

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-23.002	Definitions
6A-23.003	Eligibility and Procedure for Bureau Registration
6A-23.004	Standards of Apprenticeship
6A-23.005	Apprenticeship Agreement
6A-23.006	Deregistration of Bureau Registered Program
6A-23.008	Complaints
6A-23.009	Reinstatement of Program Registration
6A-23.010	Preapprenticeship Programs
6A-23.011	Program Performance Standards

PURPOSE AND EFFECT: The purpose and effect of this rule development is to update existing rules relating to registered apprenticeship programs to align with statutory changes, federal regulatory changes, and the needs of the apprenticeship community and labor market.

SUBJECT AREA TO BE ADDRESSED: Registered Apprenticeship Programs.

RULEMAKING AUTHORITY: 446.032, 446.041(12) FS.

LAW IMPLEMENTED: 446.021, 446.032, 446.041, 446.052, 446.071, 446.075, 446.081, 446.092 FS.

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

DATES AND TIMES: June 14, 2010, 9:00 a.m.; June 16, 2010, 9:00 a.m.; June 17, 2010, 9:00 a.m.

PLACES: June 14 – Department of Education, 325 West Gaines Street, Room 1707, Tallahassee, Florida 32399-0400

June 16 – Mid Florida Tech Center, 2900 W. Oak Ridge Road, Building 1600, Room 228, Orlando, Florida 32809; and

June 17 – Miami Lakes Educational Center, 5780 N. W. 158th St., Building F Auditorium, Miami Lakes, Florida 33014

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robert Grisar, Senior Educational Program Director, Career and Adult Education, Department of Education, 325 West Gaines Street, Room 754, Tallahassee, FL 32399, (850)245-7952. For a draft copy of the rules go to <https://app1.fldoe.org/rules/default.aspx> **THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-24.001	Name, Authority and Responsibilities

PURPOSE AND EFFECT: The purpose and effect of this rule development is to update the existing rule relating to the Florida State Apprenticeship Council to reflect statutory changes, federal regulatory changes, and the needs of the apprenticeship community and labor market.

SUBJECT AREA TO BE ADDRESSED: Florida Apprenticeship Council.

RULEMAKING AUTHORITY: 446.032, 446.041(12) FS.

LAW IMPLEMENTED: 446.045 FS.

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

DATES AND TIMES: June 14, 2010, 9:00 a.m.; June 16, 2010, 9:00 a.m.; June 17, 2010, 9:00 a.m.

PLACES: June 14 – Department of Education, 325 West Gaines Street, Room 1707, Tallahassee, Florida 32399-0400

June 16 – Mid Florida Tech Center, 2900 W. Oak Ridge Road, Building 1600, Room 228, Orlando, Florida 32809; and

June 17 – Miami Lakes Educational Center, 5780 N. W. 158th St., Building F Auditorium, Miami Lakes, Florida 33014

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robert Grisar, Senior Educational Program Director, Career and Adult Education, Department of Education, 325 West Gaines Street, Room 754, Tallahassee, FL 32399, (850)245-7952. For a draft copy of the rule go to <https://app1.fldoe.org/rules/default.aspx> **THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.:	RULE TITLE:
12A-1.061	Rentals, Leases, and Licenses to Use Transient Accommodations

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-1.061, F.A.C. (Rentals, Leases, and Licenses to Use Transient Accommodations), is to include the provisions regarding timeshares provided in Chapter 2009-133, L.O.F. This law provides that timeshare exchanges and fees charged by a third party to facilitate a timeshare exchange are not subject to tax. The law also provides when fees charged to occupy and inspect a regulated short-term timeshare product are subject to tax. When in effect, this rule will provide for the taxability of the purchase of a timeshare interest, the rental of a timeshare accommodation, the occupancy or purchase of a regulated short-term product, and the fees charged by timeshare exchange programs.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed is the provisions for the taxability of the purchase of a timeshare interest, the rental of a timeshare accommodation, the occupancy or purchase of a regulated short-term product, or the fees charged by timeshare exchange programs.

RULEMAKING AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 92.525(1)(b), 212.02(2), (10)(a)-(g), (16), 212.03(1), (2), (3), (4), (5), (7), 212.031, 212.04(4), 212.08(6), (7)(i), (m), 212.11(1), (2), 212.12(7), (9), (12), 212.13(2), 212.18(2), (3), 213.37, 213.756 FS.

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

DATE AND TIME: June 24, 2010, 10:00 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tammy Miller, Senior Attorney, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)488-9669

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS Published on the Department’s Internet site at myflorida.com/dor/rules.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-1.0615 **RULE TITLE:** Hotel Rewards Points Program

PURPOSE AND EFFECT: Rule 12A-1.0615, F.A.C. (Hotel Reward Points Programs), is being created to provide guidelines regarding the application of Florida tax in situations involving hotel reward points programs within the transient rentals industry that reflect the findings of Report Number 2005-131, “Application of the Tourist Development Tax to the Sale of Discounted Hotel Rooms Over the Internet and the Hotel Rewards Points Program,” issued by the Senate Committee on Government Efficiency Appropriations. This rule sets forth when transient lodging accommodations provided to reward points programs members will be subjected to Florida’s taxes on those accommodations. This rule also sets forth when transactions between the administrator of a hotel reward points program and the hotel participating in the program are subject to tax.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed is the application of state sales tax, local surtax, and any locally-imposed convention development tax, tourist development tax, tourist impact tax, or municipal resort tax on transient accommodations provided to members of a hotel reward points program.

RULEMAKING AUTHORITY: 125.0104(3)(k), 125.0108(2)(e), 212.0305(3)(f), 212.12(12), 212.17(6), 212.18(2), 213.06(1) FS., Ch. 67-930, L.O.F.

LAW IMPLEMENTED: 125.0104(1)-(4), (8), (10), 125.0108, 212.03(1)-(5), (7), 212.0305, 212.054 FS., Ch. 67-930, L.O.F.

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

DATE AND TIME: June 24, 2010, 10:00 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tammy Miller, Senior Attorney, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)488-9669

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS Published on the Department’s Internet site at myflorida.com/dor/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.”

STATE BOARD OF ADMINISTRATION

RULE NOS.:	RULE TITLES:
19-8.010	Reimbursement Contract
19-8.012	Procedures to Determine Ineligibility for Participation in the Florida Hurricane Catastrophe Fund and to Determine Exemption from Participation in the Florida Hurricane Catastrophe Fund due to Limited Exposure

19-8.013 Revenue Bonds Issued Pursuant to Section 215.555(6), F.S.
 19-8.029 Insurer Reporting Requirements
 19-8.030 Insurer Responsibilities
PURPOSE AND EFFECT: To implement the changes to Section 215.555, F.S., which were passed during the 2010 Legislative Session.
SUBJECT AREA TO BE ADDRESSED: The rules and certain incorporated forms are being amended to reflect the 2010 legislative changes.
RULEMAKING AUTHORITY: 215.555 FS.
LAW IMPLEMENTED: 215.555 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: Tracy Allen, Senior Attorney, Florida Hurricane Catastrophe Fund, P. O. Box 13300, Tallahassee, FL 32317, (850)413-1341, tracy.allen@sbafla.com
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

PUBLIC SERVICE COMMISSION

RULE NO.: 25-6.0431 **RULE TITLE:** Application for a Limited Proceeding
PURPOSE AND EFFECT: To prescribe the filing requirements for a petition for limited proceeding for electric utilities. Undocketed
SUBJECT AREA TO BE ADDRESSED: The rule addresses the requirements for filing a petition for limited proceeding.
RULEMAKING AUTHORITY: 350.127(2), 366.05, 366.06(1), 366.076(2) FS.
LAW IMPLEMENTED: 366.05, 366.06, 366.076 FS.
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: June 23, 2010, 9:30 a.m.
PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathryn G. W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216 or kcowdery@psc.state.fl.us. A copy of the staff workshop agenda and draft rule will be available on the Commission’s website at www.floridapsc.com after June 4, 2010

PUBLIC SERVICE COMMISSION

RULE NO.: 25-7.0391 **RULE TITLE:** Application for a Limited Proceeding
PURPOSE AND EFFECT: To prescribe the filing requirements for a petition for limited proceeding for gas utilities. Undocketed.
SUBJECT AREA TO BE ADDRESSED: The rule addresses the requirements for filing a petition for limited proceeding.
RULEMAKING AUTHORITY: 350.127(2), 366.05, 366.06(1), 366.076(2) FS.
LAW IMPLEMENTED: 366.05, 366.06, 366.076 FS.
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: June 23, 2010, 9:30 a.m.
PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (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).
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathryn G. W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216 or kcowdery@psc.state.fl.us. A copy of the staff workshop agenda and draft rule will be available on the Commission’s website at www.floridapsc.com after June 4, 2010.

PUBLIC SERVICE COMMISSION

RULE NO.: 25-22.0406 **RULE TITLE:** Notice and Public Information on General Rate Increase Requests by Electric, Gas and Telephone Companies

PURPOSE AND EFFECT: To amend Rule 25-22.0406, F.A.C., to address notice and public information requirements for electric and gas utilities filing petitions for limited proceeding and to delete references to telephone companies. Undocketed.

SUBJECT AREA TO BE ADDRESSED: This rulemaking will address notice and public information requirements for electric and gas utility companies filing petitions for limited proceedings and for telephone companies filing requests for general rate increase.

RULEMAKING AUTHORITY: 350.127(2), 366.05 FS.

LAW IMPLEMENTED: 120.569, 120.57 364.01(4), 364.035(1), 364.04(3), (4), 364.05(1), (2), 364.19, 366.03, 366.041(1), 366.05(1), 366.06(1) FS.

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

DATE AND TIME: June 23, 2010, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathryn G. W. Cowdery, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216 or kcowdery@psc.state.fl.us. A copy of the staff workshop agenda and draft rule will be available on the Commission's website at www.floridapsc.com after June 4, 2010.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.720
 RULE TITLE: Sex Offender and Child Abuse Offender Visiting Restrictions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify sex offender and child abuse offender visitation restrictions.

SUBJECT AREA TO BE ADDRESSED: Inmate Visitation Privileges.

RULEMAKING AUTHORITY: 944.09, 944.23 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.23 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.720 Sex Offender and Child Abuse Offender Visiting Restrictions.

(1) An inmate shall not be authorized to visit with any person seventeen years of age or younger if ~~both paragraphs (a) and (b) below apply:~~

(a) ~~The~~ If the inmate has a current or prior conviction under Chapter 794, 800, 827, or 847, F.S., and:

- ~~1. Chapter 794, F.S. — sexual battery;~~
- ~~2. Chapter 800, F.S. — lewdness; indecent exposure;~~
- ~~3. Chapter 827, F.S. — abuse of children;~~
- ~~4. Chapter 847, F.S. — obscene literature; profanity; and~~

(b) ~~The conviction was for committing or attempting to commit aggravated child abuse or committing or attempting to commit aggravated child abuse or committing or attempting to commit aggravated child abuse or attempting to commit a sex act on, or in the presence of, or against a person fifteen years old or younger.~~

- (c) No change.
- (d) Current and prior convictions from other jurisdictions comparable to the offenses listed above, also serve as a basis for imposing visiting restrictions.
- (e) No change.

(2) A warden is authorized to approve a visit between a minor who is accompanied by an authorized adult and an inmate who meets the criteria in subsection ~~33-601.720(1), F.A.C.~~, above if visiting is not restricted by court order and the warden determines the visit to be in the minor's best interest. Factors to be considered are:

- (a) through (4) No change.
- (5) If visitation is recommended, the custodial parent or guardian of the child must complete and sign Form DC6-138, Consent for Visitation with Minor Child. Form DC6-138 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, ~~Office of Research, Planning and Support Services~~, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is 5-29-03.

(6) The warden is authorized to modify the visiting status if factors materially affecting the visiting privilege decision, such as a guilty finding for one of the disciplinary infractions listed in subsection (3) above, change. Modification of privileges and court modifications of previously imposed visiting restrictions shall be documented in the AVR by institutional staff.

Rulemaking Authority 944.09, 944.23 FS. Law Implemented 20.315, 944.09, 944.23 FS. History—New 11-18-01, Amended 5-29-03, 9-29-03, 4-17-05, 4-10-08, _____.

Editorial Note: Formerly 33-601.707, F.A.C.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-13.015
 RULE TITLE: Adult Cystic Fibrosis Waiver Services Procedure Codes and Fee Schedule

PURPOSE AND EFFECT: The purpose of Rule 59G-13.015, F.A.C., is to incorporate by reference the Adult Cystic Fibrosis Waiver Services Procedure Codes and Fee Schedule, December 2009. The fee schedule for the Adult Cystic Fibrosis (ACF) waiver will be a new, stand-alone rule. The fee schedule establishes a list of procedures and associated fees for services to be delivered by qualified providers to ACF waiver participants.

SUBJECT AREA TO BE ADDRESSED: Adult Cystic Fibrosis Waiver Services Procedure Codes and Fee Schedule.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 393.066, 409.902, 409.906, 409.908, 409.912, 409.913 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 June 23, 2010, 2:30 p.m. – 3:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308-5407

Pursuant to the provisions of 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: Arlene Walker at the Bureau of Medicaid Services, (850)412-4270. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Arlene Walker, Medicaid

Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4270, e-mail: arlene.walker@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-13.015 Adult Cystic Fibrosis Waiver Services Procedure Codes and Fee Schedule.

(1) This rule applies to all adult cystic fibrosis waiver services providers enrolled in the Medicaid program.

(2) All adult cystic fibrosis waiver services providers and their billing agents who submit claims on their behalf must be in compliance with the provisions of the Florida Medicaid Adult Cystic Fibrosis Procedure Codes and Fee Schedule, December 2009, which is incorporated by reference. The fee schedule 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 Fee Schedules. Paper copies of the fee schedule may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting option 7.

Rulemaking Authority 409.919 FS. Law Implemented 393.066, 409.902, 409.906, 409.908, 409.912, 409.913 FS. History—New _____.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Administrative Hearings

RULE NOS.:	RULE TITLES:
60Q-6.101	Scope
60Q-6.102	Definitions
60Q-6.103	Pleadings and Proposed Orders
60Q-6.104	Representation and Appearance of Counsel
60Q-6.105	Commencing a Case; Subsequent Petitions
60Q-6.106	Consolidation and Venue
60Q-6.107	Amendment and Dismissal of Petition for Benefits
60Q-6.108	Filing and Service
60Q-6.109	Computation of Time
60Q-6.110	Mediation, Generally
60Q-6.111	Authority and Duties of Mediator
60Q-6.112	Disqualification of Mediator
60Q-6.113	Pretrial Procedure
60Q-6.114	Discovery
60Q-6.115	Motion Practice
60Q-6.116	Prosecution of Claim and Petition for Benefits
60Q-6.117	Emergency Conferences
60Q-6.118	Expedited Hearings
60Q-6.119	Abbreviated Final Orders
60Q-6.120	Summary Final Order
60Q-6.121	Evidence

- 60Q-6.122 Motion for Re-hearing and Amending or Vacating Order
- 60Q-6.123 Settlements under Section 440.20(11), Florida Statutes
- 60Q-6.124 Payment of Attorney’s Fees and Costs Other Than Pursuant to Section 440.20(11), Florida Statutes
- 60Q-6.125 Sanctions
- 60Q-6.126 Disqualification or Recusal of Judges
- 60Q-6.127 Procedure for Relief from Appellate Filing Fee and Costs
- 60Q-6.128 Destruction of Obsolete Records

PURPOSE AND EFFECT: Procedural rules for adjudication of workers’ compensation claims were implemented on February 23, 2003, and amended in 2006, pursuant to the mandate in Section 440.45, Florida Statutes, that the Office of the Judges of Compensation Claims adopt procedural rules. Since Sections 440.015 and 440.44(2), Florida Statutes, require that the workers’ compensation system be efficient and self-executing and that the Division of Administrative Hearings assume an active and forceful role in achieving that goal, it is necessary to amend the existing rules to conform with subsequent statutory changes and to incorporate changes that will improve the adjudicatory process based upon experience in utilizing the existing rules.

SUBJECT AREA TO BE ADDRESSED: procedural rules applicable to workers’ compensation adjudications before the judges of compensation claims.

RULEMAKING AUTHORITY: 61.14(8)(a), 440.25(4)(g), 440.29(3), 440.44(7), 440.45(1), (4) FS.

LAW IMPLEMENTED: Chapter 440, 61.14(8)(a), 440.015, 440.192, 440.20, 440.25, 440.29(3), 440.33, 440.34, 440.44, 440.45(1), (4) FS.

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

DATE AND TIME: June 15, 2010, 2:00 p.m. – 4:00 p.m.

PLACES: (bridged by video teleconferencing): 401 N. W. 2nd Avenue, Suite N-918, Miami, Florida; 1809 Art Museum Drive, Suite 200, Jacksonville, Florida; 501 1st Avenue, North, Suite 300, St. Petersburg, Florida; and; The DeSoto Building, 2nd Floor Conference Room, 1230 Apalachee Parkway, 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: Linda M. Rigot, Administrative Law Judge, (850)488-9675. If you are 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: Linda M. Rigot, Administrative Law Judge, (850)488-9675
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NOS.:	RULE TITLES:
61-36.001	Definitions
61-36.002	Notification to Applicants; Deficiency; Approval
61-36.003	Department Closure or Termination of Deficient Applications
61-36.004	Department Approval of Applications Meeting statutory and Rule Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to establish department processes for approval of applications meeting statutory and rule requirements, and termination of deficient applications when two years have elapsed from the last notice of deficiency.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in these rules is the process by which the department approves applications meeting statutory and rule requirements, and terminates deficient applications when two years have elapsed from the last notice of deficiency.

RULEMAKING AUTHORITY: 455.203(5), (6), 455.2035 FS.

LAW IMPLEMENTED: 455.203(1), 455.203(10)(a), (b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tim Vaccaro, Director, Division of Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-7776

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.:	RULE TITLE:
61G19-1.009	Definitions

PURPOSE AND EFFECT: The purpose of this rule development is to discuss possible rule language changes at the workshop.

SUBJECT AREA TO BE ADDRESSED: Definitions.

RULEMAKING AUTHORITY: 468.606, 468.607 FS.

LAW IMPLEMENTED: 468.603 FS.

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

Pursuant to the provisions of 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-5.002 **RULE TITLE:** Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose of this rule is to incorporate penalties for late reporting of criminal convictions.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

RULEMAKING AUTHORITY: 455.227, 455.2273, 468.606 FS.

LAW IMPLEMENTED: 455.227, 455.2273, 468.607, 468.621, 468.629 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: Robyn

Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-343.010	Policy and Purpose
62-343.020	General Provisions
62-343.030	Transferability of Definitions
62-343.040	Formal Determinations of the Landward Extent of Wetlands and Other Surface Waters
62-343.050	Permits Required
62-343.060	Conceptual Approval Permits
62-343.070	Procedures to Obtain a Permit
62-343.075	Additional Requirements and Procedures for Concurrent Review of Related Applications
62-343.080	Applications Processed by District and Division Offices of the Department
62-343.090	Processing of Notices and Applications
62-343.091	Documents Incorporated by Reference
62-343.095	Operation, Maintenance, and Inspections
62-343.100	Modification of Permits
62-343.110	Duration of Permits
62-343.120	Permit Extensions
62-343.130	Transfer of Ownership or Permit
62-343.140	Suspension and Revocation
62-343.381	General and Special Limiting Conditions
62-343.900	Environmental Resource Permit Forms

PURPOSE AND EFFECT: The Department proposes to amend Chapter 62-343, F.A.C., to: (1) amend the Environmental Resource Permit (ERP) Joint Application form and adopt a separate new form for requesting verification of an exemption to resolve conflicts when an applicant proposes work that may be exempt from permitting in the same application for activities that require a permit; (2) update procedures related to submitting and reviewing applications; (3) standardize procedures related to operation and

maintenance, including new and amended forms; (4) adopt a new section on general and specific limiting conditions to update and standardize such conditions for statewide applicability within the Department’s ERP program and to reduce the number of water management district rules adopted by the Department related to these conditions; (5) correct outdated language that identifies which offices of the Department are responsible for reviewing and taking action on various types of ERP activities; (6) amend provisions related to modifications and transfers of permits; and (7) make technical corrections.

SUBJECT AREA TO BE ADDRESSED: (1) Adopt several new forms and update existing forms; (2) amend procedures to reflect use of the new and revised forms; (3) update procedures related to the offices of the Department that are responsible for processing ERP applications; (4) adopt a new section on operation, maintenance, and inspection; (5) adopt a new section on general and special limiting conditions; (6) amend procedures on modification and transfers of permits; and (7) make minor technical corrections.

RULEMAKING AUTHORITY: 120.53, 120.54(5)(a), 373.026, 373.043, 373.118, 373.413, 373.414, 373.4145, 373.416, 373.418, 373.421, 373.427, 380.06(9)(b), 403.0877, 403.805(1) FS.

LAW IMPLEMENTED: 120.60, 120.54(5)(a), 373.026, 373.043, 373.109, 373.117, 373.118, 373.406(5), 373.409, 373.4142, 373.413, 373.414, 373.4141, 373.4145, 373.416, 373.418, 373.419, 373.421, 373.422, 373.423, 373.426, 373.427, 373.428, 380.06(9)(b), 403.0877, 403.9328 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: Alice Heathcock, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources – MS 2500, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, telephone (850)245-8483, or e-mail: Alice.Heathcock@dep.state.fl.us. Future information and updates on this proposed rule also may be obtained from the Department’s Web Site at: <http://www.dep.state.fl.us/water/wetlands/erp/rules/rulestat.htm>. (OGC No. 08-1613)

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-3.009
RULE TITLE: False, Fraudulent, Deceptive and Misleading Advertising Prohibited; Policy; Definitions; Affirmative Disclosure

PURPOSE AND EFFECT: The Board is revising the font of the disclaimer for advertising free or discounted services.

SUBJECT AREA TO BE ADDRESSED: False, Fraudulent, Deceptive and Misleading Advertising Prohibited; Policy; Definitions; Affirmative Disclosure.

RULEMAKING AUTHORITY: 463.005 FS.

LAW IMPLEMENTED: 456.072(1)(a), (m), 463.014, 463.016(1)(f), (g) 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: Sharon Guilford, Acting Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-3.009 False, Fraudulent, Deceptive and Misleading Advertising Prohibited; Policy; Definitions; Affirmative Disclosure.

(1) through (7) No change.

(8) Any advertisement for free or discounted services must contain the disclaimer required by Section 456.062, F.S., no less than Times New Roman 6 in at least Times New Roman 14 point font size or Courier New 12 point font size.

Rulemaking Authority 463.005 FS. Law Implemented 456.072(1)(a), (m), 463.014, 463.016(1)(f), (g) FS. History–New 11-13-79, Amended 4-17-80, 8-20-81, Formerly 21Q-3.09, Amended 1-8-86, 12-16-86, Formerly 21Q-3.009, 61F8-3.009, 59V-3.009, Amended 1-2-02, 11-13-06, 11-5-07, 4-21-10,_____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-4.007
RULE TITLE: Optometry Faculty Certificate

PURPOSE AND EFFECT: The Board proposes the rule amendment to update and incorporate by reference the application form.

SUBJECT AREA TO BE ADDRESSED: Incorporate an updated licensure form.

RULEMAKING AUTHORITY: 463.005 FS.

LAW IMPLEMENTED: 463.0057 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: Sharon Guilford, Acting Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-4.007 Optometry Faculty Certificate.

To obtain a optometric faculty certificate pursuant to Section 463.007, F.S., the applicant must submit an Initial Optometry Faculty Certificate Application, form number DH-MQA 1134, (5/10 8/08) incorporated herein by reference and the fees set forth in Rule 64B13-6.001, F.A.C. The form is available from the Board office or website: <http://www.doh.state.fl.us/mqa/optometry>.

Rulemaking Authority 463.005 FS. Law Implemented 463.0057 FS. History--New 4-2-09, Amended.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-31.001	Definitions
65C-31.002	Case Management for Young Adults Formerly in Foster Care
65C-31.003	Aftercare Support Services for Young Adults Formerly in Foster Care
65C-31.004	Road to Independence Scholarship
65C-31.005	Transitional Support Services for Young Adults Formerly in Foster Care
65C-31.006	Young Adult Services Documentation Requirements
65C-31.007	High School Needs Assessment
65C-31.008	Post Secondary Needs Assessment
65C-31.009	Independent Living Benefits Due Process Notification
65C-31.010	Jurisdictional and Service Requirements for Young Adults Formerly in the Custody of the Department
65C-31.011	Independent Living Program Budget Management

PURPOSE AND EFFECT: The Department is revising rules relating to Independent Living Services to young adults formerly in foster care. Pending HB 5305 becoming law, revisions will also include rules that govern the payments and conditions related to payments for services to youth or young adults provided under this section.

SUBJECT AREA TO BE ADDRESSED: Services to young adults formerly in foster care.

RULEMAKING AUTHORITY: S39.5075(8), 409.1451(10) FS.

LAW IMPLEMENTED: 39.5075, 409.1451 FS.

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

DATES AND TIMES: Workshop 1: Tuesday, June 15, 2010, 1:00 p.m. – 5:00 p.m.

Workshop 2: Wednesday, June 16, 2010, 9:00 a.m. – 1:00 p.m.

