

## 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 this public rule development workshop is to provide an opportunity for the public (including educators, administrators, students and parents) to provide input and recommend revisions to the K-12 Next Generation Sunshine State Standards for Language Arts. The workshop will give an opportunity for DOE personnel and members of the standards writing team to explain and describe the revision process as well as allow for questions from the audience on the revised Language Arts standards. The effect of the meeting will be a better informed public on how the language arts standards revision process was conducted as well as answer questions attendees may have.

**SUBJECT AREA TO BE ADDRESSED:** Revised Next Generation Sunshine State Standards – Language Arts.

**RULEMAKING AUTHORITY:** 1001.02 FS.

**LAW IMPLEMENTED:** 1001.03 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:**

**DATES AND TIMES:** June 9, 2009, 5:30 p.m. – 7:00 p.m.; June 11, 2009, 5:30 p.m. – 7:00 p.m.

**PLACE:** June 9, 2009, Seminole County School Board Room at the Educational Support Center, 400 East Lake Mary Blvd., Sanford, Florida 32773; June 11, 2009, Leon County School District Howell Center, 3955 West Pensacola Street, Tallahassee, Florida 32304

Public input is also requested online at <http://flstandards.org>.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Todd Clark, Bureau Chief, Bureau of Curriculum and Instruction, Department of Education, 325 West Gaines Street, Room 432, (850)245-0764, [todd.clark@fldoe.org](mailto:todd.clark@fldoe.org). 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](mailto:lynn.abbott@fldoe.org) or <https://app1.fldoe.org/rules/default.aspx>

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

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

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

### PUBLIC SERVICE COMMISSION

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
25-4.017	Uniform System of Accounts for Rate-of-Return Regulated Local Exchange Companies
25-4.0171	Allowance for Funds Used During Construction
25-4.0174	Depreciation Accounts for Rate-of-Return Regulation Local Exchange Companies
25-4.0175	Depreciation for Rate-of-Return Regulated Local Exchange Companies
25-4.0178	Retirement Units for Rate-of-Return Regulated Local Exchange Companies
25-4.0405	Telephone Directory Advertising Revenues
25-4.135	Annual Reports
25-4.140	Test Year Notification
25-4.141	Minimum Filing Requirements for Rate-of-Return Regulated Local Exchange Companies; Commission Designee
25-4.214	Tariff Filings
25-4.215	Limited Scope Proceedings

**PURPOSE AND EFFECT:** To repeal Rules 25-4.017, 25-4.0171, 25-4.0174, 25-4.0175, 25-4.0178, 25-4.0405, 25-4.135, 25-4.140, 25-4.141, 25-4.214 and 25-4.215, F.A.C., because there are no longer any rate-of-return regulated local exchange companies. Undocketed.

**SUBJECT AREA TO BE ADDRESSED:** Telecommunications.

**RULEMAKING AUTHORITY:** 350.127(2) FS.

**LAW IMPLEMENTED:** 350.115, 364.03, 364.035, 364.037, 364.06, 364.05, 364.052, 364.17 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: Cindy Miller, Florida Public Service Commission, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NOS.:           RULE TITLES:  
 40D-1.6105           Limiting Conditions  
 40D-1.659           Forms and Instructions

PURPOSE AND EFFECT: The District proposes amendments to Rules 40D-1.6105 and 40D-1.659, F.A.C., as part of an overall rulemaking effort to incorporate District forms by reference into the particular rule applicable to each individual form. The effect is to make District rules identifying forms available for public use consistent with requirements for incorporating materials by reference. Forms will also be re-numbered and revised to contain the specific citation to the rule in which the form will now be incorporated. Rule 40D-1.659, F.A.C., will be maintained as a convenient listing of all District forms.

SUBJECT AREA TO BE ADDRESSED: Forms and Instructions.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.0831(3), 373.116, 373.196(1), 373.1961(3), 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.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NOS.:           RULE TITLES:  
 40D-2.091           Publications Incorporated by Reference  
 40D-2.101           Content of Application  
 40D-2.351           Transfer of Permits

PURPOSE AND EFFECT: The District proposes to amend Rules 40D-2.091, 40D-2.101, 40D-2.351, F.A.C., to incorporate by reference forms used for water use permitting-related purposes into the water use permitting rules instead of into Rule 40D-1.659, F.A.C. Proposed amendments are part of an overall rulemaking effort to incorporate District forms into the particular rule applicable to each individual form. The effect is to make District rules identifying forms available for public use consistent with requirements for incorporating materials by reference. Forms will also be re-numbered and revised to contain the specific citation to the rule in which the form will now be incorporated.

SUBJECT AREA TO BE ADDRESSED: Forms and Instructions.

RULEMAKING 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.

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**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NOS.:           RULE TITLES:  
 40D-3.037           Rules, Publications and Agreements Incorporated by Reference  
 40D-3.101           Content of Application  
 40D-3.411           Well Completion Report  
 40D-3.531           Abandoned Well Plugging

PURPOSE AND EFFECT: The District proposes to amend Rules 40D-3.037, 40D-3.101, 40D-3.411, 40D-3.531, F.A.C., to incorporate by reference forms used in well construction-related activities into the rules for well construction instead of into Rule 40D-1.659, F.A.C. Proposed amendments are part of an overall rulemaking effort to incorporate District forms into the particular rule applicable to each individual form. The effect is to make District rules identifying forms available for public use consistent with requirements for incorporating materials by reference. Forms will also be re-numbered and revised to contain the specific citation to the rule in which the form will now be incorporated.

SUBJECT AREA TO BE ADDRESSED: Forms and Instructions.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171, 373.309, 373.337 FS.

LAW IMPLEMENTED: 373.046, 373.109, 373.206, 373.207, 373.209, 373.306, 373.308, 373.309, 373.313, 363.316, 373.323, 373.324, 373.333 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NOS.:	RULE TITLES:
40D-4.042	Formal Determination of Wetlands and Other Surface Waters
40D-4.091	Publications and Agreements Incorporated by Reference
40D-4.101	Content of Application
40D-4.331	Modification of Permits
40D-4.351	Transfer of Permits
40D-4.381	General Conditions

PURPOSE AND EFFECT: The District proposes amendments to incorporate by reference the forms relating to Environmental Resource Permits (ERPs) into the ERP rules instead of into Rule 40D-1.659, F.A.C. The amendments are part of an overall rulemaking effort to incorporate District forms into the particular rule applicable to each individual form. The effect is to make District rules identifying forms available for public

use consistent with requirements for incorporating materials by reference. Forms will also be re-numbered and revised to contain the specific citation to the rule in which the form will now be incorporated.

SUBJECT AREA TO BE ADDRESSED: Forms and Instructions.

RULEMAKING AUTHORITY: 373.044, 373.046, 373.113, 373.149, 373.171, 373.414, 373.421(2) FS.

LAW IMPLEMENTED: 373.0361, 373.042, 373.114, 373.171, 373.403, 373.409, 373.413, 373.4135, 373.4136, 373.414, 373.4144, 373.416, 373.416(1), 373.416(2), 373.421(2), 373.426, 373.429, 373.441, 373.805 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NOS.:	RULE TITLES:
40D-26.201	Program Application

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to adopt and incorporate by reference a revised Facilitating Agricultural Resource Management Systems (FARMS) project application form. The form is being revised to reference Rule 40D-26.201, F.A.C., instead of Rule 40D-1.659, F.A.C., as the rule into which the form is incorporated by reference. This change necessitates a new form number and effective date for the form.

SUBJECT AREA TO BE ADDRESSED: Forms and Instructions.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.0831(3), 373.196(1), 373.1961(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NOS.:	RULE TITLES:
40D-40.044	General Permit for Site Conditions Assessment
40D-40.112	Content of Application for General Permits
40D-40.331	Modification of Permits
40D-40.381	General Conditions

PURPOSE AND EFFECT: The District proposes amendments to incorporate by reference the forms relating to general Environmental Resource Permits (ERPs) into the ERP rules instead of into Rule 40D-1.659, F.A.C. The amendments are part of an overall rulemaking effort to incorporate District forms into the particular rule applicable to each individual form. The effect is to make District rules identifying forms available for public use consistent with requirements for incorporating materials by reference. Forms will also be re-numbered and revised to contain the specific citation to the rule in which the form will now be incorporated.

SUBJECT AREA TO BE ADDRESSED: Forms and Instructions.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118 FS.

LAW IMPLEMENTED: 373.117, 373.413, 373.414, 373.416, 373.416(1), 373.419, 373.429 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NOS.:	RULE TITLES:
40D-400.491	Noticed General Permit for Raising the Height of Existing Earthen Embankments for Impoundments at Facilities for Mining Sand and Limestone
40D-400.500	General Permit for Construction, Operation, Maintenance, Alteration, Abandonment or Removal of Minor Silvicultural Surface Water Management Systems

PURPOSE AND EFFECT: The District proposes amendments to incorporate by reference the forms relating to noticed general Environmental Resource Permits (ERPs) into the ERP rules instead of into Rule 40D-1.659, F.A.C. The amendments are part of an overall rulemaking effort to incorporate District forms into the particular rule applicable to each individual form. The effect is to make District rules identifying forms available for public use consistent with requirements for incorporating materials by reference. Forms will also be re-numbered and revised to contain the specific citation to the rule in which the form will now be incorporated.

SUBJECT AREA TO BE ADDRESSED: Forms and Instructions.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.414 FS.

LAW IMPLEMENTED: 373.413, 373.414, 373.416, 373.419 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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

**DEPARTMENT OF ELDER AFFAIRS**

**Community Care for the Elderly**

RULE NO.:	RULE TITLE:
58C-1.0031	Lead Agency Dispute Resolution

**PURPOSE AND EFFECT:** The purpose of this rule is to provide a mechanism for any party to protest an area agency on aging's decision to award the designation of lead agency to a party or parties through the competitive procurement process.

**SUBJECT AREA TO BE ADDRESSED:** The rule develops standards for bid protest and dispute resolution procedures.

**RULEMAKING AUTHORITY:** 430.203(9)(a) FS.

**LAW IMPLEMENTED:** 430.203(9)(a) FS.

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

**DATE AND TIME:** May 26, 2009, 9:00 a.m. – 1:00 p.m. EDT

**PLACE:** Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225F, Tallahassee, FL 32399-7000

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, FL 32399-7000; telephone (850)414-2000; Email address: crochethj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, FL 32399-7000; telephone (850)414-2000; Email address: crochethj@elderaffairs.org

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

#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

##### **Medicaid**

**RULE NO.:** 59G-4.025  
**RULE TITLE:** Assistive Care Services

**PURPOSE AND EFFECT:** The purpose the amendment to Rule 59G-4.025, F.A.C., Assistive Care Services, is to incorporate by reference in rule the Florida Medicaid Assistive Care Services Coverage and Limitations Handbook, July 2009, and to update the reference to the Florida Medicaid Provider Reimbursement Handbook, CMS-1500. The new handbook is a separate handbook from the Assisted Living for the Elderly Waiver Services Program and contains updated policies and procedures. The effect will be to incorporate by reference the Florida Medicaid Assistive Care Services Coverage and Limitations Handbook, July 2009, into rule.

**SUBJECT AREA TO BE ADDRESSED:** Assistive Care Services.

**RULEMAKING AUTHORITY:** 409.919 FS.

**LAW IMPLEMENTED:** 409.906, 409.912 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:** Wednesday, May 27, 2009, 2:00 p.m.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Carol Schultz, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7349, schultzc@ahca.myflorida.com

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

59G-4.025 Assistive Care Services.

(1) No change.

(2) All assistive care service providers enrolled in Medicaid program must be in compliance with the Florida Medicaid Assistive Care Services and Assisted Living for the Elderly Waiver Coverage and Limitations Handbook, July 2009 which is incorporated by reference in Rule 59G-13.050 59G-8.200, F.A.C., and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500 HCFA-1500 and Child Health Check Up 221, which is incorporated by reference in Rule 59G-4.001 59G-5.020, F.A.C. Both handbooks are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting Option 7.

(3) The following forms that are included in the Florida Medicaid Assistive Care Services Coverage and Limitations Handbook are incorporated by reference:

(a) Appendix B contains the Certification of Medical Necessity for Medicaid Assistive Care Services, AHCA-Med Serv Form 035, July 2009, one page. The form is available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Forms or by photocopying it from the handbook.

(b) Appendix C contains the Resident Service Plan for Assistive Care Services, AHCA-Med Serv Form 036, July 2009, three pages. The form is available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Forms or by photocopying it from the handbook.

(c) Appendix D contains the Resident Service Log for Medicaid Assistive Care Services, AHCA-Med Serv Form 037, July 2009, one page. The form is available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Forms or by photocopying it from the handbook.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.906, 409.912 FS. History--New 11-28-01, Amended

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF JUVENILE JUSTICE**

**Staff Training**

**RULE NO.:** 63H-1.014  
**RULE TITLE:** Training Instructor Qualifications  
**PURPOSE AND EFFECT:** A clarifying amendment is made to the requirements for becoming a protective action response (PAR) instructor. Specifically, it is required that an instructor candidate be certified in facility PAR techniques, rather than the more limited program techniques.

**SUBJECT AREA TO BE ADDRESSED:** Specifying the necessary qualifications for becoming a PAR instructor.

**RULEMAKING AUTHORITY:** 985.64, 985.645 FS.

**LAW IMPLEMENTED:** 985.645(2)(c) FS.

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

**DATE AND TIME:** Tuesday, May 26, 2009, 10:00 a.m.

**PLACE:** DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida. To arrange for participation by telephone, contact: John Milla (850)921-4129

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100; e-mail: [john.milla@djj.state.fl.us](mailto:john.milla@djj.state.fl.us)

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

**DEPARTMENT OF JUVENILE JUSTICE**

**Staff Training**

**RULE NOS.:** 63H-2.005, 63H-2.006, 63H-2.007  
**RULE TITLES:** State Residential Staff, State Non-Residential Staff, Detention Staff

**PURPOSE AND EFFECT:** Amending the training requirements for direct care staff in state detention, residential, and non-residential programs. Specifically, the requirements for retaking failed certification exams are detailed. Also, the crossover exam for state residential and detention staff is eliminated.

**SUBJECT AREA TO BE ADDRESSED:** The testing of direct care training for detention, state residential and state non-residential staff is amended.

**RULEMAKING AUTHORITY:** 985.64, 985.601(8) FS.

**LAW IMPLEMENTED:** 985.02(3)(c), 985.601(8) FS.

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

**DATE AND TIME:** Tuesday, May 26, 2009, 10:00 a.m.

**PLACE:** DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida. To arrange for participation by telephone, contact: John Milla, (850)921-4129.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100; e-mail: [john.milla@djj.state.fl.us](mailto:john.milla@djj.state.fl.us)

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

**DEPARTMENT OF HEALTH**

**Board of Nursing**

**RULE NO.:** 64B9-3.0085  
**RULE TITLE:** State Requirements Not Substantially Equivalent

**PURPOSE AND EFFECT:** The purpose of the amendment is to identify a state which has licensure requirements not presumed to be substantially equivalent to Florida.

**SUBJECT AREA TO BE ADDRESSED:** Requirements for licensure.

**RULEMAKING AUTHORITY:** 464.009(2) FS.

**LAW IMPLEMENTED:** 464.009(2) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

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

64B9-3.0085 State Requirements Not Substantially Equivalent.

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

(1) New Mexico.

(2) New York.

Rulemaking Specific Authority 464.009(2) FS. Law Implemented 464.009(2) FS. History--New 3-11-09, Amended \_\_\_\_\_.

## DEPARTMENT OF HEALTH

### Board of Osteopathic Medicine

RULE NO.: RULE TITLE:

64B15-12.003 Applications for Licensure

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

SUBJECT AREA TO BE ADDRESSED: Applications for Licensure.

RULEMAKING AUTHORITY: 456.031(4), 456.033(7), 459.005, 459.0055(1)(i) FS.

LAW IMPLEMENTED: 456.031(2), 456.033(6), 459.0055, 459.006, 459.007 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:

64B15-12.005 Limited Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the updated licensure application.

SUBJECT AREA TO BE ADDRESSED: Limited Licensure.

RULEMAKING AUTHORITY: 459.005, 459.0075 FS.

LAW IMPLEMENTED: 456.0075 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, 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:

64B15-12.009 Osteopathic Faculty Certificate

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the updated Osteopathic Medical Faculty Certificate application.

SUBJECT AREA TO BE ADDRESSED: Osteopathic Medical Faculty Certificate.

RULEMAKING AUTHORITY: 459.005, 459.0077 FS.

LAW IMPLEMENTED: 456.0077 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, 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:

64B15-22.004 Mandatory Registration of Unlicensed Physicians

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the updated application form for registration as an Osteopathic Physician in training.

SUBJECT AREA TO BE ADDRESSED: Registration as an Osteopathic physician in training.

RULEMAKING AUTHORITY: 459.005, 459.021 FS.

LAW IMPLEMENTED: 459.021 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, 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 Pharmacy**

RULE NO.: 64B16-26.203  
RULE TITLE: Licensure by Examination; Application

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the licensure application with additional changes.

SUBJECT AREA TO BE ADDRESSED: Licensure by Examination; Application.

RULEMAKING AUTHORITY: 456.033, 465.005 FS.

LAW IMPLEMENTED: 456.013(1), (7), 456.025(3), 456.033, 465.007, 465.022 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: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-26.2031  
RULE TITLE: Licensure by Examination; Foreign Pharmacy Graduates

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the application with additional changes.

SUBJECT AREA TO BE ADDRESSED: Licensure by Examination; Foreign Pharmacy Graduates.

RULEMAKING AUTHORITY: 465.005, 465.007 FS.

LAW IMPLEMENTED: 465.007 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-26.204  
RULE TITLE: Licensure by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the application for licensure by endorsement with additional changes.

SUBJECT AREA TO BE ADDRESSED: Licensure by Endorsement.

RULEMAKING AUTHORITY: 456.033, 465.005, 465.0075 FS.

LAW IMPLEMENTED: 456.013(1), 456.033, 465.007, 465.0075, 465.022 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: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-11.005  
RULE TITLE: Supervised Experience Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify the procedures for identification when interacting with clients and/or when signing documents.

SUBJECT AREA TO BE ADDRESSED: Procedures for supervised experience requirements.

RULEMAKING AUTHORITY: 490.004(4) FS.

LAW IMPLEMENTED: 490.005(1) FS.

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

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

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

**DEPARTMENT OF HEALTH**

**Board of Athletic Training**

RULE NO.: 64B33-1.001                      RULE TITLE: Probable Cause Determinations

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address the composition of the probable cause panel.

SUBJECT AREA TO BE ADDRESSED: Composition of the probable cause panel.

