/48	
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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

65A-1.206	1/14/09	2/3/09	34/43	
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DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-7.020	1/15/09	2/4/09	34/42	34/51
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