PLACES: Workshop 1: 313 N. State Road 7, Plantation, Florida 33317

Workshop 2: 400 W. Robinson Street, South Tower, First Floor, Rooms A, B, and C, Orlando, Florida 32801

Pursuant to the provisions of 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: Julie Mayo, Office of Family Safety, Department of Children and Families, 1317 Winewood Boulevard, Tallahassee, Florida 32399, (850)922-0375, or julie_mayo@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Mayo, Office of Family Safety, Department of Children and Families, 1317 Winewood Boulevard, Tallahassee, Florida 32399, (850)922-0375, or julie_mayo@dcf.state.fl.us

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-21.002	Definitions
67-21.003	Application and Selection Process for Developments
67-21.0035	Applicant Administrative Appeal Procedures
67-21.004	Federal Set-Aside Requirements
67-21.0045	Determination of Method of Bond Sale
67-21.006	Development Requirements
67-21.007	Fees
67-21.008	Terms and Conditions of MMRB Loans

<p>67-21.009 Interest Rate on Mortgage Loans</p> <p>67-21.010 Issuance of Revenue Bonds</p> <p>67-21.013 Non-Credit Enhanced Multifamily Mortgage Revenue Bonds</p> <p>67-21.014 Credit Underwriting Procedures</p> <p>67-21.015 Use of Bonds with Other Affordable Housing Finance Programs</p> <p>67-21.017 Transfer of Ownership</p> <p>67-21.018 Refundings and Troubled Development Review</p> <p>67-21.019 Issuance of Bonds for Section 501(c)(3) Entities</p> <p>PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 142 of the Code and Section 420.509, F.S.</p> <p>SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the development of the 2011 application and program requirements for the MMRB Program, as specified in Rule Chapter 67-21, Florida Administrative Code (F.A.C.).</p> <p>RULEMAKING AUTHORITY: 420.507, 420.508 FS.</p> <p>LAW IMPLEMENTED: 420.509 FS.</p> <p>A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:</p> <p>DATE AND TIME: June 17, 2010, 2:30 p.m.</p> <p>PLACE: Hotel Duval, 415 North Monroe Street, Tallahassee, FL 32301, (850)224-6133. The workshop will be accessible via telephone at 1(888)808-6959, Conference code: 1374197</p> <p>Pursuant to the provisions of 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). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).</p> <p>THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Len Stirrat, Multifamily Bonds Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197</p> <p>THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.</p>	<p>FLORIDA HOUSING FINANCE CORPORATION</p> <p>RULE NOS:</p> <p>67-48.001</p> <p>67-48.002</p> <p>67-48.004</p> <p>67-48.005</p> <p>67-48.007</p> <p>67-48.0072</p> <p>67-48.0075</p> <p>67-48.009</p> <p>67-48.0095</p> <p>67-48.010</p> <p>67-48.0105</p> <p>67-48.013</p> <p>67-48.014</p> <p>67-48.015</p> <p>67-48.017</p> <p>67-48.018</p> <p>67-48.019</p> <p>67-48.020</p> <p>67-48.0205</p> <p>67-48.022</p> <p>67-48.023</p> <p>67-48.027</p> <p>67-48.028</p> <p>67-48.029</p> <p>67-48.030</p> <p>67-48.031</p>	<p>RULE TITLES:</p> <p>Purpose and Intent</p> <p>Definitions</p> <p>Application and Selection</p> <p>Procedures for Developments</p> <p>Applicant Administrative Appeal Procedures</p> <p>Fees</p> <p>Credit Underwriting and Loan Procedures</p> <p>Miscellaneous Criteria</p> <p>SAIL General Program Procedures and Restrictions</p> <p>Additional SAIL Application Ranking and Selection Procedures</p> <p>Terms and Conditions of SAIL Loans</p> <p>Sale, Transfer or Refinancing of a SAIL Development</p> <p>SAIL Construction Disbursements and Permanent Loan Servicing</p> <p>HOME General Program Procedures and Restrictions</p> <p>Match Contribution Requirement for HOME Allocation</p> <p>Eligible HOME Activities</p> <p>Eligible HOME Applicants</p> <p>Eligible and Ineligible HOME Development Costs</p> <p>Terms and Conditions of Loans for HOME Rental Developments</p> <p>Sale, Transfer or Refinancing of a HOME Development</p> <p>HOME Disbursements Procedures and Loan Servicing</p> <p>Housing Credits General Program Procedures and Requirements</p> <p>Tax-Exempt Bond-Financed Developments</p> <p>Carryover Allocation Provisions</p> <p>Extended Use Agreement</p> <p>Sale or Transfer of a Housing Credit Development</p> <p>Termination of Extended Use Agreement and Disposition of Housing Credit Developments</p> <p>PURPOSE AND EFFECT: The purpose of this rule is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by</p>
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Section 420.5087, Florida Statutes (F.S.), and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; and (2) administer the Application process, determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of the 2011 application and program requirements for the SAIL, HOME, HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code (F.A.C.) and (2) amendments to the Florida Housing Finance Corporation’s 2009 Qualified Allocation Plan (QAP).

RULEMAKING AUTHORITY: 420.507 FS.
LAW IMPLEMENTED: 420.5087, 420.5089, 420.5099 FS.

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

DATE AND TIME: June 17, 2010, 2:30 p.m.
PLACE: Hotel Duval, 415 North Monroe Street, Tallahassee, FL 32301, (850)224-6133. The workshop will be accessible via telephone at 1(888)808-6959, Conference code: 1374197

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Blake Carson-Poston at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kevin Tatreau, Director of Multifamily Development Programs
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-51.060
RULE TITLE: Requirements for New Installations

PURPOSE AND EFFECT: To remedy a potential conflict within the rule and the referenced adopted boiler code by removing language related to the pressure gage dial range referencing the maximum allowable working pressure, and to harmonize language between the rule and adopted boiler code by changing the term “Steam gage” to “Pressure gage” within the rule.

SUBJECT AREA TO BE ADDRESSED: Installation of Pressure Gages on Power Boilers.

RULEMAKING AUTHORITY: 554.103 FS.
LAW IMPLEMENTED: 554.103, 554.104, 554.105, 554.106, 554.107 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: Thursday, June 17, 2010, 10:00 a.m.
PLACE: Third Floor Conference Room, The Atrium, 325 John Knox Road, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mike Burns, Boiler Chief, (850)413-3614, Mike.Burns@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE, and on the Department’s website at <http://www.myfloridacfo.com/SFM/sfmnotice.htm>

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-64.005
RULE TITLE: Adjustments to Reflect Consumer Price Index

PURPOSE AND EFFECT: Increases the amount of firefighter line of duty death benefits in accordance with the March 2010 Consumer Price Index.

SUBJECT AREA TO BE ADDRESSED: Firefighter line of duty death benefits.

RULEMAKING AUTHORITY: 112.191 FS.
LAW IMPLEMENTED: 112.191 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, June 15, 2010, 9:00 a.m.
PLACE: Third Floor Conference Room, the Atrium Office Building, 325 John Knox Road, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lesley Mendelson, (850)413-3604. If you are 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: Lesley Mendelson, (850)413-3604. A copy is posted on the Division's website at <http://www.fldfs.com/SFM/>

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

RULE NO.: RULE TITLE:
69L-3.025 Forms

PURPOSE AND EFFECT: Section 440.185(4), F.S., authorizes the Department to approve informational brochures that carriers are required to mail to injured employees and employers. The brochures are required to set forth in clear and understandable language an explanation of the rights, benefits, procedures for obtaining benefits and assistance, criminal penalties, and obligations of injured workers and their employers under the Florida Workers' Compensation Law. Section 440.185(4), F.S., requires the carrier to mail the Department approved informational brochure to the injured employee within three (3) days after being informed by the employer or employee of an injury. Carriers are also required to annually mail the Department approved informational brochures to employers. The proposed amendment will adopt the updated English and Spanish versions of the workers' compensation informational brochures that carriers are required to mail to employers and injured employees.

SUBJECT AREA TO BE ADDRESSED: Workers' compensation informational brochures for employers and injured employees.

RULEMAKING AUTHORITY: 440.15, 440.185, 440.20, 440.591 FS.

LAW IMPLEMENTED: 440.14(3), 440.15(1), (4), (9), (10), 440.185(4), (5), (10), 440.20(2), (3), 440.345, 440.35, 440.51(6), (9) 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: June 15, 2010, 1:00 p.m.
PLACE: Room 230, Alexander Building, 2020 Capital Circle S. E., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Pam Macon at (850)413-1708 or Pamela.Macon@myfloridacfo.com. If you are hearing or

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pam Macon, Chief, Bureau of Employee Assistance, Division of Workers' Compensation, 2012 Capital Circle S. E., Tallahassee, Florida 32399, (850)413-1708. The text of the proposed rule and the informational brochures will be available on the Division's website: <http://www.myfloridacfo.com/WC/notices/html>.

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

FINANCIAL SERVICES COMMISSION

Office of Financial Regulation

RULE NO.: RULE TITLE:
69W-1000.001 Disciplinary Guidelines

PURPOSE AND EFFECT: Section 517.1611(1), F.S., requires the Financial Services Commission to adopt disciplinary guidelines for each ground for which disciplinary action may be imposed by the Office of Financial Regulation against individuals and firms that are subject to regulation under Chapter 517, F.S., the Florida Securities and Investor Protection Act. The proposed rule implements this statutory requirement. It is noted that a Notice of Development of Rulemaking for this proposed rule was published in the December 24, 2009, edition of the Florida Administrative Weekly. Based on comments received by the Office, changes were made to the proposed rule, which are reflected in this notice.

SUBJECT AREA TO BE ADDRESSED: Securities Regulation.

RULEMAKING AUTHORITY: 517.1611(1) FS.

LAW IMPLEMENTED: 517.1611(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 IS: Bill Reilly, Chief, Bureau of Securities Regulation, Division of Securities, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399, phone (850)410-9805, E-mail: Bill.Reilly@flofr.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69W-1000.001 Disciplinary Guidelines.

(1) Pursuant to Section 517.1611, F.S., disciplinary guidelines applicable to each ground for which disciplinary action may be imposed by the Office against an individual or a firm under Chapter 517, F.S., are hereby adopted. The disciplinary guidelines are contained in "Office of Financial Regulation, Division of Securities, Disciplinary Guidelines for Dealers, Investment Advisers and Associated Persons" (May 2010), which is hereby incorporated by reference. A copy of the disciplinary guidelines may be obtained by mail from the Florida Office of Financial Regulation, Division of Securities, 200 E. Gaines Street, Tallahassee, Florida 32399, or may be obtained electronically through the following website: <http://www.flofr.com/Securities/index.htm>. In the application of these disciplinary guidelines, the Office intends that disciplinary action serve a remedial rather than a punitive purpose. The intent of the guidelines is to protect the public interest by discouraging future misconduct by a respondent, deter others from engaging in similar misconduct and improve business practices. Every case is unique; therefore, sanctions should be tailored to fit the facts of each particular case by increasing or decreasing the level of the sanction as provided in subsection (5) of this rule. The Office's intent is that sanctions should always be more severe for recidivists. However, some respondents may commit acts so egregious that sanctions outside the guidelines are warranted. The Office's policy is to treat all respondents with equal consideration and courtesy irrespective of representation or lack thereof.

(2) Each violation of any provision of Chapter 517, F.S., or the rules adopted under the rulemaking authority of Chapter 517, F.S., constitutes a ground for disciplinary action by the Office. The level of sanction imposed for each violation of a ground for disciplinary action is reflected in the disciplinary guidelines. In determining an appropriate sanction for each violation of a ground for disciplinary action, the Office shall consider the circumstances set forth in subsection (5).

(3) In accordance with the disciplinary guidelines contained in this rule:

(a) The Office may impose a cease and desist order in conjunction with and in addition to any of the designated sanctions set forth in this rule when appropriate under the circumstances; and

(b) The Office has determined that repeated disciplinary action for violations of the same or similar ground for disciplinary action should be punished more severely than a first disciplinary action for violation of a ground for disciplinary action. In most instances of repeated violations of a ground for disciplinary action, the disciplinary guidelines allow for increasingly severe sanctions.

(4) The list of grounds for disciplinary action is intended to be comprehensive, but the omission of a violation from the list does not preclude the Office from taking any action authorized by Chapter 517, F.S.

(5) In accordance with Sections 517.1611(1)(a) and (b), F.S., the Office will consider the following mitigating and aggravating circumstances in determining the appropriate level of sanction within the range of sanctions prescribed in this rule for each violation of a ground for disciplinary action:

(a) The individual's or firm's disciplinary history;

(b) Whether the individual or firm self-reported the conduct to regulatory authorities prior to examination or discovery by regulatory authorities;

(c) Whether the firm implemented corrective measures, prior to examination or discovery by regulatory authorities, to revise procedures to avoid recurrence of misconduct;

(d) Whether the individual or firm, prior to the entry of a Final Order, voluntarily made restitution or otherwise remedied the misconduct;

(e) Whether, at the time of the violation, the firm had controls and procedures that were implemented and reasonably designed to prevent or detect such a violation;

(f) Whether, at the time of the violation, the firm developed and implemented adequate training and educational initiatives;

(g) Whether the individual or firm demonstrated reasonable reliance on competent legal advice;

(h) Whether the individual or firm engaged in numerous acts to facilitate the violation or whether multiple clients were impacted by the acts or both;

(i) Whether the individual or firm engaged in the misconduct over an extended period of time;

(j) Whether the individual or firm attempted to conceal his or her misconduct or to lull into inactivity, mislead, deceive or intimidate a customer, regulatory authorities or, in the case of an individual respondent, the firm with which he or she is or was associated;

(k) With respect to other parties, including the investing public, the firm with which an individual respondent is associated or other market participants:

1. Whether the individual's or firm's misconduct resulted directly or indirectly in injury to such other parties, and

2. The nature and extent of the injury;

(l) Whether the individual or firm provided substantial assistance to the Office in its examination or investigation of the underlying misconduct, or whether the respondent attempted to impede or delay Office's examination or investigation, to conceal or withhold information from the Office, or to provide incomplete, inaccurate or misleading testimony or documentary information to the Office;

(m) Whether the individual's or firm's misconduct was the result of an intentional act, recklessness or negligence;

(n) Whether the firm with which an individual is or was associated disciplined the individual for the misconduct at issue prior to discovery by regulatory authorities and the extent of the discipline imposed by the firm;

(o) Whether the individual or firm engaged in the misconduct at issue, notwithstanding prior direct notice from the Office, another regulatory authority or the firm's staff, that the conduct may or will violate the provisions of Chapter 517, F.S.;

(p) Whether the individual or firm can demonstrate that the misconduct at issue was not reflective of their historical compliance record;

(q) Whether the individual's or firm's misconduct resulted in actual or potential financial or other gain or the value of such gain.

(r) The number, size and character of the transactions at issue;

(s) The age, financial status, and level of investment sophistication of the investor;

(t) Whether the violation is attributable to a principal, manager, supervisor or person exercising a similar function;

(u) The financial resources of the firm, nature of the firm's business, the number of individuals registered with the firm, the level of trading activity of the firm, other entities the firm controls, is controlled by, or is under common control with;

(v) Whether the violation of the ground for disciplinary action is the result of an individual acting alone or the result of two or more persons acting in furtherance of an agreement, scheme or plan; and

(w) Other relevant, case-specific circumstances.

(6)(a) The fines imposed for violation of a ground for disciplinary action are up to \$2,000 for a level "A" fine, \$2,001 to \$5,000 for a level "B" fine, \$5,001 to \$7,500 for a level "C" fine and \$7,501 to \$10,000 for a level "D" fine. The mitigating and aggravating circumstances provided in subsection (5) may be applied to the fines imposed for violation of a ground for disciplinary action resulting in a range of fines of up to \$2,000 for a level "A" fine, \$2,001 to \$5,000 for a level "B" fine, \$5,001 to \$7,500 for a level "C" fine and \$7,501 to \$10,000 for a level "D" fine.

(b) A Notice of Noncompliance shall be a statement issued by the Office as described in Section 120.695, F.S. For the purpose of this rule, a Notice of Noncompliance is not considered an occurrence of a violation.

(c) A previous "occurrence" is the same or similar misconduct which was the subject of a Final Order entered by the Office prior to the acts or omissions which are the subject of the current action by the Office.

(7) The ranges for suspensions imposed by this rule are up to 5 days for an "A" level suspension; 6 to 30 days for a "B" level suspension; and, over 30 days for a "C" level suspension. A business day is defined as a day the major stock exchanges are open. Suspensions of 30 or fewer days are measured in business days while a suspension of 31 or more days is measured in calendar days. The mitigating and agravating circumstances provided in subsection (5) may be applied to the suspensions imposed for violation of a ground for disciplinary

action resulting in a range of suspension of up to 5 days for an "A" level suspension; 6 to 30 days for a "B" level suspension; and over 30 days for a "C" level suspension.

(8) In addition to the provisions of this rule, the Office may, when appropriate, seek civil remedies including the entry of an injunction, the appointment of a receiver by a court of competent jurisdiction, or any other remedy authorized by law.
Rulemaking Authority 517.1611(1) FS. Law Implemented 517.1611(1) FS. History--New _____.

Section II Proposed Rules

DEPARTMENT OF REVENUE

RULE NO.:	RULE TITLE:
12-13.004	Delegation of Authority to Determine Settlements or Compromises

PURPOSE AND EFFECT: Section 213.21(2), F.S., authorizes the Executive Director of the Department to designate positions within the Department that may enter into agreements with a taxpayer to settle or compromise the taxpayer's liability for any tax, interest, or penalty assessed. The purpose of the proposed amendments to Rule 12-13.004, F.A.C. (Delegation of Authority to Determine Settlements or Compromises), is to update the rule to reflect the positions within the Department authorized to settle or compromise a taxpayer's assessment.

SUMMARY: The proposed amendments to Rule 12-13.004, F.A.C. (Delegation of Authority to Determine Settlements or Compromises): (1) update the positions authorized by the Executive Director of the Department to settle or compromise a taxpayer's assessment to reflect the current organizational structure of the General Tax Administration Program and Technical Assistance and Dispute Resolution; and (2) simplify the rule by providing these delegations of authority in a chart, for ease of reference.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of estimated regulatory costs has not been prepared by the agency. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower-cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 213.06(1), 213.21(5) FS.

LAW IMPLEMENTED: 213.05, 213.21 FS.

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

DATE AND TIME: June 24, 2010, 9:00 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in any rulemaking proceeding before Technical Assistance and Dispute Resolution is asked to advise the Department at least 48 hours before such proceeding by contacting Sarah Wachman at (850)922-4830. Persons with hearing or speech impairments may contact the Department by using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

12-13.004 Delegation of Authority to Determine Settlements or Compromises.

(1) through (2) No change.

(3) Cases in Protest. In cases involving a tax matter in protest ~~in Technical Assistance and Dispute Resolution~~, authority to settle and compromise is delegated as follows:

(a) through (b) No change.

(c) For compromise of the following amounts of tax, ~~or interest, or of \$125,000 each or less and of penalty in any amount~~, to the Office Director of Technical Assistance and Dispute Resolution; and the ~~Program Director and Deputy Program Director within the General Tax Administration Program~~:-

THE FULL TEXT OF THE PROPOSED RULE IS:

<u>Positions</u>	<u>Tax</u>	<u>Interest</u>	<u>Penalty</u>
<u>Technical Assistance and Dispute Resolution</u>			
<u>Director</u>	<u>\$125,000</u>	<u>\$125,000</u>	<u>Any Amount</u>
<u>Deputy Director</u>	<u>\$125,000</u>	<u>\$125,000</u>	<u>Any Amount</u>
<u>Revenue Program Administrators I and II</u>	<u>\$ 62,500</u>	<u>\$ 62,500</u>	<u>\$250,000</u>
<u>Senior Attorneys</u>	<u>\$ 12,500</u>	<u>\$ 12,500</u>	<u>\$ 75,000</u>
<u>Attorneys</u>	<u>\$ 12,500</u>	<u>\$ 12,500</u>	<u>\$ 75,000</u>
<u>Tax Law Specialists</u>	<u>\$ 12,500</u>	<u>\$ 12,500</u>	<u>\$ 75,000</u>
<u>Senior Tax Specialists</u>	<u>\$ 12,500</u>	<u>\$ 12,500</u>	<u>\$ 75,000</u>
<u>General Tax Administration Program</u>			
<u>Program Director</u>	<u>\$125,000</u>	<u>\$125,000</u>	<u>Any Amount</u>
<u>Deputy Program Director</u>	<u>\$125,000</u>	<u>\$125,000</u>	<u>Any Amount</u>
<u>Regional Managers</u>	<u>\$ 62,500</u>	<u>\$ 62,500</u>	<u>\$250,000</u>
<u>Service Center Managers</u>	<u>\$ 1,250</u>	<u>\$ 1,250</u>	<u>\$ 75,000</u>
<u>Tax Audit Supervisors</u>	<u>-0-</u>	<u>-0-</u>	<u>\$ 37,500</u>
<u>Tax Specialists</u>	<u>-0-</u>	<u>-0-</u>	<u>\$ 3,750</u>
<u>Revenue Specialist</u>	<u>-0-</u>	<u>-0-</u>	<u>\$ 3,750</u>
<u>Taxpayer Services Process</u>			
<u>Process Manager</u>	<u>\$ 62,500</u>	<u>\$ 62,500</u>	<u>\$250,000</u>
<u>Revenue Program Administrators</u>	<u>\$ 2,500</u>	<u>\$ 2,500</u>	<u>\$ 75,000</u>
<u>Tax Specialist Administrators</u>	<u>\$ 2,500</u>	<u>\$ 2,500</u>	<u>\$ 75,000</u>
<u>Revenue Administrators</u>	<u>\$ 2,500</u>	<u>\$ 2,500</u>	<u>\$ 75,000</u>
<u>Revenue Managers</u>	<u>\$ 1,250</u>	<u>\$ 1,250</u>	<u>\$ 12,500</u>
<u>Compliance Support Process</u>			
<u>Process Manager</u>	<u>\$ 62,500</u>	<u>\$ 62,500</u>	<u>\$250,000</u>
<u>Revenue Program Administrators</u>	<u>\$ 12,500</u>	<u>\$ 12,500</u>	<u>\$ 75,000</u>
<u>Tax Law Specialists</u>	<u>\$ 12,500</u>	<u>\$ 12,500</u>	<u>\$ 75,000</u>
<u>Senior Tax Specialists</u>	<u>\$ 12,500</u>	<u>\$ 12,500</u>	<u>\$ 75,000</u>
<u>Government Analysts II</u>	<u>\$ 12,500</u>	<u>\$ 12,500</u>	<u>\$ 75,000</u>

~~(d) For compromise of amounts of tax or interest of \$62,500 each or less and penalty of \$250,000 or less, to the Revenue Program Administrators I and II Technical Assistance and Dispute Resolution, and the Process Managers of the Taxpayer Services, Compliance Enforcement, and Compliance Support Processes.~~

~~(e) For compromise of amounts of tax or interest of \$12,500 each or less and of penalty of \$125,000 or less, to all Regional Managers of the Compliance Enforcement.~~

~~(f) For compromise of amounts of tax or interest of \$12,500 each or less and of penalty of \$75,000 or less, to the Senior Attorneys, Attorneys, Tax Law Specialists, and Senior Tax Specialists of Technical Assistance and Dispute Resolution, and the Revenue Program Administrators, Tax Law Specialists, Senior Tax Specialists and Government Analysts IIs of the Compliance Support Process.~~

~~(g) For compromise of amounts of tax or interest of \$2,500 each or less and of penalty of \$75,000 or less, to the Revenue Program Administrators II and Revenue Administrators III of the Taxpayer Services Process.~~

~~(h) For compromise of amounts of tax or interest of \$1,250 each or less and of penalty of \$75,000 or less, to the Service Center Managers of the Compliance Enforcement Process.~~

~~(i) For compromise of amounts of tax or interest of \$1,250 each or less and of penalty of \$12,500 or less, to the Tax Specialists I and II, the Revenue Managers of the Taxpayer Services Process, and the Revenue Managers of the Compliance Enforcement Process.~~

~~(j) For compromise of amounts of tax or interest of \$625 each or less and penalty of \$3,750 or less, to the Revenue Specialists I, II, and III of the Taxpayer Services Process.~~

~~(k) For compromise of penalty of \$75,000 or less, to the Revenue Program Administrators I and II of the Compliance Enforcement Process.~~

~~(l) For compromise of penalty of \$37,500 or less, to the Process Group Managers or Tax Audit Supervisor positions in the Compliance Enforcement Process.~~

~~(m) For compromise of penalty of \$12,500 or less, to the Tax Specialist Administrators of the Compliance Support Process.~~

~~(n) For compromise of penalty of \$12,500 or less, to the Tax Specialist II of the Program Director's Office within the General Tax Administration Program.~~

~~(o) For compromise of penalty of \$3,750 or less, to the Revenue Specialists I, II, and III of the Compliance Enforcement Process.~~

(4) Collection Cases. In cases involving a tax matter related to billings or assessments ~~that which~~ have been issued ~~by or referred for collection to the Taxpayer Services Process,~~ authority to settle and compromise is delegated as follows:

(a) through (b) No change.