RULEMAKING AUTHORITY: 456.073 FS.

LAW IMPLEMENTED: 456.073(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: 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 HEALTH**

**Board of Athletic Training**

RULE NOS.: 64B33-2.002                      RULE TITLES: Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome

64B33-2.003                      Requirements for Continuing Education

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address the appropriate length of the HIV and AIDS educational course for initial licensure and to clarify the appropriate requirements for continuing education for licensure renewal.

SUBJECT AREA TO BE ADDRESSED: HIV and AIDS education for initial licensure and HIV/AIDS and prevention of medical errors continuing education for licensure renewal.

RULEMAKING AUTHORITY: 456.013, 456.034, 468.705, 468.711 FS.

LAW IMPLEMENTED: 456.034, 468.707(2), 468.711(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: 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 HEALTH**

**Board of Athletic Training**

RULE NO.: 64B33-3.001                      RULE TITLE: Fees

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to delete the duplicate wall certificate fee.

SUBJECT AREA TO BE ADDRESSED: Fees.

RULEMAKING AUTHORITY: 456.025, 456.036(3), (7), (10), (11), (15), 468.705, 468.709 FS.

LAW IMPLEMENTED: 456.025, 456.036, 468.709 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 HEALTH**

**Board of Athletic Training**

RULE NO.: 64B33-4.001                      RULE TITLE: Protocols; Scope of Practice

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to clarify the athletic trainer's scope of practice.

SUBJECT AREA TO BE ADDRESSED: Clarification of scope of practice for athletic trainers.

RULEMAKING AUTHORITY: 468.705 FS.  
 LAW IMPLEMENTED: 468.701, 468.705, 468.713 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 FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NO.: 69A-52.003                      RULE TITLE: Application  
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to adopt two application forms. The first application requests the Department to conduct a plans review pursuant to Section 633.085(3), F.S., to assure compliance with the Florida Fire Prevention Code; the second application requests the Department to conduct a building site inspection to assure compliance with the Florida Fire Prevention Code.  
 SUBJECT AREA TO BE ADDRESSED: Application Forms.  
 RULEMAKING AUTHORITY: 633.01, 633.085(5) FS.  
 LAW IMPLEMENTED: 633.01(1), 633.085 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: May 25, 2009, 10:00 a.m.  
 PLACE: The Third Floor Conference Room, The Atrium Building, 325 John Knox Road, Tallahassee, Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: William Fowler, (850)413-3736  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Accounting and Auditing**

RULE NO.: 69I-44.021                      RULE TITLE: Claim for Funds Paid to the Chief Financial Officer pursuant to Section 43.19, 732.107, 733.816 or 744.534, Florida Statutes

PURPOSE AND EFFECT: The purpose of the rule is to establish procedures and a form for filing a claim with the Chief Financial Officer for funds deposited with the Chief Financial Officer pursuant to Section 43.19, 732.107, 733.816 or 744.534, Florida Statutes. The purpose of the rule is also to specify to whom an approved claim for funds is to be paid.  
 SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is claims for funds deposited with the Chief Financial Officer pursuant to Section 43.19, 732.107, 733.816 or 744.534, Florida Statutes.  
 RULEMAKING AUTHORITY: Art. IV, s. 4(c), Fla. Const., 17.14, 17.29, 17.65 FS.  
 LAW IMPLEMENTED: Art. IV, s. 4(c), Fla. Const., 17.05(1), 17.29, 43.19, 92.525, 215.965, 732.107, 733.816, 744.534 FS.  
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
 DATE AND TIME: June 9, 2009, 1:30 p.m.  
 PLACE: Suite 547, The Fletcher Building, 101 E. Gaines St., 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: Paul Stadler, Jr., (850)413-3010. 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: Paul C. Stadler, Jr., Assistant General Counsel, Department of Financial Services, 200 E. Gaines St., Tallahassee, Florida 32399-4247, (850)413-3010  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 69O-142.015                      RULE TITLE: Standardized Requirements Applicable to Insurers After Hurricanes or Natural Disasters  
 PURPOSE AND EFFECT: Section 627.7019, F.S., requires the Financial Services Commission to adopt by rule standardized requirements that may be applied to insurers as a consequence of a hurricane or other natural disaster. The purpose of the rule development workshop is to develop rule revisions to incorporate updated information with respect to claims reporting requirements, and to clarify the format of the information required to be filed.

**SUBJECT AREA TO BE ADDRESSED:** Standardized claims reporting requirements applicable to insurers after hurricanes or other natural disasters.

**RULEMAKING AUTHORITY:** 624.308, 627.7019 FS.

**LAW IMPLEMENTED:** 624.307(1), 624.319, 627.7019 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:** May 26, 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: Dianne Williams-Cox, Director of Technology and Market Research, Office of Insurance Regulation, E-mail: Dianne.Williams-Cox@flor.com or (850)413-5004. 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:** Dianne Williams-Cox, Director of Technology and Market Research, Office of Insurance Regulation, E-mail: Dianne.Williams-Cox@flor.com or (850)413-5004

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

## 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-1.139	Public Grievance Procedure: Americans With Disabilities Act and Discrimination in District Programs and Activities

**PURPOSE AND EFFECT:** To amend Rule 40D-1.139, F.A.C., to rename it and merge the requirements of the two incorporated public grievance procedures into one entitled, Public Grievance Procedure: Americans With Disabilities Act and Discrimination in District Programs and Activities.

**SUMMARY:** Currently the District has a procedure to satisfy the requirements for a public grievance process under the Americans with Disabilities Act (ADA) and another for the Rehabilitation Act of 1973. The new procedure will combine the two procedures, designate an ADA Compliance Coordinator and provide updated contact, address and email information to provide prompt and equitable resolution of grievances alleging that the District has violated any provision of the referenced federal regulations.

**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.

**RULEMAKING AUTHORITY:** 373.044, 373.113 FS.

**LAW IMPLEMENTED:** 286.26, 373.083 FS., 28 C.F.R. §§35.106 and 35.107

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dianne Lee, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4657. 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:** Lori Tetreault, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4659

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

40D-1.139 Public Grievance Procedure: Americans With Disabilities Act and Discrimination in District Programs and Activities ~~Americans With Disabilities Act and Discrimination in Federally Funded Programs Public Grievance Procedures.~~

(1) The District designates the Human Resources Director as the Americans with Disabilities Act (ADA) Compliance Coordinator. ~~The Americans With Disabilities Act Public Grievance Procedure (July 1993) is hereby incorporated by~~

~~reference into this Chapter and is available from the District upon request from an ADA compliance coordinator or from the Human Resources Department.~~

~~(2) The Public Grievance Procedure: Americans With Disabilities Act and Discrimination in District Programs and Activities, which includes the address, telephone number and email address of the ADA Compliance Coordinator, is hereby incorporated by reference into this Chapter and is available from the District upon request to the Document Services Section, (352)796-7211, Extension 4053, or (800)423-1476, Extension 4053 (Florida only); or may be accessed online at [www.swfwmd.state.fl.us](http://www.swfwmd.state.fl.us). The District document entitled "Discrimination in Federally Funded Programs Public Grievance Procedure," (August 1993) is hereby incorporated by reference into this Chapter and is available from the District's Human Resources Department upon request.~~

~~(3) A District decision regarding a complaint made pursuant to the Public Grievance Procedure shall not be considered an agency action pursuant to Chapter 120 of the Florida Statutes.~~

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 286.26, 373.083 FS., 28 C.F.R. §§35.106 and 35.107. History--New 7-29-93, Amended 11-2-93, Formerly 40D-1.202, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Lori Tetreault, Senior Attorney, Office of General Counsel,  
2379 Broad Street, Brooksville, FL 34604-6899,  
(352)796-7211, extension 4659

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 31, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 24, 2009

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.200  
RULE TITLE: Nursing Facility Services

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the revised Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook, May 2009, and delete the reference to the Florida Medicaid Provider Reimbursement Handbook, Institutional 021, which was obsolete July 1, 2008. The revised Nursing Facility Handbook includes updated Pre-Admission Screening and Resident Review (PASRR) requirements and forms, revised Medical Certification for Nursing Facility/Home and Community Based Services Form (previously named the Patient Transfer and Continuity of Care Form) and instructions, updated Medicare Part A crossover policy, and

revised policy for requesting supplemental payment for residents with AIDS. The revised handbook reiterates the nursing facility's requirement to enter the recipient's responsibility on the claim and eliminates the Medicaid Nursing Facility/ICF-DD Contribution Notices, AHCA Form 5000-3300.

The rule was revised to require nursing facility services providers to comply with the provisions of the Florida Medicaid Provider Reimbursement Handbook, UB-04, which replaced the Florida Medicaid Provider Reimbursement Handbook, Institutional 021. The authorization policies for supplemental payments for medically-fragile recipients under the age of 21 and recipients with AIDS and the Client Discharge/Change Notice, CF-ES 2506, that were in Chapter 2 of the Florida Medicaid Provider Reimbursement Handbook, Institutional 021, were moved to the revised Nursing Facility Handbook.

In the Notice of Rule Development we stated the effective date of the handbook was July 2008. We changed this date to May 2009.

The effect will be to incorporate by reference in rule the revised Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook, May 2009; delete the reference to the Florida Medicaid Provider Reimbursement Handbook, Institutional 021; and require providers to comply with the provisions of the Florida Medicaid Provider Reimbursement Handbook, UB-04.

SUMMARY: The purpose of this rule amendment is to incorporate by reference into rule the Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook, May 2009. The effect will be to incorporate by reference into rule the Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook, May 2009.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule amendment will not have an impact on small business. A SERC has not been prepared by the agency.

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.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.908 FS.

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

DATE AND TIME: Tuesday, June 2, 2009, 2:00 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Rinaldi, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)487-3028, rinaldis@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.200 Nursing Facility Services.

(1) No change.

(2) All participating nursing facility providers must comply with the provisions of the Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook, May 2009, October 2003, updated July 2004, erratum to the July 2004 update, which is incorporated by reference, and the corresponding Florida Medicaid Provider Reimbursement Handbook, UB-04, Institutional 021, October 2003, which is are incorporated by reference in Rule 59G-4.003, F.A.C. Both handbooks are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks. Paper copies of the handbook may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting option 7.

(3) The following forms that are included in the Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook are incorporated by reference:

(a) In Appendix A, AHCA Form 5210-001, May 2009 August 2000, Nurse Aide Training and Competency Evaluation Program Invoice, two pages, available from the Medicaid area offices.;

(b) In Appendix B, CF-ES 2506, Feb. 2003, Client Discharge/Change Notice, one page, and available from the Department of Children and Families district office CF-ES 2506A, May 2003, Client Referral/Notice, one page. Both forms are available from the Department of Children and Family Services Region or Circuit district offices or photocopying the forms in Appendix B.;

(c) In Appendix C, Medical Certification for Nursing Facility/Home and Community Based Services (MCNF/HCBS) Form AHCA-Med Serv 3008, May 2009, two pages, and Informed Consent Form, AHCA-Med Serv Form 2040, May 2008, in English and Spanish, one page, available from the Department of Elder Affairs website at [http://elderaffairs.state.fl.us/english/cares\\_3008ppp.php](http://elderaffairs.state.fl.us/english/cares_3008ppp.php).

(d) In Appendix D, Level I PASRR Screen and Determination Checklist, AHCA-Med Serv Form 004, Part A, May 2009, October 2003, three pages, and Request for Level II PASRR Evaluation and Determination, AHCA-Med Serv Form 004, Part B, May 2009, one page, available from the Department of Elder Affairs website at [http://elderaffairs.state.fl.us/english/cares\\_pasrr.php](http://elderaffairs.state.fl.us/english/cares_pasrr.php) or photocopying the forms in Appendix D, may be photocopied from the Florida Medicaid Nursing Facility Services Coverage and Limitations

Handbook; and AHCA Form 5000-3300, April 02, Medicaid Nursing Facility/ICF DD Contribution Notice available or from the Medicaid area offices.

(e) In Appendix G, AIDS Supplemental Payment Authorization Form, AHCA-Med Serv Form 049, May 2009, two pages, available by photocopying from the handbook.

Rulemaking Specific Authority 409.919 FS. Law Implemented Chapter 400 Part II, 409.902, 409.905, 409.908 FS. History--New 1-1-77, Amended 6-13-77, 10-1-77, 1-1-78, 2-1-78, 12-28-78, 2-14-80, 4-5-83, 1-1-84, 8-29-84, 9-1-84, 9-5-84, 7-1-85, Formerly 10C-7.48, Amended 8-19-86, 6-1-89, 7-2-90, 6-4-92, 8-5-92, 11-2-92, 7-20-93, Formerly 10C-7.048, Amended 11-28-95, 5-9-99, 10-15-00, 10-4-01, 2-10-04, 9-28-04, 8-31-05, 7-23-06, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Susan Rinaldi

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 27, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 16, 2008

#### AGENCY FOR HEALTH CARE ADMINISTRATION

##### Medicaid

RULE NO.:	RULE TITLE:
59G-4.251	Florida Medicaid Prescribed Drugs Reimbursement Methodology

PURPOSE AND EFFECT: The purpose of this rule is to state the reimbursement methodology for prescribed drug claims in the Florida Medicaid program.

SUMMARY: The purpose of this rule is to state the reimbursement methodology for prescribed drug claims in the Florida Medicaid program, per statutory change.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: Approximately 3,300 retail pharmacy providers of Medicaid prescription services are affected by this rule, and no individual Medicaid recipients are affected. Implementation of this rule will reduce the dispensing fee paid to all retail providers of Florida Medicaid prescription services from \$4.23 to \$3.73 per prescription. The total reduction in fees paid will be approximately \$6.39 million annually. No transactional costs will be incurred pertaining to requirements of this rule. Some of these retail pharmacies may qualify as small businesses as defined by Section 288.703, F.S., however the number is not known. The dispensing fee change is the same for all Medicaid retail pharmacy providers. 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.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906(20), 409.908(14), 409.912(39)(a) FS.

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

DATE AND TIME: June 3, 2009, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, FL 32308  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marie Donnelly, (850)487-4441

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.251 Florida Medicaid Prescribed Drugs Reimbursement Methodology.

(1) Reimbursement for prescribed drug claims is made in accordance with the provisions of Title 42, Code of Federal Regulations Sections 447.512-.516. Reimbursement for covered drugs dispensed by a licensed pharmacy, approved as a Medicaid provider, or an enrolled dispensing physician filling his own prescriptions, shall not exceed the lower of:

(a) The estimated acquisition cost, defined as the lower of:

1. Average Wholesale Price (AWP) minus 16.4%, or Wholesaler Acquisition Cost (WAC) plus 4.75%, plus a dispensing fee of ~~\$3.73~~ ~~\$4.23~~;

2. The Federal Upper Limit (FUL) established by the Centers for Medicare and Medicaid Services, plus a dispensing fee of ~~\$3.73~~ ~~\$4.23~~; or

(b) The State Maximum Allowable Cost (SMAC), plus a dispensing fee of ~~\$3.73~~ ~~\$4.23~~; or

(c) The provider's Usual and Customary (U&C) charge, inclusive of dispensing fee.

(2) For drugs purchased by qualified entities under Section 340B of the Public Health Service Act: Covered entities and Federally Qualified Health Centers or their contracted agents that fill Medicaid patient prescriptions with drugs purchased at prices authorized under Section 340B of the Public Health Service Act must bill Medicaid for reimbursement at the actual acquisition cost plus a dispensing fee of \$7.50 for these drugs.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.906(20), 409.908, 409.912(39)(a) FS. History—New 1-28-09, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marie Donnelly

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 29, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 13, 2009

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF JUVENILE JUSTICE**

**Residential Services**

RULE NO.: 63E-7.002  
 RULE TITLE: Definitions

PURPOSE AND EFFECT: Deleting language that retained an exclusion for specialized programs, which would conflict with a January 2009 amendment.

SUMMARY: In January 2009, the rule chapter was amended to incorporate specialized programs such as serious habitual offender and intensive residential treatment programs. Specific language excluding these programs from the scope of the rule chapter was deleted at that time. However, language in a single definition, which repeated the exclusion, was inadvertently retained, and must now be deleted.

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.

RULEMAKING AUTHORITY: 985.64 FS.

LAW IMPLEMENTED: 985.601(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: Monday, June 1, 2009, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100; e-mail: john.milla@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

63E-7.002 Definitions.

(1) through (72) No change.

(73) Residential Commitment Program – a low-risk, moderate-risk, high-risk, or maximum risk residential delinquency program for committed youth. ~~Although serious habitual offender programs, intensive residential treatment programs, sex offender programs, sheriff's training and respect programs, and expedition programs are considered residential commitment programs, for purposes of this chapter, they are excluded.~~

(74) through (87) No change.

Rulemaking Specific Authority 985.64, 985.601(3)(a), 20.316 FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441(1)(b) FS. History–New 9-30-07, Amended 8-25-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Darryl Olson, Assistant Secretary for Residential Services  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Frank Peterman, Jr., Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 27, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 10, 2009

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE NO.: 64B13-18.002  
RULE TITLE: Formulary of Topical Ocular Pharmaceutical Agents

PURPOSE AND EFFECT: The purpose of the amendment is to correct the maximum permitted concentration of olopatadine.

SUMMARY: The proposed rule will increase the amount of olopatadine in topical ocular pharmaceutical agents.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments 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.

RULEMAKING AUTHORITY: 463.005, 463.0055(2)(a) FS. LAW IMPLEMENTED: 463.0055 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 Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-18.002 Formulary of Topical Ocular Pharmaceutical Agents.

The topical ocular pharmaceutical formulary consists of pharmaceutical agents which a certified optometrist is qualified to administer and prescribe in the practice of optometry pursuant to Section 463.0055(2)(a), F.S. The topical ocular pharmaceutical agents in the formulary include the

following legend drugs alone or in combination in concentrations up to those specified, or any lesser concentration that is commercially available:

- (1) through (5) No change.
- (6) ANTIHISTAMINES, MAST CELL STABILIZERS AND ANTI-ALLERGY AGENTS
  - (a) through (b) No change.
  - (c) Olopatadine HCl – ~~0.2%~~ 0.4%;
  - (d) through (g) No change.
  - (7) through (9) No change.

Rulemaking Specific Authority 463.005, 463.0055(2)(a) FS. Law Implemented 463.0055 FS. History–New 3-30-87, Amended 4-5-88, 5-7-90, Formerly 21-18.002, Amended 5-10-92, 1-29-93, Formerly 21Q-18.002, Amended 8-31-93, 7-30-94, Formerly 61F8-18.002, Amended 2-11-96, 4-21-96, 1-12-97, 6-8-97, Formerly 59V-18.002, Amended 6-15-00, 6-7-05, 6-10-06, 6-26-08, 10-16-08, 3-23-09,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Optometry  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Optometry  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 6, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-12.005  
RULE TITLE: Limited Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the licensure application.