(c) For compromise of the following amounts of tax, ~~or~~ interest, ~~or~~ of \$125,000 each or less and penalty ~~in any amount,~~ to the Program Director and Deputy Program Director of the General Tax Administration Program:-

<u>Positions</u>	<u>Tax</u>	<u>Interest</u>	<u>Penalty</u>
<u>General Tax Administration Program</u>			
Program Director	\$125,000	\$125,000	Any Amount
Deputy Program Director	\$125,000	\$125,000	Any Amount
Regional Managers	\$ 62,500	\$ 62,500	\$250,000
Service Center Managers	\$ 1,250	\$ 1,250	\$ 75,000
Revenue Administrators	\$ 1,250	\$ 1,250	\$ 12,500
Tax Specialists	\$ 1,250	\$ 1,250	\$ 12,500
Tax Audit Supervisors	-0-	-0-	\$ 37,500
Revenue Specialists	-0-	-0-	\$ 3,750
<u>Taxpayer Services Process</u>			
Process Manager	\$ 62,500	\$ 62,500	\$250,000
Revenue Program Administrators	\$ 2,500	\$ 2,500	\$ 75,000
Revenue Administrators	\$ 2,500	\$ 2,500	\$ 75,000
Tax Specialist Administrators	\$ 2,500	\$ 2,500	\$ 75,000
Revenue Managers	\$ 1,250	\$ 1,250	\$ 12,500
Tax Specialists	-0-	-0-	\$ 12,500
Revenue Specialists	-0-	-0-	\$ 3,750
<u>Compliance Support Process</u>			
Process Manager	\$ 62,500	\$ 62,500	\$250,000
Revenue Program Administrators	\$ 12,500	\$ 12,500	\$ 75,000

<u>Returns and Revenue Process</u>			
<u>Process Manager</u>	<u>\$ 62,500</u>	<u>\$ 62,500</u>	<u>\$250,000</u>
<u>Tax Specialist Administrators</u>	<u>\$ 2,500</u>	<u>\$ 2,500</u>	<u>\$ 75,000</u>
<u>Revenue Manager</u>	<u>\$ 1,250</u>	<u>\$ 1,250</u>	<u>\$ 12,500</u>
<u>Revenue Specialists</u>	<u>-0-</u>	<u>-0-</u>	<u>\$ 3,750</u>

~~(d) For compromise of amounts of tax or interest of \$62,500 each or less and penalty of \$250,000 or less, to the Process Managers of the Taxpayer Services, Compliance Enforcement, and Compliance Support Processes.~~

~~(e) For compromise of amounts of tax or interest of \$12,500 each or less and penalty of \$125,000 or less, to the Regional Managers of the Compliance Enforcement Process.~~

~~(f) For compromise of amounts of tax or interest of \$12,500 each or less and penalty of \$75,000 or less, to the Revenue Program Administrators I and II of the Compliance Support Process.~~

~~(g) For compromise of amounts of tax or interest of \$2,500 each or less and penalty of \$75,000 or less, to the Revenue Program Administrators II, Revenue Administrators III, and Tax Specialist Administrators of the Taxpayer Services Process.~~

~~(h) For compromise of amounts of tax or interest of \$1,250 each or less and penalty of \$75,000 or less, to the Service Center Managers of the Compliance Enforcement Process.~~

~~(i) For compromise of amounts of tax or interest of \$1,250 each or less and penalty of \$12,500 or less, to the Revenue Managers and Tax Specialists I and II of the Taxpayer Services Process and Revenue Managers of the Compliance Enforcement Process.~~

~~(j) For compromise of amounts of tax or interest of \$625 each or less and penalty of \$3,750 or less, to the Revenue Specialists I, II, and III of the Taxpayer Services Process.~~

~~(k) For compromise of penalty in amounts of \$75,000 or less, to all Revenue Program Administrators I and II of the Compliance Enforcement Process.~~

~~(l) For compromise of penalty in amounts of \$37,500 or less, to all the Process Group Managers of the Compliance Enforcement Process.~~

~~(m) For compromise of penalty in amounts of \$12,500 or less, to all Tax Specialist Administrators, Tax Audit Support Services Supervisors, Senior Tax Specialists (Case Processing and Contract Audits) of the Compliance Support Process.~~

~~(n) For compromise of penalty of \$12,500 or less, to the Tax Specialist II of the Program Director's Office within the General Tax Administration Program.~~

~~(o) For compromise of penalty in amounts of \$3,750 or less, to all Revenue Specialists I, II, and III of the Compliance Enforcement Process.~~

~~(p) Once an audit assessment has become final, the authority to compromise delegated pursuant to paragraphs (c) through (o) shall be limited to compromises based on doubt as to collectibility or reasonable cause based upon doubt as to collectibility.~~

~~(5) Audit Cases. In cases involving an audit of the taxpayer, or an audit conducted pursuant to a refund request, prior to initiation of litigation pursuant to Section 72.011, F.S., or expiration of the period for initiating same, or upon initial receipt of a protest involving penalty issues only, authority to settle and compromise is delegated as follows:~~

~~(a) through (b) No change.~~

~~(c) For compromise of the following amounts of tax, or interest, or of \$62,500 each or less and penalty of \$250,000 or less, to the General Tax Administration Program Process Managers of the Taxpayer Services, Compliance Enforcement, and Compliance Support Processes:-~~

<u>Positions</u>	<u>Tax</u>	<u>Interest</u>	<u>Penalty</u>
<u>General Tax Administration Program</u>			
<u>Program Director</u>	<u>\$125,000</u>	<u>\$125,000</u>	<u>Any Amount</u>
<u>Deputy Program Director</u>	<u>\$125,000</u>	<u>\$125,000</u>	<u>Any Amount</u>
<u>Regional Managers</u>	<u>\$ 62,500</u>	<u>\$ 62,500</u>	<u>\$250,000</u>
<u>Service Center Managers</u>	<u>\$ 1,250</u>	<u>\$ 1,250</u>	<u>\$ 75,000</u>
<u>Revenue Administrators</u>	<u>\$ 1,250</u>	<u>\$ 1,250</u>	<u>\$ 12,500</u>
<u>Tax Audit Supervisors</u>	<u>-0-</u>	<u>-0-</u>	<u>\$ 37,500</u>
<u>Tax Specialists</u>	<u>-0-</u>	<u>-0-</u>	<u>\$ 3,750</u>
<u>Revenue Specialist</u>	<u>-0-</u>	<u>-0-</u>	<u>\$ 3,750</u>
<u>Taxpayer Services Process</u>			
<u>Process Manager</u>	<u>\$ 62,500</u>	<u>\$ 62,500</u>	<u>\$250,000</u>

<u>Compliance Support Process</u>			
<u>Process Manager</u>	\$ 62,500	\$ 62,500	\$250,000
<u>Revenue Program Administrators</u>	\$ 12,500	\$ 12,500	\$ 75,000
<u>Tax Law Specialists</u>	\$ 1,250	\$ 1,250	\$ 37,500
<u>Senior Tax Specialists</u>	\$ 1,250	\$ 1,250	\$ 37,500
<u>Government Analysts II</u>	\$ 1,250	\$ 1,250	\$ 37,500

(d) For compromise of amounts of tax or interest of \$12,500 each or less and penalty of \$125,000 or less, to the Regional Managers of the Compliance Enforcement Process.

(e) For compromise of amounts of tax or interest of \$12,500 each or less and penalty of \$75,000 or less, to the Revenue Program Administrators I and II of the Compliance Support Process.

(f) For compromise of amounts of tax or interest of \$1,250 each or less and penalty of \$75,000 or less, to the Service Center Managers of the Compliance Enforcement Process.

(g) For compromise of amounts of tax or interest of \$1,250 each or less and penalty of \$12,500 or less, to the Revenue Managers of the Compliance Enforcement Process.

(h) For compromise of amounts of penalty of \$75,000 or less, to all Revenue Program Administrators I and II of the Compliance Enforcement Process.

(i) For compromise of penalty in amounts of \$37,500 or less, to all Process Group Managers or Tax Audit Supervisor positions in the Compliance Enforcement Process.

(j) For compromise of amounts of tax or interest of \$1,250 each or less, and penalty in amounts of \$37,500 or less, to all Tax Specialist Administrators, Tax Law Specialists, Senior Tax Specialists, and Government Analysts II of the Compliance Support Process and Tax Specialists II within the General Tax Administration Program.

(k) For compromise of amounts of penalty of \$3,750 or less, to all Revenue Specialists I, II, and III of the Compliance Enforcement Process.

(6) Refund Cases. In cases involving refund requests that have not been referred for audit, prior to initiation of litigation pursuant to Section 72.011, F.S., or prior to expiration of the period for initiating same, authority to settle and compromise is delegated as follows to the Office of General Counsel and to the General Tax Administration Program:

<u>Positions</u>	<u>Tax</u>	<u>Interest</u>	<u>Penalty</u>
<u>Office of General Counsel</u>			
<u>General Counsel</u>	\$250,000	Any Amount	Any Amount
<u>Deputy General Counsel</u>	\$250,000	Any Amount	Any Amount
<u>General Tax Administration Program</u>			
<u>Program Director</u>	-0-	-0-	Any Amount
<u>Deputy Program Director</u>	-0-	-0-	Any Amount
<u>Refunds and Revenue Distribution Process</u>			
<u>Process Manager</u>	-0-	-0-	\$100,000
<u>Senior Tax Audit Administrator</u>	-0-	-0-	\$ 30,000
<u>Tax Audit Supervisors</u>	-0-	-0-	\$ 15,000

(a) For compromise of amounts of penalty of \$100,000 or less, to the Process Manager of the Refunds and Revenue Distribution Process.

(b) For compromise of amounts of penalty of \$30,000 or less, to the Senior Tax Audit Administrator in the Refunds and Revenue Distribution Process.

(c) For compromise of amounts of penalty of \$15,000 or less, to the Tax Audit Supervisors in the Refunds and Revenue Distribution Process.

(7) In all other circumstances not previously described in this rule, authority to settle and compromise tax in amounts of \$250,000 or less and interest and penalty in any amount is delegated to the Deputy Executive Directors, the General Counsel, and the Deputy General Counsel.

(8)(a) ~~When the~~ The Executive Director ~~delegates~~ ~~also shall have discretionary authority to delegate~~ authority to settle and compromise to specific employees or positions ~~that are not~~

provided in this rule, the delegation will be in writing, signed by the Executive Director, and will be on a temporary basis pursuant to the following circumstances:

1. The issue assigned to the employee exceeds the monetary amount the employee is currently authorized to settle or compromise pursuant to this rule ~~chapter~~; or

2. The employee has assumed the duties of another employee who has authority, or a higher authority, to settle or compromise tax, interest, and penalty, and refund requests.

(b) A temporary delegation of authority to any employee or position will beyond that described herein shall be in writing, signed by the Executive Director, and shall be for a specified time period of no more than 2 years.

(c) Such delegations cannot grant authority to compromise tax in excess of \$250,000.

(d) Copies of ~~any such~~ written delegations of authority are shall be maintained on file with the agency clerk in the Office of General Counsel.

Rulemaking Specific Authority 213.06(1), 213.21(5) FS. Law Implemented 213.05, 213.21 FS. History—New 5-23-89, Amended 8-10-92, 10-24-96, 10-2-01, 10-4-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janet Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 11, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: A Notice of Proposed Rule Development Workshop was published in the Florida Administrative Weekly on September 25, 2009 (Vol. 35, No. 38, pp. 4635-4636). A rule development workshop was conducted on October 13, 2009. No comments were received by the Department.

DEPARTMENT OF REVENUE

RULE NO.: 12-16.004
 RULE TITLE: Delegation of Authority

PURPOSE AND EFFECT: Section 213.23, F.S., authorizes the Executive Director of the Department to designate those positions within the Department that may enter into consent agreements with a taxpayer to extend the period during which an assessment may be issued or a claim for refund may be filed. The purpose of the proposed amendments to Rule 12-16.004, F.A.C., is to update the positions within the Department authorized to enter into consent agreements.

SUMMARY: The proposed amendments to Rule 12-16.004, F.A.C. (Delegation of Authority): (1) update the positions authorized by the Executive Director of the Department to enter into consent agreements with taxpayers to reflect the

current organizational structure of the General Tax Administration Program and Technical Assistance and Dispute Resolution; and (2) simplify the language used in the rule.

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: 213.06(1) FS.

LAW IMPLEMENTED: 213.23 FS.

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

DATE AND TIME: June 24, 2010, 9:00 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

THE FULL TEXT OF THE PROPOSED RULE IS:

12-16.004 Delegation of Authority.

(1) In addition to the statutory authority granted by Section 213.23, F.S., the Executive Director of the Department has authority to enter into consent agreements or extensions of consent agreements with taxpayers under authority granted by the Governor and Cabinet acting as the head of the Department. Cross Reference: Rule 12-3.007, F.A.C.

(2) The Executive Director of the Department hereby delegates authority to enter into consent agreements and extensions of consent agreements with taxpayers under Section 213.23, F.S., to the following designated positions in the Department:

(a) The Deputy Executive Director, the General Counsel, the Deputy General Counsel, and the ~~an~~ Assistant General Counsels.

(b) Within ~~the Office of~~ Technical Assistance and Dispute Resolution:

1. The Director and Deputy Director of Technical Assistance and Dispute Resolution; and

2. All Revenue Program Administrators, Senior Attorneys, Attorneys, Tax Law Specialists, and Senior Tax Specialists in the Office of Technical Assistance and Dispute Resolution;

(c) Within the General Tax Administration (GTA) Program:

~~1. The GTA Program Director and the Deputy Program Director in the Office of the Program Director.~~

~~1.2. Director's Office – The Program Director, Deputy Program Director, Process Manager of the Compliance Enforcement Process, and all Revenue Program Administrators, Regional Managers, Service Center Managers, Senior Revenue Consultants, Revenue Administrators II, Tax Audit Supervisors, Revenue Administrators, Senior Tax Specialists, Tax Law Specialists, Tax Audit Supervisors, Tax Auditors, Tax Specialists, and Revenue Specialists II and III.~~

~~2.3. Compliance Support Process – The Process Manager, and all Revenue Program Administrators, Tax Specialist Administrators, Tax Law Specialists, Government Analysts II, and Senior Tax Specialists, and Government Analysts II in the Compliance Support Process.~~

~~3.4. Taxpayer Services Process – The Process Manager, of the Taxpayer Services Process and all Revenue Program Administrators, Revenue Administrators, Revenue Managers and Tax Specialist Administrators, Revenue Managers, and Revenue Specialists in the Taxpayer Services Process.~~

~~4.5. Refunds and Distribution Process – The Process Manager of the Refunds and Distribution Process and all Revenue Program Administrators, and all Senior Tax Audit Administrators, Senior Tax Specialists, Tax Audit Supervisors, and Tax Auditors in the Refunds and Distribution Process.~~

~~5.6. When the Executive Director delegates has discretionary authority to delegate authority to enter into consent agreements to specific employees or positions that which are not provided enumerated in this rule, the these rules. However, a delegation of authority will to an employee or position beyond those described herein shall be in writing, signed by the Executive Director, and will shall be for a specified time period. The renewal of such Such delegations will also may be renewed in writing, signed by the Executive Director. Copies of any such written delegations of authority are shall be maintained on file with the agency clerk in the Office of General Counsel.~~

Rulemaking Specific Authority 213.06(1) FS. Law Implemented 213.23 FS. History—New 12-28-88, Amended 3-16-93, 12-2-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 11, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: A Notice of Proposed Rule Development Workshop was published in the Florida Administrative Weekly on September 25, 2009 (Vol. 35, No. 38, p. 4636). A rule development workshop was conducted on October 13, 2009. No comments were received by the Department.

DEPARTMENT OF REVENUE

RULE NO.: 12-17.004
RULE TITLE: Delegation of Authority

PURPOSE AND EFFECT: Section 213.21(4), F.S., authorizes the Department to enter into agreements for scheduling payments of taxes, interest, and penalties. The Executive Director of the Department has designated positions within the Department that are delegated the authority to enter into such agreements in Rule 12-17.004, F.A.C. (Delegation of Authority). The purpose of the proposed amendments to Rule 12-17.004, F.A.C., is to update the rule to reflect the positions within the Department authorized to enter into agreements for scheduling payments of liabilities.

SUMMARY: The proposed amendments to Rule 12-17.004, F.A.C. (Delegation of Authority): (1) update the positions authorized by the Executive Director of the Department to enter into agreements for scheduling payments of liabilities to reflect the current organizational structure of the General Tax Administration Program and Technical Assistance and Dispute Resolution; and (2) simplify the language used in the rule.

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: 20.05(1)(e), 213.06(1), 213.21(5) FS.

LAW IMPLEMENTED: 213.21(4) FS.

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

DATE AND TIME: June 24, 2010, 9:00 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

THE FULL TEXT OF THE PROPOSED RULE IS:

12-17.004 Delegation of Authority.

(1) In addition to the statutory authority granted by Section 213.21(4), F.S., the Executive Director of the Department has authority to enter into agreements with taxpayers for scheduling payments of taxes, interest, ~~and penalties, and fees~~ under authority granted by the Governor and Cabinet as the head of the Department.

~~Cross Reference: Rule 12-3.007, F.A.C.~~

(2) The Executive Director of the Department hereby delegates authority to enter into stipulated time payment agreements with taxpayers under Section 213.21(4), F.S., to the Deputy Executive Director, the General Counsel, and the Deputy General Counsel, the Program Director, ~~and~~ the Deputy Program Director, the Regional Managers, and the Service Center Managers of the General Tax Administration Program of the Department, and:

(a) In cases where a tax matter is in litigation or in protest pursuant to Rule Chapter 12-6, F.A.C., to:

1. The Assistant General Counsels ~~of the Department~~;

2. The Director, the Deputy Director, and Revenue Program Administrators in Technical Assistance and Dispute Resolution;

3. The Process Manager, ~~Regional Managers, Service Center Managers~~, and Revenue Program Administrators in the ~~Compliance Enforcement, Compliance Support Process and Taxpayer Services Processes~~, and any additional positions designated in writing by the Executive Director or his or her designee.

4. The Process Manager, Revenue Program Administrators, and Revenue Administrators in the Taxpayer Services Process.

(b) In cases involving amounts assessed pursuant to an audit of the taxpayer, prior to initiation of litigation pursuant to Section 72.011, F.S., or expiration of the period for initiating same, to:

1. The ~~Process Manager, Regional Managers, Service Center Managers, Revenue Program Administrators~~, Tax Audit Supervisors, Revenue Administrators, and Senior Revenue Administrators, ~~Revenue Administrators in the Director's Office of the General Tax Administration Program, and Revenue Managers of the Compliance Enforcement Process, and any additional positions designated in writing by the Executive Director or his or her designee; and~~

2. The Process Manager, Revenue Program Administrators, ~~Tax Specialist Administrators~~, Tax Law Specialists, Government Senior Management Analysts II, and Senior Tax Specialists in the Compliance Support Process ~~and any additional positions designated in writing by the Executive Director or his or her designee.~~

(c) In cases involving a billing or assessment issued by the General Tax Administration Program, to:

1. The ~~Process Manager, Regional Managers, Service Center Managers~~, Revenue Program Administrators, Tax Audit Supervisors, Senior Revenue Administrators, and Revenue Administrators in the Director's Office and Revenue Managers in the Compliance Enforcement Process, and any additional positions designated in writing by the Executive Director or his or her designee; and

2. The Process Manager, Revenue Program Administrators, Tax Specialist Administrator, Revenue Administrators, Revenue Managers, and Revenue Specialists Specialist IIIs, and Tax Specialist Administrators in the Taxpayer Services Process, ~~or any additional positions designated in writing by the Executive Director or his or her designee;~~

(d) When the ~~The~~ Executive Director delegates ~~has discretionary authority to delegate~~ authority to sign stipulated time payment agreements to specific employees or positions that which are not provided enumerated in this rule, the these rules. ~~However, a delegation of authority will to an employee or position beyond those described herein shall be in writing, signed by the Executive Director, and will and shall be for a specified time period. The renewal of such~~ Such delegations will also may be renewed in writing, signed by the Executive Director. Copies of any such written delegations of authority are shall be maintained on file with the agency clerk in the Office of General Counsel.

Rulemaking Specific Authority 20.05(1)(e), 213.06(1), 213.21(5) FS. Law Implemented 213.21(4) FS. History—New 10-4-89, Amended 10-5-92, 8-17-94, 4-29-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 11, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: A Notice of Proposed Rule Development Workshop was published in the Florida Administrative Weekly on September 25, 2009 (Vol. 35, No. 38, pp. 4636-4637). A rule development workshop was conducted on October 13, 2009. No comments were received by the Department.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:
 12A-19.021 Communications Services Tax
 Brackets

PURPOSE AND EFFECT: The purpose of the creation of Rule 12A-19.021, F.A.C. (Communications Services Tax Brackets), is to: (1) make available the tax amounts and brackets applicable to each taxable sale of communications services, as provided in Section 202.16(3), F.S.; and (2) provide that when the amount of tax due results in a fraction of a cent, the tax due must be rounded up to the next whole cent.

SUMMARY: The proposed creation of Rule 12A-19.021, F.A.C. (Communications Services Tax Brackets), provides that: (1) a Communications Services Tax Due Calculator is available on the Department’s website to make available the tax amounts and brackets applicable to each taxable sales of communications services; and (2) when the amount of tax due results in a fraction of a cent, the tax due must be rounded up to the next whole cent.

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: 202.26(3)(a) FS.

LAW IMPLEMENTED: 202.16(3) FS.

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

DATE AND TIME: June 24, 2010, 9:00 a.m.

PLACE: Room 118, Carlton Building, 501 South Calhoun Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: French Brown, Deputy Director, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4746

THE FULL TEXT OF THE PROPOSED RULE IS:

12A-19.021 Communications Services Tax Brackets.

The Department has prepared, for public use, a Communications Services Tax Due Calculator that makes available the tax amounts and brackets applicable to each taxable sale such that the tax collected results in a tax rate no less than the rate imposed under Chapters 202 and 203, F.S. (the Florida communications services tax and the local communications services tax). When the amount of tax due results in a fraction of a cent, the tax due must be rounded up to the next whole cent. The Communications Services Tax Due Calculator may be found on the Department’s Internet site at www.myflorida.com/dor/taxes/cst.html. For additional assistance, contact Taxpayer Services at (800)352-3671. Persons with hearing or speech impairments may call the Department’s TDD at (800)367-8331 or (850)922-1115.

Rulemaking Authority 202.26(3)(a) FS. Law Implemented 202.16(3) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: French Brown, Deputy Director, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4746

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 11, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: A Notice of Proposed Rule Development Workshop was published in the Florida Administrative Weekly on December 24, 2008 (Vol. 34, No. 52, pp. 6753-6754), regarding the proposed creation of Rule 12A-19.021, F.A.C. (Communications Services Tax Brackets). This notice advised the public that, if requested, a rule development workshop would be conducted on January 15, 2009. No request was received by the Department. No comments have been received by the Department.

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

RULE NO.: RULE TITLE:
 25-6.0424 Petition for Mid-Course Correction
PURPOSE AND EFFECT: Rule 25-6.0424, F.A.C., Petition for Mid-Course Correction, is adopted in order to comply with the specific language of Section 366.06(1), F.S., which requires that all applications for changes in rates shall be made to the Commission in writing under prescribed rules and regulations. Docket No. 100084-EI.

SUMMARY: Rule 25-6.0424, F.A.C., is adopted to codify the procedure for filing a petition for mid-course correction related to the fuel and purchased power cost recovery clauses.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small businesses. A SERC has 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: 350.127(2), 366.06(1) FS.

LAW IMPLEMENTED: 366.041, 366.05(1), 366.06(1), 366.076 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: Kathryn G. W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.0424 Petition for Mid-Course Correction.

(1) To request a mid-course correction to the fuel cost recovery or capacity cost recovery factors, a utility shall file a petition for mid-course correction which shall contain the following information:

(a) The estimated percentage of year-end over-recovery or under-recovery calculated using the estimated End-of-Period Total Net True-up divided by the current period's total actual and estimated Jurisdictional Fuel Revenue Applicable to Period. The estimated End-of-Period Total Net True-up consists of the difference between estimated and actual prior-period net true-ups, plus the estimated current-period monthly over/under-recoveries, plus the estimated current-period interest. The total actual and estimated Jurisdictional Fuel Revenue Applicable to Period consists of the best estimate of reprojected revenues for the period using the current cost recovery factor. The appropriate method to determine the over-recovery or under-recovery percentage for capacity costs is to make a similar percent calculation using up-to-date capacity cost recovery revenue and true-up amounts.

(b) The appropriate schedules from Form PSC/ECR 009-E (xx/xx) reflecting the estimated End-of-Period Total Net True-up based upon current cost recovery factors and revised fuel expenses. For a fuel mid-course correction, schedules E1 through E10 shall be filed. For a capacity mid-course correction, schedules E12-A through E12-E shall be filed. Form PSC/ECR 009-E (xx/xx), incorporated by reference in

this rule and entitled "Mid-Course Correction Schedules." may be obtained from the Commission's Division of Economic Regulation.

(2) In the event that the absolute value of the over-recovery or under-recovery either for fuel cost recovery or capacity cost recovery is 10 percent or greater, the utility shall promptly notify the Commission by letter delivered to the Director of the Division of Economic Regulation. The notification of a 10 percent or greater estimated over-recovery or under-recovery shall include a petition for mid-course correction to the fuel cost recovery or capacity cost recovery factors, or shall include an explanation of why a mid-course correction is not practical. This section in no way precludes a utility from requesting a mid-course correction prior to reaching the 10 percent threshold requiring Commission notification.

(3) When filing a petition for mid-course correction to the fuel cost recovery or capacity cost recovery factors, a utility shall file 10 copies of the petition with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, and an electronic copy with the Director of the Division of Economic Regulation at ECR@psc.state.fl.us. The Director of the Division of Economic Regulation shall be the designee of the Commission for purposes of determining whether the utility has met the minimum filing requirements imposed by this rule.

Rulemaking Authority 350.127(2), 366.06(1) FS. Law Implemented 366.041, 366.05(1), 366.06(1), 366.076. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Kathryn G. W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 35, No. 50, December 18, 2009

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-204.003
RULE TITLE: Food Services – Standards of Operation

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the conditions under which an inmate may be removed from the vegan meal pattern.

SUMMARY: The proposed rule clarifies the conditions under which an inmate may be removed from the vegan meal pattern.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule 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: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-204.003 Food Services – Standards of Operation.

(1) through (3) No change.

(4) Vegan meal pattern. Inmates may choose the vegan (strict vegetarian) meal pattern by submitting Form DC6-236, Inmate Request, to the food service director at the facility where the inmate is housed. An inmate who is transferred to another facility shall be allowed to continue the vegan meal pattern at the new facility by showing the inmate request that was approved by the previous food service director until his request is approved by the new food service director. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

(a) ~~The following inmates Inmates on the vegan meal pattern who are observed eating from the regular menu shall be removed immediately removed from the vegan meal pattern:~~

1. Inmates observed eating from the regular menu;
2. Inmates observed eating the alternate entrée; and
3. Inmates who intentionally purchase, possess, or consume items from the canteen that contain any animal products or byproducts.

(b) Staff shall document the incident on Form DC6-210, Incident Report. Such inmates shall be ineligible to reapply for the vegan meal pattern for six months after involuntary removal.

~~(c)~~(b) An inmate who voluntarily requests to be removed from the vegan meal pattern may not reapply for the pattern for 30 days.