SUMMARY: The application 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.

RULEMAKING AUTHORITY: 459.005, 459.0075 FS. LAW IMPLEMENTED: 456.0075 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-12.005 Limited Licensure.

(1) Each applicant for limited licensure pursuant to Section 459.0075, F.S., shall file board approved application form, DH-MQA 1171 (Rev 2/09), Application for Limited License, which is hereby incorporated by reference, and may be obtained from the Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256 an application and submit an affidavit to the Board. For purposes of this rule, retired means previously separated or withdrawn from the practice of Osteopathic Medicine, as distinguished from a relocation of the applicant's practice to a different geographic area.

(2) through (4) No change.

Rulemaking Specific Authority 459.005, 459.0075 FS. Law Implemented 459.0075 FS. History--New 10-28-93, Formerly 61F9-12.005, Amended 10-15-95, Formerly 59W-12.005, Amended 11-27-97,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Osteopathic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 13, 2009

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-12.009 RULE TITLE: Osteopathic Faculty Certificate

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the Osteopathic Faculty Certificate application.

SUMMARY: The Osteopathic Faculty Certificate application 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.

RULEMAKING AUTHORITY: 459.005, 459.0077 FS.

LAW IMPLEMENTED: 456.0077 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-12.009 Osteopathic Faculty Certificate.

(1) An Osteopathic Faculty Certificate may be issued by the Department to a faculty member of a school accredited by the American Osteopathic Association upon the request of the dean of the school if the faculty member has demonstrated to the Board that:

(a) The faculty member is currently licensed to practice osteopathic medicine in another jurisdiction of the United States; and

(b) Is a graduate of a school of osteopathic medicine accredited by the American Osteopathic Association; and

(c) Files an application on board approved application form, DH-MQA 1193 (Rev. 2/09), Application for Osteopathic Medical Faculty Certificate, which is hereby incorporated by reference, and may be obtained from the Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256 and otherwise meets the requirements contained in Section 459.0055, F.S.; and

(d) Has submitted the application fee required by subsection 64B15-10.002(6), F.A.C.

(2) through (3) No change.

Rulemaking Specific Authority 459.005, 459.0077 FS. Law Implemented 459.0077 FS. History--New 2-26-02, Amended\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Osteopathic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 13, 2009

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-22.004 RULE TITLE: Mandatory Registration of Unlicensed Physicians

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the application form for registration as a resident, intern or fellow.

SUMMARY: The application 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.

RULEMAKING AUTHORITY: 459.005, 459.021 FS.

LAW IMPLEMENTED: 459.021 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-22.004 Mandatory Registration of Unlicensed Physicians.

Registration as a resident, intern, or fellow shall be accomplished by completing the board approved application form, DH-MQA 1172 (Rev 2/09), Application for Registration as an Osteopathic Physician in Training, which is hereby incorporated by reference, and may be obtained from the Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256 ~~an application form supplied by the Department.~~ Said application shall include the following information:

- (1) through (5) No change.

Rulemaking Specific Authority 459.005, 459.021 FS. Law Implemented 459.021 FS. History—New 10-28-91, Amended 1-3-93, Formerly 21R-22.004, 61F9-22.004, 59W-22.004, Amended 1-19-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Osteopathic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 13, 2009

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers' Compensation**

RULE NO.: 69L-6.025  
RULE TITLE: Conditional Release of Stop Work Order and Periodic Payment Agreement

PURPOSE AND EFFECT: The proposed rule amendment clarifies guidelines and procedures by which employers subject to stop-work orders for having failed to comply with the coverage requirements of Chapter 440, F.S., and are no longer failing to secure the payment the of compensation within the meaning of Section 440.107, F.S., may satisfy the Department that they have come into compliance with Chapter 440, F.S. The amendment provides new language that outlines the terms and conditions under which an employer qualifies to enter into a new Payment Agreement Schedule For Periodic Payment of Penalty. The amendment deletes the requirement that subject employers file probationary periodic reports with the Department and amends Form DFS-F4-1601 (Monthly Payment Installment Invoice) to reflect this change. The proposed amendment also renumbers the rule to reflect the new language. The effect of the proposed rule amendment is to extend the payment agreement over a greater time horizon to those employers having demonstrated ongoing compliance with the terms and conditions of the Department's periodic payment agreement and to streamline the rule's administration.

SUMMARY: The proposed rule amendment provides new language clarifying procedures regarding the conditional release of stop-work orders and the reinstatement of stop-work orders where employers have defaulted on penalty payment obligations. The proposed amendment also deletes the requirement that subject employers file probationary periodic reports with the Department and amends Form DFS-F4-1601 (Monthly Payment Installment Notice) to reflect this change.

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.

RULEMAKING AUTHORITY: 440.107(9), 440.591 FS.

LAW IMPLEMENTED: 440.107(7) FS.

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

DATE AND TIME: May 29, 2009, 10:00 a.m.

PLACE: 104 J Hartman Bldg., 2012 Capital Circle S.E., Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tasha Carter, (850)413-1878. 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: Tasha Carter, Bureau Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4228, phone (850)413-1878

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-6.025 Conditional Release of Stop-Work Order and Periodic Payment Agreement.

(1) No change.

(a) through (b) No change.

~~(c) The employer agrees to file probationary periodic reports with the Department for a time period that does not exceed 2 years that demonstrate the employer's continued compliance with Chapter 440, F.S. The probationary periodic reports shall be filed as a section of each monthly payment installment invoice pursuant to the Payment Agreement Schedule for Periodic Payment of Penalty.~~

(2) No change.

(a) through (g) No change.

(3) The Payment Agreement Schedule For Periodic Payment of Penalty becomes effective when it is executed on behalf of the employer and by the Department. Upon execution of the Payment Agreement Schedule For Periodic Payment of Penalty, the Department will provide the employer with a Monthly Payment Installment Invoice, Form Number DFS-F4-1601 (eff. \_\_\_\_\_) ~~(rev. 8/04)~~, which shall be submitted with each monthly payment installment. ~~Each Monthly Payment Installment Invoice contains a probationary reporting section that shall be completed by the employer.~~

(4) No change.

(5) An employer that has entered into a Payment Agreement Schedule For Periodic Payment of Penalty with the Department currently in default of any of its obligations under such agreement or that has had its stop-work order immediately reinstated through an Order Reinstating Stop-Work Order is ineligible for conditional release from a stop-work order issued to it by the Department in a subsequent separate case.

(6) An employer that has been conditionally released from a stop-work order and is not in default of its current Payment Agreement Schedule For Periodic Payment of Penalty is ineligible for conditional release from a stop-work order issued to it by the Department in a subsequent case.

(7) At the request of an employer, the Department and an employer may enter into a new Payment Agreement Schedule For Periodic Payment of Penalty, thereby extending the payment of the outstanding penalty amount for up to sixty consecutive monthly installments, if the following criteria have been met, as determined by the Department:

(a) The employer must not be in default of its original Payment Agreement Schedule For Periodic Payment of Penalty;

(b) The employer must have submitted at least six (6) monthly payments under its original Payment Agreement Schedule For Periodic Payment of Penalty;

(c) If the employer was issued an Order Reinstating Stop-Work Order that was later rescinded, the employer must have submitted at least six monthly payments under its original Payment Agreement Schedule For Periodic Payment of Penalty after the issue date of the Order Rescinding Order Reinstating Stop-Work Order; and

(d) If a payment made by the employer was returned to the Department by the employer's financial institution for non-sufficient funds, the employer must have submitted at least six monthly payments under its original Payment Agreement Schedule For Periodic Payment of Penalty after the returned payment has been cured.

(8) The Department will enter into only one new Payment Agreement Schedule For Periodic Payment of Penalty with an employer. The Department shall not enter into a new Payment Agreement Schedule For Periodic Payment of Penalty with any employer that has had its Stop-Work Order reinstated, nor to any employer that has had its case forwarded to a collection agency for collection of the remaining penalty.

~~(9)(6)~~ The Department hereby adopts and incorporates the following forms by reference. Copies of the forms can be obtained from the Division of Workers' Compensation's Bureau of Compliance, 200 East Gaines Street, Tallahassee, Florida 32399-4228, or from any field office identified in Rule 69L-6.009, F.A.C.

(a) No change.

(b) DFS-F4-1601 Monthly Payment Installment Invoice ~~eff. rev. 8/04.~~

(c) No change.

~~(10)(7)~~ Employers assessed penalties pursuant to Rule 69L-6.030, F.A.C., are eligible to enter into a Payment Agreement Schedule for Periodic Payment of Penalty with the Department.

~~(11)(8)~~ If an employer conducts business operations in violation of an Order Reinstating Stop-Work Order, a penalty shall be assessed against the employer pursuant to Section 440.107(7)(c), F.S. The number of days that the employer conducts business operations in violation of an Order Reinstating Stop-Work Order shall begin on the date the Order Reinstating Stop-Work Order is immediately reinstated.

(12) An employer found conducting business in violation of an Order Reinstating Stop-Work Order may not enter into another Payment Agreement Schedule For Periodic Payment of Penalty for a penalty assessed as a result of conducting business in violation of the Order Reinstating Stop-Work Order. In order to obtain a release of the Order Reinstating

Stop-Work Order, the employer must pay all penalties assessed and must provide proof of compliance with the coverage requirements of Chapter 440, F.S.

Rulemaking Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.107(7) FS. History—New 4-6-05, Amended 7-20-05, 2-6-07,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Tasha Carter, Bureau Chief, Bureau of Compliance, Division of Workers' Compensation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

### Section III Notices of Changes, Corrections and Withdrawals

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

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

#### DEPARTMENT OF MANAGEMENT SERVICES

##### Division of Retirement – Local Retirement

RULE NO.:	RULE TITLE:
60T-1.005	Review of Actuarial Reports and Actuarial Impact Statements

##### NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 16, April 24, 2009 issue of the Florida Administrative Weekly.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Linda H. South, Secretary

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

#### 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 CHILDREN AND FAMILY SERVICES

##### Economic Self-Sufficiency Program

RULE NOS.:	RULE TITLE:
65A-1.900	Overpayment and Benefit Recovery

##### NOTICE OF PUBLIC HEARING

The Department of Children and Family Services announces an additional hearing regarding the above rule, as noticed in Vol. 35, No. 13, April 3, 2009, Florida Administrative Weekly.

DATE AND TIME: May 18, 2009, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continuation of hearing held 4/28/2009.

#### DEPARTMENT OF FINANCIAL SERVICES

##### Division of State Fire Marshal

RULE NOS.:	RULE TITLES:
69A-53.0052	Fire Sprinkler Requirements for Nursing Homes
69A-53.0053	State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program: Application Procedures

##### 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. 35, No. 12, March 27, 2009 issue of the Florida Administrative Weekly.

##### Loan Guarantee Program: Application Procedures.

69A-53.0052 Fire Sprinkler Requirements for Nursing Homes.

(1) No change.

(2) The Division shall ~~may~~ grant a maximum of two one-year extensions to the final date of compliance only after establishing that the nursing home has been prevented from complying for reasons beyond its control. Such reasons may include:

(a) through (c) No change.

(3) No change.

69A-53.0053 State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program: Application Procedures.  
No change.

#### FINANCIAL SERVICES COMMISSION

##### OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-138.005	Examination of Insurers

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 April 28, 2009 to May 13, 2009.

**Section IV  
Emergency Rules**

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

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

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

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

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

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN THAT the Florida Public Service Commission received a petition from Progress Energy Florida, Inc., filed March 20, 2009, in Docket No. 090145-EI, seeking a waiver from subsections 25-6.0143(c), (d), and (f), Florida Administrative Code. The rule provides guidance regarding the expenses that can be charged to the Storm Damage Reserve. Comments on the petition should be filed with: Florida Public Service Commission Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days of publication of this notice.

A copy of the petition may be obtained by contacting: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at (<http://www.psc.state.fl.us/>). For additional

information, please contact Katherine Fleming Office of the General Counsel, at the above address or telephone (850)413-6218.

NOTICE IS HEREBY GIVEN THAT on April 15, 2009, the Florida Public Service Commission, received a petition for DOCKET NO. 090189-SU – Application for original certificate for a proposed wastewater system and request for bifurcation in Franklin County by Water Management Services, Inc.

In Re: Petition received from Water Management Services, Inc. (WMSI) seeking a waiver from portions of subsection 25-30.033(1), Florida Administrative Code (F.A.C.). The rule provides for information that a utility subject to the Commission’s regulation must provide in its application for an original certificate of authorization and initial rates and charges. WMSI has requested that the Commission bifurcate the certification and rate setting portions of this proceeding, so that the rate setting portion will be reached only in the event that a certificate of authorization is granted. Accordingly, WMSI has requested a waiver of those portions of the rule which pertain to the utility’s application for initial rates and charges, or paragraphs (k), (t), (u), (v), and (w) of subsection 25-30.033(1), F.A.C.

Comments on the petition should be filed with: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice. For additional information, please contact: Anna Williams, Office of the General Counsel, at the above address or telephone (850)413-6076.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

**WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN THAT on April 9, 2009, the South Florida Water Management District (District) has issued an order.

SFWMD Order No. 2009-100-DAO-ROW was issued to the Florida Department of Transportation (Application No. 07-1220-1M). The petition for waiver was received by the SFWMD on December 20, 2007. Notice of receipt of the petition requesting the waiver was published in the F.A.W., Vol. 34, No. 3, on January 18, 2008. No public comment was received. This Order provides a waiver of the District’s criteria for the proposed replacement of the Krome Avenue Bridge crossing the C-6 Canal; Section 9, Township 52 South, Range 39 East, Miami-Dade County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of

permanent and/or semi-permanent above-ground encroachments within 40 feet of the top of the canal bank and governs the minimum low member elevation of pile-supported facilities within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the Florida Department of Transportation from suffering a substantial hardship.

A copy of the Order may be obtained by contacting: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320, or by email: kruff@sfwmd.gov.

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#### DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT on April 2, 2009, the Agency for Workforce Innovation, received a petition for temporary waiver from paragraph 60BB-8.201(4)(a), F.A.C., which provides requirements for conducting parent orientation sessions for parents registering their children for the VPK program. The Petition was filed by the Early Learning Coalition of Putnam and St. Johns Counties, 200 Reid Street, Suite 2, Palatka, Florida 32177.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 E. Madison Street, MSC 140, Tallahassee, Florida 32399-4120.

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The Department of Management Services, E 911 Board hereby gives notice that it has received a petition, filed on April 28, 2009, from Hendry County seeking a waiver or variance of Rule 60FF-5.002, F.A.C., with respect to the rule allowing grant funding for only two PSAPs in each county and the unique situation of having an Indian Reservation in the county that operates independently of the County. Comments on this petition should be filed with the E911Board, 4030 Esplanade Way, Suite 235M, Tallahassee, FL 32399-0950, within 14 days of publication of this notice.

For a copy of the petition, contact: John C. Ford, Chair, E911 Board, at above address or telephone (850)921-2334.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on April 7, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2, from Karen Koelemij of Casa Calderon in Tallahassee (VW 2009-076).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 7, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from ASME A17.3 requiring an emergency access hatch from Chuck Sanz representing Horizon House in Naples (VW 2009-077).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 8, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2, from Minor Hart on behalf of 410 Wilma Condo Association, Riviera Beach (VW 2009-078).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 8, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from Rule 2.1.6.2, ASME A17.1, 2005 which requires a 75 degree bevel on all projections into the shaft greater than 4 inches. The request was filed by Larry Bradley on behalf of St. John's River Power Park in Jacksonville (VW 2009-079).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 9, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2, from William Snyder representing Clearwater Point 7 Condominium Association (VW 2009-085).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 10, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, 1996 requiring modernization of the elevator from Pat Brier, Vice President, 200 Ocean Road Condo (VW 2009-086).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 10, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for extension/waiver from unspecified rules from Noel Wildman, President for Blue Surf condominium in Daytona Beach Shores (VW 2009-087).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 10, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2, from Therese A. Wagner on behalf of Gulf Towers Condo Association, Inc., Naples (VW 2009-088).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 10, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rules 3.11.3, 3.11.1 and 2.7.4, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2, two-way communication and restricted door openings, from William Snyder representing 50 Harbor View Lane Condominiums, Bellair Bluffs (VW 2009-089).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 16, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2, from Elizabeth Rumbarger of White Sands Condominium Association, Inc. (VW 2009-091).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 20, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from Rule 2.8.2.4, ASME A17.1 which prohibits foreign piping in the elevator machine room. The petition was received from Michael Shumack on behalf of the Greater Orlando Aviation Authority (VW 2009-093).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 20, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from unspecified sections of ASME A17.3, from Rhona Gross on behalf of Willow Wood Mid-Rise Condominium II Association (VW 2009-094).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 20, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from unspecified sections of ASME A17.3, from Rhona Gross on behalf of Willow Wood Mid-Rise Condominium III Association (VW 2009-095).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from unspecified rules which prohibits unauthorized personnel access through the machine room and requiring 7 foot clearance in the machine room from Mark DeWitt of Traveler Elevator on behalf of Most Worshipful Union Grand Lodge in Jacksonville (VW 2009-096).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2, from Irmagard Engleson, President, Excelsior Beach to Bay Owners Association, Inc. in Sarasota (VW 2009-097).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 22, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, 2.7.4, 3.11.1, 3.4.5 and 1.5, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2, two-way communication,

restricted door openings and car illumination from Rosalyn Smith on behalf of Watersedge Bldg. D in Delray Beach (VW 2009-098).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 22, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance until December 31, 2010 from Rule 5.4, A17.3, 1996 which requires a minimum of 5 ft. on all escalator landing floor plates and exposed stair treads from Michael Shumack representing the Greater Orlando Aviation Authority (VW 2009-099).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 23, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3 and 2.7.4, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from Andy Schmitt on behalf of Town & Country Professional Center, Tampa (VW 2009-101).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 23, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from unknown sections of A17.3, 1996 which requires Fire recall and emergency signal alarm phone from Charles DiCroce on behalf of The Landfall Condominium Association, Jupiter Island (VW 2009-102).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 23, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for emergency variance from Rule 2.14.1.7, ASMEA17.1, which requires a handrail on the outside perimeter of the cartop. The request was received from Wayne Ernst of Oracle Elevator on behalf of USF Residence Facility, Tampa (VW 2009-103).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 22, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsections 61C-4.010(7) and 61C-4.010(6), Florida Administrative Code, from Loven Pizza located in Dunedin. The above referenced F.A.C. addresses the requirement that public food service establishments must provide an accessible bathroom for their customers. They are requesting to share the bathroom located within an adjacent public food service located within 300 feet within the same strip mall.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rhonda.Steele@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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NOTICE IS HEREBY GIVEN THAT on April 9, 2009, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on October 10, 2008, by Edward B. Alexander. The Notice of Petition for Waiver or Variance was published in Vol. 34, No. 45, of the November 7, 2008, Florida Administrative Weekly. Petitioner sought a waiver or variance of Rule 61H1-33.0031, F.A.C., entitled "Continuing Professional Education/Ethics" which requires that a licensee complete four hours of Board-approved ethics continuing professional education in a reestablishment period. Petitioner also sought a waiver or variance of paragraphs 61H1-33.003(1)(a) and (b), F.A.C., entitled "Continuing Professional Education" which requires that in any given reestablishment period, at least 80 hours of CPE be earned and the licensee submit additional hours of CPE if they do not timely meet the initial requirements for CPE within their reestablishment period. The Board considered the instant Petition at a duly-noticed public meeting, held December 4, 2008, in Tallahassee, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.304, Florida Statutes, would be met by granting a variance or waiver from Rule 61H1-33.0031, F.A.C. The Board also found that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance or waiver from paragraphs 61H1-33.003(1)(a) and (b), F.A.C. The Board further found that Petitioner established that the Board's full application of the aforementioned rules to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

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NOTICE IS HEREBY GIVEN THAT on April 6, 2009, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on August 28, 2008, by Michael Danahar. The Notice of Petition for Waiver or Variance was published in Vol. 34, No. 44, of the October 31, 2008, Florida Administrative Weekly. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled "Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules" which requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release for the first test section passed. The Board considered the instant Petition at a duly-noticed public telephonic meeting on November 17, 2008.

The Board's Order, filed on April 6, 2009, approved the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

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NOTICE IS HEREBY GIVEN THAT on April 10, 2009, the Board of Accountancy, received a petition for Joseph W. Davis, seeking a variance or waiver of subsection 61H1-33.001(3), Florida Administrative Code, which requires that the scan sheet for the Laws and Rules Examination be postmarked or completed on-line by or on December 31 and will not be accepted if it is postmarked or completed on-line after that date. Petitioner is also seeking a variance or waiver of subsection 61H1-33.006(2), Florida Administrative Code, which requires that an applicant for reactivation demonstrate successful completion of the required number of continuing professional education hours.

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.

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NOTICE IS HEREBY GIVEN THAT on April 7, 2009, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on December 3, 2008, by Kevin Donald. The Notice of Petition for Waiver or Variance was published in Vol. 35, No. 3, of the January 23, 2009, Florida Administrative Weekly. Petitioner sought a waiver or variance of paragraph 61H1-27.001(5)(a), F.A.C., entitled "College or University Requirements," which requires that an applicant for licensure

hold a baccalaureate degree from an accredited college or university and that 36 semester or 54 quarter hours earned in accounting education be above the elementary level. The Board considered the instant Petition at a duly-noticed public telephonic meeting, held February 27, 2009.

The Board's Order granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance or waiver from paragraph 61H1-27.001(5)(a), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

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NOTICE IS HEREBY GIVEN THAT on April 6, 2009, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Waiver or Variance, filed on December 15, 2008, by Paula Heacox. The Notice of Petition for Waiver or Variance was published in Vol. 35, No. 2, of the January 16, 2009, Florida Administrative Weekly. The Petitioner sought a waiver or variance of paragraphs 61H1-33.003(1)(a) and (b), F.A.C., entitled "Continuing Professional Education," which requires that the licensee submit additional hours of continuing education if he/she does not timely meet the initial requirements for continuing professional education within his/her reestablishment period. The Board considered the instant Petition at a duly-noticed public meeting, held January 28, 2009, in Gainesville, Florida. The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.312, Florida Statutes, would be met by granting a variance or waiver from paragraphs 61H1-33.003(1)(a) and (b), F.A.C. The Board further found that Petitioner established that the Board's full application of the aforementioned rules to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT on April 14, 2009, the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, received a petition for Ana Maria Chimeno de Buzzi, seeking a variance or waiver of paragraph 64B4-3.003(3)(b), F.A.C., which requires that the examination for licensure as a mental health counselor is The National Clinical Mental Health Counseling Examination (NCMHCE).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. Comments on this petition should be filed with the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on April 28, 2009, the Board of Medicine, received a petition for waiver or variance filed by Petrea P. Tomko, from subsection 64B8-30.003(1), F.A.C., with regard to the requirement for letters of recommendation for physician assistant applicants. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

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

NOTICE IS HEREBY GIVEN THAT on April 14, 2009, the Board of Psychology, received a petition for Gregory Evan Golden, Psy.D., seeking a variance or waiver of Rule 64B19-13.003, F.A.C., which requires that sponsors providing continuing psychological education be approved by the Board or the American Psychological Association.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255. Comments on this petition should be filed with the Board of Psychology within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on April 21, 2009, the Florida Department of Health, Division of Emergency Medical Operations, Office of Trauma, has issued an order.

A petition was filed by Holmes Regional Medical Center with the Department of Health on February 5, 2009, and published in the Florida Administrative Weekly on February 20, 2009, requesting an emergency variance from paragraph 64J-2.011(3)(a), Florida Administrative Code, which requires

that a Level II Trauma Center maintain standards as stated in DH Pamphlet 150-9 Trauma Center Standards, which is incorporated by reference. Specifically, trauma centers must have a minimum of five qualified trauma surgeons assigned to the trauma service, with at least two surgeons available to provide primary and backup trauma coverage 24 hours a day at the trauma center when summoned. DHP 150-9, III.A.1. The trauma surgeons must be approved for full and unrestricted surgical privileges to provide general surgical and trauma care surgical services for adult and pediatric patients. DHP 150-9, III.A.3.b. Petitioner then filed a motion on March 4, 2009, to convert the emergency petition to a standard petition, giving the Department of Health 90 days to respond. Petitioner is requesting this variance for Dr. Johnson, a qualified trauma surgeon who has applied for but does not currently have general surgical privileges.

The Department of Health, Office of Trauma has granted the request for variance. The general basis for this decision was that Petitioner met the general requirements for variance:

- (a) Petitioner has demonstrated that the purpose of the underlying statute will be achieved as Dr. Johnson will not be used as a trauma surgeon for purposes of satisfying the staffing requirements for backup coverage under DHP 150-9, III.A.1., but may be used for primary coverage. When Dr. Johnson is providing primary coverage, the minimum number of trauma surgeons providing primary and backup coverage will be increased to three.
- (b) A substantial hardship would be placed upon Petitioner and the surrounding communities if this variance were not granted.

Wherefore, based on the Findings of Fact and Conclusions of Law, a temporary variance has been granted until October 18, 2009, to allow Holmes Regional Medical Center to use Dr. Johnson in partial satisfaction of the minimum staffing requirement of five qualified trauma surgeons while awaiting Dr. Johnson's receipt of general surgical privileges.

A copy of the Order may be obtained by contacting: Susan McDevitt, Director, Office of Trauma, 4052 Bald Cypress Way, Bin #C18, Tallahassee, FL 32399-1738, (850)245-4440, ext. 2760, Fax: (850)488-2512, susan\_mcdevitt@doh.state.fl.us.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

NOTICE IS HEREBY GIVEN THAT on March 13, 2009, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Lewis M. Carroll, assigned Case No. 09-012W. Subsection 65C-15.017(3), F.A.C., require staff of a licensed child-placing agency who perform casework services have a bachelor's degree in social work or a related field.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on April 20, 2009, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Kids Hope United and Yanila Llompert, assigned Case No. 09-015W. Subsection 65C-15.017(3), F.A.C., requires agency staff responsible for performing casework services shall have a bachelor's or master degree in social work or related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on April 23, 2009, the Department of Children and Families has issued an order.

Petitioner Lewis Carroll requested a waiver on March 13 of the requirements in subsection 65C-15.017(3), Florida Administrative Code, that staff of a licensed child-placing agency who perform casework services have a bachelor's degree in social work or a related field. Mr. Carroll has a bachelor's degree in finance and real estate, which does not satisfy the subject rule, however, he does have extensive child welfare services experience and training. Given petitioner's demonstration of his qualifications, strict application of the rule would pose an undue hardship on him. Without the waiver, petitioner would not be able to obtain employment in a casework supervision position. Petitioner's request for a waiver of subsection 65C-15.017(20), F.A.C., is granted.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT on April 17, 2009, the Florida Department of Financial Services has issued an order.

The Order was regarding the Amended Petition for Variance From Rule 69B-231.090, F.A.C., served on February 3, 2009, by Timothy Michael Crowley. The Notice of Petition for Variance was published in Vol. 35, No. 7, of the February 20, 2009, Florida Administrative Weekly. The Petitioner sought a variance from subsection 69B-231.090(6), F.A.C., to place him on probation for 12 months and require his supervision by a licensed insurance agent, and impose a fine, all in lieu of suspending his licenses. The Department's Order denied the

petition, finding that the Petitioner had not supplied sufficient information to allow the Department to further consider the matter.

A copy of the Order may be obtained by contacting: Michael H. Davidson, Assistant General Counsel, Department of Financial Services, 200 East Gaines Street, Suite 612, Tallahassee, Florida 32399-0333, (850)413-4178.

**Section VI  
Notices of Meetings, Workshops and Public Hearings**

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

- State Board of Administration
- Financial Services Commission
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Department of Education
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: May 27, 2009, 9:00 a.m.  
PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

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

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

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including

licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

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

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

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

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

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

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

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

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

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

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

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

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

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## DEPARTMENT OF LEGAL AFFAIRS

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

**DATE AND TIME:** May 21, 2009, 10:00 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Executive Committee.

**DATE AND TIME:** May 27, 2009, 10:00 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Public Outreach Committee.

**DATE AND TIME:** May 28, 2009, 11:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: FCSW Foundation.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131.

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: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

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

DATE AND TIMES: Tuesday, May 19, 2009, 3:00 p.m. and 4:00 p.m.

PLACE: Holiday Inn & Suites, 3600 S. W. 38th Avenue, Ocala, Florida 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: The 3:00 p.m. meeting will be for the committee of the authority. The 4:00 p.m. meeting will be a full board meeting. General business of the Florida Agricultural Center and Horse Park Authority will be discussed.

A copy of the agenda may be obtained by contacting: Richard Gunnels at gunnelr@doacs.state.fl.us, (850)488-3022.

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: Richard Gunnels at gunnelr@doacs.state.fl.us, (850)488-3022. 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 **Aquaculture Review Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, June 15, 2009, 9:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4884033

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting the growth of aquaculture in Florida.

A copy of the agenda may be obtained by contacting: Kim Norgren, 1203 Governor's Square Boulevard, Fifth Floor, Tallahassee, FL 32301, (850)488-4033, as well as for teleconference information.

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: Kim Norgren at (850)488-4033. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF EDUCATION**

The **State Advisory Committee of Education of Exceptional Students** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, June 25, 2009, 8:30 a.m. – 5:00 p.m.; Friday, June 26, 2009, 8:30 a.m. – 1:30 p.m. (Executive Committee, Wednesday, June 24, 2009, 6:30 p.m. – 7:30 p.m.); An opportunity for public comment, Friday, June 26, 2009, 12:00 Noon

PLACE: Marriott Suites Clearwater Beach on Sand Key in Clearwater, Florida, (727)596-1100

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics included Bureau of Exceptional Education and Student Services update; American Recovery and Reinvestment Act of 2009, IDEA Recovery Funds for Services to Children and Youths with Disabilities; State Performance Plan/Annual Performance Report, LEA Determinations, Rules update and related activities.

A copy of the agenda may be obtained by contacting: State Advisory Committee, Bureau of Exceptional Education and Student Services, Florida Department of Education, 614 Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

For more information, you may contact: Michele Polland, Exceptional Education and Student Services at (850)245-0475.

The Florida **Department of Education** held an Emergency Conference Call with the State Board of Education.

DATE AND TIME: April 22, 2009, 12:30 p.m.

PLACE: Turlington Building, Room 1505, 325 West Gaines Street, Tallahassee, Florida 32399. Conference Call: 1(888)808-6959, Conference Code: 4617163

GENERAL SUBJECT MATTER TO BE CONSIDERED: Jefferson County School District had notified the Commissioner of Education that the district is in a financial emergency as required by Section 218.503, F.S. The Commissioner recommended to the State Board of Education that a financial emergency board be appointed to oversee the activities of the School District. The purpose of the meeting was for the State Board of Education to appoint the members of the financial emergency board and to select a chairman of the board.

Action Taken: The State Board of Education appointed Mr. William Johnson as Chairman and Mr. James Messer and Mr. James Parry as members to a financial emergency board to provide support and financial oversight to the District School Board of Jefferson County pursuant to Section 218.503, Florida Statutes.

A copy of the agenda and audio archive may be obtained by contacting: Department of Education's website at <http://www.fldoe.org/board/meetings/>.

For more information, you may contact: Lynn Abbott, Agency Clerk, Department of Education at (850)245-9661 or e-mail: [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org).

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

DATE AND TIME: May 19, 2009, 9:00 a.m.

PLACE: Hillsborough Community College, Dale Mabry Campus, Student Services Building, Dale Mabry Highway, Tampa, Florida 33630

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of approval of minutes of the State Board meetings held March 17, 2009 and April 22, 2009, and updates on various reports and status of education initiatives by the Chairman and Commissioner. Items for consideration include amendments to the following rules: Rule 6A-1.09441, F.A.C., Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation; Rule 6A-1.099822, F.A.C., School Improvement Rating for Alternative Schools; Rule 6A-4.0021, F.A.C., Florida Teacher Certification Examination; New Rule 6A-6.05271, F.A.C., Standards for the Use of Reasonable Force to Maintain a Safe and Orderly Learning Environment; and New Rule of the Commission on Independent Education, Rule 6E-5.001, F.A.C., Religious Institution Letter of Exemption. Other items for consideration include: Charter School Appeals: Excel Academy Charter School and Excel Academy Middle Charter School vs. Miami Dade County School Board, Padah's Academy vs. Hillsborough County School Board; Indian River State College – Approval to Name Five Facilities Funded through the Community College Facility Enhancement Challenge Grant Program; Approval of Adoption of Resolutions Authorizing the Issuance and Sale of

State of Florida, Full Faith and Credit, State Board of Education Capital Outlay Bonds, 2009 Series A; and Approval of Brevard County as an Academically High Performing District.

A copy of the agenda may be obtained by contacting: Lynn Abbott at (850)245-9661 or [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org) or by visiting the Department's website at: <http://www.fldoe.org>.

Persons wishing to speak on a specific agenda item must submit no later than May 15, 2009, a written request indicating the name of the person wishing to address the Board, the organization represented if any, and the specific agenda item they wish to address. The request should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1520, Tallahassee, Florida 32399-0400 or via email: [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.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 7 days before the workshop/meeting by contacting: Lynn Abbott at (850)245-9661 or [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lynn Abbott at (850)245-9661 or [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org).

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#### DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 18, 2009, 10:00 a.m. – Until Completion

PLACE: Meetings to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Code: 1967168, Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative updates and other old and new business approved by the Commission Chair.

A copy of the agenda may be obtained by contacting: Mr. Rick Dixon, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Mr. Rick Dixon at (850)487-1824. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax (850)414-8436.

The **State Emergency Response Commission**, Sub-Committee on Training announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 20, 2009, 2:00 p.m. – 3:00 p.m.

PLACE: This is a telephone conference which can be attended via the internet, telephone or in person. To attend by telephone, dial (630)869-1014, using access code/meeting ID: 785-574-747. Audio PIN: Shown after joining the meeting. To join by internet go to: <https://www2.gotomeeting.com/join/785574747>. Use your microphone and speakers (VoIP) – a headset is recommended. To attend in person please go to: Division of Emergency Management, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Room 325E, Tallahassee, Florida 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be the first State Emergency Response Commission Sub-Committee on Training conference call concerning the Chemistry Education Initiative.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850)413-9970.

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 Emergency Management at (850)413-9970. 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.

## **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 CITRUS**

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

DATE AND TIME: Wednesday, May 20, 2009, 9:00 a.m.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, Florida 33801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purpose of standing committee meetings and the regularly scheduled meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, program evaluation measurements, licensing, rulemaking, and other matters addressed during regular meetings of the Commission.

A copy of the agenda may be obtained by contacting: Linda Gurney at (863)499-2500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws at (863)499-2500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Linda Gurney at (863)499-2500.

## **PUBLIC SERVICE COMMISSION**

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

DATE AND TIME: Wednesday, May 27, 2009, 6:00 p.m.

PLACE: Seminole County Service Board Chambers, Room 1028, 1101 East First Street, Sanford, Florida 32771

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 090121-SU – Application for limited proceeding rate increase in Seminole County by Alafaya Utilities, Inc. The purpose of this customer meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate

in this meeting. 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: Office of the General Counsel at (850)413-6199.

A copy of the agenda may be obtained by contacting: John Mann at (850)413-6976 or Bob Casey at (850)413-6974, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850.

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.

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#### EXECUTIVE OFFICE OF THE GOVERNOR

The **Florida Faith-based Advisory Council** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, June 30, 2009, 10:00 a.m. – 2:00 p.m.

**PLACE:** Florida Baptist Children's Homes, 1015 Sykes Blvd., Lakeland, FL 33815

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Council business.

A copy of the agenda may be obtained by contacting: Frances Rhodes at (850)410-0696.

For more information, you may contact: Frances Rhodes at (850)410-0696.

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#### REGIONAL PLANNING COUNCILS

The **Withlacoochee Regional Planning Council**, Board of Directors announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, May 21, 2009, 7:00 p.m.

**PLACE:** Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the Council.

A copy of the agenda may be obtained by contacting: Executive Director, Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323.

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 **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, May 11, 2009, 8:30 a.m.

**PLACE:** 631 N. Wymore Road, Suite 100, Maitland, FL 32751

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The regular monthly meeting of the ECFRPC Executive Committee to discuss the agenda of the upcoming May 20 Council meeting. A meeting of the Central Florida 2050 Task Force will take place immediately after the Executive Committee to discuss the rewrite of the Strategic Regional Policy Plan.

A copy of the agenda may be obtained by contacting: Ruth Little at [rlittle@ecfrpc.org](mailto:rlittle@ecfrpc.org) or by phone (407)623-1075.

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

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The **Tampa Bay Local Emergency Planning Committee (LEPC) District VIII** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, May 27, 2009, 10:30 a.m.

**PLACE:** Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33783-6136

**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, [www.tbrpc.org/lepc/lepc.shtml](http://www.tbrpc.org/lepc/lepc.shtml).

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.