(5) through (6) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 1-18-89, Amended 7-21-97, Formerly 33-30.003, Amended 8-9-00, 11-16-00, 10-2-01, 2-18-02, 7-2-03, 11-1-04, 2-27-05, 10-16-05, 1-17-06, 4-27-09, 3-3-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
George Sapp, Deputy Secretary of Institutions
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Walter McNeil, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 19, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2010

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-1.004
RULE TITLE: Certification Procedure

PURPOSE AND EFFECT: The agency is proposing to amend the rule that incorporates the licensure application to reference application forms being created under Section 408.806, F.S., and proposed Chapter 59A-35, F.A.C.

SUMMARY: Revisions to the licensure applications that are incorporated by reference will be addressed. The Agency is adopting a licensure rule under Section 408.806, F.S., and this rule will be amended to align the requirements with those proposed in Chapter 59A-35, F.A.C.

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: 765.541(2), 408.819 FS.

LAW IMPLEMENTED: 765.541, 765.542, 765.544, 873.01, 408.806 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: July 14, 2010, 10:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dennis Hitchens, Laboratory Unit, 2727 Mahan Drive, Building 1, M.S. #32, Tallahassee FL 32308, (850)412-4377. If you are 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: Dennis Hitchens, Laboratory Unit, 2727 Mahan Drive, Building 1, M.S. #32, Tallahassee FL 32308, (850)412-4377

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-1.004 Certification Procedure.

(1) No person shall establish, operate, or maintain an OPO, tissue bank, or eye bank in this state without first being certified to operate by the AHCA. In addition, no OPO shall establish, operate or maintain an OPO without being designated as an OPO by the Secretary of the U.S. Department of Health and Human Services (HHS).

(2) Every OPO, tissue bank and eye bank engaged in procurement activities in Florida must not violate the provisions of Chapter 873, F.S., Sale of Anatomical Matter.

(3) A dentist or physician using tissue processed by a tissue bank, but who is not involved in the retrieval, processing and distribution of tissue, is not required to be certified pursuant to these rules. Funeral directors or direct disposers that retrieve eye tissue for an eye bank are exempt from the certification requirements under this subsection. A physician or OPO conducting the following activities in this state is exempt from state certification if:

(a) The organs are procured for an out-of-state patient who is listed on, or referred through, the United Network for Organ Sharing System; and

(b) The organs are procured through an agreement of an organ procurement organization certified by Florida.

(4) Application procedures. All persons contemplating procurement activities associated with an OPO, tissue bank, or eye bank shall submit to the AHCA a completed application, ~~as specified in subsection 59A-35.060(1)(cc), F.A.C. AHCA Form 3140 2001 OCT 95, which is incorporated herein by reference and available from the Agency for Health Care Administration, Division of Health Quality Assurance, Ft. Knox Office Building, 2727 Mahan Drive, Tallahassee, Florida 32308.~~ Application for certification shall be accompanied with a check or money order in the amount of \$1,000 for an OPO or tissue bank and \$500 for an eye bank. Such initial application fee is non-refundable and shall be made payable to the AHCA.

(5) Out-of-state OPOs, tissue banks and eye banks. No out-of-state OPO, tissue bank or eye bank may conduct procurement activities in Florida as defined in Chapter 381, F.S., without first obtaining certification. Existing out-of-state OPOs, tissue banks and eye banks conducting procurement activities in Florida shall submit an application for certification by October 1, 1996. Until October 1, 1996, out-of-state agencies currently engaged in procurement activities in Florida requesting certification shall be deemed to meet certification requirements until the AHCA acts to deny or grant the initial certification application. After October 1, 1996, upon receipt of an initial application from an out-of-state agency, the AHCA shall act to approve or deny the application request within 90 days, during which time deemed certification status does not exist.

(6) Site inspection. Upon receipt of a completed application, the AHCA shall conduct a site inspection or review the inspection report from an approved accreditation organization as specified in subsection 59A-1.009(2), F.A.C., to determine agency compliance with the standards.

(7) Certificate issuance. Agencies found in compliance with the standards shall be issued a certificate by the AHCA. Each certificate shall specifically state the certificate number, name of the agency, agency owner, city, county, state, type of agency, issue date of the certificate and expiration date of the certificate. A person having more than one agency, shall be issued a separate certificate for each agency. A certificate shall be posted in a conspicuous place on the certified premises, and copies of certificates shall be made available for inspection to all individuals.

(8) Mandatory certification exclusions. The AHCA shall not certify an individual or entity that has been convicted of a criminal offense related to the delivery of an item or service under Medicare or a state health care program, including the performance of management or administrative services relating to the delivery of items or services under any such program.

(9) Permissive certification exclusions.

(a) Circumstance for exclusion. The AHCA shall exclude an individual or entity convicted under federal or state law of a criminal offense relating to fraud, theft, embezzlement, breach of fiduciary responsibility, or other financial misconduct.

1. In connection with the delivery of any health care item or service, including the performance of management or administrative services relating to the delivery of such items or services; or

2. With respect to any act or omission in a program operated by, or financed in whole or in part by, any federal state or local government agency.

(10) Conviction relating to controlled substances.

(a) Circumstance for exclusion. The AHCA shall not issue a certificate to an individual or entity convicted under federal or state law of a criminal offense relating to the unlawful manufacture, distribution, prescription or dispensing of a controlled substance, as defined under federal or state law.

(b) For purposes of this section, the definition of controlled substance will be the definition that applies to the law forming the basis for the conviction.

(11) Certification revocation or suspension.

(a) The AHCA shall exclude an individual or entity that has:

1. Had a license or certificate to provide health care revoked or suspended by any state licensing or certification authority, or has otherwise lost such a license or certificate (including the right to apply for or renew such a license or certificate), for reasons bearing on the individual's or entity's professional competence, professional performance or financial integrity; or

2. Has surrendered such a license or certificate while a formal disciplinary proceeding concerning the individual's or entity's professional competence, professional performance or financial integrity was pending before a state licensing or certifying authority.

(12) Exclusion of entities owned or controlled by sanctioned person.

(a) A person with a relationship with such entity has been convicted of a criminal offense as described in Sections 1128(a) and 1128(b)(1), (2) or (3) of Title XIX of the Social Security Act;

(b) Has had civil money penalties or assessments imposed under Section 1128A of Title XIX of the Social Security Act;

(c) Has been excluded from participation in Medicare or any of the state health care programs and such person or entity has:

1. A direct or indirect ownership interest (or any combination thereof) of 5 percent or more in the entity;

2. Is the owner of a whole or part interest in any mortgage, deed of trust, note or other obligation secured (in whole or in part) by the entity or any of the property or assets thereof, in which whole or part interest is equal to or exceeds 5 percent of the total property and assets of the entity;

3. Is an officer or director of the entity, if the entity is organized as a corporation;

4. Is a partner in the entity, if the entity is organized as a partnership;

5. Is an agent of the entity; or

6. Is a managing employee, i.e., an individual (including a general manager, business manager, administrator or director) who exercises operational or managerial control over the entity or part thereof, or directly or indirectly conducts the day-to-day operations of the entity or part thereof.

(d) For the purposes of this section, the term:

1. Indirect ownership interest includes an ownership interest through any other entities that ultimately have an ownership interest in the entity in issue. (For example, an individual has a 10 percent ownership interest in the entity at issue if he or she has a 20 percent ownership interest in a corporation that wholly owns a subsidiary that is a 50 percent owner of the entity in issue.)

2. Ownership interest means an interest in:

a. The capital, the stock or the profits of the entity; or

b. Any mortgage, deed, trust or note, or other obligation secured in whole or in part by the property or assets of the entity.

(13) A limited certificate may be issued to a tissue bank or eye bank certifying only those components of procurement which the bank has chosen to perform. A limited certificate shall be requested at the time that application is made as

specified in paragraph 59A-35.060(1)(cc), F.A.C. on AHCA Form 3140-2001-OCT-95, which is incorporated herein by reference.

(14) Expiration. A certificate, unless sooner suspended or revoked, shall automatically expire two years from date of issuance, and shall be renewable biennially upon application for renewal and payment of the assessment fee prescribed by these rules, provided that the applicant and agency meet the requirements established under this rule as determined by an on-site inspection in accordance with subsection 59A-1.004(6), F.A.C. Application for renewal of a certificate shall be made not less than 60 days prior to the expiration of a certificate as specified in paragraph 59A-35.060(1)(cc), F.A.C. on AHCA Form 3140-2001-OCT-95.

(15) Revocation of certification. An OPO, tissue bank or eye bank that submits or causes to be submitted an enrollment application that contains materially false or incorrect information shall have its certificate revoked.

(16) Each agency for which a certificate is requested shall be designated by a distinctive name, and the name shall not be changed without first notifying the AHCA in writing and receiving approval in writing. Duplication of existing agency names is prohibited.

(17) Each certificate shall be valid only for the person to whom it is issued and shall not be subject to sale, assignment, or other transfer, voluntary or involuntary, nor shall a certificate be valid for any premises other than that for which it was originally issued.

(18) A certified OPO, tissue bank or eye bank that proposes a change in procurement services (i.e., retrieval, processing, storage or distribution) shall notify the AHCA 30 days prior to that change in service. This notification shall include an explanation in the change of any aspect of the procurement process and how this change affects the agency's operations. Prior to the addition of services, the AHCA shall conduct an on-site visit to determine if the standards of this rule are met.

(19) An application for a certificate is required when the ownership of a certified agency has been transferred or assigned or when a lessee agrees to undertake or provide services to the extent that legal liability for operation of the agency rests with the lessee. The application for a certificate reflecting such change shall be made at least 60 days prior to the date of the sale, transfer, assignment, or lease.

(20) Each certificate shall be returned to the AHCA by the agency immediately upon change in ownership or classification, suspension, revocation or voluntary cessation of operations.

(21) A certificate holder shall notify the AHCA of impending closure of an agency 90 days prior to such closure. The agency shall be responsible for advising the AHCA as to the placement of inventory and disposition of records.

Rulemaking Authority 765.541(2), 408.819 FS. Law Implemented 765.541, 765.542, 765.544, 873.01, 408.806 FS. History—New 11-26-92, Amended 8-20-96, 6-19-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dennis Hitchens

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Thomas W. Arnold

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 17, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 19, 2010

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.160
RULE TITLE: Outpatient Hospital Services

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 59G-4.160, F.A.C., is to incorporate by reference the revised Florida Medicaid Hospital Services Coverage and Limitations Handbook, January 2010. In accordance with SB 2006, Specific Appropriation 202, enacted by the 2009 Florida Legislature, the amendment will permit the Agency to cover Intrathecal Baclofen Pump (ITB) therapy for qualified candidates when the implantation services are rendered in the outpatient hospital setting. The amendment also includes additional dialysis revenue codes in the outpatient setting.

SUMMARY: The handbook has been revised to provide updated information on Appendix B with information on the ITB device and additional dialysis revenue codes.

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: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.908, 409.9081, 409.912, 409.913 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 21, 2010, 10:00 a.m. – 11:30 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308-5407

Pursuant to the provisions of 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: Princilla Jefferson at the Bureau of Medicaid Services, (850)412-4211. If you are 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: Princilla Jefferson, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, e-mail: princilla.jefferson@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.160 Outpatient Hospital Services.

(1) No change.

(2) All hospital providers enrolled in the Medicaid program must comply with the provisions of the Florida Medicaid Hospital Services Coverage and Limitations Handbook, January 2010 ~~June 2005~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, UB-04 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 handbooks may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting Option 7.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.908, 409.9081, 409.912, 409.913 FS. History—New 1-1-77, Revised 12-7-78, 1-18-82, Amended 7-1-83, 7-16-84, 7-1-85, 10-31-85, Formerly 10C-7.40, Amended 9-16-86, 2-28-89, 5-21-91, 5-13-92, 7-12-92, 1-5-93, 6-30-93, 7-20-93, 12-21-93, Formerly 10C-7.040, Amended 6-13-94, 12-27-94, 2-21-95, 9-11-95, 11-12-95, 2-20-96, 10-27-98, 5-12-99, 10-18-99, 3-22-01, 8-12-01, 2-25-03, 8-14-03, 11-28-04, 8-18-05, 1-10-06, 4-16-06, 2-25-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Princilla Jefferson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Thomas W. Arnold

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 17, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 29, 2010

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.001
RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise the Food Code definition to adopt the 2009 U.S. Food and Drug Administration Food Code.

SUMMARY: The proposed rule amends the definition of Food Code to adopt the 2009 Food Code.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: N/A

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will have an impact on small business. A SERC has been prepared by the agency. The 2009 Food Code adds regulations related to allergens. Those new regulations will increase personnel costs by requiring extra training and specialized knowledge associated with preventing allergen cross-contamination. Any establishment not currently following allergen-related food safety practices may incur additional costs to change food-handling procedures. Regulatory costs are unknown at this time.

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: 509.032 FS.

LAW IMPLEMENTED: 509.032 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: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, telephone: (850)488-1133

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-1.001 Definitions.

Except when otherwise defined in this rule, the definitions provided in paragraph 1-201.10(B), Food Code, ~~2009~~ ~~2001~~ Recommendations of the United States Public Health Service/Food and Drug Administration; ~~the 2001 Food Code Errata Sheet (August 23, 2001); and Supplement to the 2001 FDA Food Code (August 29, 2003)~~ shall apply to Chapters 61C-1, 61C-3 and 61C-4, F.A.C. In addition, the following definitions apply to Chapters 61C-1, 61C-3 and 61C-4, F.A.C.:

(1) through (13) No change.

(14) Food Code – This term as used in Chapters 61C-1, 61C-3, and 61C-4, F.A.C., means paragraph 1-201.10(B), Chapter 2, Chapter 3, Chapter 4, Chapter 5, Chapter 6, and Chapter 7 of the Food Code, ~~2009~~ ~~2001~~ *Recommendations of the United States Public Health Service/Food and Drug Administration including Annex 3: Public Health Reasons/Administrative Guidelines; Annex 5: Conducting Risk-based Inspections HACCP Guidelines of the Food Code; the 2001 Food Code Errata Sheet (August 23, 2002); and Supplement to the 2001 FDA Food Code (August 29, 2003)*, herein adopted by reference. A copy of the Food Code, as adopted by the division, is available on the division's Internet website www.MyFloridaLicense.com/dbpr/hr. A copy of the

entire Food Code is available on the U.S. Food and Drug Administration Internet website. Printed copies of the entire Food Code are available through the National Technical Information Service, 5301 Shawnee Road, Alexandria, VA 22312 ~~5285 Port Royal Road, Springfield, VA 22161~~.

(15) through (29) No change.

Rulemaking Authority 509.032 FS. Law Implemented 509.032 FS. History—Amended 9-20-63, 3-21-64, 1-7-70, Revised 2-4-71, Amended 10-18-71, 11-17-73, 12-18-74, 12-5-82, Formerly 7C-1.01, Amended 9-10-89, 12-31-90, 2-27-92, 11-4-92, Formerly 7C-1.001, Amended 3-31-94, 10-9-95, 9-25-96, 1-1-98, 12-6-00, 2-27-05, 8-12-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill L. Veach, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charlie Liem, Interim Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 17, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 2010

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULE NO.: 61G2-2.006
 RULE TITLE: Reinstatement of Null & Void Licenses

PURPOSE AND EFFECT: The Board proposes this new rule to provide for reinstatement of null & void licenses and incorporate by reference the application form and adds the Board's website.

SUMMARY: The rule incorporates by reference the application form that will set forth the procedure for reinstatement of null & void licenses and add's the Board's website.

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: 455.271(6)(b), 468.384, 468.386 FS.

LAW IMPLEMENTED: 455.271(6)(b), 468.393 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: Tony Spivey, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G2-2.006 Reinstatement of Null & Void Licenses.

(1) Void auctioneer or auction business licenses resulting from a failure to timely renew are not reactivated; however, the Board has discretion to reinstate such licenses if it determines that the provisions of Section 455.271(6)(b), Florida Statutes, have been met.

(2) In order to request that the Board exercise its discretion, the holder of a void license must submit to the Board a completed application on form DBPR AU-4161, Application to Reinstatement Null and Void License, dated November, 2009, which is hereby adopted and incorporated by reference. A copy of DBPR AU-4161 is available from the Board office at 1940 N. Monroe Street, Tallahassee, FL 32399 or on the Board's website at: <http://www.myfloridalicense.com/dbpr/pro/auct/forms.html>.

(3) The applicant shall provide the circumstances surrounding each failure to comply with timely renewal, and the steps taken by the applicant to comply with each renewal deadline. The applicant must demonstrate that an illness or other unusual hardship prevented timely renewal.

(4) The application must be accompanied by a non-refundable application fee of \$150.00, a renewal fee of \$150.00 for each renewal period when the applicant failed to renew his or her license which fee shall not exceed \$300.00, and an unlicensed activity fee plus a recovery fund fee of \$105.00 for each renewal period missed which fee shall not exceed \$210.00.

Rulemaking Authority 455.271(6)(b), 468.384, 468.386 FS. Law Implemented 455.271(6)(b), 468.393 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Auctioneers

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 12, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 2, 2010

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: 61G18-15.0025
RULE TITLE: Minimum Standards for a Mobile Veterinary Practice for Agricultural Animals

PURPOSE AND EFFECT: The Board proposes to the rule amendment to add a requirement concerning the presence of controlled substances in the unit.

SUMMARY: A requirement concerning the presence of controlled substances in the unit will be added to 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: 474.206, 474.215(6) FS.

LAW IMPLEMENTED: 474.215(6) 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: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-15.0025 Minimum Standards for a Mobile Veterinary Practice for Agricultural Animals.

The following minimum standards shall apply to mobile veterinary medical practices for agricultural animals:

(1) Mobile units utilized by veterinarians:

(a) No change.

(b) Shall contain the following:

1. through 3. No change.

4. If controlled substances are on the unit, a locking secure cabinet for storage and an accurate controlled substance log.

5.4. When surgery is to be performed, the following shall be maintained:

a. through d. No change.

(2) through (4) No change.

Rulemaking Specific Authority 474.206, 474.215(6) FS. Law Implemented 474.215(6) FS. History—New 7-4-95, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Veterinary Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 2, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 19, 2010

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-4.001
RULE TITLE: Education

PURPOSE AND EFFECT: The Board proposes to amend the rule to remove the language concerning the ability for teachers of appraisal courses to earn credit towards the classroom hour requirement.

SUMMARY: Language concerning the ability for teachers of appraisal courses to earn credit towards the classroom hour requirement will be removed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that 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: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.615, 475.617 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: Thomas O’Bryant, Jr., Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-4.001 Education.

(1) through (5) No change.

~~(6) Credit towards the classroom hour requirement may also be satisfied by teaching appraisal courses. Registered trainee appraisers may not satisfy any requirement of this rule with any course they have instructed. The appraisal courses must cover substantially the same subject matter as the Board prescribed courses. Credit shall only be granted on a one time basis for teaching a particular appraisal course and shall be limited to fifty percent (50%) of the classroom hour requirement per renewal cycle. The Board may request supportive documentation to ascertain course content and to verify the date(s), time, place and hours taught.~~

Rulemaking Authority 475.614 FS. Law Implemented 475.613, 475.615, 475.617 FS. History—New 10-15-91, Formerly 21VV-4.001, Amended 1-9-94, 3-10-98, 9-6-98, 10-10-99, 5-25-04, 5-15-05, 1-17-06, 2-6-07, 12-6-07, 3-24-09, 4-28-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Appraisal Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 30, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2010

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: 64B1-4.0011
RULE TITLE: Documentation Necessary for Licensure Application

PURPOSE AND EFFECT: To make necessary changes to the application form and accompanying rule text and to update the website address.

SUMMARY: The proposed changes bring the rule into compliance with the new legislative requirements.

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: 457.104 FS.

LAW IMPLEMENTED: 457.105 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-4.0011 Documentation Necessary for Licensure Application.

(1) A properly completed application shall be submitted on Department of Health Form Acupuncture Application for Licensure with Instructions, DH-MQA 1116, ~~12/09~~ ~~03/09~~, adopted and incorporated herein by reference as this Board’s application and available on the web at www.doh.state.fl.us/mqa/acupunct. To complete the application attach the appropriate fees and supporting documents and submit it to the Board Office.

(2) through (3) No change.

Rulemaking Authority 457.104 FS. Law Implemented 456.048, 457.105 FS. History—New 2-18-98, Amended 10-11-04, 5-25-09,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Acupuncture
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Acupuncture
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 4, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 20, 2009

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-8.001
RULE TITLE: Disciplinary Guidelines
PURPOSE AND EFFECT: The proposed rule amendments are intended to set forth additional disciplinary guidelines for violation of the Board’s pain clinic rules.
SUMMARY: The proposed rule amendments address violations with regard to disciplinary guidelines as they relate to the Board’s pain clinic rules.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Board prepared a Statement of Estimated Regulatory Costs (SERC) for this rule. Essentially, the rule will have a negative impact upon physicians who violate the Board’s requirements with regard to practicing in or registering of pain clinics. The costs involved will depend on the severity of the offense and whether the offense is a first time or repeated offense. The fines imposed for violations

range from \$5,000 to \$10,000, and other penalties include community service, probation, and suspension up to revocation of licensure.

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: 456.0375(4)(c), 456.50(2), 456.0575, 456.079, 458.309, 458.331(5) FS.

LAW IMPLEMENTED: 456.0375(4)(c), 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B8-8.001 Disciplinary Guidelines.
 - (1) No change.
 - (2) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

RECOMMENDED RANGE OF PENALTY			
VIOLATION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
(a) through (aaa) No change.			
<u>(bbb) A violation of Rule 64B8-9.0131, F.A.C.</u>	<u>(bbb) From probation for a term no less than two years, 100 hours of community service, and a fine of \$5,000.00 to \$10,000.00 to revocation.</u>	<u>(bbb) From suspension for a minimum of one year, to be followed by a term of probation, 200 hours of community service, and a \$10,000.00 fine to revocation.</u>	
<u>(ccc) A violation of Rule 64B8-9.0132, F.A.C.</u>	<u>(ccc) From probation for a term no less than one year, 50 hours of community service, and a fine of \$5,000.00 to \$10,000.00 to revocation.</u>	<u>(ccc) From suspension for a minimum of six months, to be followed by a term of probation, 100 hours of community service, and a \$10,000.00 fine to revocation.</u>	
(3) through (7) No change.			

Rulemaking Authority 456.0375(4)(c), 456.50(2), 456.0575, 456.079, 458.309, 458.331(5) FS. Law Implemented 456.0375(4)(c), 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) FS. History—New 12-5-79, Formerly 21M-20.01, Amended 1-11-87, 6-20-90, Formerly 21M-20.001, Amended 11-4-93, Formerly 61F6-20.001, Amended 6-24-96, 12-22-96, Formerly 59R-8.001, Amended 5-14-98, 12-28-99, 1-31-01, 7-10-01, 6-4-02, 9-10-02, 12-11-02, 8-20-03, 6-7-04, 8-17-04, 1-4-06, 8-13-06, 8-29-06, 11-22-06, 1-30-07, 2-18-09, 12-22-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2010

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-4.011
 RULE TITLE: Dispensing Practitioners
 PURPOSE AND EFFECT: The Board proposes this change to incorporate the appropriate form into this rule and add the Board’s website where form may be obtained.
 SUMMARY: The rule incorporates by reference this form and adds the Board’s website.
 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: 464.006 FS.
 LAW IMPLEMENTED: 465.0276, 464.012(3), (4) FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B9-4.011 Dispensing Practitioners.
- (1) Those ARNP’s whose protocols permit them to dispense medications for a fee as contemplated by Section 465.0276, F.S., must register with the Board of Nursing by submitting a completed Dispensing Application for ARNP’s, form number DH-MQA 1185, 3/09, and hereby incorporates by reference this form into the rule.
 - (2) No change.

Rulemaking ~~Specific~~ Authority 464.006 FS. Law Implemented 465.0276, 464.012(3), (4) FS. History—New 9-16-91, Formerly 21O-16.003, 61F7-4.011, 59S-4.011, Amended 5-14-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 9, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2010

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-4.004
 RULE TITLE: Manner of Application
 PURPOSE AND EFFECT: The Board proposes the rule amendment to modify and incorporate by reference an updated application form.
 SUMMARY: The rule updates the application form.
 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: 456.033, 463.006(1)(b), (2) FS.
 LAW IMPLEMENTED: 456.013(7), 456.033, 463.006(1)(b), (2) FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sharon Guilford, Acting Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B13-4.004 Manner of Application.
 - (1) No change.
 - (2) All applications for examination shall be made on the form titled “Application for Optometry Examination” number DH-MQA 1128 (Revised 2/10 ~~6/09~~), which is hereby incorporated by reference and can be obtained from the board office or from the Board of Optometry’s website at: <http://www.doh.state.fl.us/mqa/optometry>. All applications for examination shall include the application fee as specified in subsection 64B13-6.001(7)(8), F.A.C., the department administrative cost as specified in Rule 64B13-1.016, examination fee as specified in subsection 64B13-6.001(1),

F.A.C., and the initial licensure fee as specified in subsection 64B13-6.001(1) ~~or (2)~~, F.A.C. No application shall be deemed complete which does not set forth all the information required by said forms and which fails to include all fees as set forth in this rule. Applications for licensure must be received by the Department at least 120 ~~60~~ days prior to the examination.

(3) No change.

Rulemaking Authority 456.033, 463.006(1)(b), (2) FS. Law Implemented 456.013(7), 456.033, 463.006(1)(b), (2) FS. History—New 11-13-79, Amended 4-17-80, Formerly 21Q-4.04, Amended 11-20-86, 4-19-89, 6-25-92, 6-6-93, Formerly 21Q-4.004, Amended 6-14-94, Formerly 61F8-4.004, Amended 3-21-95, 5-29-95, Formerly 59V-4.004, Amended 7-15-02, 11-3-03, 11-16-05, 10-30-08, 8-30-09, _____.

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: May 14, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 26, 2010

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.:	RULE TITLE:
64B15-14.0076	Requirement for Osteopathic Physician Office Registration; Inspection or Accreditation

PURPOSE AND EFFECT: The proposed amendment is intended to clarify that the registration application to perform office surgery shall be submitted to the Department of Health rather than the Board.

SUMMARY: The proposed rule specifies that the physicians who provide office surgery shall be required submit the application to the Department rather than the Board.