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The **Tampa Bay Regional Planning Council**, Executive/Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 8, 2009, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

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: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

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

DATE AND TIME: Monday, June 8, 2009, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting: [www.tbrpc.org](http://www.tbrpc.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: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

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The **Tampa Bay Regional Planning Council**, Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 8, 2009, 11:30 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

A copy of the agenda may be obtained by contacting: Wren Krahl at (727)570-5151, ext. 22.

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: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

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The **Tampa Bay Regional Planning Council**, Agency on Bay Management announces a public meeting to which all persons are invited.

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

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management.

A copy of the agenda may be obtained by contacting: [www.tbrpc.org](http://www.tbrpc.org).

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: Suzanne Cooper at (727)570-5151, ext. 32. 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: Suzanne Cooper at (727)570-5151, ext. 32.

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The **Tampa Bay Regional Planning Council**, Clearinghouse announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 22, 2009, 9:30 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Clearinghouse Review Committee.

A copy of the agenda may be obtained by contacting: [www.tbrpc.org](http://www.tbrpc.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: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

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

DATE AND TIME: Thursday, May 14, 2009, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC Executive Committee will meet to discuss the Council's Policies.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at (239)338-2550, ext. 232 or ngwinnett@swfrpc.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 5 days before the workshop/meeting by contacting: Mr. Brian Raimondo at (239)338-2550, ext. 211 or braimondo@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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. Ken Heatherington at (239)338-2550, ext. 222 or kheatherington@swfrpc.org.

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The **Southwest Florida Regional Planning Council, LEPC** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 28, 2009, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Region IX – Local Emergency Planning Committee (LEPC) will meet to discuss and implement provisions of the Emergency Planning and Community Right-To-Know Act. Additionally, the Southwest Florida Regional Hazmat Teams Meeting will be held at 1:00 p.m.

A copy of the agenda may be obtained by contacting: Mr. John Gibbons at (239)338-2550, ext. 229 or email: jgibbons@swfrpc.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 5 days before the workshop/meeting by contacting: Mr. Brian Raimondo at (239)338-2550, ext. 211 or email: braimondo@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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. John Gibbons at (239)338-2550, ext. 229 or email: jgibbons@swfrpc.org.

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The **Regional Business Alliance** announces a public meeting to which all persons are invited.

Regular Monthly Meeting

DATE AND TIME: Wednesday, May 13, 2009, 2:00 p.m. – 4:00 p.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Business Meeting (including possible discussions regarding mass transit funding).

Executive Committee Conference Call

NEW DATE: Wednesday, May 27, 2009, 2:00 p.m. – 3:00 p.m.

PLACE: South Florida Regional Business Alliance. Conference Call Line. Dialing Instructions for participation: Conference Call: 1(866)266-3378, Enter conference ID 9545660217 plus #, then enter password 5515 plus #, then say your name and enter #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Business Meeting and Executive Committee Conference Call (including possible discussions regarding mass transit funding).

A copy of the meeting agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416. The South Florida Regional Business Alliance is comprised of business leaders from Miami-Dade, Broward, and Palm Beach counties, including members of the South Florida Regional Transportation Authority.

If you are hearing or speech impaired, please contact: South Florida Regional Planning Council at (954)967-4152, ext. 40 (TDD), if you require additional information regarding the meeting above. If you require special accommodations because

of a disability or physical impairment, please contact the Council at (954)985-4416 at least five calendar days prior to the meeting.

**REGIONAL TRANSPORTATION AUTHORITIES**

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

DATE AND TIME: Tuesday, May 19, 2009, 2:00 p.m.  
 PLACE: Main Conference Room, SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Marketing Committee Meeting.

A copy of the agenda may be obtained by contacting: SFRTA Marketing Office at (954)788-7935.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: Wednesday, May 20, 2009, 10:30 a.m.  
 PLACE: Board Room, SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Planning Technical Advisory Committee Meeting.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: Friday, May 22, 2009, 9:30 a.m.  
 PLACE: Florida Department of Transportation (FDOT), District Seven Office, 11201 N. McKinley Drive, Tampa, FL  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The TBARTA Board and its advisory committees will meet to discuss the development and implementation of regional transportation solutions. To discuss developing a comprehensive Regional Transportation Master Plan for Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota Counties.

The Transit Management Committee (TMC)  
 DATE AND TIME: Wednesday, May 13, 2009, 10:00 a.m.

PLACE: USF Connect Building, 3802 Spectrum Blvd., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consisting of representatives of the region's transit and transportation agencies, this group advises the Board on the technical development of the Master Plan and its future implementation.

The Citizens Advisory Committee (CAC)  
 DATE AND TIME: Wednesday, May 13, 2009, 1:30 p.m.

PLACE: USF Connect Building, 3802 Spectrum Blvd., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This group of volunteers provides region-oriented advice to the Board from a citizen's perspective.

Additional Board subcommittee meetings will be noticed on the TBARTA website. All meetings of the TBARTA Board and its advisory committees are open to the public. These meetings are being conducted pursuant to Section 120.525, Florida Statutes and Title VI and Title VIII of the United States Civil Rights Acts of 1964 and 1968.

Individuals requiring accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Brandie Miklus, Transportation Planner, (813)217-4037 at least three (3) days prior to the meeting. Public participation is solicited without regard to race, color, religion, sex, age, nation origin, disability, or family status.

A copy of the agenda may be obtained by contacting: <http://www.tbarta.com>, approximately three to five days prior to each meeting.

**WATER MANAGEMENT DISTRICTS**

The **Suwannee River Water Management District** announces a hearing to which all persons are invited.

DATE AND TIME: May 14, 2009, 9:00 a.m.  
 PLACE: Otter Springs Park & Campground, Trenton, FL 32693

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public hearing in accordance with Section 373.59, F.S., concerning the proposed acquisition of the Champion/Mount Gilead Addition Conservation Easement, 193 acres +/-, Madison and Jefferson Counties, with Funds from the Florida Forever Trust Fund or recaptured Preservation 2000 Funds; also the proposed acquisition of the Wooten/Lower Alapaha Addition, 63 acres +/- with a house, Hamilton County with Funds from the Florida Forever Trust Fund or other available acquisition funds.

A copy of the agenda may be obtained by contacting: SRWMD, 9225 CR 49, Live Oak, FL 32060.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Lisa M. Cheshire 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: Lisa M. Cheshire at (386)362-1001.

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

DATE AND TIME: Monday, May 18, 2009, 9:30 a.m.

PLACE: Charlotte County Cultural Center, 2280 Aaron Street, Port Charlotte, FL 33952

GENERAL SUBJECT MATTER TO BE CONSIDERED: Charlotte Harbor National Estuary Program (CHNEP) Policy Committee: Discuss committee business. Governing and Basin Board members may attend. (Ad Order 467)

A copy of the agenda may be obtained by contacting: Charlotte Harbor National Estuary Program, 1926 Victoria Avenue, Fort Myers, FL 33901, (239)338-2556.

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: Charlotte Harbor National Estuary Program at the address 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).

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

DATE AND TIME: Tuesday, May 19, 2009, 1:00 p.m.

PLACE: Inn on the Lakes, 3100 Golfview Road, Sebring, FL 33875

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tour of Farms Projects in Sebring and Zolfo Springs, (Ad Order 467)

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (FL only) 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: SWFWMD Human Resources Director at the address above (352)796-7211, ext. 4702, or 1(800)423-1476 (FL only) ext. 4702, TDD (FL only) 1(800)231-6103, or email ADA: Coordinator@swfwmd.state.fl.us.

This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: SWFWMD at the address above.

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

DATE AND TIME: Wednesday, May 20, 2009, 9:00 a.m.

PLACE: Highlands County Government Center, 600 S. Commerce Avenue, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Committee Meetings, Board Meeting, and Public Hearing: Conduct Committee meetings, Governing Board meeting and Public Hearing; to which Basin Board members and Highlands County Commissioners may attend. (Ad Order 467)

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (FL only) 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: SWFWMD Human Resources Director at the address above (352)796-7211, ext. 4702, or 1(800)423-1476 (FL only) ext. 4702, TDD (FL only) 1(800)231-6103; or email ADA: Coordinator@swfwmd.state.fl.us.

This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. 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 at the address above.

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**The Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 20, 2009, 12:00 Noon

PLACE: Hyatt Regency, 211 N. Tampa Street, Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: Mayor's Hispanic Advisory Council 2009 Latinos Unidos Luncheon: Honor America's Hispanic Scientists and encourage recruitment diversity. Governing and Basin Board members may attend. (Ad Order 467)

A copy of the agenda may be obtained by contacting: City of Tampa, 306 E. Jackson Street, Tampa, FL 33602, (813)274-8251.

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: City of Tampa at the address 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).

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**The Southwest Florida Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: May 22, 2009, 10:00 a.m.

PLACE: Tampa Service Office, Governing Board Room, Southwest Florida Water Management District, 7601 Hwy. 301 North, Tampa, FL 33637-6759

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subject area of the proposed rulemaking is amendments to the District water use permitting rules in Chapter 40D-2, F.A.C., and Part B, Basis of Review For Water Use Permit Applications, of the Water Use Permit Information Manual regarding the standards that must be met to obtain a water use permit with a duration of 20 years. Small General permits will be issued with a 20 year duration. General or Individual permits applicants may request a permit with up to a 20 year permit duration where the applicant demonstrates (1)

development of alternative water supplies, or (2) a per capita water use rate of 110 gallons or less, or (3) exceptional implementation of reclaimed water, or (4) has an approved FARMS system and meets other criteria, or (5) the water use qualifies for a Small General permit. The proposed rules describe required five year compliance reports and the information to be reported for 20 year permits. The proposed rules also eliminate six year duration permits so that permits shall be issued for 20 years or 10 years, provided that a different duration may be issued due to environmental or other considerations. Finally, the rulemaking sets forth environmental resource permitting requirements for issuance of a water use permit for multi-phase projects that require both a water use permit and an environmental resource permit.

A copy of the agenda may be obtained by contacting: Dianne Lee at (352)796-7211 or 1(800)423-1476, extension 4658, TDD ONLY: 1(800)231-6103, Fax: (352)754-6878, Suncom: 663-6878.

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: Dianne Lee at (352)796-7211 or 1(800)423-1476, ext. 4658; TDD ONLY: 1(800)231-6103, Fax: (352)754-6878, Suncom: 663-6878. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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**The Southwest Florida Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: May 22, 2009, 10:00 a.m.

PLACE: Tampa Service Office, Governing Board Room, Southwest Florida Water Management District, 7601 Hwy. 301 North, Tampa, FL 33637-6759

GENERAL SUBJECT MATTER TO BE CONSIDERED: The subject area of the proposed rulemaking is amendments to the District's permit fee schedule to add fees for 20 year permits being proposed in related rulemaking in Chapter 40D-2, F.A.C. The fees will be tiered based on the quantity of water authorized to be used by the water use permittee.

A copy of the agenda may be obtained by contacting: Dianne Lee, Administrative Supervisor, Office of General Counsel, 2379 Broad Street, Brooksville, Florida 34604-6899, (352)796-7211, ext. 4657.

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: Dianne Lee, Administrative Supervisor, Office of General Counsel, 2379 Broad Street, Brooksville, Florida 34604-6899, (352)796-7211, ext. 4657. If you are hearing or

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

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### SPACE FLORIDA

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

DATE AND TIME: May 26, 2009, 9:00 a.m. – 10:00 a.m. (Eastern Daylight Time)

PLACE: Space Florida, Kennedy Space Center Visitor Complex, Cape Canaveral, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Executive Committee Meeting.

A copy of the agenda may be obtained by contacting: Deb Spicer, Vice President of Communications, Government and External Relations 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 Relations 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).

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: Deb Spicer, Vice President of Communications, Government and External Relations at dspicer@spaceflorida.gov.

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### AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, May 20, 2009, 2:00 p.m.

PLACE: This is a teleconference meeting. Any person interested in participating may dial (218)339-2410, Pass Code: 5384968#. If you have any difficulty accessing the teleconference, please call the Florida Center's main number at (850)922-5771.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a teleconference meeting of the State Consumer Health Information and Policy Advisory Council Public Relations Technical Workgroup to which all interested parties are invited. The purpose is to conduct a meeting of key health care stakeholders to discuss issues relating to implementing Florida Statutes mandating transparency in health care through public reporting of health care data.

A copy of the agenda may be obtained by contacting: Cheryl Barfield, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at [http://ahca.myflorida.com/SCHS/chistwg\\_pr.shtml](http://ahca.myflorida.com/SCHS/chistwg_pr.shtml) seven (7) days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Cheryl Barfield at (850)414-5422. 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: Cheryl Barfield at (850)414-5422.

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The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday May 21, 2009, 10:30 a.m. – 12:00 Noon

PLACE: Teleconference. To participate, dial: (218)339-2410, Pass Code: 5384968#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the State Consumer Health Information and Policy Advisory Council to which all interested parties are invited. The purpose is to provide a presentation titled "Guidance in Using the Hospital Quality Reports" to be presented by Dr. Shoshanna Sofaer via teleconference.

A copy of the agenda may be obtained by contacting: Jennifer Green, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at <http://ahca.myflorida.com/SCHS/chismetings.shtml> seven (7) days prior to the meeting. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jennifer Green at (850)922-4381. 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: Jennifer Green at (850)922-4381.

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The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 26, 2009, 1:30 p.m. – 4:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency for Health Care Administration will hold a public meeting to discuss proposed revisions to Rule 59A-7.034, Florida Administrative Code, the administrative rule governing clinical laboratories and the tests that are authorized in hospital facilities licensed under Chapter 395, F.S., out of the physical or administrative confines of the central laboratory licensed under Chapter 483, F.S. Comments and recommendations presented at this meeting will be reviewed and considered in the development and promulgation of the revised rule.

A copy of the agenda may be obtained by contacting: Karen Rivera, AHCA Laboratory Unit, 2727 Mahan Drive, MS 32, Tallahassee, Florida 32308, (850)487-3109.

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: Karen Rivera, Laboratory Unit, 2727 Mahan Drive, MS 32, Tallahassee, Florida 32308, (850)487-3109. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATES AND TIME: August 6, 2009; August 20, 2009; September 3, 2009; September 17, 2009; October 1, 2009; October 15, 2009; October 29, 2009; November 12, 2009; November 26, 2009; December 10, 2009; December 24, 2009; January 7, 2010; January 21, 2010, 9:30 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, Building 3, Conference Room C, 2727 Mahan Drive, Tallahassee, FL 32308. Dial In Number: 1(888)808-6959, Conference Code: 8509227332. Those not able to attend in person may call the conference phone number (listed above)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Technical and Operational Issues meetings. These issues are related to Health Plans.

A copy of the agenda may be obtained by contacting: Beth Kumar, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, FL 32308, (850)487-2355.

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 7 days before the workshop/meeting by contacting: Beth Kumar at (850)487-2355. 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).

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#### DEPARTMENT OF MANAGEMENT SERVICES

The **Agency for Workforce Innovation**, Office of Early Learning announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 28, 2009, 1:30 p.m. – 4:30 p.m.

PLACE: Hyatt Regency Pier Sixty Six, 2301 S.E. 17th Street, Fort Lauderdale, Florida 33316, 1(800)327-3796. Call In Number: 1(888)808-6959, Conference Code: 9213217 (then press #)

GENERAL SUBJECT MATTER TO BE CONSIDERED: CCEP Workshop with Coalition Executive Directors.

A copy of the agenda may be obtained by contacting: Natalie K. Sellars, Program Coordinator at (850)921-3173, email: Natalie.Sellars@flaawi.com.

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The **State Retirement Commission** announces a hearing to which all persons are invited.

DATE AND TIME: May 19, 2009. 8:30 a.m.

PLACE: Department of Management Services, 4050 Esplanade Way, Room 101, Tallahassee Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by contacting: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410.

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 15 days before the workshop/meeting by contacting: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410. 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: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410.

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## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Regulatory Council of Community Association Managers** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 5, 2009, 10:30 a.m.

PLACE: This meeting will be held via conference call. The Conference Call: 1(888)808-6959, Code: 4879597

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Regulatory Council for Community Association Managers office at (850)922-5012 or via Fax: (850)921-2321.

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: Regulatory Council for Community Association Managers office at (850)922-5012 or via Fax: (850)921-2321. 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: Regulatory Council for Community Association Managers office at (850)922-5012 or via Fax: (850)921-2321.

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The Florida **Board of Professional Engineers**, Rules Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 19, 2009, 8:30 a.m. or as soon thereafter as practicable

PLACE: Board Office, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee.

A copy of the agenda may be obtained by contacting: Wendy Gregory at (850)521-0500.

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: Wendy Gregory at (850)521-0500. 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: Wendy Gregory at (850)521-0500.

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The **Division of Certified Public Accounting** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, June 16, 2009, 9:00 a.m.

PLACE: Via Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reporting forms and requests for course approval.

A copy of the agenda may be obtained by contacting: Karan Lee, 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, 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).

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: May 21, 2009, 9:30 a.m.

PLACE: Lake Sylvan Park, 845 Lake Markham Rd., Sanford, FL 32771

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lake Jesup Basin Management Action Plan (BMAP) is under development. Current activities include the submittal and review of projects eligible for pollutant reduction credits. This meeting will consist of small group discussions between stakeholders and the Department to work through details of projects submitted for inclusion in the BMAP. Topics for each small group discussion include projects submitted by the stakeholder group, projects eligible for credit, projects not

eligible for credit, and the basis for quantitative credit calculation. Note that the final agenda and end-time for this meeting remains to be determined, pending the number of stakeholders who wish to take advantage of this small group meeting format.

A copy of the agenda may be obtained by contacting: Mrs. Jennifer Gihring, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Planning and Coordination Section, MS 3565, Tallahassee, Florida 32399-2400, (850)245-8418.

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: Mrs. Jennifer Gihring at (850)245-8418. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: May 12, 2009

PLACE: Videoconferencing Rooms as follows: Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, FL 32399, Video Conference Room 609; South District, 2295 Victoria Avenue, Fort Myers, FL 33901, Video Conference Room 38H; Northeast District, 7825 Baymeadows Way, Jacksonville, FL 32256, Video Conference Room 213A; Central District, 3319 Maguire Blvd., Orlando, FL 32803, Video Conference Room F; Northwest District, 160 Government Center, Pensacola, FL 32502, Video Conference Room 501A; Southwest District, 13051 North Telecom Parkway, Temple Terrace, FL 33637, Video Conference Room 111; Southeast District, 400 North Congress Avenue, West Palm Beach, FL 33401, Video Conference Room (no number)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be the fifth meeting of an advisory committee composed of technical experts from both government and private industry whose purpose is to help develop compliance assistance educational materials for the generation, segregation, packaging, transport, and disposal of biomedical and universal pharmaceutical wastes that are regulated by three Florida agencies: DEP for waste management, DOH for infectious waste, drug distribution and diversion and DOT for transportation.