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: 459.005(1), (2) FS.

LAW IMPLEMENTED: 456.069, 459.005(2) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-14.0076 Requirement for Osteopathic Physician Office Registration; Inspection or Accreditation.

(1) Registration.

(a) Every Florida licensed osteopathic physician who holds an active Florida license and performs Level II surgical procedures in Florida with a maximum planned duration of five (5) minutes or longer or any Level III office surgery, as fully defined in Rule 64B15-14.007, F.A.C., shall register with the ~~Department of Health Board of Osteopathic Medicine on the following form which may be obtained from the Board office at 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256 or by calling (850)245-4161: Florida Board of Osteopathic Medicine Office Surgery Registration Program, DH-MQA-1071, 1/03, effective 11/20/03.~~ It is the osteopathic physician’s responsibility to ensure that every office in which he or she performs Levels II or III surgical procedures as described above is registered, regardless of whether other physicians are practicing in the same office or whether the office is non-physician owned.

(b) through (d) No change.

(2) through (3) No change.

Rulemaking Authority 459.005(1), (2) FS. Law Implemented 456.069, 459.005(2) FS. History—New 2-12-02, Amended 11-20-03, 6-4-09, _____.

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 26, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2010

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.:	RULE TITLE:
64B15-19.002	Violations and Penalties

PURPOSE AND EFFECT: The proposed rule amendments are intended to set forth the disciplinary guidelines for violations of the Board’s rules with regard to practicing in pain clinics.

SUMMARY: The proposed rule amendments address the disciplinary guidelines for violations of the rules with regard to practicing in pain clinics of violations with regard to the registration and inspection of pain clinics.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Board prepared a Statement of Estimated Regulatory Costs (SERC) for this rule. Essentially, the rule will have a negative impact upon physicians who violate the Board’s requirements with regard to practicing in or registering of pain clinics. The costs involved will depend on the severity of the offense and whether the offense is a first time or repeated offense. The fines imposed for violations range from \$5,000 to \$10,000, and other penalties include probation, and suspension up to revocation of licensure.

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: 456.079, 459.015(5) FS.

LAW IMPLEMENTED: 456.072, 456.079, 456.50 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-19.002 Violations and Penalties.

In imposing discipline upon applicants and licensees, the board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The statutory language is intended to provide a description of the violation and is not a complete statement of the violation; the complete statement may be found in the statutory provision cited directly under each violation description.

(1) through (62) No change.

<u>(63) A violation of Rule 64B15.14.0051, F.A.C.</u>		
FIRST OFFENSE:	<u>probation for a term no less than two (2) years and a \$5,000 fine</u>	revocation
SECOND OFFENSE:	<u>suspension for a minimum of one (1) year to be followed by a term of probation and a \$10, 000 fine</u>	revocation
<u>(64) A violation of Rule 64B15-14.0052, F.A.C.</u>		
FIRST OFFENSE:	<u>probation for a term no less than one (1) year and a \$5,000 fine</u>	revocation
SECOND OFFENSE:	<u>suspension for a minimum of six months to be followed by a term of probation and a \$10,000 fine</u>	revocation

Rulemaking Authority 456.079, 459.015(5) FS. Law Implemented 456.072, 456.079, 456.50 FS. History—New 9-30-87, Amended 10-28-91, 1-12-93, Formerly 21R-19.002, 61F9-19.002, 59W-19.002, Amended 2-2-98, 2-11-01, 6-7-01, 2-26-02, 12-7-05, 11-14-06, 11-27-06, 5-10-10,_____.

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: April 6, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 2, 2010

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NOS.: 68D-18.004
68D-18.005
RULE TITLES: Special Purpose Marker Buoys
Restricted Areas

PURPOSE AND EFFECT: The rules have been rendered obsolete due to statutory changes due to the passage of Chapter 2009-86 (CS/CS/HB/1423), Laws of Florida, which modified Section 327.46, Florida Statutes, and will alleviate duplicate language currently proposed within Chapter 68D-21, F.A.C., (Approval of Local Ordinances Establishing Boating Restricted Areas) and amendments to Chapter 68D-23 (Uniform Waterway Markers in Florida Waters).

SUMMARY: Rule 68D-18.004, F.A.C., required that special purpose marker buoys shall be a certain shape and size to mark special marine events and established a requirement to make such a request that is similar as waterway markers permitted pursuant to Chapter 68D-23 and Rule 68D-18.005, F.A.C., prohibited the placement of regulatory markers in or over the Florida Intracoastal Waterway without a permit from the Division of Law Enforcement and required such requests to be made by application and accompanying documentation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that these rules 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: 327.04, 327.40, 327.41 FS.

LAW IMPLEMENTED: 327.40, 327.41 FS.

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

DATES AND TIME: June 23-24, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Orlando Marriott Lake Mary, 1501 International Parkway, Lake Mary, FL 32746

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Captain Richard Moore, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-5600, richard.moore@myfwc.com

THE FULL TEXT OF THE PROPOSED RULES IS:

68D-18.004 Special Purpose Marker Buoys.

Specific Authority 327.04, 327.40, 327.41 FS. Law Implemented 327.40, 327.41 FS., ch. 72-55, Laws of Florida. History—New 10-20-72, Readopted 9-30-75, Formerly 16B-18.04, 16N-18.04, 16N-18.004, 62N-18.004, Repealed.

68D-18.005 Restricted Areas.

Specific Authority 327.04, 327.40, 341.41 FS. Law Implemented 327.40, 327.41 FS., ch. 72-55, Laws of Florida. History—New 10-20-72, Readopted 9-30-75, Formerly 16B-18.05, 16N-18.05, 16N-18.005, 62N-18.005, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Colonel Jim Brown, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2010

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NOS.:	RULE TITLES:
68D-21.001	Requirements for Applications
68D-21.002	Procedures for Reviewing Applications
68D-21.003	Procedures for Providing for Public Notice and Participation
68D-21.004	Criteria for Approval of Ordinances Adopted Pursuant to Section 327.46(1)(c), Florida Statutes

PURPOSE AND EFFECT: The purpose of this rule adoption is to implement waterway management changes resulting from the passage of Chapter 2009-86 (CS/CS/HB/1423), Laws of Florida, which modified Section 327.46, Florida Statutes, as it relates to the review and approval of local boating ordinances. The rule establishes the process for the review and approval of municipal and county ordinances establishing boating restricted areas in compliance with the statutory changes as well as procedures for public notice and participation.

SUMMARY: The rule establishes the process for the review and approval by the Commission of municipal and county ordinances establishing boating restricted areas to insure compliance with the statutory changes as well as procedures for public notice and participation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that these rules 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: 327.04, 327.302, 327.46 FS.

LAW IMPLEMENTED: 327.302, 327.46 FS.

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

DATES AND TIME: June 23-24, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Orlando Marriott Lake Mary, 1501 International Parkway, Lake Mary, FL 32746

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Captain Richard Moore, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-5600, richard.moore@myfwc.com

THE FULL TEXT OF THE PROPOSED RULES IS:

68D-21.001 Requirements for Applications.

(1) Approval by the Florida Fish and Wildlife Conservation Commission is not required for ordinances adopted pursuant to paragraph 327.46(1)(b), Florida Statutes Regulatory markers necessary for implementing those

ordinances must be permitted as required in Sections 327.40 and 327.41, Florida Statutes, and as provided in Chapter 68D-23, F.A.C.

(2) Any municipality or county application for approval of an ordinance establishing a boating-restricted area pursuant to paragraph 327.46(1)(c), Florida Statutes, must be submitted to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section.

(3) Each application must include:

(a) The name of the applicant municipality or county.

(b) The name, mailing address, telephone number, and any email address or facsimile number of the applicant's:

1. Primary contact person; and

2. Attorney or qualified representative.

(c) A certified copy of the adopted ordinance for which approval is sought. A county or municipality may submit a draft ordinance for review and approval. Approval, if granted, is conditioned upon the draft ordinance being adopted without amendment and does not become effective until a certified copy of the ordinance as adopted is received by the Boating and Waterways Section. If the draft ordinance is amended, approval of the draft ordinance will be rescinded and the ordinance as adopted will be reviewed.

(d) A statement identifying the provision within paragraph 327.46(1)(c), Florida Statutes, authorizing regulation of vessel speed or operation by the ordinance.

(e) One or more scaled drawings no larger than 8 1/2 inches by 11 inches, reproducible in black and white on standard office photocopying equipment which clearly show the following:

1. The jurisdictional boundaries of the municipality or county enacting the ordinance and, for county ordinances, the jurisdictional boundaries of any municipality in which a boating-restricted area is located.

2. The exact boundaries of each boating-restricted area established by the ordinance and the restrictions on vessel operation imposed within each boating-restricted area.

3. Any other known boating-restricted area (federal, state, county, other municipality, etc.) located within 2,500 feet of any boating-restricted area established by the ordinance.

4. The location of any of the following within a proposed boating-restricted area or used as a basis for establishing a boating restricted area, identified with a label or legend as to whether or not it is available for use by the general public:

a. Any boat ramp, hoist, marine railway, or other launching or landing facility.

b. Any fuel pump or dispenser at any marine fueling facility or licensed terminal facility.

c. Any lock structure.

d. Any designated public bathing beach or swim area.

5. The location of any of the following within a proposed boating-restricted area or used as a basis for establishing a boating restricted area:

a. Any bridge, including any bridge fender system, if present.

b. Any dam, spillway, or flood control structure.

c. Any confluence of water bodies presenting a blind corner.

d. Any bend or other intervening obstruction to visibility that may obscure other vessels or other users of the waterway in a narrow channel, fairway, or other similar area within the meaning of Inland Navigation Rule 9 (33 U.S.C. § 2009) as adopted by Section 327.33, Florida Statutes.

e. Any specific area subject to unsafe levels of vessel traffic congestion.

f. Any specific area subject to hazardous water levels or currents.

g. Any specific hazards to navigation (with a label or legend describing the hazard).

h. Any reported boating accident, if relied upon as a basis for establishing the boating-restricted area.

i. Any issuance of a Uniform Boating Citation, if relied upon as a basis for establishing the boating-restricted area.

6. The shoreline-to-shoreline width of the body of water upon which the boating restricted area is to be established and, if the water body is a lake or pond, the total surface area expressed in acres.

(f) Documentation that the ordinance was developed, prior to presenting language to the governing body, in consultation and coordination with:

1. The governing body of the county or municipality in which the boating-restricted area is located.

2. The United States Coast Guard if the boating-restricted area is to be established on navigable waters of the United States as defined in 33 C.F.R. § 2.36(a), which is adopted by reference and is available at <http://www.gpoaccess.gov/cfr/index.html>.

3. The United States Army Corps of Engineers if the boating-restricted area is to be established on navigable waters of the United States as defined in 33 C.F.R. § 329.4, which is adopted by reference and is available at <http://www.gpoaccess.gov/cfr/index.html>.

(g) A summary of the facts and circumstances the applicant contends justifies the establishment of the restriction on speed or operation and a list of the evidence in support of that contention the applicant desires for the agency to review.

(h) An appendix containing all evidence listed in paragraph (g) above, except that the appendix need not include the following:

1. Copies of Boating Accident Reports or Boating Accident Investigation Reports if those reports are identified by law enforcement agency case number and provided in a list. If the Boating and Waterways Section does not have a copy on file of one or more such reports, it will request that the applicant supplement the application appendix with copies of those reports.

2. Copies of Florida Uniform Boating Citations if identified by citation number in a list. If one or more citations are not already entered into the ArrestNet Database maintained by the Field Services Section, the Boating and Waterways Section will request the applicant to supplement the application appendix with copies of those citations.

(i) Proof that the applicant has at its own cost published, as provided by Sections 50.011-.031, Florida Statutes, once a week for 2 consecutive weeks, a notice of the application in a newspaper of general circulation in the area(s) affected by the ordinance. The notices must be published at least 7 days, but not more than 30 days, before the application is submitted.

(j) The signature of the applicant's attorney or qualified representative.

(k) The date the application is submitted.

(4) Complete applications may be submitted:

(a) By mail or in person to the Fish and Wildlife Conservation Commission, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, FL 32399-1600; or

(b) As a Portable Document Format (.pdf) file attached to an email addressed to waterway.management@myfwc.com.

(5) The Boating and Waterways Section will not process partial or incomplete applications.

Rulemaking Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History—New _____.

68D-21.002 Procedures for Reviewing Applications.

(1) Upon receipt of all statements and other documents specified above, the Boating and Waterways Section will determine whether or not the application is complete.

(a) If the application is not substantially complete or has not been completed substantially correctly, the Boating and Waterways Section will within 30 days of receipt return it to the applicant with a statement of the items that are missing or that must be corrected.

(b) If the application is substantially complete and only minor additions or corrections are required, the Boating and Waterways Section will within 30 days following receipt notify the applicant of the apparent errors or omissions and request the required additional or corrected information. If the requested additional or corrected information is not received within 30 days, the Boating and Waterways Section will return the application to the applicant with a statement of the items that are missing or that must be corrected.

(2) Within 30 days following receipt of a completed application, the Boating and Waterways Section will provide notice of such receipt:

(a) To the applicant by mail or by email using the same method by which the application was submitted and to the public as provided in Rule 68D-21.003, F.A.C.

(b) In order to receive further notifications pertaining to an application, including copies of notices and correspondence, a person must so notify the Boating and Waterways Section within 21 days following the publication of the notice of receipt in the Florida Administrative Weekly.

(3) The Boating and Waterways Section will within 90 days following receipt of a completed application, review and act upon the application as follows:

(a) The Boating and Waterways Section will determine whether or not each boating-restricted area created in the ordinance is authorized under paragraph 327.46(1)(b) or (c), Florida Statutes. If any boating-restricted area created in the ordinance is not authorized pursuant to one of those paragraphs, the application will be denied. As provided in subsection 68D-21.001(1), F.A.C., approval is not required for ordinances in which every boating-restricted area established therein is authorized under paragraph 327.46(1)(b), Florida Statutes.

(b) The Boating and Waterways Section will determine whether or not each boating-restricted area established in the ordinance was developed prior to the first reading of the ordinance:

1. For municipal ordinances, in consultation and coordination with the governing body of the county in which the boating-restricted area is located;

2. For county ordinances, in consultation and coordination with the governing body of each municipality in which a boating-restricted area is located unless all boating-restricted areas are located in unincorporated portions of the county;

3. For boating-restricted area on navigable waters of the United States, in consultation and coordination with the United States Coast Guard and the United States Army Corps of Engineers.

If the required consultation and coordination has not taken place, the application will be denied. This paragraph shall not be construed to require an applicant to wait indefinitely for a response to a request for consultation and coordination. If a municipality or county has made such a request for consultation and coordination in writing and has not received a response within 30 days, the Boating and Waterways Section will, if requested, attempt to facilitate such consultation and coordination. If a response is still not forthcoming, the Boating and Waterways Section will conclude that the municipality, county, or federal agency to whom the request was addressed has no objection to the proposed ordinance and no further consultation or coordination will be required.

(c) The Boating and Waterways Section will determine whether or not the application and appendix establish a *prima facie* showing that the ordinance is necessary to protect public safety by evaluating if at least one of the criteria in Rule 68D-21.004, F.A.C., has been met.

(d) If there is a prima facie showing that the ordinance is necessary to protect public safety and that at least one of the criteria in Rule 68D-21.004, F.A.C., has been met, the Boating and Waterways Section will:

1. Review all written public comments received within 21 days following the publication in the Florida Administrative Weekly of the notice of receipt of a complete application and all testimony, evidence, and exhibits presented at a public hearing if one was requested;

2. Review all comments provided by the United States Coast Guard and the United States Army Corps of Engineers received prior to the determination.

3. Conduct a public hearing within the applicant's jurisdiction if a written request for such a hearing is received within 21 days following the publication in the Florida Administrative Weekly of the notice of receipt of the application.

(e) Based on the totality of the information received, the Boating and Waterways Section will determine whether or not there is substantial competent evidence that the ordinance is necessary to protect public safety.

1. An ordinance will be considered necessary to protect public safety only if it is required for the purposes of protecting human life and limb, vessel traffic safety, and, as defined in Rule 68D-23.103, F.A.C., maritime property.

2. No ordinance establishing a boating restricted area will be approved for the purpose of noise abatement or for the protection of shoreline, shore-based structures, or upland property from vessel wake or shoreline wash. As provided in Section 327.33(2), Florida Statutes, "vessel wake and shoreline wash resulting from the reasonable and prudent operation of a vessel shall, absent negligence, not constitute damage or endangerment to property." The wake resulting from the reasonable and prudent operation of a vessel is a force which should be anticipated by the owners of property adjacent to the navigable waters of this state.

(4) The Boating and Waterways Section will act to approve or deny the application within the time limits specified in Section 327.46(1)(c), Florida Statutes. Upon approval or denial of the application, the Boating and Waterways Section will provide notice of the approval or denial as provided in Rule 68D-21.003, F.A.C. If no request for review is timely received, this notice will constitute final agency action.

(5) The Fish and Wildlife Conservation Commission, sitting as agency head at its next available regularly scheduled meeting, will review any approval or denial determination made by the Boating and Waterways Section upon timely receipt of a request for review. Any substantially affected person may request review of the approval or denial; the request must be received by the Boating and Waterway Section within 21 days following the publication in the Florida Administrative Weekly of the notice of approval or denial.

Rulemaking Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History--New _____.

68D-21.003 Procedures for Providing for Public Notice and Participation.

(1) Public Notice. The Boating and Waterways Section will provide notice of complete applications received, public meetings or hearing concerning applications, and denial or approval of applications: on the Boating and Waterways Section's web page at http://www.myfwc.com/RECREATION/boat_index.htm and to all parties listed in the "Boating and Waterways Section's Public Distribution List – Ordinances" in which any member of the public may join by a request to the mailing or email address found below in paragraph 68D-21.003(2)(a), F.A.C.

(2) Public Participation.

(a) Members of the public may provide written comments, recommendations, requests, inquiries, or other correspondence to the Boating and Waterways Section at 620 South Meridian Street, Tallahassee, FL 32399-1600; or by email at waterway.management@myfwc.com. Any attachments to emails must be in one or more of the following file formats, as appropriate: Microsoft Word Document (.doc or .docx); Rich Text File (.rtf); Portable Document Format (.pdf); Joint Photographic Experts Group format (.jpg or .jpeg); or Tagged Image File Format (.tif or .tiff).

(b) If a public hearing is requested under subparagraph 68D-21.002(3)(d)3., F.A.C. or review by the agency head is requested under subsection 68D-21.002(5), F.A.C., members of the public may:

1. Testify at the hearing or Commission meeting;

2. Submit relevant and material exhibits to the record of the proceeding.

Rulemaking Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History--New _____.

68D-21.004 Criteria for Approval of Ordinances Adopted Pursuant to Section 327.46(1)(c), Florida Statutes.

(1) Any ordinance submitted pursuant to Section 327.46(1)(c), Florida Statutes, and in compliance with Chapter 68D-21, F.A.C., is subject to review and approval by the Commission.

(2) An ordinance establishing either an "idle speed, no wake" or a "slow speed, minimum wake" boating restricted area will be approved for areas not more than 300 feet from a confluence (intersection) of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other area if an intervening obstruction to visibility may obscure other vessels or other users of the waterway.

(a) A blind corner is presented where an intervening obstruction to visibility prevents the operator of a vessel on one of the water bodies from seeing a vessel on the other water body at a distance of 300 feet or less from the confluence.

(b) A bend or other intervening obstruction to visibility in a narrow channel, fairway, or other similar water body within the meaning of Inland Navigation Rule 9 (33 U.S.C. § 2009) as adopted by Section 327.33, Florida Statutes, is presented where a decision sight distance of less than 300 feet exists and prevents the operator of a vessel from seeing other vessels or other users of the waterway.

Any ordinance submitted for approval under this subsection must also contain the following provision: *The operator of every vessel within this boating-restricted area must navigate with particular alertness and caution as required by Navigation Rule 9(f) and must, upon entering this boating-restricted area, sound a 4 to 6 second blast on the vessel's horn or whistle as required by Navigation Rules 9(f) and 34(e). This signal must be answered with a 4 to 6 second blast by the operator of any approaching vessel that may be within hearing around the bend or behind the intervening obstruction as required by Navigation Rule 34(e).*

(3) An ordinance establishing a "slow speed, minimum wake" boating-restricted area or numerical speed limit boating-restricted area regulated at 25 or 30 miles per hour will be approved for areas:

(a) Subject to hazardous water levels or currents if:

1. The boating-restricted area established in the ordinance is active and enforceable only when the water levels are at or above flood stage on a river gauge operated or reported by the National Weather Service's River Forecast Center (<http://www.srh.noaa.gov/serfc/>) or at the equivalent level on a river gauge operated or reported by the United States Geological Survey's National Water Information System (<http://waterdata.usgs.gov/fl/nwis/rt>) and the specific gauge and flood stage water level is specified in the ordinance.

2. The United States Coast Pilot (<http://www.nauticalcharts.noaa.gov/nsd/cpdownload.htm>) identifies the area as being subject to hazardous tides or currents.

3. A navigation chart published by the National Oceanic and Atmospheric Administration's National Ocean Service (<http://www.nauticalcharts.noaa.gov/>) identifies the area as being subject to hazardous tides or currents.

4. Creditable data demonstrate that the area is subject to water levels or currents that endanger vessels operating in the area or the occupants of such vessels.

(b) Containing a documented navigational hazard of a nature that vessel operation in its vicinity at speed in excess of slow speed, minimum wake endangers the vessel or its occupants. Navigational hazards are presumed to exist within the marked boundaries of mooring fields as permitted by Section 327.40, Florida Statutes.

(c) Subject to unsafe levels of vessel traffic congestion, seasonal or year-round, such that:

1. The traffic density including concentration of fishing vessels or any other vessels would require that vessels slacken speed under Inland Navigation Rule 6(a)(ii) (33 U.S.C. § 2006) as adopted by Section 327.33, Florida Statutes, or

2. It presents a significant risk of collision or a significant threat to boating safety.

3. Unsafe levels of vessel traffic congestion, a significant risk of collision, or a significant threat to boating safety may be demonstrated by:

a. Accident reports – The following reports of boating accidents are acceptable if prepared contemporaneously with the boating accident being reported and if vessel traffic congestion or the speed or wake of a vessel involved in the accident caused or contributed to the accident:

i. Florida Boating Accident Investigation Report, form FWCDLE 146, or Florida Boating Accident Report Self Report, form FWCDLE 146C, supplied by the commission as provided in Section 327.302, Florida Statutes; United States Coast Guard Recreational Boating Accident Report, form CG-3865, as provided in 33 C.F.R. §§ 173.55, 173.57; United States Coast Guard Report of Marine Casualty, Injury or Death, form CG-2692, as provided in 46 C.F.R. § 4.05-10. The current versions of these forms are adopted by reference in subsection (3); prior editions of these forms are also acceptable.

ii. A law enforcement agency's official offense or incident report prepared and signed by an officer authorized under Section 327.70, Florida Statutes, to enforce the provisions of Chapters 327 and 328, Florida Statutes.

iii. Medical records, including EMS and medical examiner reports, if they document death or injuries as a result of a boating accident and specify the nature and location of the boating accident;

b. Uniform boating citations issued on citation forms supplied by the commission as provided in Section 327.74, Florida Statutes, if the violation alleged in the citation is related to the cited vessel's speed or wake.

c. A vessel traffic study if the conclusions of the study are, as determined by the Boating and Waterways Section, based upon sufficient facts or data, are the product of reliable principles and methods, and if the study has applied the principles and methods reliably to the facts or data considered. In assessing the creditability of a vessel traffic study, the following factors (as applicable) shall be among those considered:

i. Whether the study's methodology can be or has been tested (i.e., whether the study's methodology can be challenged in some objective sense, or whether it is instead simply a subjective, conclusory approach that cannot reasonably be assessed for reliability);

ii. Whether the study's methodology has been subject to peer review and publication;

iii. The known or potential rate of error of the study’s methodology;

iv. The existence and maintenance of standards and controls; and

v. Whether the methodology has been generally accepted in the scientific community.

d. Other creditable data. For the purposes of this subparagraph, “other creditable data” means facts or data that are of a type reasonably relied upon by experts in the fields of boating safety, maritime safety, navigation safety, ports and waterways safety assessments, or vessel traffic management, as contemplated in Section 90.704, Florida Statutes.

(d) Areas that could have been established as an idle speed, no wake boating-restricted area under paragraph 327.46(1)(b)1., Florida Statutes, provided the applicant demonstrates by competent substantial evidence how the specific regulation will adequately solve public safety concerns in the area.

(4) An ordinance establishing a vessel exclusion zone (an area from which all vessels or certain classes of vessels are excluded) if the area is reserved exclusively:

1. As a canoe trail or otherwise limited to vessels under oars or under sail if:

a. One of the following restrictions, as defined in Rule 68D-23.103, F.A.C., is imposed: “No Motorized Vessels” or “No Motorboats” or “Motorboats Prohibited”; “No Power-driven Vessels”; “No Internal Combustion Motors”; “Manually Propelled Vessels Only” and

b. Imposition of the restriction will not unreasonably or unnecessarily endanger navigation or interfere with the use of a navigation channel that is lawfully marked with lateral aids to navigation.

2. For a particular specified activity (e.g.: sailing instruction, marine research, water skiing, personal watercraft use, sailboard use, etc.) if the applicant demonstrates by competent substantial evidence how certain classes of vessels (including all vessels if appropriate under the prevailing circumstances) endanger or are likely to endanger those participating in the specified activity and that the specified classes of vessels must be excluded from the area in order to adequately protect the safety of those participating in the specified activity.

(5) The following forms are adopted and incorporated by reference:

(a) Florida Boating Accident Investigation Report, form FWCDLE 146 (10/08), and Florida Boating Accident Report Self Report, form FWCDLE 146C (12/06), supplied by the commission as provided in Section 327.302, Florida Statutes. These forms may be obtained from the Boating and Waterways Section, 620 South Meridian Street, Tallahassee, FL 32399-1600.