A copy of the agenda may be obtained by contacting: Yvonne Peters by e-mail: yvonne.peters@dep.state.fl.us or by calling (850)245-8707.

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: Yvonne Peters as 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).

## DEPARTMENT OF HEALTH

The **Correctional Medical Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: May 21, 2009, 1:00 p.m. – 4:00 p.m.

PLACE: Conference Call: 1(888)808-6959 (Toll Free), Conference Code: 5391969. 4030 Esplanade Way, Building 4030, Room 258, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by contacting: Correctional Medical Authority, 4052 Bald Cypress Way, Bin B-04, Tallahassee, FL 32399-1732, (850)245-4557.

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 by contacting: Correctional Medical Authority at (850)245-4557. 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: Correctional Medical Authority at (850)245-4557.

The **Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces a public meeting to which all persons are invited.

DATES AND TIMES: July 23, 2009, 1:00 p.m.; July 24, 2009, 8:30 a.m.

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster, (850)245-4474 at least one week prior to the meeting.

The **Board of Dentistry**, Council on Dental Hygiene announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 21, 2009, 6:00 p.m.

PLACE: Conference Call: 1(888)808-6959 when prompted, enter Conference Code: 2453454

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Dental Hygiene issues.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster at (850)245-4474.

The **Board of Massage Therapy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 26, 2009, 3:30 p.m. or shortly thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454590

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Business.

A copy of the agenda may be obtained by contacting: Kaye Howerton, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4161. You will be charged seventeen cents per page for the number of copies desired.

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: Paula Mask at (850)245-4161. 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 Medicine**, Surgical Care Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, May 19, 2009, 5:00 p.m. (EST) Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at Floridashealth.com for cancellations or changes to meeting dates, or call the Board of Medicine at (850)245-4131 for more information.

PLACE: Meet Me Number: 1(888)808-6959. Conference Code: 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board.

A copy of the agenda may be obtained by contacting: Gwyn Willis at (850)245-4131 or email: Gwyn\_Willis@doh.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: Gwyn Willis at (850)245-4131 or email: Gwyn\_Willis@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 Medicine**, Physician Assistant Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 28, 2009, 12:00 Noon (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the PA Council.

A copy of the agenda may be obtained by contacting: Vera Johnson at Vera\_Johnson@doh.state.fl.us or call (850)245-4131, ext. 3528.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Vera Johnson at Vera\_Johnson@doh.state.fl.us or

call (850)245-4131, ext. 3528. 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.

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The **Board of Medicine**, Credentials Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 4, 2009, 9:00 a.m.

PLACE: Ft. Lauderdale Marriott North, 6650 N. Andrews Avenue, Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board of Medicine Website: [www.flhealthsource.com](http://www.flhealthsource.com) for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Shamyah Gibson at [Shamyah\\_Gibson@doh.state.fl.us](mailto:Shamyah_Gibson@doh.state.fl.us) or call (850)245-4131, ext. 3518.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Shamyah Gibson at [Shamyah\\_Gibson@doh.state.fl.us](mailto:Shamyah_Gibson@doh.state.fl.us) or call (850)245-4131, ext. 3518. 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.

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The **Board of Medicine**, Rules and Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 4, 2009, 4:00 p.m. or soon thereafter

PLACE: Ft. Lauderdale, 6650 N. Andrews Avenue, Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board.

The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the

meeting date. Please check the Board of Medicine Website: [www.flhealthsource.com](http://www.flhealthsource.com) for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Whitney Bowen at [whitney\\_bowen@doh.state.fl.us](mailto:whitney_bowen@doh.state.fl.us) or call (850)245-4131, ext. 3517.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Whitney Bowen at [whitney\\_bowen@doh.state.fl.us](mailto:whitney_bowen@doh.state.fl.us) or call (850)245-4131, ext. 3517. 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.

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The Florida **Board of Medicine** announces a public meeting to which all persons are invited.

DATES AND TIME: Friday and Saturday, June 5-6, 2009, 8:00 a.m.

PLACE: Ft. Lauderdale Marriott North, 6650 N. Andrews Avenue, Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board.

The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board of Medicine Website: [www.flhealthsource.com](http://www.flhealthsource.com) for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Whitney Bowen at [whitney\\_bowen@doh.state.fl.us](mailto:whitney_bowen@doh.state.fl.us) or call (850)245-4131, ext. 3517.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Whitney Bowen at [whitney\\_bowen@doh.state.fl.us](mailto:whitney_bowen@doh.state.fl.us) or call (850)245-4131, ext. 3517. 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.

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The Florida **Board of Nursing**, North Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 12, 2009, 5:30 p.m. – 7:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)808-6959, Code: 2454640

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 days before the workshop/meeting by contacting: Board of Nursing office. 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.

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The **Department of Health**, Drug Wholesale Distributor Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 28, 2009, 9:30 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9766152

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of minutes from previous meetings, Rule Update, Program Office Update, Summary Report of National Legislative Activities Compared to Florida's Regulations, Medical Convenience Kits, Select December 2009 Meeting Date, and open discussion.

The agenda will be sent out electronically to the interested party distribution list and placed on the website and web board one week prior to the meeting.

For more information, you may contact: Drugs, Devices and Cosmetics Program at (850)245-4292.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Families**, Circuit 10 announces a public meeting to which all persons are invited.

DATES AND TIME: Friday, May 22, 2009; Friday, June 26, 2009; Friday, July 24, 2009; Friday, August 28, 2009; Friday, September 25, 2009; Friday, October 23, 2009, 9:30 a.m.

PLACE: Department of Children and Families, 1055 US Hwy. 17 N, Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chapter 39, F.S., Local Planning Team of the Office of Adoption and Child Protection.

A copy of the agenda may be obtained by contacting: Diane Dvorak, DCF at (863)619-4100.

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: Diane Dvorak, DCF at (863)619-4100. 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: Diane Dvorak, DCF at (863)619-4100.

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The **Department of Children and Families**, Circuit 10 announces a public meeting to which all persons are invited.

DATES AND TIME: Wednesday, June 10, 2009; Wednesday, August 12, 2009; Wednesday, October 14, 2009; Wednesday, December 9, 2009, 9:30 a.m.

PLACE: United Way of Central Florida, 5605 US Hwy. 98 S., Highland City, FL 33846

GENERAL SUBJECT MATTER TO BE CONSIDERED: Heart of Florida Community Alliance Meeting.

A copy of the agenda may be obtained by contacting: Diane Dvorak, DCF at (863)619-4100.

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: Diane Dvorak, DCF at (863)619-4100. 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: Diane Dvorak, DCF at (863)619-4100.

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The **Department of Children and Families** (DCF) announces public meetings via conference call to which all interested parties are invited.

DATES AND TIMES: June 9, 2009, 10:00 a.m. – 11:00 a.m.;  
June 12, 2009, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code:  
9229760

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss with the evaluation team members the scoring of proposals received regarding Requests for Proposals 04F09GC1 and 04F09C2.

SUMMARY: The federal Emergency Shelter Grant Requests for Proposals (RFPs) will be competitively scored by a volunteer evaluation team. The first meeting on June 9, 2009, will be to go over scoring criteria and processes. Participants will be volunteer proposal evaluators and the procurement manager. The second meeting on June 12, 2009, will be a debriefing meeting with the evaluators and the procurement manager to discuss scores and rank proposals. All meetings relating to these solicitations are open to the public and may be electronically recorded by any member of the audience. Although vendors and the public are invited, no comments and/or questions will be taken from any vendors or members of the public. These advertisements may be found at the following URLs: [http://vbs.dms.state.fl.us/vbs/ad.view\\_ad?advertisement\\_key\\_num=78812](http://vbs.dms.state.fl.us/vbs/ad.view_ad?advertisement_key_num=78812)

[http://vbs.dms.state.fl.us/vbs/ad.view\\_ad?advertisement\\_key\\_num=78813](http://vbs.dms.state.fl.us/vbs/ad.view_ad?advertisement_key_num=78813)

ACTION TO BE TAKEN: The evaluation team and procurement manager will review the instructions to evaluators, Appendix XXa of the RFPs. Also to be discussed is the rating scale and specific instructions regarding each of the rating topic.

Dates and times are tentative and subject to change and readers should refer to the Department of Management Services Vendor Bid website to any changes to the schedule of events for these two RFPs.

CONTACT INFORMATION: There is no agenda. Contact: Amy Claiborne, Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-5787 or e-mail: [amy\\_claiborne@dcf.state.fl.us](mailto:amy_claiborne@dcf.state.fl.us) for further information.

Any person requiring a special accommodation at this hearing because of a disability, physical impairment or English language deficiency should contact: Department of Children and Families, (850)922-4691 at least five calendar days prior to the hearing. If you a hearing impaired, please contact the Department using the Florida Dual Party Relay System at 1(800)922-8771 (TDD).

#### FLORIDA HOUSING FINANCE CORPORATION

NOTICE OF CANCELLATION – The **Florida Housing Finance Corporation** hereby gives notice that the Application Workshops scheduled for:

DATES AND TIME: May 11-12, 2009, 10:00 a.m.

PLACE: Tallahassee City Hall, Commission Chambers, 300 South Adams Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Relative to the 2009 Universal Application Cycle, have been cancelled pending the outcome of a proposed rule challenge.

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: May 19, 2009, 1:30 p.m.

PLACE: Tallahassee City Hall, Commission Chambers, 300 South Adams Street, Tallahassee, FL 32301. 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 the American Recovery and Reinvestment Act.

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).

#### GOVERNOR'S COMMISSION ON DISABILITIES

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, May 13, 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](mailto: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](mailto: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](mailto:commission@dms.myflorida.com).

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The **Governor's Commission on Disabilities**, Health Care Committee's Long Term Healthcare Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, May 13, 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](mailto: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](mailto: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](mailto:commission@dms.myflorida.com).

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The **Governor's Commission on Disabilities**, Health Care Committee's Behavioral HealthCare Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 14, 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](mailto: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](mailto: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](mailto:commission@dms.myflorida.com).

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The **Governor's Commission on Disabilities**, Health Care Committee's Access Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 14, 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](mailto: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](mailto: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](mailto:commission@dms.myflorida.com).

**SARASOTA MEMORIAL HOSPITAL**

The **Sarasota County Public Hospital Board, Sarasota Memorial Hospital** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 13, 2009, 1:00 p.m. – 5:00 p.m.

PLACE: Sarasota Memorial Hospital, Main Campus, Waldemere Bed Tower, Auditorium, Sarasota, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: All responses to the Request for Statements of Qualifications for the Medical Arts Medical Office Building project are due to be submitted no later than 3:30 p.m., Tuesday, May 5, 2009, as originally advertised. However, the responses will not be opened at that time and the Hospital will subsequently hold a public information sharing meeting for all respondents, in an open forum format. Supplemental information packages will be distributed to all respondents who attend the meeting. The meeting is scheduled for Wednesday, May 13, 2009, at the Sarasota Memorial Hospital main campus in the Waldemere Bed Tower Auditorium, First Floor, Main Building. The meeting will begin at 1:00 p.m. and end no later than 5:00 p.m. Two weeks will be allowed to revise original submittals. Final addenda to previously-submitted Statements of Qualifications will be due no later than 3:00 p.m., Wednesday, May 27, 2009. Attendance at the information sharing meeting is not mandatory for respondents. The public meeting for the selection of general contractors will be held in Waldemere Bed Tower, Auditorium, Wednesday June 3, 2009, 8:00 a.m. – 12:00 Noon. The public meeting for the selection of the professional design team will be held in the Waldemere Bed Tower, Auditorium, Wednesday, June 3, 2009, 1:00 p.m. – 5:00 p.m.

Questions regarding this project must be directed to: Thomas Perigo at (941)917-2048. No attempts shall be made to contact Administrators, Board Members or any Hospital staff other than the contact name(s) listed, under the potential penalty of disqualification from the process. Late submittals will not be opened and will be returned to the respondent. The Hospital reserves the right to reject any or all submittals and to discontinue the selection process at any time. Submit five bound copies of addenda to: Thomas Perigo, Director of Architecture and Facility Planning, 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239, Titled: Addendum to Qualifications Statement, Medical Arts Building, Sarasota Memorial Hospital.

**TAMPA BAY ESTUARY PROGRAM**

The **Tampa Bay Estuary Program** announces a public meeting to which all persons are invited.

DATE AND TIMES: Friday, May 15, 2009, 9:00 a.m., Management Board; 1:00 p.m., Policy Board  
 PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Pinellas Park, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- 2009/2010 Annual Workplan
- 2007/2008 Audit
- TBEP’s commitment for Hillsborough River Watershed BMAP
- Discussion of TBEP’s involvement with future BMAP development

A copy of the agenda may be obtained by contacting: ron@tbep.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 7 days before the workshop/meeting by contacting: ron@tbep.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).

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: ron@tbep.org.

**SOIL AND WATER CONSERVATION DISTRICT**

The **Madison Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: May 18, 2009, 8:15 a.m.

PLACE: USDA-NRCS office, Suite 2,1416 U.S. 90 E, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Doris Newman at (850)973-6595.

The **South Dade Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 21, 2009, 9:30 a.m.

PLACE: USDA Service Center, 1450 N. Krome Ave., Suite 104, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular agenda items for presentation to Board of Supervisors: Nursery BMP 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.

For more information, you may contact: Mr. Morgan Levy, Administrator at (305)242-1288.

**AREA AGENCY ON AGING OF PASCO-PINELLAS, INC.**

The **Area Agency on Aging of Pasco-Pinellas, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: May 18, 2009, 9:30 a.m.

PLACE: 9887 4th St., N., Ste. 100, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Elizabeth Laubach, 9887 4th St., N., Suite 100, St. Petersburg, FL 33702, (727)570-9696.

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: Elizabeth Laubach, 9887 4th St., N., Suite 100, St. Petersburg, FL 33702, (727)570-9696. 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: Elizabeth Laubach, 9887 4th St., N., Suite 100, St. Petersburg, FL 33702, (727)570-9696.

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**MID-FLORIDA AREA AGENCY ON AGING**

The **Elder Options** announces a public meeting to which all persons are invited.

DATE AND TIME: May 27, 2009, 10:00 a.m.

PLACE: Elder Options Board Room, 5700 S. W. 34th Street, Suite 222 (Florida Farm Bureau Building), Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Scheduled meeting of the Grant Review Committee of the Elder Options Board of Directors. The Grant Review Committee will review and discuss applications submitted by qualified organizations for the designation of Community Care for the Elderly Lead Agencies, along with applications for the American Recovery and Reinvestment Act funding. Based upon its review and discussion of applications, the Committee will make funding recommendations for consideration by the full Board of Directors during the June 3, 2009, Board Meeting beginning at 10:00 a.m.

A copy of the agenda may be obtained by contacting: Sarah Ellis at (352)378-6649.

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: Sarah Ellis at (352)378-6649. 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: Sarah Ellis at (352)378-6649.

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**FLORIDA INSTITUTE OF PHOSPHATE RESEARCH**

The **Florida Institute of Phosphate Research** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 28, 2009, 9:30 a.m.

PLACE: Education Building, 1855 W. Main St., Bartow, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider funding of research proposals and other business pertaining to the operation of the Institute.

A copy of the agenda may be obtained by contacting: Dr. Paul Clifford, Executive Director.

For more information, you may contact: Marie Wilmot at (863)534-7160.

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**FLORIDA SPORTS FOUNDATION**

The **Florida Sports Foundation**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 19, 2009, 10:00 a.m. – 4:00 p.m.

PLACE: Dolphin Stadium (Blue Heron Meeting Room), 2269 Dan Marino Blvd., Miami Gardens, FL 33056

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is to discuss the promotion and development of Sports within the State of Florida.

A copy of the agenda may be obtained by contacting: [www.info@flasports.com](mailto:www.info@flasports.com).

## Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

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

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

### **AGENCY FOR HEALTH CARE ADMINISTRATION**

NOTICE IS HEREBY GIVEN THAT the Agency for Health Care Administration has received the petition for declaratory statement from Anthony Martin and Long Life Home Care, Inc. The petition seeks the agency's opinion as to the applicability of Sections 400.476(1) and 408.803(7), Florida Statutes (2008) as it applies to the petitioner.

Petitioners, including controlling interests and a licensed home health agency, are petitioning statutory Sections 400.476(1) and 408.803(7), Florida Statutes (2008).

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308, (850)922-5873.

### **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 M. A. (Allie) Fraidowitz, Director, In Re: Arielle on Palmer Ranch Condominium Association, Inc., Docket No. 2009020790, dated April 3, 2009. The petition seeks the agency's opinion as to the applicability of as it applies to the petitioner.

Whether article 4.1 of the bylaws of Arielle on Palmer Ranch Condominium Association, Inc. assign two-year seats to the directors who assumed their seats because they ran unopposed or go to the directors who were elected by a majority vote.

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 32399-1031.

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 Stephen W. Thompson, Esq. for Villa di Lancia Condominium Association, Inc., Docket No. 2009021626 on April 21, 2009. The petition seeks the agency's opinion as to the applicability of as it applies to the petitioner.

Whether Villa di Lancia Condominium Association, Inc. may adopt a rule prohibiting pets where the restriction on pets in the declaration has not been consistently interpreted and applied by successive boards.

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 32399-1031.

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 HEALTH**

The Board of Dentistry hereby gives notice that on April 23, 2009, it received a Petition for Declaratory Statement filed on behalf of Lyle E. Hotchkiss, D.D.S. The petition seeks the Board's interpretation of Section 466.028(1)(u), F.S., which requires dental facilities to maintain reasonable sanitary conditions. The Petitioner seeks the Board's interpretation of whether it is a violation for him to utilize a certified therapy dog in a dental office setting.

Copies of the petition may be obtained from: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin C08, Tallahassee, FL 32399-3258.

**FINANCIAL SERVICES COMMISSION**

NOTICE IS HEREBY GIVEN THAT the Office of Insurance Regulation has issued an order disposing of the petition for declaratory statement filed by EliteHealth.MD, LLC., on February 6, 2009. The following is a summary of the agency's disposition of the petition:

The petition was granted. The Office determined that the operation that EliteHealth.MD, LLC. described in its petition falls within the purview of the Prepaid Health Clinic Act, and the EliteHealth.MD, LLC., is offering basic services as described in Section 641.40, Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Amanda Parnell, Esq., at: Amanda.Parnell@floi.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:**

Lulac Florida Corp., on Behalf of Itself and Its Members vs. Department of Education; Case No.: 09-16515RP; Rule No.: 6A-6.0905

Lulac Florida Corp, Inc. vs. Department of Education; Case No.: 09-1614RP; Rule No.: 6A-6.0907

Parent Leadership Council of Orange County School District vs. Department of Education; Case No.: 09-1616RP; Rule Nos.: 6A-6.0900-.0909

Hope Hospice and Community Services, Inc.; Hospice of Lake and Sumter, Inc., d/b/a Cornerstone Hospice and Palliative Care; Good Sheperd Hospice, Inc.; and Lifepath Hospice, Inc. vs. Agency for Health Care Administration; Case No.: 09-1793RP; Rule No.: 59C-1.0355(4)(a)

Brooklyn Luncheonette, LLC, d/b/a Del Tura Pub and Restaurant vs. Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco; Case No.: 09-1973RX; Rule No.: 61A-3.0141(1) and (2)

Karla Pittman vs. Dr. Eric J. Smith, as Commissioner of Education; Case No.: 09-1557RU

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

Historic Shipwreck Salvage Policy Council; Shipwreck Exploration and Salvage Policy Council; Jupiter Wreck, Inc.; Amelia Research and Recovery, LLC; Mel Fisher Center, Inc.; and Motivation, Inc. vs. Florida Division of Historical Resources; Case No.: 08-5454RP; Chapter No.: 1A-31; Dismissed

Parent Leadership Council of Orange County School District vs. Department of Education; Case No.: 09-1616RP; Rule Nos.: 6A-6.0900-.0909; Voluntarily Dismissed

Samuel T. Adams vs. Florida Fish and Wildlife Conservation Commission; Case No.: 08-2646RX; Rule Nos.: 68A-1.004(5), 68A-15.063, 68A-17.005; Voluntarily Dismissed

Institutional Life Services (Florida), LLC, and David Matthew Janecek vs. Financial Service Commission and Office of Insurance Regulation; Case No.: 09-0385RP; Rule No.: 69O-204.040; Invalid

Karla Pittman vs. Dr. Eric J. Smith, as Commissioner of Education; Case No.: 09-1557RU; Withdrawal

The Lee Charter Foundation, Inc. vs. Department of Education; Case No.: 08-2673RU; Voluntarily Dismissed

Ronald G. Davis, M.D. and Pediatric Neurology vs. Agency for Health Care Administration; Case No.: 08-3261RU; Dismissed

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

## Section XI Notices Regarding Bids, Proposals and Purchasing

### DEPARTMENT OF EDUCATION

#### NOTICE TO PROFESSIONAL CONSULTANTS/ CONSTRUCTION MANAGERS

Florida A&M University (FAMU) announces that professional services for Continuing Contract projects are required in the following discipline(s): Architects (2), Mechanical /Electrical Engineers (2), Civil Engineer (1), Construction Managers (2). Continuing Contract projects are specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Professional fees will be negotiated up to, but shall not exceed the following hourly rates: \$115 – Principal A/E, \$80 – Registered A/E, \$55 – Graduate A/E, \$50 – CAD, and \$30 – Clerical Support. The Construction Manager's fee for each Sub-project shall be negotiated based on the scope of the project, and shall not exceed 15% of the Cost of the Work. These rates are the maximums and could be subject to audit. Campus Service contracts for Continuing Contract projects provide that the consultant will be available on an as-needed basis for an initial contract period of one (1) year (the upcoming fiscal year, July 1 – June 30), with an Owner's option to renew for one (1) additional year at a time up to a total of two (2) additional years.

Under Architectural services, the engineering services (mechanical, electrical, structural and civil) required for specific projects shall be provided as part of basic services through the selected Architect(s) based upon project need. Use of FAMU continuing service engineers by the selected Architect(s) shall be encouraged. The consultant(s) receiving the award may not have an exclusive contract to perform services for these projects. The University may have additional continuing service professionals under contract during the same time period. Blanket professional liability insurance shall be required for the contract. Performance and Payment Bonds shall be provided for individual construction projects exceeding \$100,000 and liability and worker's compensation insurance shall be required for the contract. Builder's Risk insurance may be required for specific projects based upon need. Continuing Services projects include projects that are awarded based upon competitive proposals from Continuing Service construction managers under contract and may include projects that are negotiated individually with a specific construction manager. Services required to be provided under the Continuing Services Contracts include the development of record drawings by the Continuing Service Consultant for projects designed by the Architect/Engineer or services provided by the Construction Management consultant to reflect

as-built conditions to facilitate the University's space management program. Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. A completed "Professional Qualifications Supplement" (PQS); or "Construction Manager Qualifications Supplement" (CMQS); form is to be obtained from the FAMU Facilities Planning & Construction Office. 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 properly chartered by the Florida Department of State to operate in Florida.

Submit Six (6) ring, comb or spiral (no hard, solid or tack) bound copies of the requested data in the order listed above. Applications which do not comply with the above instructions will not be considered. Application material will not be returned.

The plans and specifications for A/E 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, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

FAMU is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-Owned Business Enterprises (MBE's/WOBE's) in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services.

Professional or Construction Manager Qualification Supplements and selection criteria may be obtained by contacting: Samuel J. Houston, Director, Facilities Planning and Construction Office, e-Mail: samuel.houston@famuedu, Fax: (850)561-2289, or by telephone: (850)599-3197.

Submittals must be received in the office of Facilities Planning and Construction, Florida A&M University, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, FL 32307, Attn.: Samuel J. Houston, Director, by 11:00 a.m. (Local Time), June 9, 2009. Facsimile (FAX) submittals are not acceptable and will not be considered.

ITB89-029 – Purchase of College of Nursing  
and Health Sciences Lab Clinic Audiovisual

This Invitation to Bid is entered by Florida International University for the College of Nursing and Health Sciences Lab Clinic Audiovisual Systems including equipment, cabling, installation, setup and programming including control system programming, and delivery to Miami, Florida.

Vendors' Conference and Site Visit

A mandatory pre bid conference will be held on May 21, 2009, for the purpose of relaying further information and for the opportunity to provide a "Question and Answers" session.

The meeting to be held on May 21, 2009, 11:00 a.m. – 12:30 p.m. (EST) at the following location:

Florida International University  
FACILITIES BUILDING, CSC-123  
University Park  
11200 S. W. 8th Street, CSC-410  
Miami, Florida 33199

AMERICANS WITH DISABILITY ACT OF 1990 – If special accommodations are needed in order to attend the pre-bid meeting or bid opening, contact Purchasing at (305)348-2161.

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

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

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**REGIONAL TRANSPORTATION AUTHORITIES**

REQUEST FOR PROPOSAL NO. 09-008

GENERAL COUNSEL LEGAL SERVICES

The South Florida Regional Transportation Authority (SFRTA), an agency of the State of Florida, operates Tri-Rail, a seventy-two (72) mile commuter rail service with eighteen (18) stations in Miami-Dade, Broward, and Palm Beach counties.

THE PURPOSE of this Request for Proposal (RFP) is to contract with a qualified law firm for General Counsel legal services. General Counsel legal services shall be performed, managed and supervised by a designated Representative and such partners, associates and employees of General Counsel assigned to SFRTA matters. The term of the Agreement will be three (3) years with two (2) one (1) year option periods.

A REQUEST FOR DOCUMENTS should be directed to: Mr. Robert Becker at SFRTA, 800 N. W. 33 Street, Pompano Beach, Florida 33064, (954)788-7909. The cost of the solicitation document is One Hundred Dollars (\$100.00) non-refundable. Checks or money orders made payable to

SFRTA should be forwarded to Mr. Becker at the address above. Solicitation documents will be available on or about May 8, 2009.

A PRE-PROPOSAL CONFERENCE will be held in the SFRTA Board Room at the address above on May 14, 2009, 10:00 a.m. The purpose of the meeting will be for SFRTA to respond to questions from document holders and clarify requirements in an open forum. Attendance is not mandatory but is recommended.

RECEIPT OF SEALED PROPOSALS: All proposals must be received as per the RFP instructions no later than 5:00 p.m. (Eastern Time) on June 5, 2009 at the SFRTA office in Pompano Beach.

SFRTA reserves the right to postpone, accept, or reject any and all proposals in whole or in part. All Proposers must certify that they are not on the State of Florida Comptroller General's List of Ineligible Bidders. All proposals shall remain in effect for One Hundred Eighty (180) days from the RFP submission due date.

DBE PARTICIPATION: SFRTA solicits and encourages Disadvantaged Business Enterprise (DBE) participation. DBEs will be afforded full consideration of their responses and will not be subject to discrimination.

NOTIFICATION OF FEDERAL PARTICIPATION: A portion of this project is funded by a grant from the Federal Transit Administration. Any resultant Agreement shall be subject to all federal rules and regulations.

CONE OF SILENCE: Any verbal or written communications between any Proposer (potential or actual), or its representatives and any SFRTA Board Member, staff member, committee member, or consultant regarding this procurement are strictly prohibited from the date of the RFP advertisement through the date of execution of the contract. The only exceptions to this are: (1) written requests regarding information or clarification made to SFRTA's designated contract specialist during the allowable time period under the solicitation; (2) any communications at a publicly noticed meeting of SFRTA; and (3) any communications with the SFRTA Director of Procurement. Any violation of the requirements set forth in this section shall constitute grounds for immediate and permanent disqualification of the Proposer/violator from participation in this procurement.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**NOTICE OF BID CANCELLATION**

Notice is hereby given that the Florida Department of Children and Families withdraws the Invitation to Bid and cancels the bid for the following project:

PROJECT NUMBER: DCF 09265100  
 PROJECT: REPLACEMENT OF EXIT LIGHTS,  
 REPLACEMENT OF FIRE ALARM SYSTEM AND RETROFIT OF HVAC EQUIPMENT  
 WEST FLORIDA COMMUNITY CARE CENTER  
 MILTON, FLORIDA  
 BID DATE & TIME May 5, 2009, 2:00 p.m. (Local Time) (CST)  
 ARCHITECT STOA ARCHITECTS  
 121 E. GOVERNMENT STREET  
 PENSACOLA, FL 32502  
 TELEPHONE: (850)432-1912

**FLORIDA HOUSING FINANCE CORPORATION**

**RFQ 2009-03 – Qualified Nonprofit Entities to Receive Preservation Technical Assistance**

The Florida Housing Finance Corporation invites all qualified nonprofit development organizations that are interested in taking on preservation of affordable rental housing as part of their mission and want to receive direct, intensive technical assistance from the Florida Housing Coalition to submit proposals in accordance with the terms and conditions set forth in Request for Qualifications (RFQ) 2009-03. Proposals shall be accepted until 2:00 p.m. (Eastern Time), Friday, June 19, 2009. Proposals should be sent to: Attention: Sherry Green, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact: Sherry Green at (850)488-4197 or sherry.green@floridahousing.org. To obtain a copy of the RFQ, which outlines selection criteria and Offerer’s responsibilities, please submit your request to the attention of Sherry Green, or download the RFQ from the Florida Housing Finance Corporation website at: <http://www.floridahousing.org/Home/BusinessLegal/Solicitations/RequestForQualifications.htm>. Any modifications that occur to the RFQ will be posted to the website and may result in an extension of the deadline.

**EARLY LEARNING COALITION OF THE NATURE COAST, INC.**

**Notice of Bid/Request for Proposal  
 Information Technology Services**

The Early Learning Coalition of the Nature Coast, Inc. is requesting proposals for information technology services in Citrus, Dixie, Gilchrist, Levy and Sumter Counties. The potential contractor will be responsible for coordinating all information technology services including the management of the Enhanced Field System. Copies of the proposal may be obtained at: [www.elc-naturecoast.org](http://www.elc-naturecoast.org). The deadline for all applications to be submitted is June 17, 2009. The contract award notice will be posted on June 25, 2009. For more information contact Sonya Bosanko at (352)563-9939.

**ASSOCIATED MARINE INSTITUTES**

**Notice of Bid/Request for Proposal**

Associated Marine Institutes invites the submission of sealed bids from mainline food distributors for the delivery of grocery foods and kitchen supplies to seven private school sites throughout the state of Florida.

Sealed bids will be received no later than May 22, 2009 by 2:00 p.m. at: Associated Marine Institutes, Attention: Sandra Pugliese, 5915 Benjamin Center Drive, Tampa, Florida 33634, at which time they will be opened to the public, read and recorded.

Interested parties may obtain product descriptions by calling: Sandra Pugliese at (813)887-3300, ext. 1780.

**SOUTHWEST FLORIDA WORKFORCE DEVELOPMENT BOARD, INC.**

**Notice of Bid Request**

The Southwest Florida Workforce Development Board, Inc. is soliciting quotes from Temporary Leasing or Payroll Companies (Temp) to act as the Employer of Record for youth involved in work experience for the provision of programmatic services under various summer youth employment and training programs within Collier, Charlotte, Hendry, Glades and Lee Counties, as required under the Workforce Investment Act of 1998; the Social Security Act, Title IV; the Personal Responsibility and Work Opportunity Act of 1996 (Welfare Transition Program); Florida’s Workforce Innovation Act of 2000; and the American Recovery and Reinvestment Act of 2009. It is anticipated that no more than 250 individuals will participant in the program between May 1, 2009 until September 30, 2009.

All bids are due in the Board's administrative office before 3:00 p.m. (ET), Monday, May 18, 2009. Requests for information or additional clarification can be obtained by contacting: Mike Egan at (239)561-1213, or email: Megan@sfwdb.org.

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## TURNER CONSTRUCTION COMPANY

### Invitation for All Trades To Pre-Qualify Bidders for FIU Garage 5

Turner Construction Company, 1399 S. W. 1st Ave., 2nd Floor, Miami, FL 33130 is requesting submission of Pre-Qualification Packages for all trades for Florida International University Parking Garage 5 (BT-865)/Retail/Public Safety (BT-875). This Project is a 7 Story, 728,670 GSF Garage with an 11,560 GSF Public Safety component and a 29,630 GSF Retail component. Turner must receive completed Pre-Qualification packages no later than 5:00 p.m., May 15, 2009. Please fax Pre-Qualification Packages to (786)621-9149, Attention: Brett Leven, or email: bmleven@tcco.com. M/WBE businesses are encouraged to submit. Subcontractors must be Pre-Qualified by Turner prior to Bidding this Project, and may be required to provide a Bid Bond for this project. Pre-Qualification packages are available between 8:30 a.m. and 5:30 p.m., Monday thru Friday at Turner Construction Company's Office, or download following this link: <http://www.sendspace.com/folder/a0fobb>. Pre-Qualification Packages must be completed and returned to Turner Construction. Please call (786)621-9000 if you need additional information.

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## Section XII Miscellaneous

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### NOTICE OF ACCEPTANCE OF APPLICATIONS ENDANGERED AND THREATENED NATIVE FLORA GRANTS PROGRAM

The Florida Department of Agriculture and Consumer Services, Division of Plant Industry announces that it is once again soliciting applications for the Endangered and Threatened Native Flora Grants Program.

Grants may be awarded for activities which provide recognition of those native flora to the state that are endangered and threatened; and activities that encourage, within a controlled program, the protection, curation, propagation, reintroduction and monitoring of native flora that are identified as endangered or threatened.

Who is eligible to apply? By law, a qualified corporation is a not-for-profit corporation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1954, and which is described in,

and allowed to receive contributions pursuant to the provisions of, Section 170 of the Internal Revenue Code of 1954, and which is a corporation not for profit incorporated pursuant to Chapter 617, Florida Statutes, and which can demonstrate, based on program criteria, the ability to protect, conserve, propagate, reintroduce and monitor endangered and threatened native flora.

If the projects receive legislative approval, funds will become available after July 1, 2010. The deadline for filing applications is July 31, 2009, and applications must be delivered to the Division of Plant Industry's Plant Inspection office by 5:00 p.m., on that date or be clearly postmarked on or before that date.

Further information and an application may be obtained from: Mr. Bryan Benson, Division of Plant Industry, Bureau of Plant and Apiary Inspection, P. O. Box 147100, Gainesville, FL 32614-7100, (352)372-3505, ext. 162, Fax: (352)955-2301, e-mail: [bensonb@doacs.state.fl.us](mailto:bensonb@doacs.state.fl.us).

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## DEPARTMENT OF COMMUNITY AFFAIRS

### NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT CONSISTENT WITH SECTION 163.3177(2) AND (3), FLORIDA STATUTES DCA DOCKET NO. 01-07

The Department gives notice of its intent to find the Public Schools Interlocal Agreement ("Agreement") executed between the Alachua County School Board and the Town of Lacrosse, 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 Town of Lacrosse, 20613, North State Road 121, LaCrosse, Florida 32658.

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 Alachua County School Board and the Town of LACROSSE. 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

DCA Final Order No.: DCA09-OR-123  
STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS  
In Re: LAND DEVELOPMENT REGULATIONS  
ADOPTED BY CITY OF KEY WEST  
ORDINANCE NO. 09-05

\_\_\_\_\_  
FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes, (2008), approving a land development regulation adopted by a local government within the City of Key West Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The City of Key West is a designated area of critical state concern.
2. On April 14, 2009 the Department received for review City of Key West Ordinance No. 09-05, which was adopted by the City of Key West City Commission on April 8, 2009, ("Ord. 09-05"). The purpose of Ord. 09-05 is to amend Part B, Land Development Regulations, Section 90-140 and 90-142 clarifying the process for adopting revisions to the historic architectural review commission design guidelines.

3. Ord. 09-05 is consistent with the City's Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern based upon consistency with the Principles for Guiding Development applicable to that area of critical state concern. Sections 380.05(6) and 380.05(11), Florida Statutes, (2008).
5. The City of Key West is an Area of Critical State Concern. Section 380.05, Florida Statutes (2008) and Rule 28-36.001, Florida Administrative Code.
6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2008). The regulations adopted by Ord. 09-05 are land development regulations.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for the particular area (the "Principles"). 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 the City of Key West Area of Critical State Concern are set forth in subsection 28-36.003(1), Florida Administrative Code.
8. Ord. 09-05 promotes and furthers the following Principles in subsection 28-36.003(1), Florida Administrative Code:
  - (a) To strengthen local government capabilities for managing land use and development.
  - (e) Protection of historical heritage of Key West and the Key West Historical Preservation District.
  - (h) To protect the public health, safety, welfare and economy of the City of Key West, and the maintenance of Key West as a unique Florida resource.
9. Ord. 09-05 is not inconsistent with the remaining Principles. Ord. 09-05 is consistent with the Principles for Guiding Development as a whole. Ord. 09-05 furthers the Key West Comprehensive Plan Objective 1-2.3: Managing Old Town Redevelopment and Preservation of Historical Resources.

WHEREFORE, IT IS ORDERED that Ord. 09-05 is found to be consistent with the Principles for Guiding Development of the City of Key West Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

\_\_\_\_\_  
 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 PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 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 29th day of April, 2009.