(b) United States Coast Guard Recreational Boating Accident Report, form CG-3865 (Rev. 07/08), as provided in 33 C.F.R. §§ 173.55, 173.57. This form may be obtained from Commandant (CG-5422), U.S. Coast Guard Headquarters, 2100 Second St., S. W., Stop 7581, Washington, DC 20593-7581, or downloaded at <http://www.uscgboating.org/assets/1/Publications/cg3865barform2008.pdf>.

(c) United States Coast Guard Report of Marine Casualty, Injury or Death, form CG-2692 (Rev. 06/04), as provided in 46 C.F.R. § 4.05-10. This form may be obtained from the Coast Guard Sector Office, Coast Guard Marine Inspection Office or Coast Guard Group Office nearest the scene of the marine casualty, or from Commander, USCG Seventh District, Brickell Plaza Federal Building, 909 S.E. 1st Avenue, Miami, FL 33131-3050, or downloaded at http://www.uscg.mil/forms/CG/CG_2692.pdf.

Rulemaking Authority 327.04, 327.302, 327.46 FS. Law Implemented 327.302, 327.46 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Colonel Jim Brown, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 25, 2009

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NOS.:	RULE TITLES:
68D-23.101	Intent
68D-23.102	Scope
68D-23.103	Definitions
68D-23.104	Permits Required; Application for Permits
68D-23.105	Criteria for Approval of Markers
68D-23.106	Marker Placement Requirements
68D-23.107	Federal System Adopted
68D-23.108	Specifications for Markers
68D-23.109	Additional Specifications for Information and Regulatory Markers
68D-23.110	Inspections and Certification
68D-23.111	Enforcement
68D-23.112	Exemptions

PURPOSE AND EFFECT: The purpose of the rule amendments is to implement waterway management changes resulting from the passage of Chapter 2009-86

(CS/CS/HB/1423), Laws of Florida, which modified Sections 327.40, 327.41, and 327.46, Florida Statutes, as it relates to the establishment of boating restricted areas.

SUMMARY: The rule amendments will provide consistency with the proposed adoption of Chapter 68D-21, F.A.C. and repeal of Chapter 68D-18, F.A.C. to implement waterway management issues as a result of the statutory changes to Sections 327.40, 327.41, and 327.46, Florida Statutes. In addition, the rule amendments are intended to further clarify information that needs to be submitted with a uniform waterway marker permit application and municipal or county ordinance review, update United States Coast Guard referenced material as it relates to Aids to Navigation, provide definitions, and clarify exemptions to permitting and designate agency contact.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that these rules 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: 327.04, 327.40, 327.41, 327.46, 379.2431 FS.

LAW IMPLEMENTED: 327.22, 327.40, 327.41, 327.46, 327.60, 327.70, 327.71, 379.2431 FS.

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

DATES AND TIME: June 23-24, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Orlando Marriott Lake Mary, 1501 International Parkway, Lake Mary, FL 32746

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Captain Richard Moore, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-5600, richard.moore@myfwc.com.

THE FULL TEXT OF THE PROPOSED RULES IS:

- 68D-23.101 Intent.
- (1) through (2) No change.
- (a) No change.

(b) To provide a means by which the Fish and Wildlife Conservation Commission ~~Division~~ and its officers and all other law enforcement officers charged with the enforcement of this chapter may determine with reasonable certainty which boating restricted areas are lawfully established and marked;

(c) To insure that regulatory markers noticing boating restricted areas created pursuant to Sections 327.46 and 379.2431 ~~327.22, 327.60 and 370.12~~, F.S., are authorized only for the purposes of protecting human life and limb, vessel traffic safety and maritime property, and manatees.

(3) No change.

(4) The Fish and Wildlife Conservation Commission ~~Division~~ will not issue any permit authorizing the placement of regulatory markers implementing municipal or county ordinances that for:

(a) Are in violation of Section 327.60, F.S.; Ordinances that apply within the Florida Intracoastal Waterway, in violation of Section 327.60(2), F.S.;

(b) Establish boating-restricted areas pursuant to Section 327.46(1)(c), F.S., until such ordinances have been reviewed and approved by the Boating and Waterways Section in accordance with Chapter 68D-21, Florida Administrative Code; Ordinances adopted pursuant to Section 370.12(2)(p), F.S., until such ordinances have been reviewed and approved by the commission, and provided that such ordinances do not apply within the marked navigation channel of the Florida Intracoastal Waterway nor to the waters within 100 feet of said channel;

(c) Regulate vessel speed or operation for manatee protection purposes pursuant to Section 379.2431(2)(p), F.S., until such ordinances have been reviewed and approved by the commission, coordinated through the Imperiled Species Management Section, and provided that such ordinances do not apply within the marked navigation channel of the Florida Intracoastal Waterway nor to the waters within 100 feet of said channel; Ordinances that Discriminate against personal watercraft, in violation of Section 327.60(1), F.S.;

(d) Ordinances that Discriminate against airboats, unless adopted by a two thirds vote of the governing body enacting such ordinance, as provided in Section 327.60(1), F.S.

(e) Ordinances regulating the anchoring of non-live aboard vessels in navigation, in violation of Sections 327.60(2), F.S., when such vessels are outside the marked boundaries of mooring fields permitted as provided in Section 327.40, F.S., and this rule.

(5) No change.

(6) Regulatory markers placed and maintained pursuant to a permit issued as provided herein shall be prima facie evidence of the boundaries of boating-restricted areas and the speed or operational restrictions imposed therein.

Rulemaking Specific Authority 327.04, 327.40, 327.41 FS. Law Implemented 327.40, 327.41, 379.2431 FS. History--New 12-23-01, Amended 10-5-06, _____.

68D-23.102 Scope.

The provisions of this chapter prescribe the procedures by which the Division of Law Enforcement's Boating and Waterways Section permits and regulates the placement of markers in, on, and over the waters of this state and the shores thereof. This chapter also provides for the design, ~~construction~~, characteristics and coloring, construction, placement, and maintenance of all markers placed in, on, and over the waters of this state and the shores thereof by adopting by reference the United States Aids to Navigation System, Part 62 of Title 33 of the Code of Federal Regulations, and the United States Coast Guard's manuals pertaining to aids to navigation and other waterway markers.

Rulemaking Specific Authority 327.40, 327.41 FS. Law Implemented 327.40, 327.41 FS. History—New 12-23-01, Amended.

68D-23.103 Definitions.

(1) For purposes of this chapter and Chapters 68C-22 and 68D-24, F.A.C., the following definitions shall apply:

(a) through (b) No change.

(c) "Regulatory marker" means a device used to alert the mariner to various ~~warnings~~ or regulatory matters such as horsepower, speed, ~~or~~ wake, or entry restrictions.

(d) "Special mark" means a marker not primarily intended to assist safe navigation, but to indicate special areas or features referred to in charts or other nautical publications. They may be used, for example, to mark anchorages, mooring fields, park boundaries, cable or pipeline areas, marine events, etc.

(e)~~(d)~~ "Mooring buoy" means a device that is permanently secured to the bottom of a body of water and to which a vessel may be secured when not underway.

(f)~~(e)~~ "Buoy" means any device designed to float which is anchored in the waters of the state and which is used to convey a message, ~~or~~ carry a sign, or support a mooring pennant.

(g)~~(f)~~ "Sign" means an object which displays a message and which is attached to another object such as a piling, buoy, structure, or the land itself.

(h)~~(g)~~ "Symbol" means the orange geometric shape displayed on a danger, an information, or regulatory marker. The meanings associated with the orange geometric shapes are as follows:

1. through 4. No change.

(i)~~(h)~~ "Display area" means the area on an information marker or regulatory marker within which the symbol is displayed.

(j)~~(i)~~ "Boating-restricted area" means an area of the waters of the state within which the operation of vessels is subject to specified restrictions or from which vessels are excluded.

(k)~~(j)~~ "Shore" means that area of land immediately adjacent or contiguous to the waters of the state such that a sign or marker erected thereon is readily visible to the operator of a

vessel who might reasonably believe that the sign or marker displays navigational, regulatory or other information relevant to the operation of the vessel.

(l)~~(k)~~ "Florida Intracoastal Waterway" means:

1. All waters within the right-of-way of the Atlantic Intracoastal Waterway, the Georgia state line north of Fernandina to Miami; the Port Canaveral lock and canal to the Atlantic Intracoastal Waterway; the Atlantic Intracoastal Waterway, Miami to Key West; the Okeechobee Waterway Route 1 across Lake Okeechobee and Route 2 along the southern perimeter of the lake, from Port Myaca to Clewiston; the Gulf Intracoastal Waterway, Anclote to Fort Myers; the Gulf Intracoastal Waterway, Carrabelle to Tampa Bay; the Gulf Intracoastal Waterway, Carrabelle to Anclote open bay section (using the Gulf of Mexico); and the Gulf Intracoastal Waterway, Carrabelle to the Alabama state line west of Pensacola; and

2. All waters from shoreline to shoreline within the Okeechobee Waterway, Stuart to Fort Myers, not including Route 1 across Lake Okeechobee and Route 2 along the southern perimeter of the lake, from Port Myaca to Clewiston; the St. Johns River, Jacksonville to Sanford; and, the Apalachicola, Chattahoochee, and Flint Rivers in Florida.

(m)~~(l)~~ "Uniform State Waterway Marking System" means the system of aids to navigation, information markers, regulatory markers, and mooring buoys, as specified in Part 66 of Title 33 of the Code of Federal Regulations.

(n)~~(m)~~ "United States Aids to Navigation System" means the system of aids to navigation, information markers, regulatory markers, and mooring buoys, as specified in Part 62 of Title 33 of the Code of Federal Regulations.

(o)~~(n)~~ "Private Aid to Navigation" means an aid to navigation the establishment of which is authorized by a permit issued by the United States Coast Guard pursuant to Part 66 of Title 33 of the Code of Federal Regulations.

(p)~~(o)~~ "Maritime property" means vessels and their engines, tackle, gear, equipment, appurtenances, furnishings, cargoes, stores, personal property then on board belonging to the vessels' occupants, and such other similar property as is consistent with the general maritime law of the United States. This definition does not include littoral or riparian property, the shores thereof, seawalls, docks, wharfs, or other property intentionally and permanently attached to the shore.

(q)~~(p)~~ "Inland lake" means a naturally occurring or man-made fresh water lake or pond. The term does not include reservoirs, impoundments, or any portion of the Florida Intracoastal Waterway.

(r)~~(q)~~ "Associated canal" means a man-made canal that is directly attached to an inland lake and that does not connect to other waters or that connects only to another inland lake. The term does not include any portion of a state or federally funded navigation project or any portion of the Florida Intracoastal Waterway.

(s)(†) “In writing” means any written or printed form of communication and includes electronic mail, files transferred as attachments to electronic mail, and telefacsimiles.

(2) When used on markers, the terms:

(a) No change.

(b) “Slow Speed” and “Slow Speed Minimum Wake” may be used interchangeably and mean that a vessel must be fully off plane and completely settled into the water. The vessel must then proceed at a speed which is reasonable and prudent under the prevailing circumstances so as to avoid the creation of an excessive wake or other hazardous condition which endangers or is likely to endanger other vessels or other persons using the waterway. At no time is any vessel required to proceed so slowly that the operator is unable to maintain control over the vessel or any other vessel or object that it has under tow. A vessel that is:

1. through 4. No change.

(c) No change.

(d) “No Power-driven Vessels” – All vessels equipped with any mechanical means of propulsion must turn off the mechanical means of propulsion and, if possible to do so, tilt or raise the mechanical means of propulsion out of the water. The use of any motor, including an electric motor, is prohibited.

(e) No change.

(f) “Vessel-exclusion zone” means an area from which all vessels or certain classes of vessels are excluded. The following list includes the most common examples of vessel exclusion zones. Whenever the following messages are displayed on vessel-exclusion zone markers, they have the meaning provided. Other messages on vessel-exclusion zone markers are permissible, so long as the markers display language that accurately describes the vessels or classes of vessel that are excluded from the area. All vessel-exclusion zones must be marked with the crossed-diamond symbol as specified in subparagraph (1)(h)(g)2., above.

1. through 4. No change.

(g) No change.

(h) “Wake,” only when used in conjunction with a numerical size limit, means all changes in the vertical height of the water’s surface caused by the passage of a vessel including, but not limited to, a vessel’s bow wave, stern wake, and propeller wash, measured from the ambient tide level to the crest of the vessel’s wake at a distance of not less than 25 feet from the vessel.

(i) No change.

(3) The Boating and Waterways Section will ~~division may~~ authorize the use of other terminology on regulatory markers if the message is clear, unambiguous, and accurately describes a lawfully imposed restriction.

Rulemaking Specific Authority 327.04, 327.40, 327.41, 327.46, 379.2431 FS. Law Implemented 327.40, 327.41, 327.46, 379.2431 FS. History—New 12-23-01, Amended 10-5-06,_____.

(Substantial rewording of Rule 68D-23.104 follows. See Florida Administrative Code for present text.)

68D-23.104 Permits Required; Application for Permits Placement of Markers.

(1) Except as provided in subsection 68D-23.112(4), F.A.C., no person, municipality, county or other governmental entity shall place, cause to be placed, or maintain in place any marker in, on or over the waters of the state or the shores thereof without a permit from the Boating and Waterways Section.

(2) Any person, municipality, county, or other governmental entity desiring to place a marker shall apply to the Boating and Waterways Section on the Florida Uniform Waterway Marker Application form, FWCDLE 153 (04/2010), which is adopted and incorporated herein by reference. Application forms may be obtained by submitting a request to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600 or by downloading the application from the Commission website at: http://www.myfwc.com/RECREATION/boat_waterways_index.htm. Each application must include:

(a) One or more scale drawings no larger than 8 1/2 inches by 11 inches, reproducible on standard office photocopying equipment, showing the intended locations for the placement of all proposed markers with each proposed marker labeled to correspond to the list required in paragraph (b) below.

1. If the application is for regulatory markers, the drawing must also depict the exact boundaries of the area within which regulation or restriction is to be in effect.

2. If the application is for the following information markers the drawing must also depict:

a. The location of the danger, hazard to navigation, or obstruction if the application is for a danger marker, isolated danger mark, or inland waters obstruction mark, the drawing must also depict.

b. Water depths within and adjacent to the area being marked if the application is for lateral marks, preferred channel marks, or safe water marks.

c. The location and boundaries of the anchorage, mooring field, park, cable or pipeline area, marine event, or other special area or feature for which the markers are proposed if the application is for special marks.

3. If the application is for mooring buoys of any type, the drawing must also depict the watch circle and water depth for each mooring and any channels or fairways within 500 feet of the proposed mooring buoys.

(b) A list of the markers proposed, labeled to correspond to the drawing(s) required above.

(c) A statement of the specifications for the markers proposed, including:

1. A description giving the type, size, shape, color, material, height above mean high water for each marker sign or buoy, and the number, letter or message displayed thereon;

2. A description of the type, size, and material used for:

a. Any structure which will support a marker sign;

b. Any anchor, anchoring system, chain, tether, rode, or other ground tackle which will secure a marker buoy, including a mooring buoy, to the bottom;

3. A statement of the color, characteristic, height above mean high water, intensity, and nominal range of any light which will be placed on the markers;

4. A statement of the type signal (whistle, horn, bell, etc.) and characteristic for any audible signal.

5. The latitude and longitude of the location where each marker will be placed, expressed in degrees and decimal minutes and referenced to the WGS-84 datum.

(d) A statement of the purpose for placing the proposed markers.

1. If the application is for regulatory markers, this statement must include the purpose for regulating or restricting vessel speed or operation in sufficient detail to permit the Boating and Waterways Section to ascertain whether there are a proper number of markers proposed to be installed in proper locations so that the boating public is given adequate notice of the regulation or restriction on vessel speed or operation.

2. If the application is for a danger marker, isolated danger mark, or inland obstruction mark, this statement must include a description of the danger, hazard to navigation, or obstruction in sufficient detail to permit the Boating and Waterways Section to ascertain whether there are a proper number of markers proposed to be installed in proper locations so that the boating public is given adequate notice of the danger, hazard to navigation, or obstruction.

3. If the application is for lateral marks, preferred channel marks, or safe water marks, this statement must include a description of the channel, fairway, or other area of safe water in sufficient detail to permit the Boating and Waterways Section to ascertain whether there are a proper number of markers proposed to be installed in proper locations so that the boating public is given adequate notice of channel, preferred channel, fairway, or safe water area.

4. If the application is for mooring buoys, this statement must include the following:

a. A statement of the type, maximum overall length, and maximum draft of vessels that will be allowed to moor at each buoy.

b. An estimate of the average daily weekday traffic and average daily weekend and holiday traffic that will be arriving or departing the proposed moorings.

c. A description of any navigation channels or fairways within 500 feet of the proposed mooring buoys and a description of nature and volume of vessel traffic within such channels or fairways.

d. A description of any upland amenities that will be provided to vessels moored at the proposed mooring buoys.

e. A list of any rules, regulations, requirements, or prohibitions that will be imposed on vessels moored at the proposed mooring buoys.

f. A statement of whether the area in which the mooring buoys are proposed to be located has been designated by the United States Coast Guard as a special anchorage area (i.e., vessels moored there will not need to display anchor lights) or whether the applicant intends to seek such a designation.

g. A statement of whether the mooring buoys will be managed together as a mooring field and, if so, whether the applicant intends to seek the adoption of an ordinance prohibiting anchoring within the marked boundaries of the mooring field. This information must be provided in sufficient detail to permit the Boating and Waterways Section to ascertain whether the placement of mooring buoys and the mooring of vessels at the proposed locations may be safely accomplished and whether the mooring of vessels at the proposed locations will unreasonably or unnecessarily constitute a navigational hazard or otherwise obstruct, impede, or interfere with the navigation of other vessels.

5. If the application is for special marks, this statement must include a description of the anchorage, mooring field, park, cable or pipeline area, marine event, or other special area or feature for which the markers are proposed in sufficient detail to permit the Boating and Waterways Section to ascertain whether there are a proper number of markers proposed to be installed in proper locations so that the boating public is given adequate notice of the area's or feature's nature, location, and boundaries.

(e) A list of the names or titles of the individuals responsible for the placement and maintenance of the markers along with an address and a contact telephone number for each individual.

(f) If the application is for regulatory markers, the applicant must include proof of the lawful imposition of a regulation or restriction on the speed or operation of vessels for which the regulatory markers are proposed, as follows:

1. For regulatory markers to implement boating-restricted areas established by a municipal or county ordinance:

a. A copy of an ordinance adopted pursuant to Section 327.46(1)(b), F.S., which imposes the restriction for reasons of vessel traffic safety or public safety; or

b. A copy of an ordinance approved by the commission pursuant to paragraph 327.46(1)(c), F.S.; or

c. A copy of an ordinance approved by the commission pursuant to paragraph 379.2431(2)(p), F.S., such approval shall be coordinated through the commission's Imperiled Species Management Section.

2. For all other regulatory markers, a copy of the statute, special act, rule, regulation, order, or other instrument which imposes the regulation or restriction and a statement of the specific authority under which the restriction is imposed.

Rulemaking Specific Authority 327.04, 327.40, 327.41 FS. Law Implemented 327.40, 327.41 FS. History--New 12-23-01, Amended 10-5-06, _____.

(Substantial rewording of Rule 68D-23.105 follows. See Florida Administrative Code for present text.)

68D-23.105 Criteria for Approval of Regulatory Markers.

(1) Upon receipt of a completed application, the Boating and Waterways Section will determine:

(a) For all markers, whether or not:

1. The proposed markers conform to the United States Aids to Navigation System and this chapter.

2. The proposed markers, if placed in the proposed locations, would create an unreasonable hazard to navigation.

(b) For regulatory markers only, determine whether or not:

1. The markers as proposed would clearly mark the location in which the regulation or restriction is in effect and adequately notice mariners of the regulation or restriction imposed on vessel speed or operation.

2. The regulation or restriction to be implemented by the proposed markers and the message to be displayed thereon are supported by statute, special act, rule, ordinance, or other enactment or order.

(c) For danger markers, isolated danger marks, or inland obstruction marks only, whether or not the danger, hazard to navigation, or obstruction actually exists and, if so, whether or not there are a proper number of markers proposed to be installed in proper locations so that mariners are given adequate notice of the danger, hazard to navigation, or obstruction.

(d) For lateral marks, preferred channel marks, or safe water marks only, whether or not there are a proper number of markers proposed to be installed in proper locations so that the boating public is given adequate notice of channel, preferred channel, fairway, or safe water area.

(e) For mooring buoys only, whether the placement of mooring buoys and the mooring of vessel at the proposed locations may be safely accomplished and whether the mooring of vessels at the proposed locations will unreasonably or unnecessarily constitute a navigational hazard or otherwise obstruct, impede, or interfere with the navigation of other vessels.

(f) For special marks only, whether or not there are a proper number of markers proposed to be installed in proper locations so that the boating public is given adequate notice of the area's or feature's nature, location, and boundaries.

(2) The Boating and Waterways Section is authorized to consult, coordinate, or cooperate with any other governmental entity having concurrent jurisdiction over the waters for which the permit is applied.

Rulemaking Specific Authority 327.40, 327.41 FS. Law Implemented 327.40, 327.41, 379.2431 FS. History--New 12-23-01, Amended _____.

68D-23.106 Marker Placement Requirements ~~Conditions~~.

(1) All persons placing or maintaining in place any markers must comply with the following requirements and all permits issued pursuant to this chapter are subject to the following conditions:

(a) Placement of these markers must be exactly as requested in the application. Any deviation will require that the permittee applicant apply to have the permit amended.

(b) The permittee applicant must display the permit number (except as provided below) on each marker and the ordinance number, code section number, statute number, regulation or rule number (etc.) on each regulatory marker. These numbers must be displayed in black, block characters approximately one inch in height.

1. through 2. No change.

3. Information ~~Informational~~ markers placed by counties, municipalities, or other governmental entities on inland lakes and their associated canals are exempt from permitting under this rule. Such markers, if not permitted, must display in lieu of a permit number, the name of the county, municipality, or other governmental entity that placed the marker.

(c) Upon completion of the installation of markers, the permittee applicant must notify the Boating and Waterways Section in writing within 30 days. If the latitude and longitude of each marker, as installed, is different from that listed in the application, this notification must include the correct latitude and longitude in degrees and decimal minutes as referenced to the WGS-84 installed and the datum along with a request for the permit to be amended in which the coordinates are expressed.

(d) All markers must be maintained in proper condition at all times. A discrepancy exists whenever a marker is not exactly as described in the approved application or is destroyed, damaged, moved, or is otherwise unserviceable or not watching properly. The permittee applicant must immediately report any discrepancy in the marker to the Boating and Waterways Section by telephone, telefacsimile or other similarly rapid means of communication. The permittee Unless the applicant's permit expressly provides for a longer period, the applicant must correct any discrepancy within not more than 30 days and must notify the Boating and Waterways Section when the correction is accomplished.

(e) ~~A permit Authorization by the division~~ for the placement of a marker does not authorize any invasion of private rights, nor grant any exclusive privileges, nor does it obviate the necessity of complying with any other federal, state or local laws or regulations.

(f) through (g) No change.

(h) It is unlawful to place markers, buoys, or signs on submerged lands, or other property or structure not owned by the person or governmental entity placing them without first receiving the written consent of the owner of the submerged lands, other property, or structure to the placement of said markers, buoys, or signs. For markers, buoys, or signs placed pursuant to a permit issued under this rule, the permit is contingent upon the permittee applicant providing a copy of such consent to the Boating and Waterways Section.

(i) By accepting any permit and placing the markers authorized therein, the permittee applicant ~~other than a governmental entity~~, to the extent authorized by law, agrees and promises to hold harmless the State of Florida and its agencies, employees, agents, or successors from fault with respect to any claim or claims arising from alleged negligence in the placement, maintenance, operation and removal of any and all markers placed by the permittee applicants pursuant to such permits. The permittee applicant ~~other than a governmental entity~~ further agrees to indemnify the State of Florida for any and all legal fees and costs incurred in defense of any suit brought against the State as a result of alleged negligence by the permittee applicant in the placement, maintenance, operation or removal of the markers.

~~(j) Applicants for permits to place regulatory markers or the governmental entities establishing the rules, ordinances, or other actions imposing the regulations must provide for the enforcement of operating restrictions noticed by said markers.~~

(2) Additional requirements ~~conditions~~ for regulatory markers.

(a) No change.

(b) If the regulatory instrument supporting a regulatory marker is amended or if it is repealed, rescinded, revoked, or otherwise becomes a nullity, the permit holder must within 30 days notify the Boating and Waterways Section of the change and must also:

1. In the case of an amendment to the regulatory instrument, ~~the file an~~ and amended permit application showing the markers that will be removed, replaced, modified, or added in order to implement the amendment to the regulatory instrument.

2. No change.

(c) Applicants for permits to place regulatory markers or the governmental entities establishing the rules, ordinances, or other actions imposing the regulations must provide for the enforcement of regulations or operating restrictions noticed by said markers. The issuance of a permit authorizing the placement of regulatory markers does not obligate the Fish and

Wildlife Conservation Commission or its officers to enforce the regulations or operating restrictions noticed by said markers.

(3) After obtaining the requested permit, the permittee must install, inspect, maintain, and remove the permitted marker at its own expense and as directed by the Boating and Waterways Section.

(4) Discontinuance and removal. Any permitted waterway marker may be discontinued and removed by the permittee owner after 30 days notice to the Boating and Waterways Section. Upon completion of the removal of the marker, the permittee must notify the Boating and Waterways Section in writing within 30 days.

(5) The division and its officers and all other law enforcement officers charged with the enforcement of Chapter 327, F.S., have the authority to remove or cause the removal of any marker found in violation of the requirements ~~conditions~~ imposed under this section or conditions ~~otherwise~~ imposed in the permit authorizing the placement of the marker if the violation is not corrected within 30 days following notification of the permittee of the violation.

Rulemaking Specific Authority 327.04, 327.40, 327.41 FS. Law Implemented 327.40, 327.41, 327.70 FS. History–New 12-23-01, Amended 10-5-06,_____.

68D-23.107 Federal System Adopted.