\_\_\_\_\_  
 Paula Ford, Agency Clerk

By U.S. Mail:  
 The Honorable Morgan McPherson  
 Mayor, City of Key West  
 P. O. Box 1409  
 Key West, Florida 33041

Cheryl Smith  
 Clerk to the City Commission  
 P. O. Box 1409  
 Key West, Florida 33041

Amy Kimball-Murley, AICP  
Planning Director  
City of Key West  
P. O. Box 1409  
Key West, Florida 33041

Larry Erskine  
City Attorney  
P. O. Box 1409  
Key West, FL 33041

DCA Final Order No.: DCA09-OR-124

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In Re: LAND DEVELOPMENT REGULATIONS  
ADOPTED BY CITY OF KEY WEST  
ORDINANCE NO. 09-06

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes, (2008), approving a land development regulation adopted by a local government within the City of Key West Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The City of Key West is a designated area of critical state concern.
2. On April 14, 2009 the Department received for review City of Key West Ordinance No. 09-06, which was adopted by the City of Key West City Commission on April 8, 2009, ("Ord. 09-06"). The purpose of Ord. 09-06 is to amend Part B, Land Development Regulations, Section 86-9, 122-238 and 122-1151, to define pitched roof and to allow an extra five feet in building height in the single family (SF) district for non-habitable purposes when the structure has a pitched roof.
3. Ord. 09-06 is consistent with the City's Comprehensive Plan.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern based upon consistency with the Principles for Guiding Development applicable to that area of critical state concern. Sections 380.05(6) and 380.05(11), Florida Statutes, (2008).
5. The City of Key West is an Area of Critical State Concern. Section 380.05, Florida Statutes (2008) and Rule 28-36.001, Florida Administrative Code.

6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2008). The regulations adopted by Ord. 09-06 are land development regulations.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for the particular area (the "Principles"). 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 the City of Key West Area of Critical State Concern are set forth in subsection 28-36.003(1), Florida Administrative Code.
8. Ord. 09-06 promotes and furthers the following Principles in subsection 28-36.003(1), Florida Administrative Code:
  - (a) To strengthen local government capabilities for managing land use and development.
  - (e) Protection of historical heritage of Key West and the Key West Historical Preservation District.
  - (h) To protect the public health, safety, welfare and economy of the City of Key West, and the maintenance of Key West as a unique Florida resource.
9. Ord. 09-06 is not inconsistent with the remaining Principles. Ord. 09-06 is consistent with the Principles for Guiding Development as a whole. Ord. 09-06 furthers the Key West Comprehensive Plan Policy 1-2.1.3: Single Family Residential Development; Policy 3-1.7.3: Minimize Potential Blighting Influences; Policy 1A-1.3.11: City Actions to Assist Historic Preservation; and Policy 1A-5.1.4: Maintain Unique Architectural Heritage of Historically Significant Housing Resources.

WHEREFORE, IT IS ORDERED that Ord. 09-06 is found to be consistent with the Principles for Guiding Development of the City of Key West Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

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 PURSUANT TO SECTION 120.569,

FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

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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 29th day of April, 2009.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:  
The Honorable Morgan McPherson  
Mayor, City of Key West  
P. O. Box 1409  
Key West, Florida 33041

Cheryl Smith  
Clerk to the City Commission  
P. O. Box 1409  
Key West, Florida 33041

Amy Kimball-Murley, AICP  
Planning Director  
City of Key West  
P. O. Box 1409  
Key West, Florida 33041

Larry Erskine  
City Attorney  
P. O. Box 1409  
Key West, FL 33041

**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 Italice Motors, Inc., intends to allow the establishment of Acme Scooter, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 358 Cypress Drive, Suite A, Tequesta (Palm Beach County), Florida 33469, on or after April 21, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Acme Scooter, Inc. are dealer operator(s): David Wakefield, 358 Cypress Drive, Suite A, Tequesta, Florida 33469; principal investor(s): David Wakefield, 358 Cypress Drive, Suite A, Tequesta, Florida 33469.

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: Adriana De Lima, President, Italice Motors, Inc., 5001 Southwest 135 Avenue, Miramar, Florida 33027.

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 Italice Motors, Inc., intends to allow the establishment of Charles McLean d/b/a Beach Clasic Scooter, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 739 Scallop Drive, Suite 11, Port Canaveral (Brevard County), Florida 32920, on or after April 21, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Charles McLean d/b/a Beach Clasic Scooter are dealer operator(s): Charles A. McLean, 739 Scallop Drive, Suite 11, Port Canaveral, Florida 32920; principal investor(s): Charles A. McLean, 739 Scallop Drive, Suite 11, Port Canaveral, Florida 32920.

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: Adriana De Lima, President, Italice Motors, Inc., 5001 Southwest 135 Avenue, Miramar, Florida 33027.

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 Snyder Computer Systems, Inc. d/b/a Wildfire Motors, intends to allow the establishment of Grady's Automotive, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 500 West Street, Live Oak (Suwannee County), Florida 32064, on or after May 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Grady's Automotive, LLC are dealer operator(s): Grady Cadle, 13052 Country Road 137, Wellborn, Florida 32094; principal investor(s): Grady Cadle, 13052 Country Road 137, Wellborn, Florida 32094.

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: Ronald P. Gardner, Snyder Computer Systems, Inc. d/b/a Wildfire Motors, 11 Technology Way, Steubenville, Ohio 43952.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corporation, intends to allow the establishment of H. Long Investments Corp., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 4901 North US Highway 1, Unit J, Vero Beach (Indian River County), Florida 32967, on or after April 23, 2009.

The name and address of the dealer operator(s) and principal investor(s) of H. Long Investments Corp. are dealer operator(s): Heidi Long, 1013 Rose Arbor Drive, Sebastian, Florida 32958; principal investor(s): Heidi Long, 1013 Rose Arbor Drive, Sebastian, Florida 32958.

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: Javier Opopczynski, General Manager, 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.

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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 Italice Motors, Inc., intends to allow the establishment of Hot Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 1316 North Federal Highway, Hollywood (Broward County), Florida 33020, on or after April 21, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Hot Scooters, LLC are dealer operator(s): Urso Giuseppe, 1316 North Federal Highway, Hollywood, Florida 33020; principal investor(s): Urso Giuseppe, 1316 North Federal Highway, Hollywood, Florida 33020.

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: Adriana De Lima, President, Italice Motors, Inc., 5001 Southwest 135 Avenue, Miramar, Florida 33027.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Snyder Computer Systems, Inc. d/b/a Wildfire Motors, intends to allow the establishment of Motorsports of North America, LLLP, as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 7441 US Highway 301 South, Suite 102, Riverview (Hillsborough County), Florida 33578, on or after June 2, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Motorsports of North America, LLLP are dealer operator(s): Richard Hannam, 10738 Plantation Bay Drive, Tampa, Florida 33647; principal investor(s): Richard Hannam, 10738 Plantation Bay Drive, Tampa, Florida 33647 and Mary Josephina Castro, 14524 North Rome Avenue, Tampa, Florida 33613.

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: Dan Vogel, Snyder Computer Systems, Inc. d/b/a Wildfire Motors, 11 Technology Way, Steubenville, Ohio 43952.

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 Pacific Rim International West, intends to allow the establishment of Charlie Dyches Powersports, LLC, as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (DAIX) at 2314 East Edgewood Drive, Lakeland (Polk County), Florida 33803, on or after April 22, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Charlie Dyches Powersports, LLC are dealer operator(s): Charlie Dyches, 2314 East Edgewood Drive, Lakeland, Florida 33803; principal investor(s): Charlie Dyches, 2314 East Edgewood Drive, Lakeland, Florida 33803.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer 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: Wendy Yu, Pacific Rim International West, 2260 South Archibald Avenue, #E, Ontario, California 91761.

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 Garverick Group, Inc., intends to allow the establishment of Clifton Warning d/b/a Scooter King Motorsports, as a dealership for the sale of motorcycles manufactured by Benzhou Vehicle Industry Group Co. Ltd. (SHWI) at 602 South State Street, Bunnell (Flagler County), Florida 32110, on or after April 22, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Clifton Warning d/b/a Scooter King Motorsports are dealer operator(s): Cliff Warning, 13 Squire Court, Palm Coast, Florida 32164; principal investor(s): Cliff Warning, 13 Squire Court, Palm Coast, Florida 32164.

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: Tyler Garverick, President, Garverick Group, Inc., 8930 Western Way, Suite 5, Jacksonville, Florida 32256.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Vectrix Corporation, intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of Vectrix motorcycles (VCTX) at 203 Northeast 39th Avenue, Gainesville (Alachua County), Florida 32609, on or after April 10, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020; principal investor(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020.

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: Catherine Meier, Vectrix Corporation, 76 Hammarlund Way, Tech III Plaza, Suite 250, Middletown, Rhode Island 02842.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Vectrix Corporation, intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of Vectrix motorcycles (VCTX) at 2300 North 23rd Avenue, Hollywood (Broward County), Florida 33020, on or after April 10, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020; principal investor(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020.

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: Catherine Meier, Vectrix Corporation, 76 Hammarlund Way, Tech III Plaza, Suite 250, Middletown, Rhode Island 02842.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Vectrix Corporation, intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of Vectrix motorcycles (VCTX) at 10100 San Jose Boulevard, Jacksonville (Duval County), Florida 32257, on or after April 10, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020; principal investor(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020.

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: Catherine Meier, Vectrix Corporation, 76 Hammarlund Way, Tech III Plaza, Suite 250, Middletown, Rhode Island 02842.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Vectrix Corporation, intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of Vectrix motorcycles (VCTX) at 1128 Third Street, Jacksonville Beach (Duval County), Florida 32250, on or after April 10, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020; principal investor(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020.

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: Catherine Meier, Vectrix Corporation, 76 Hammarlund Way, Tech III Plaza, Suite 250, Middletown, Rhode Island 02842.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Vectrix Corporation, intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of Vectrix motorcycles (VCTX) at 1459 US Highway 1, Ormond Beach (Volusia County), Florida 32174, on or after April 10, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020; principal investor(s): Peter Warrick, 2311 Thomas Street, Hollywood, Florida 33020.

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: Catherine Meier, Vectrix Corporation, 76 Hammarlund Way, Tech III Plaza, Suite 250, Middletown, Rhode Island 02842.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Johnny Pag Motorcycles, intends to allow the establishment of Tampa V-Twin, Inc., as a dealership for the sale of Johnny Pag motorcycles (PAGS) at 16336 North Florida Avenue, Lutz (Hillsborough County), Florida 33549, on or after April 20, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Tampa V-Twin, Inc. are dealer operator(s): Jan I. Downing, 17580 Cedarwood Loop, Lutz, Florida 33558 and Hartford D. Downing, 17580 Cedarwood Loop, Lutz, Florida 33558; principal investor(s): Jan I. Downing, 17580 Cedarwood Loop, Lutz, Florida 33558 and Hartford D. Downing, 17580 Cedarwood Loop, Lutz, Florida 33558.

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: JR Pag, CEO, Johnny Pag Motorcycles, 1851 McGaw, Irvine, California 92614.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Cruise Car, Inc., intends to allow the establishment of Think Global Green Transportation, Inc., as a dealership for the sale of low speed vehicles manufactured by Suzhou Eagle Electric Vehicle Manufacturing Co. (EEVM) at 1571 North Kelley Avenue, Kissimmee (Osceola County), Florida 34744, on or after May 15, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Think Global Green Transportation, Inc. are dealer operator(s): Rebecca Bass, 1762 Lee Jansen Drive, Kissimmee, Florida 34744; principal investor(s): William R. Olive, 1322 Belcher Drive, Tarpon Springs, Florida 34689.

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: William Kics, Cruise Car, Inc., 1932 Whitfield Park Loop, Sarasota, Florida 34243.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Italica Motors, Inc., intends to allow the establishment of Tropical Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 11610 Seminole Boulevard, Largo (Pinellas County), Florida 33778, on or after April 21, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Tropical Scooters, LLC are dealer operator(s): Mark Stanley, 11610 Seminole Boulevard, Largo, Florida 33778; principal investor(s): Mark Stanley, 11610 Seminole Boulevard, Largo, Florida 33778.

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: Adriana De Lima, President, Italica Motors, Inc., 5001 Southwest 135 Avenue, Miramar, Florida 33027.

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.

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: Rafael Mizrahi, Sunset Choppers, Inc., 3658 Northwest 16th Street, Lauderhill, Florida 33311.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

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

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

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**NOTICE OF AVAILABILITY  
FLORIDA CATEGORICAL EXCLUSION NOTICE  
CITY OF BROOKSVILLE, FLORIDA**

The Department of Environmental Protection has determined that Brooksville's proposed project for the rehabilitation and/or replacement of sections of the City's wastewater collection system will not have a significant adverse affect on the environment. The cost for the 2009 phase of the project is estimated at \$2,484,828. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing: David P. O'Brien, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8367.

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**NOTICE OF AVAILABILITY  
CLEWISTON, FLORIDA**

The Department of Environmental Protection has determined that Clewiston's proposed wastewater collection system project will not have a significant adverse impact on the environment. The total construction cost is estimated at

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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 Sunset Choppers, Inc., intends to allow the establishment of Viper, Inc., as a dealership for the sale of motorcycles manufactured by Sunset Choppers Limited (SUNS) at 18900 Northwest 2nd Avenue, Miami (Dade County), Florida 33169, on or after April 28, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Viper, Inc. are dealer operator(s): Danni Albo, 18900 Northwest 2nd Avenue, Miami, Florida 33169; principal investor(s): Danni Albo, 18900 Northwest 2nd Avenue, Miami, Florida 33169.

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

\$5,000,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing: Bryan Goff, 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 AVAILABILITY  
DUNDEE, FLORIDA**

The Department of Environmental Protection has determined that Dundee's proposed project for the construction of reclaimed water distribution facilities will not have a significant adverse impact on the environment. The total construction cost is estimated at \$3,100,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing: Bryan Goff, 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 AVAILABILITY  
FROSTPROOF, FLORIDA**

The Department of Environmental Protection has determined that Frostproof's proposed wastewater collection system project will not have a significant adverse impact on the environment. The total project cost is estimated at \$4,000,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing: Bryan Goff, 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 AVAILABILITY  
LAKE WALES, FLORIDA**

The Department of Environmental Protection has determined that Lake Wales's proposed wastewater transmission facilities project will not have a significant adverse impact on the environment. The total construction cost is estimated at \$450,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Bryan Goff, 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 AVAILABILITY  
FLORIDA CATEGORICAL EXCLUSION NOTICE  
BROWARD COUNTY, FLORIDA**

The Department of Environmental Protection has determined that the proposed Broward County wastewater and stormwater facilities project will not have a significant adverse affect on the environment. The potential amount of the loan is estimated at \$7,000,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion 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 calling (850)245-8358.

**NOTICE OF AVAILABILITY  
NORTH BAY VILLAGE, FLORIDA**

The Department of Environmental Protection has determined that North Bay Village's proposed wastewater transmission facilities project will not have a significant adverse impact on the environment. The total construction cost is estimated at \$7,000,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing: Bryan Goff, 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 AVAILABILITY  
FLORIDA CATEGORICAL EXCLUSION NOTICE  
CITY OF PLANTATION, FLORIDA**

The Department of Environmental Protection has determined that the proposed City of Plantation wastewater treatment facilities project will not have a significant adverse affect on the environment. The potential amount of the loan is estimated at \$2,500,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion 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 calling (850)245-8358.

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#### 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/](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.

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#### DEPARTMENT OF HEALTH

On April 24, 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 Mikenas, R.N. license number RN 9265069. 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.

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On April 24, 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 Brenda Rush Shea, R.N. license number RN 1955912. 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.

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#### DEPARTMENT OF FINANCIAL SERVICES

The State of Florida, Board of Funeral, Cemetery and Consumer Services, will address approval of the amended bylaws of the following cemetery(s) at the regular meeting to be held on June 24, 2009:

Venice Memorial Gardens (Venice)

A file pertaining to the above is available for public inspection and copying by any person at: Alexander Building, 2020 Capital Circle, S. E., Suite 270, Tallahassee, Florida 32301.

Comments may be submitted at the above address without requesting a hearing. Those persons whose substantial interests may be determined by these proceedings, including settlements, grants, and denials, are advised that they may request a hearing concerning the notice of intent to be conducted in accordance with the provisions of Section 120.57, Florida Statutes. The petitions for hearing should comply with Rule 69K-6.003, Florida Administrative Code, and must be filed within twenty-one (21) days of publication of this notice. Petitions shall be filed with: Clerk, Division of Funeral, Cemetery and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361. In deference to the rights of substantially affected persons, a hearing on these matters will be held at the meeting of the Board of Funeral, Cemetery and Consumer Services to be held as outlined above. All written comments and requests to address the Board must be received by the Department at least fourteen (14) days prior to the meeting.

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#### FINANCIAL SERVICES COMMISSION

##### NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received 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., May 29, 2009):

##### APPLICATION TO MERGE

Constituent Institutions: First Commercial Bank of Florida, Orlando, Florida and Anderen Bank, Palm Harbor, Florida  
Resulting Institution: First Commercial Bank of Florida  
Received: April 28, 2009

##### EXPANDED FIELD OF MEMBERSHIP

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at <http://www.flofr.com/banking/cufm.asp>

Name and Address of Applicant: Central Florida Postal Credit Union, Post Office Box 568765, Orlando, Florida 32856

Expansion Includes: Geographic based

Received: April 27, 2009

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN April 20, 2009  
 and April 23, 2009

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF COMMUNITY AFFAIRS**  
**Division of Housing and Community Development**

9B-72.180	4/23/09	5/13/09	35/3	
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**DEPARTMENT OF CORRECTIONS**

33-504.101	4/21/09	5/11/09	35/7	
33-601.314	4/21/09	5/11/09	35/9	

**WATER MANAGEMENT DISTRICTS**  
**Southwest Florida Water Management District**

40D-4.091	4/22/09	5/12/09	35/4	
40D-8.041	4/20/09	5/10/09	35/5	
40D-8.624	4/20/09	5/10/09	35/5	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

61G4-21.005	4/21/09	5/11/09	35/5	
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**DEPARTMENT OF HEALTH**  
**Board of Acupuncture**

64B1-7.0015	4/21/09	5/11/09	33/44	35/11
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**Board of Chiropractic**

64B2-12.0155	4/20/09	5/10/09	35/11	
64B2-12.022	4/20/09	5/10/09	35/11	

**Board of Osteopathic Medicine**

64B15-13.001	4/20/09	5/10/09	35/8	
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**School Psychology**

64B21-500.002	4/23/09	5/13/09	35/7	
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**Council of Medical Physicists**

64B23-2.001	4/20/09	5/10/09	35/6	
64B23-7.001	4/20/09	5/10/09	35/6	