(1) The following are adopted and incorporated by reference ~~as they existed on December 23, 2001:~~

(a) The United States Aids to Navigation System, Part 62 of Title 33 of the Code of Federal Regulations (April 1, 2010);

(b) The United States Coast Guard Aids to Navigation Manual – Administration (COMDTINST Manual Comdtinst M16500.7A, March 2, 2005);

(c) The United States Coast Guard Aids to Navigation Manual – Technical Manual (COMDTINST Comdtinst M16500.3A, February 11, 2005);

(d) The United States Coast Guard Aids to Navigation Manual – Structures (COMDTINST M16500.25, November 7, 2005).

(2) No change.

(a) Any marker ~~All markers~~ in, on or over the waters of the state or the shores thereof that does not ~~must~~ conform to the United States Aids to Navigation System and all ~~other~~ provisions of this chapter, must be brought into conformity or be removed from the waters or shores of the state.

(b) through (c) No change.

Rulemaking Specific Authority 327.04, 327.40, 327.41 FS. Law Implemented 327.40, 327.41 FS. History–New 12-23-01, Amended 10-5-06,_____.

68D-23.108 Specifications for Markers.

(1) through (4) No change.

(5) Retroreflective materials ~~must~~ shall be used for all displays on markers that are required to be international orange and as otherwise required in the United States Coast Guard Aids to Navigation Manual – Technical (COMDTINST Manual – Comdtinst M16500.3A). The white background dayboard film material for all information, danger, exclusion, and regulatory signs installed or replaced after July 1, 2006, shall be retroreflective. Retroreflective materials may be used for any other portion of a marker.

(6) No change.

(7) All buoys other than mooring buoys must be attached to the water body ~~waterbody~~ bottom using anchors, sinkers, chains, shackles, swivels, and bridles that meet or exceed the specifications in the United States Coast Guard Aids to Navigation Manual – Technical (COMDTINST Manual – Comdtinst M16500.3A).

(8) Mooring buoys are white cylindrical or spherical with a blue band located near the top of the buoy. All mooring buoys must be attached to the water body ~~waterbody~~ bottom using anchors, ~~sinkers~~, chains, shackles, and swivels, and must be equipped with pennants; that are of sufficient size, strength, and holding power for their intended purpose. Anchor or anchoring systems for mooring buoys must embed in the water body bottom. The use of a sinker (a weight, usually metal or concrete, that rests on the bottom without embedding) to anchor a mooring buoy is prohibited.

Rulemaking Specific Authority 327.04, 327.40, 327.41 FS. Law Implemented 327.40, 327.41 FS. History–New 12-23-01, Amended 10-5-06, _____.

68D-23.109 Additional Specifications for Information and Regulatory Markers.

(1) through (4) No change.

Rulemaking Specific Authority 327.04, 327.40, 327.41, FS. Law Implemented 327.40, 327.41 FS. History–New 12-23-01, Amended 10-5-06.

68D-23.110 Inspections and Certification.

(1) Each person holding a permit to place and maintain one or more markers must inspect all markers for which the permit was issued triennially (every three years).

(2) No change.

(3) The permit holder must maintain the inspection documentation until it is replaced by a subsequent inspection and documentation. The inspection documentation must be available for inspection by any law enforcement officer during the permittee's normal business hours. Failure to inspect a marker and to maintain documentation of the results of the inspection during the specified time period is grounds for rescinding the permit authorizing placement of the marker and for removing or ordering the removal of the marker.

(4) No change.

(a) No change.

~~(b)~~(e) A dayboard or buoy must be replaced if any of the deteriorations noted above is observed or, if for any reason, it cannot function as intended (including significant fading or other discoloration) until the next regularly scheduled inspection. Onsite repairs are permitted if they do not interfere with or detract from the intended signal function of the marker.

(5) Within 5 business days following the completion of the triennial inspection, the permittee must notify the Boating and Waterways Section that the inspection has been performed and whether or not any markers were determined to be discrepant. All discrepancies documented during an inspection must be reported to the Boating and Waterways Section and corrected within 30 days, as provided in paragraph 68D-23.106(1)(d), F.A.C.

Rulemaking Specific Authority 327.04, 327.40, 327.41 FS. Law Implemented 327.40, 327.41, 379.2431 FS. History–New 12-23-01, Amended 10-5-06, _____.

68D-23.111 Enforcement.

This chapter shall be enforced by the division and its officers, the sheriffs of the various counties and their deputies, municipal police officers, and any other ~~authorized~~ law enforcement officer as defined in Section 943.10, F.S., as provided in Section 327.70, F.S., all of whom shall have the authority to remove or cause the removal of any marker found to be in violation of this chapter.

Rulemaking Specific Authority 327.40, 327.41 FS. Law Implemented 327.22, 327.40, 327.41, 327.46, 327.60, 327.70, 379.2431 FS. History–New 12-23-01, Amended _____.

68D-23.112 Exemptions.

(1) through (2) No change.

(3) ~~Except as provided in subparagraph 68D-23.106(1)(b)3., F.A.C.,~~ Every regulatory marker without a properly displayed permit number, in place in, on or over the waters of the state or shores thereof is declared a nuisance. The division and its officers and all other law enforcement officers charged with the enforcement of Chapter 327, F.S., have the authority to remove or cause the removal of any unpermitted regulatory marker. Markers authorized by the former Florida Department of Natural Resources prior to January 1, 1988, for which no permit number was assigned shall be issued a permit number upon receipt by the Boating and Waterways Section of the following:

(a) through (b) No change.

(4) Counties, municipalities and other government entities are exempt from permitting under this Chapter only when placing information markers on inland lakes and their associated canals. However, nothing herein shall prevent counties, municipalities or other governmental entities from choosing to voluntarily apply for waterway marker permits for such information markers. Markers placed by local governments on inland lakes and their associated canals.

~~(a) The placement of information or danger markers by counties, municipalities, or other governmental entities, in, on, or over the waters or shores of inland lakes and their associated canals is exempt from permitting under this section and such markers need not display any permit number. These markers include, but are not limited to, those providing information or warnings concerning: ends of boat ramps, no swimming, swimming area, lake names, canal names, trash receptacles, public health notices, underwater hazards, regulatory matters, emergencies, and special events.~~

~~(b) These markers, with the exception of swimming area and special event markers, must be placed on land or within 50 feet from the ordinary high water line.~~

~~(c) This exception from the permitting requirement does not relieve any county, municipality, or other governmental entity from compliance with any other state or federal rule, regulation, or law.~~

~~(d) The Commission finds that federal law imposes less restrictive requirements than provided herein on the placement of markers indicating the ends of boat ramps, no swimming, swimming area, lake name, trash receptacle, public health notice, canal, emergency, and other similar markers directed to persons on land, swimmers, and other persons using the waters of this state who are not the operators or occupants of vessels. Such markers were not considered waterway markers prior to June 13, 2005, and were not subject to the provisions of this rule or Section 327.40, F.S., prior to that date. The Commission temporarily exempts such markers from the provisions of this rule and Section 327.40, F.S. This temporary exemption shall expire and this paragraph shall stand repealed on December 31, 2006, unless repromulgated.~~

(5) No change.

~~Rulemaking Specific Authority 327.04, 327.40, 327.41, 327.71 FS. Law Implemented 327.40, 327.41, 327.46, 327.71, 379.2431 FS. History—New 12-23-01, Amended 10-5-06,_____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Colonel Jim Brown, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2010

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

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NO.: 2A-8.005
RULE TITLE: Adjustments to Reflect Consumer Price Index

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 19, May 14, 2010 issue of the Florida Administrative Weekly.

The correction is as follows:

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Bill McCollum, Attorney General.

This correction does not affect the substance of the rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NO.: 5B-65.005
RULE TITLE: Movement of Regulated Articles

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. 36, No. 20, May 21, 2010 issue of the Florida Administrative Weekly.

5B-65.005 Movement of Regulated Articles.

(1) No change.

(2) Any shipment of firewood or unprocessed wood products found infested or infected with a wood boring or wood inhabiting pest or plant disease pathogen listed in Rule 5B-65.003 or 5B-65.004, F.A.C., shall be quarantined and returned to the shipper or producer or destroyed by the Department at the expense of the shipper. Infested or infected regulated articles will be placed under Stop Sale and Hold Order DACS-08016, Rev. 2/10 ~~4/08~~. DACS Form 08016, Rev. 2/10 is hereby incorporated by reference and may be obtained from the Division of Plant Industry, Bureau of Plant and Apiary Inspection, by writing to P. O. Box 147100, Gainesville, FL 32614-7100. Commercial shipments entering the state through the Department's agricultural interdiction stations without certification of compliance with the Master Permit of the state of origin shall be issued a Report of Plant and Plant Material in Transit, DACS Form 08003, Rev. 5/10 ~~06/09~~, and Report of Plant and Plant Material in Transit

~~Addendum, DACS Form 08441, Rev. 06/09, for the official disposition of the plant material. DACS Form 08003, Rev. 5/10 06/09 and Form 08441, Rev. 06/09 are incorporated herein by reference and may be obtained from the Division of Plant Industry, Bureau of Plant and Apiary Inspection, by writing to P. O. Box 147100, Gainesville, FL 32614-7100. Non-commercial shipments entering the state through the Department's agricultural interdiction stations without certification will be allowed entry only when issued and accompanied by a Report of Non-Commercial (Homeowner) Plants or Firewood Without Certification in Transit from Other States DACS-08105, Rev. 06/09, issued at the station. DACS form 08105, Rev. 06/09, is incorporated herein by reference and may be obtained from the Division of Plant Industry, Bureau of Plant and Apiary Inspection, by writing to P. O. Box 147100, Gainesville, FL 32614-7100. Commercial shippers found in violation of the rule will be suspended from shipping under the master permit issued with the state of origin. The suspension shall remain in effect until the department of agriculture of the state of origin has notified the Division of Plant Industry in writing that the shipper is in compliance with all requirements for treatment of firewood or unprocessed wood products.~~

(3) through (6) No change.

(7)(a) Locally produced or harvested firewood and unprocessed wood products harvested or produced within a 50-mile radius of the distribution point and not moved more than 50-miles from the point of origin. Regulated articles from locations in states contiguous to Florida that are harvested or produced within 50 miles of a Florida distribution point may enter Florida for direct transport to the distribution point without a certificate of treatment if the articles are accompanied by a proper bill of lading, proof of origin, and any applicable federal certificates for shipments originating from a USDA-regulated area. No locally produced firewood outside Miami-Dade County may enter Miami-Dade County unless treated and certified in accordance with Rule 5B-65.005, F.A.C., by the Department.

(b) Primary and secondary forest products (including saw logs, saw timber, chip-n-saw, sawdust, veneer logs, pulpwood, wood for pallets, pole wood, dead pine distillate wood, pellets and chips) originating from states contiguous to Florida and transported for processing at mills and plants (including pulp/paper mills, saw mills, (including plywood plants), OSB plants, pole plants, mulch plants, and biomass plants).

(c) No change.

Rulemaking Authority 570.07 (23), 581.031 (1), (4), (5), (7) FS. Law Implemented 570.07 (2), (13), 581.031 (1), (4), (5), (6), (7), (9), (20) FS. History--New_____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.099821
 RULE TITLE: Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate

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. 36, No. 19, May 14, 2010 issue of the Florida Administrative Weekly.

The location of the rule development workshop for Rule 6A-1.099821, F.A.C., scheduled for July 13, 2010, 4:00 p.m. – 7:00 p.m., has been moved to the Broward County Library, Stirling Road Branch, 3151 Stirling Road, Hollywood, FL.

DEPARTMENT OF TRANSPORTATION

Florida Seaport Transportation and Economic Development Council

RULE NOS.:	RULE TITLES:
14B-1.001	Definitions
14B-1.002	Port Project Funding Application Procedures and Requirements
14B-1.003	Measuring Economic Benefits
14B-1.004	Determination of Funding; Council/Agency Review
14B-1.005	Council Procedures
14B-1.006	Eligible Port Funding Requirements
14B-1.007	Reporting Requirements

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 18, May 7, 2010 issue of the Florida Administrative Weekly.

The Notice of Proposed Rule has been corrected as follows:

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the information, make it more accurate and relevant, and to utilize advances in technology which have led to a paperless project application process. This will provide a more streamlined process for the project applicant as well as the people who review the project applications.

SUMMARY: Chapter 14B-1, F.A.C., sets forth implementation guidelines for Florida Seaport Transportation and Economic Development Council funding application reviews and describes allocation criteria. The rule also describes other Council procedures and port funding requirements and eliminates sections redundant with Florida Statutes.

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: 311.09(4) FS.

LAW IMPLEMENTED: 315.02, 320.20 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Toy Keller, Florida Ports Council, 502 E. Jefferson Street, Tallahassee, Florida 32301, (850)222-8028. If you are 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: Toy Keller, Florida Ports Council, 502 E. Jefferson Street, Tallahassee, Florida 32301, (850)222-8028

NAME OF PERSON ORIGINATING PROPOSED RULE: Toy Keller

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Seaport Transportation and Economic Development Council

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 12, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 2010

DEPARTMENT OF TRANSPORTATION

Florida Seaport Transportation and Economic Development Council

RULE NOS.:	RULE TITLES:
14B-1.002	Port Project Funding Application Procedures and Requirements
14B-1.006	Eligible Port Funding Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 18, May 7, 2010 issue of the Florida Administrative Weekly.

14B-1.002 Port Project Funding Application Procedures and Requirements.

(1) An application shall be accepted only from an eligible port. The port shall apply for the grant by submitting to the Council an Application Form 14B, entitled "Florida Seaport Transportation and Economic Development Project Application," ~~Form ESTED-1~~, hereby incorporated by reference, effective August 1, 2009 which contains five separate elements as described in subsection (7) below.

Applications for program funds shall be submitted in electronic format and can be obtained utilizing SeaCIP (www.seacip.com). Applications shall be submitted by the appropriate duly authorized official of such port. ~~Beginning in 1994, The submission deadline period for submitting applications for the applicable Department of Transportation fiscal-year funding cycle shall be determined by the Council in consultation with the Department each calendar year, from January 1 to February 15 in each calendar year. Application forms may be obtained from and completed applications submitted in five (5) copies to: Florida Seaport Transportation and Economic Development Council, P. O. Box 10137, Tallahassee, FL 32302.~~

Applications for other Department of Transportation fiscal funding cycles may be electronically submitted utilizing SeaCIP by an eligible port at any time during the calendar year.

14B-1.006 Eligible Port Funding Requirements.

~~(4) Program Ffunds received by eligible ports from the Trust Fund shall be expended on eligible costs only. If program funds are not expended on eligible costs, the port shall immediately reimburse the Council for the ineligible costs.~~

~~(5) Upon legislative approval of the Department of Transportation's budget request as provided in Rule 14B-1.004, F.A.C., and upon entering into a written grant agreement with an eligible port, the Department of Transportation will reimburse the eligible port an amount equal to 50 percent of eligible costs incurred on an approved project. This reimbursement will be made upon receipt of an invoice showing total eligible costs incurred to date, less the port's 50 percent share, less reimbursements received to date. These reimbursements will be made in compliance with the payment requirements set forth in Section 215.422, F.S. The final reimbursement to the port will be released upon the satisfactory completion of a final audit conducted by the Florida Department of Transportation.~~

Rulemaking Specific Authority 120.53, 311.09(4) FS. Law Implemented 311.07, 320.20(3), (4) FS. History--New 12-19-90, Amended _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

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

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 5, February 5, 2010 issue of the Florida Administrative Weekly.

The amendment to Rule 59G-4.025, F.A.C., Assistive Care Services, incorporates by reference in rule the Florida Medicaid Assistive Care Services Coverage and Limitations Handbook, July 2009. The following changes have been made to the handbook.

Page 2-7 Annual Assessment for Assistive Care Services.

The second bullet is changed to read: The assessment for a resident of a RTF must be completed by a physician or licensed mental health professional. The assessment must document the need for at least two of the four ACS components. The assessment for ALF residents must be recorded on the Resident Health Assessment for Assisted Living Facilities, AHCA Form 1823.

The Note is changed to read: The Resident Health Assessment for Assisted Living Facilities, AHCA Form 1823 and the Resident Health Assessment for Adult Family-Care Homes (AFCH), AHCA Form 3110-1023 (AFCH-1110) 01/08 are available from the Agency for Health Care Administration, 2727 Mayan Drive, MS 30, Tallahassee, FL 32308. They may also be obtained from AHCA's website at http://ahca.myflorida.com/licensing_cert.shtml. Click on Assisted Living Facilities or Adult Family Care Homes. AHCA Form 1823 is incorporated by reference in Rule 58A-5.0181, F.A.C., AHCA Form 3110-1023 (AFCH-1110) is incorporated by reference in Rule 58A-14.0061, F.A.C.

APPENDIX C

Page C-3 MANAGING MONEY. Paragraph is changed to read: Assistance includes: Facility staff manages resident's funds as Representative Payee or Power of Attorney. Such assistance will comply with the money management policies specific to each facility.

Example of an expected outcome for managing money: Resident's funds will be spent as desired by the resident.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:	RULE TITLE:
59G-13.083	Developmental Disabilities Waiver Services

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 9, March 5, 2010 issue of the Florida Administrative Weekly.

The Notice of Change published in Vol. 36, No. 20, May 21, 2010 issue of the FAW, contained an error in the last sentence of the following section:

APPENDIX A

Page A-11: 3.1 Self-Assessment. Paragraph is changed to read:

Each agency or group provider, or solo or individual provider furnishing specific services referenced in 3.0 above shall perform an annual self-assessment to determine the effectiveness of services being offered and the provider's compliance with requirements identified in this agreement and the Developmental Disabilities Waiver Services Coverage and Limitations Handbook. This annual assessment will assist the provider to determine, within the realm and scope of the service(s) that is provided, the extent to which the provider is developing and maintaining person-centered processes that will assist recipients in the achievement of personal goals, choice, social inclusion, relationships, rights, dignity and respect, health, environment, security and satisfaction. At a minimum, the provider's self-assessment survey will include a combination of: a) records review; b) interviews to determine the extent to which provider actions support the achievement of personal goals identified by recipients receiving services; and c) annual recipient satisfaction surveys. The provider, as part of the self-assessment process, develops a Quality Improvement Plan addressing the areas in need of improvement.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NO.:	RULE TITLE:
60BB-3.0251	Definitions Relating to Emergency Unemployment Compensation

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. 36, September 11, 2009 issue of the Florida Administrative Weekly.

60BB-3.0251 Definitions Relating to Emergency Unemployment Compensation.

(1) Emergency Unemployment Compensation: A federally funded program created by Public Laws 110-252, 110-449, 111-5, 111-92, ~~and~~ 111-118, 111-144, and 111-157, and implemented in Florida through an agreement between the Agency for Workforce Innovation and the United States Department of Labor which provides additional weeks of unemployment benefits to qualified individuals who have exhausted their rights to regular unemployment compensation on claims that were effective on or after May 2, 2006.

(2) Extended unemployment compensation: Benefits, including benefits payable to federal civilian employees and to ex-servicemembers under 5 U.S.C. ss. 8501-8525, that are payable to an individual under Sections 443.1115 or 443.1117, Florida Statutes.

(3) Qualifying benefit year: The benefit year established on a Florida claim for regular unemployment compensation which was effective on or after May 2, 2006, and is the basis of the individual's eligibility for emergency unemployment compensation.

(4) Regular unemployment compensation: Benefits payable to an individual under Chapter 443, Florida Statutes, including benefits payable to federal civilian employees and to ex servicemembers under 5 U.S.C. ss. 8501-8525, other than extended unemployment compensation under Section 443.1115, Florida Statutes.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.036, 443.221(3) FS. History—New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-12.004
 RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

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. 36, No. 8, February 26, 2010 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (1) shall now read as follows:

(1) The board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon practitioners guilty of violating Chapter 481, F.S. The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which will normally be imposed upon violations of particular provisions of Chapter 481, F.S. The brief description of each violation is provided for quick reference and is not meant to convey all elements of any given statutory provision; the full language of each statutory provision cited must be consulted in order to determine the conduct involved. The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple counts of violations of the same provision of Chapter 481, F.S., or the rules promulgated thereto, or other unrelated violations contained in the same administrative complaint will be grounds for enhancement of penalties. All penalties at the upper range of the sanctions set forth in the guidelines, i.e., suspension, revocation, etc., include lesser penalties, i.e., fine, probation or

reprimand which may be included in the final penalty. Pursuant to Section 481.219(12), F.S., all businesses holding a certificate of authorization are subject to these guidelines.

2. Subsection (2)(bb) shall now read as follows:

VIOLATION	PENALTY RANGE	
	MAXIMUM	MINIMUM
(bb) Failure to timely report being convicted or found guilty of, or entering a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction (more than 30 days late.) (455.227(1)(t), F.S.	Reprimand.	Suspension to \$5000 fine.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-12.005
 RULE TITLE: Citations

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. 36, No. 8, February 26, 2010 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (3)(d) shall now read as follows:

(d) Failure to timely report being convicted or found guilty of, or entering a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction (up to 30 days late) (455.227(1)(t), F.S.	\$250 fine.
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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-24.001
 RULE TITLE: Disciplinary Guidelines

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. 52 of the December 31, 2009, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee in a letter dated February 23, 2010.

61J2-24.001(3) shall read as:

(3) The penalties are as listed unless aggravating or mitigating circumstances apply pursuant to subsection (4). The verbal identification of offenses is descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

<u>VIOLATION</u>	<u>PENALTY RANGE</u>	<u>SECOND AND SUBSEQUENT VIOLATIONS</u>
	<u>FIRST VIOLATION</u>	
<u>(a) Section 475.22, F.S. Broker fails to maintain office or sign at entrance of office</u>	<u>(a) Reprimand to \$500 administrative fine</u>	<u>(a) 90-day suspension and \$1,000 administrative fine</u>
<u>(b) Section 475.24, F.S. Failure to register a branch office</u>	<u>(b) Reprimand to \$500 administrative fine</u>	<u>(b) 90-day suspension and \$1,000 administrative fine</u>
<u>(c) Section 475.25(1)(b), F.S. Fraud, misrepresentation, and dishonest dealing Concealment, false promises, false pretenses by trick, scheme or device Culpable negligence or breach of trust Violating a duty imposed by law or by the terms of a listing agreement; aided, assisted or conspired with another; or formed an intent, design or scheme to engage in such misconduct and committed an overt act in furtherance of such intent, design or scheme</u>	<u>(c) \$1,000 to \$2,500 administrative fine and 30-day suspension to revocation \$1,000 to \$2,500 administrative fine and 30-day suspension to revocation \$1,000 to \$2,500 administrative fine and 30-day suspension to revocation \$1,000 to \$2,500 administrative fine and 30-day suspension to revocation</u>	<u>(c) \$2,500 to \$5,000 administrative fine and 6 month suspension to revocation \$2,500 to \$5,000 administrative fine and 6 month suspension to revocation \$2,500 to \$5,000 administrative fine and 6 month suspension to revocation \$2,500 to \$5,000 administrative fine and 6 month suspension to revocation \$2,500 to \$5,000 administrative fine and 6 month suspension to revocation</u>
<u>(d) Section 475.25(1)(c), F.S. False, deceptive or misleading advertising</u>	<u>(d) \$250 to \$1,000 administrative fine and 30 to 90 day suspension</u>	<u>(d) \$1,000 to \$5,000 administrative fine and 90 day suspension to revocation</u>
<u>(e) Section 475.25(1)(d), F.S. Failed to account or deliver to any person as required by agreement or law, escrowed property</u>	<u>(e) \$250 to \$1,000 administrative fine and suspension to revocation</u>	<u>(e) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(f) Section 475.25(1)(e), F.S. Violated any rule or order or provision under Chapters 475 and 455, F.S.</u>	<u>(f) \$250 to \$1,000 administrative fine and suspension to revocation</u>	<u>(f) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>

<u>(g) Section 475.25(1)(f), F.S. Convicted or found guilty of a crime related to real estate or involving moral turpitude or fraudulent or dishonest dealing</u>	<u>(g) \$250 to \$1,000 administrative fine and 30-day suspension to revocation</u>	<u>(g) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(h) Section 475.25(1)(g), F.S. Has license disciplined or acted against or an application denied by another jurisdiction</u>	<u>(h) \$250 to \$1,000 administrative fine and 30-day suspension to revocation</u>	<u>(h) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(i) Section 475.25(1)(h), F.S. Has shared a commission with or paid a fee to a person not properly licensed under Chapter 475, F.S.</u>	<u>(i) \$250 to \$1,000 administrative fine and 30 day suspension to revocation</u>	<u>(i) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(j) Section 475.25(1)(i), F.S. Impairment by drunkenness, or use of drugs or temporary mental derangement</u>	<u>(j) Suspension for the period of incapacity</u>	<u>(j) Suspension for the period of incapacity</u>
<u>(k) Section 475.25(1)(j), F.S. Rendered an opinion that the title to property sold is good or merchantable when not based on opinion of a licensed attorney or has failed to advise prospective buyer to consult an attorney on the merchantability of title or to obtain title insurance</u>	<u>(k) \$250 to \$1,000 administrative fine and 30 day suspension to revocation</u>	<u>(k) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(l) Section 475.25(1)(k), F.S. Has failed, if a broker, to deposit any money in an escrow account immediately upon receipt until disbursement is properly authorized. Has failed, if a sales associate, to place any money to be escrowed with his registered employer</u>	<u>(l) \$250 to \$1,000 administrative fine and 30-day suspension to revocation</u>	<u>(l) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(m) Section 475.25(1)(l), F.S. Has made or filed a report or record which the licensee knows to be false or willfully failed to file a report or record or willfully impeded such filing as required by State or Federal Law</u>	<u>(m) \$250 to \$1,000 administrative fine and 30 day suspension to revocation</u>	<u>(m) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(n) Section 475.25(1)(m), F.S. Obtained a license by fraud, misrepresentation or concealment</u>	<u>(n) \$250 to \$1,000 administrative fine and 30-day suspension to revocation</u>	<u>(n) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(o) Section 475.25(1)(n), F.S. Confined in jail, prison or mental institution; or through mental disease can no longer practice with skill and safety</u>	<u>(o) \$250 to \$1,000 administrative fine and suspension to revocation</u>	<u>(o) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>

<u>(p) Section 475.25(1)(o), F.S.</u> <u>Guilty for the second time of misconduct in the practice of real estate that demonstrates incompetent, dishonest or negligent dealings with investors</u>	<u>(p) \$1,000 to \$5,000 administrative fine and a 1 year suspension to revocation</u>	
<u>(q) Section 475.25(1)(p), F.S.</u> <u>Failed to give Commission 30 day written notice after a guilty or nolo contendere plea or convicted of any felony</u>	<u>(q) \$500 to \$1,000 administrative fine and suspension to revocation</u>	<u>(q) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(r) Section 475.25(1)(r), F.S.</u> <u>Failed to follow the requirements of a written listing agreement</u>	<u>(r) \$250 to \$1,000 administrative fine and suspension to revocation</u>	<u>(r) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(s) Section 475.25(1)(s), F.S.</u> <u>Has had a registration suspended, revoked or otherwise acted against in any jurisdiction</u>	<u>(s) \$250 to \$1,000 administrative fine and 60-day suspension to revocation</u>	<u>(s) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(t) Section 475.25(1)(t), F.S.</u> <u>Violated the Uniform Standards of Professional Appraisal Practice as defined in Section 475.611, F.S.</u>	<u>(t) \$250 to \$1,000 administrative fine and 30-day suspension to revocation</u>	<u>(t) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(u) Section 475.25(1)(u), F.S.</u> <u>Has failed, if a broker, to direct, control, or manage a broker associate or sales associate employed by such broker</u>	<u>(u) \$250 to \$1,000 administrative fine and suspension to revocation</u>	<u>(u) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(v) Section 475.25(1)(v), F.S.</u> <u>Has failed, if a broker, to review the brokerage's trust accounting procedures in order to ensure compliance with this chapter</u>	<u>(v) \$250 to \$2,500 administrative fine and suspension to revocation</u>	<u>(v) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(w) Section 475.42(1)(a), F.S.</u> <u>Practice without a valid and current license</u>	<u>(w) \$250 to \$2,500 administrative fine and suspension to revocation</u>	<u>(w) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(x) Section 475.42(1)(b), F.S.</u> <u>Practicing beyond scope as a sales associate</u>	<u>(x) \$250 to \$1,000 administrative fine and suspension to revocation</u>	<u>(x) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(y) Section 475.42(1)(c), F.S.</u> <u>Broker employs a sales associate who is not the holder of a valid and current license</u>	<u>(y) \$250 to \$1,000 administrative fine and suspension to revocation</u>	<u>(y) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(z) Section 475.42(1)(d), F.S.</u> <u>A sales associate shall not collect any money in connection with any real estate brokerage transaction except in the name of the employer</u>	<u>(z) \$250 to \$1,000 administrative fine and suspension to revocation</u>	<u>(z) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>

<u>(aa) Section 475.42(1)(e), F.S. A violation of any order or rule of the Commission</u>	<u>(aa) \$250 to \$1,000 administrative fine and 30-day suspension to 5-year suspension</u>	<u>(aa) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(bb) Section 475.42(1)(g), F.S. Makes false affidavit or affirmation or false testimony before the Commission</u>	<u>(bb) \$250 to \$1,000 administrative fine and suspension to revocation</u>	<u>(bb) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(cc) Section 475.42(1)(h), F.S. Fails to comply with subpoena</u>	<u>(cc) \$250 to \$1,000 administrative fine and suspension</u>	<u>(cc) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(dd) Section 475.42(1)(i), F.S. Obstructs or hinders the enforcement of Chapter 475, F.S.</u>	<u>(dd) \$250 to \$1,000 administrative fine and suspension to revocation</u>	<u>(dd) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(ee) Section 475.42(1)(j), F.S. No broker or sales associate shall place upon the public records any false, void or unauthorized information that affects the title or encumbers any real property.</u>	<u>(ee) \$250 to \$2,500 administrative fine and suspension to revocation</u>	<u>(ee) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(ff) Section 475.42(1)(k), F.S. Failed to register trade name with the Commission</u>	<u>(ff) \$250 to \$1,000 administrative fine</u>	<u>(ff) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(gg) Section 475.42(1)(l), F.S. No person shall knowingly conceal information relating to violations of Chapter 475, F.S.</u>	<u>(gg) \$250 to \$1,000 administrative fine and suspension</u>	<u>(gg) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(hh) Section 475.42(1)(m), F.S. Fails to have a current license as a broker or sales associate while listing or selling one or more timeshare periods per year</u>	<u>(hh) \$250 to \$1,000 administrative fine and suspension</u>	<u>(hh) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(ii) Section 475.42(1)(n), F.S. Licensee fails to disclose all material aspects of the resale of timeshare period or timeshare plan and the rights and obligations of both buyer or seller</u>	<u>(ii) \$250 to \$1,000 administrative fine and suspension</u>	<u>(ii) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(jj) Section 475.42(1)(o), F.S. Publication of false or misleading information; promotion of sales, leases and rentals</u>	<u>(jj) \$250 to \$1,000 administrative fine and suspension to revocation</u>	<u>(jj) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(kk) Section 475.451, F.S. School teaching real estate practice fails to obtain a permit from the department and does not abide by regulations of Chapter 475, F.S., and rules adopted by the Commission</u>	<u>(kk) \$250 to \$1,000 administrative fine and suspension</u>	<u>(kk) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>

<u>(ll) Section 475.453, F.S. Broker or sales associate participates in any rental information transaction that fails to follow the guidelines adopted by the Commission and Chapter 475, F.S.</u>	<u>(ll) \$250 to \$1,000 administrative fine and suspension</u>	<u>(ll) \$1,000 to \$5,000 administrative fine and 90-day suspension to revocation</u>
<u>(mm) Section 475.5015, F.S. Failure to keep and make available to the department such books, accounts, and records as will enable the department to determine whether the broker is in compliance with the provisions of this chapter</u>	<u>(mm) \$250 to \$1,000 administrative fine and suspension to revocation</u>	<u>(mm) \$1,000 to \$5,000 administrative fine and 90-day suspension to revocation</u>
<u>(nn) Section 455.227(1)(s), F.S. Failing to comply with the educational course requirements for domestic violence</u>	<u>(nn) \$250 to \$1,000 administrative fine and suspension to revocation</u>	<u>(nn) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(oo) Section 455.227(1)(t), F.S. Failing to report in writing to the Commission within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction.</u>	<u>(oo) \$250 to \$1,000 administrative fine and suspension to revocation</u>	<u>(oo) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>
<u>(pp) Section 455.227(1)(u), F.S. Termination from a treatment program for impaired practitioners as described in Section 456.076 for failure to comply, without good cause, with the terms of the monitoring or treatment contract entered into by the licensee or failing to successfully complete a drug or alcohol treatment program</u>	<u>(pp) \$250 to \$1,000 administrative fine and suspension to revocation</u>	<u>(pp) \$1,000 to \$5,000 administrative fine and suspension to revocation</u>

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-44.007
 RULE TITLE: Standards of Practice

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 17, April 30, 2010 issue of the Florida Administrative Weekly.

The correction is as follows:

(21) ~~Except as excepted herein,~~ The licensee's initial nutritional assessment of a patient must be done in a face-to-face setting, and may not be done by telephone, fax, or internet, except through use of a two point or multiple point video-conferencing system to provide each participant with a video camera, microphone and speakers which allow video and audio communication between all participants as if they were virtually seated in the same room or by any other means in which the patient is not physically present with the licensee. Communication between the patient and the licensee subsequent to the initial nutritional assessment may be accomplished either face-to-face or by other means, in the reasonable clinical judgment of the licensee. Federal programs that are federally funded are exempt from this subsection, so long as the administration of the program follows the dictates of the federal statutes and rules applicable to the program.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Medicine: Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256

DEPARTMENT OF HEALTH

Board of Nursing

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

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 17, April 30, 2010 issue of the Florida Administrative Weekly.

64B9-2.016 Forms.

(10) Annual Report for Programs in Nursing DH-MQA 1096. 05/10 (rev. Rule 64B9-2.016).

Rulemaking Authority 464.006 FS. Law Implemented 456.013, 464.008, 464.009 FS. History–New 6-22-09, Amended_____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-6.0022
 RULE TITLE: Possession of Class I, II, or III Wildlife in Captivity; Permit Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 12, March 26, 2010 issue of the Florida Administrative Weekly.

Proposed amendment to Rule 68A-6.0022 has been changed to include the following modified subsection:

(7) Disaster and Critical Incident Plans: Applicants for permits to possess wildlife in captivity as authorized pursuant to Section 379.3761 or 379.303, F.S., or the provisions of this chapter shall document in writing a course of action to be taken in preparation for disasters or critical incidents. Such course of action shall be documented on the Captive Wildlife Critical Incident/Disaster Plan form FWCDLE_619 (06/09), which is adopted and incorporated herein by reference. Forms may be obtained by submitting a request to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600, or at www.myfwc.com/permits. This form shall consist of two parts. Part A of form FWCDLE_619 shall be submitted at the time of initial application or renewal; and Part B shall be retained in the permittee’s files at the facility location and be made available for inspection upon request of Commission personnel and the director of the local emergency management agency

~~for Permittees authorized for Class I or Class II shall provide a copy of Part B of form FWCDLE_619 to the county emergency manager in the county where the facility is located.~~

(a) through (b) No change.

No other changes were made to the rule amendments as proposed.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-6.003
 RULE TITLE: Facility and Structural Caging Requirement for Class I, II and III Wildlife

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 12, March 26, 2010 Florida Administrative Weekly has been continued from April 28, 2010 to September 1, 2010.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-6.0072
 RULE TITLE: Identification of Non-Native Venomous Reptiles and Reptiles of Concern; Escape

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 12, March 26, 2010 Florida Administrative Weekly has been continued from April 28, 2010 to June 23, 2010.

**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 THE LOTTERY

RULE NO.: 53ER10-14
 RULE TITLE: Instant Game Number 1058, ACES & 8’s

SUMMARY: This emergency rule describes Instant Game Number 1058, “ACES & 8’s,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-14 Instant Game Number 1058, ACES & 8's.

(1) Name of Game. Instant Game Number 1058, "ACES & 8's."

(2) Price. ACES & 8's lottery tickets sell for \$2.00 per ticket.

(3) ACES & 8's lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning ACES & 8's lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:



(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:



(7) The legends are as follows:



(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having an "HALL" play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area shall entitle the claimant to the prize shown for that symbol. A ticket

having a "HALL" play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area shall entitle the claimant to all ten prizes shown.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$30.00, \$40.00, \$100, \$200, \$400, \$1,000, \$10,000 and \$25,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1058 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 60 POOLS OF 180,000 TICKETS PER POOL
\$2	\$2	10.00	1,080,000
\$1 x 4	\$4	50.00	216,000
(\$1 x 2) + \$2	\$4	50.00	216,000
\$2 x 2	\$4	50.00	216,000
\$4	\$4	50.00	216,000
\$1 x 5	\$5	375.00	28,800
(\$1 x 3) + \$2	\$5	375.00	28,800
(\$2 x 2) + \$1	\$5	375.00	28,800
\$1 + \$4	\$5	375.00	28,800
\$5	\$5	375.00	28,800
\$1 x 10 (ACE)	\$10	250.00	43,200
\$1 x 10	\$10	250.00	43,200
\$2 x 5	\$10	250.00	43,200
\$5 x 2	\$10	250.00	43,200
\$10	\$10	250.00	43,200
(\$1 x 5) + (\$2 x 5)	\$15	750.00	14,400
(ACE)	\$15	750.00	14,400
(\$1 x 5) + (\$2 x 5)	\$15	750.00	14,400
\$2 + (\$4 x 2) + \$5	\$15	750.00	14,400
\$5 + \$10	\$15	750.00	14,400
\$15	\$15	750.00	14,400
\$1 + (\$2 x 7) + (\$5 x 2)	\$25	900.00	12,000
(ACE)	\$25	900.00	12,000
\$1 + (\$2 x 7) + (\$5 x 2)	\$25	1,000.00	10,800
(ACE)	\$25	1,000.00	10,800
(\$2 x 5) + (\$5 x 3)	\$25	1,125.00	9,600
\$5 x 5	\$25	1,200.00	9,000
\$25	\$25	1,200.00	9,000
(\$2 x 5) + (\$4 x 5)	\$30	3,750.00	2,880
(ACE)	\$30	3,750.00	2,880
\$5 x 6	\$30	3,750.00	2,880
\$10 x 3	\$30	3,750.00	2,880
\$15 x 2	\$30	3,750.00	2,880
\$30	\$30	3,750.00	2,880
\$4 x 10 (ACE)	\$40	5,000.00	2,160
(\$4 x 5) + (\$5 x 4)	\$40	5,000.00	2,160
\$10 x 4	\$40	6,000.00	1,800
\$20 x 2	\$40	6,000.00	1,800
\$40	\$40	6,000.00	1,800
\$10 x 10 (ACE)	\$100	3,600.00	3,000

\$10 x 10	\$100	3,600.00	3,000
(\$20 x 2) + (\$30 x 2)	\$100	3,600.00	3,000
\$25 x 4	\$100	3,600.00	3,000
\$100	\$100	3,600.00	3,000
\$20 x 10 (ACE)	\$200	12,000.00	900
\$25 x 8	\$200	15,000.00	720
\$20 + (\$30 x 6)	\$200	18,000.00	600
\$100 x 2	\$200	18,000.00	600
\$200	\$200	18,000.00	600
\$40 x 10 (ACE)	\$400	45,000.00	240
(\$40 x 5) + (\$100 x 2)	\$400	45,000.00	240
\$100 x 4	\$400	45,000.00	240
\$200 x 2	\$400	45,000.00	240
\$400	\$400	45,000.00	240
\$100 x 10 (ACE)	\$1,000	90,000.00	120
\$100 x 10	\$1,000	180,000.00	60
\$200 x 5	\$1,000	180,000.00	60
\$200 + (\$400 x 2)	\$1,000	180,000.00	60
\$1,000	\$1,000	180,000.00	60
\$10,000	\$10,000	1,080,000.00	10
\$25,000	\$25,000	1,080,000.00	10

(10) The estimated overall odds of winning some prize in Instant Game Number 1058 are 1 in 4.37. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1058, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for ACES & 8's lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 5-7-10.

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

EFFECTIVE DATE: May 7, 2010

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER10-15
 RULE TITLE: Instant Game Number 1051, FULL HOUSE

SUMMARY: This emergency rule describes Instant Game Number 1051, "FULL HOUSE," for which the Department of the Lottery will start selling tickets on a date to be determined

by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-15 Instant Game Number 1051, FULL HOUSE.

(1) Name of Game. Instant Game Number 1051, "FULL HOUSE."

(2) Price. FULL HOUSE lottery tickets sell for \$5.00 per ticket.

(3) FULL HOUSE lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning FULL HOUSE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The play symbols are as follows:



(5) The prize symbols and prize symbol captions are as follows:



(6) The legends are as follows:



(7) Determination of Prizewinners.

(a) There are six hands on a ticket. Each hand is played separately.

1. A ticket having two of a kind in a hand shall entitle the claimant to the prize shown for that hand.

2. A ticket having three of a kind in a hand shall entitle the claimant to double the prize shown for that hand.

3. A ticket having a full house (three of a kind and a pair) in a hand shall entitle the claimant to five times the prize shown for that hand.

(b) The prizes are: \$2.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$500, \$1,000, \$5,000, \$10,000, \$50,000 and \$200,000.

(8) The estimated odds of winning, value and number of prizes in Instant Game Number 1051 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 52 POOLS OF 120,000 TICKETS PER POOL	\$50 (2X) + \$50 (2X) + \$500	\$1,000	40,000.00	156
\$5	\$5	10.00	624,000	\$500			
\$2 (5X)	\$10	30.00	208,000	\$100 (5X) + \$100 (5X)	\$1,000	40,000.00	156
\$5 x 2	\$10	60.00	104,000	\$500 (2X)	\$1,000	40,000.00	156
\$5 (2X)	\$10	30.00	208,000	\$1,000	\$1,000	40,000.00	156
\$10	\$10	60.00	104,000	\$1,000 (5X)	\$5,000	416,000.00	15
(\$2 x 5) + \$5	\$15	300.00	20,800	\$5,000	\$5,000	416,000.00	15
\$5 x 3	\$15	300.00	20,800	\$5,000 (2X)	\$10,000	416,000.00	15
\$2 (5X) + \$5	\$15	300.00	20,800	\$10,000	\$10,000	416,000.00	15
\$5 (2X) + \$5	\$15	300.00	20,800	\$10,000 (5X)	\$50,000	624,000.00	10
\$15	\$15	300.00	20,800	\$50,000	\$50,000	624,000.00	10
(\$2 x 5) + \$10	\$20	300.00	20,800	\$200,000	\$200,000	1,248,000.00	5
\$5 x 4	\$20	300.00	20,800				
\$2 (5X) + \$2 (5X)	\$20	300.00	20,800				
\$10 (2X)	\$20	300.00	20,800				
\$20	\$20	300.00	20,800				
\$5 x 5	\$25	1,500.00	4,160				
\$5 + (\$10 x 2)	\$25	1,500.00	4,160				
\$5 + \$10 (2X)	\$25	1,500.00	4,160				
\$5 (5X)	\$25	1,200.00	5,200				
\$25	\$25	1,500.00	4,160				
\$5 x 6	\$30	1,500.00	4,160				
\$5 (2X) + \$5 (2X) + \$5 (2X)	\$30	1,333.33	4,680				
\$5 (5X) + \$5	\$30	1,500.00	4,160				
\$15 (2X)	\$30	1,500.00	4,160				
\$30	\$30	1,500.00	4,160				
(\$5 x 2) + (\$10 x 4)	\$50	1,500.00	4,160				
\$10 + \$20 (2X)	\$50	1,500.00	4,160				
\$10 (5X)	\$50	1,500.00	4,160				
\$25 (2X)	\$50	1,500.00	4,160				
\$50	\$50	1,500.00	4,160				
(\$10 x 3) + (\$20 x 2) + \$30	\$100	2,000.00	3,120				
\$10 (2X) + \$10 (2X) + \$10 (2X) + \$10 (2X) + \$20	\$100	1,200.00	5,200				
\$20 x 5	\$100	2,000.00	3,120				
\$20 (5X)	\$100	2,000.00	3,120				
\$50 (2X)	\$100	2,000.00	3,120				
\$100	\$100	2,000.00	3,120				
(\$50 x 2) + (\$100 x 4)	\$500	12,000.00	520				
\$20 + \$30 + \$50 + \$100 (2X) + \$100 (2X)	\$500	10,000.00	624				
\$100 + \$100 (2X) + \$100 (2X)	\$500	10,000.00	624				
\$100 (5X)	\$500	10,000.00	624				
\$500	\$500	12,000.00	520				
(\$100 x 5) + \$500	\$1,000	40,000.00	156				

(9) The estimated overall odds of winning some prize in Instant Game Number 1051 are 1 in 4.04. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Instant Game Number 1051, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) Payment of prizes for FULL HOUSE lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 5-7-10.

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

EFFECTIVE DATE: May 7, 2010

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER10-16
 RULE TITLE: Instant Game Number 1057, WILD DOUBLER

SUMMARY: This emergency rule describes Instant Game Number 1057, "WILD DOUBLER," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER10-16 Instant Game Number 1057, WILD DOUBLER.

(1) Name of Game. Instant Game Number 1057, "WILD DOUBLER."

(2) Price. WILD DOUBLER lottery tickets sell for \$1.00 per ticket.

(3) WILD DOUBLER lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning WILD DOUBLER lottery ticket, the ticket must meet the applicable requirements of Rule 53ER10-1, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:



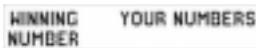
(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:



(7) The legends are as follows:



(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBER" play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a "WILD DOUBLER" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to double the prize shown for that symbol.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$40.00, \$100, \$200 and \$4,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1057 are as follows:

\$1 (WILD)	\$2	25.00	480,000
\$2	\$2	33.33	360,000
\$1 x 4	\$4	300.00	40,000
\$1 (WILD) + \$2	\$4	300.00	40,000
\$2 (WILD)	\$4	300.00	40,000
\$2 x 2	\$4	150.00	80,000
\$4	\$4	300.00	40,000
\$1 x 5	\$5	500.00	24,000
\$1 (WILD) + \$1 + \$2	\$5	500.00	24,000
\$1 + \$2 (WILD)	\$5	500.00	24,000
\$1 + \$4	\$5	500.00	24,000
\$5	\$5	500.00	24,000
\$2 x 5	\$10	750.00	16,000
(\$2 x 3) + \$4	\$10	750.00	16,000
\$1 + \$2 (WILD) + \$5	\$10	750.00	16,000
\$5 (WILD)	\$10	750.00	16,000
\$10	\$10	750.00	16,000
(\$2 x 3) + \$4 + \$5	\$15	1,500.00	8,000
\$1 + \$2 (WILD) + (\$5 x 2)	\$15	1,500.00	8,000
\$5 x 3	\$15	1,500.00	8,000
\$5 + \$5 (WILD)	\$15	1,500.00	8,000
\$15	\$15	1,500.00	8,000
\$4 x 5	\$20	1,500.00	8,000
\$5 x 4	\$20	1,500.00	8,000
\$5 (WILD) + \$10	\$20	1,500.00	8,000
\$10 (WILD)	\$20	1,500.00	8,000
\$20	\$20	1,500.00	8,000
\$5 (WILD) + (\$5 x 4)	\$30	15,000.00	800
(\$5 x 2) + (\$10 x 2)	\$30	15,000.00	800
\$10 x 3	\$30	15,000.00	800
\$15 (WILD)	\$30	15,000.00	800
\$30	\$30	15,000.00	800
(\$5 x 2) + (\$10 x 3)	\$40	20,000.00	600
(\$5 x 2) + \$5 (WILD)	\$40	20,000.00	600
+ \$10 (WILD)			
\$10 x 4	\$4	20,000.00	600
\$20 (WILD)	\$4	20,000.00	600
\$40	\$40	20,000.00	600
\$20 x 5	\$100	15,000.00	800
\$10 + \$20 + \$30 + \$40	\$100	15,000.00	800
\$20 + (\$40 x 2)	\$100	15,000.00	800
\$10 (WILD) + \$40 (WILD)	\$100	15,000.00	800
\$100	\$100	15,000.00	800
\$40 x 5	\$200	120,000.00	100
\$30 (WILD) + \$30 (WILD) + (\$40 x 2)	\$200	120,000.00	100
\$40 (WILD) + \$40 (WILD) + \$40 (WILD) + \$40 (WILD)	\$200	120,000.00	100
\$100 (WILD)	\$200	120,000.00	100
\$200	\$200	120,000.00	100
\$4,000	\$4,000	240,000.00	50

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF
			WINNERS IN 50 POOLS OF 240,000 TICKETS PER POOL
\$1	\$1	10.71	1,120,000

(10) The estimated overall odds of winning some prize in Instant Game Number 1057 are 1 in 4.82. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1057, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for WILD DOUBLER lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 5-7-10.

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

EFFECTIVE DATE: May 7, 2010

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF EDUCATION

NOTICE IS HEREBY GIVEN THAT on May 11, 2010, the Department of Education has issued an order.

Redlands Christian Migrant Association filed an Emergency Petition for Waiver from Rule 6A-1.099821, Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate, DOE Agency Case No.: DOE-2010-2050.

On April 12, 2010, an emergency petition was filed by Redlands Christian Migrant Association (RCMA) operating at the following locations: Centro Villas Child Development Center, Florida City; LaEstancia Child Development Center, Wimauma; Mira Verde Child Development Center, LaBelle; Mascotte Child Development Center, Mascotte; Pomona Park Child Development Center, Pomona Park; Wimauma Early Education Center, Wimauma; Krome Child Development Center, LaBelle; and Redlands Child Development Center, Homestead; requesting a waiver from Rule 6A-1.099821, Voluntary Prekindergarten (VPK) Provider Kindergarten

Readiness Rate. Redlands Christian Migrant Association petitions the Department for a temporary waiver from the requirements of subsection 6A-1.099821(4), F.A.C., beginning on April 13, 2010 through July 1, 2011. On May 11, 2010, an Order Denying Emergency Review of Petition for Waiver from Rule 6A-1.099821, F.A.C., was issued by the Department of Education stating that the Department did not find that the facts alleged in the petition constituted an emergency, therefore, emergency review was denied and the petition will be reviewed on a non-emergency basis. The notice of the petition may be obtained in the April 23, 2010, Florida Administrative Weekly.

A copy of the Order may be obtained by contacting: Lynn Abbott, Agency Clerk at (850)245-9661 or lynn.abbott@fldoe.org. A copy may also be obtained from the Department's website at https://app1.fldoe.org/DOE_Calendar/default.aspx?WhichCalendar=4.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN THAT on May 13, 2010, the Florida Public Service Commission, received a petition for waiver of Rules 25-4.0185, 25-4.066, 25-4.070, 25-4.073 and subsection 25-4.110(6), Florida Administrative Code, or in the alternative, a waiver of Rule 25-4.073, Florida Administrative Code, or Rule 25-4.0185, Florida Administrative Code. Docket No.: 100288-TL – Petition of Quincy Telephone Company d/b/a TDS Telecom/Quincy, Smart City Telecommunications LLC d/b/a Smart City Telecom, GTC, Inc. d/b/a Fairpoint Communications, Northeast Florida Telephone Company d/b/a NEFCOM, ITS Telecommunications Systems, Inc., and Frontier Communications of the South, LLC, for waiver of requirements of Rules 25-4.0185, 25-4.066, 25-4.070, 25-4.073 and subsection 25-4.110(6), Florida Administrative Code, relating to service quality, or in the alternative the waiver of Rule 25-4.073, Florida Administrative Code, relating to answer time requirements, or Rule 25-4.0185, Florida Administrative Code, relating to periodic service quality reporting requirements. These rules relate to quality of service requirements for basic residential customers. Comments on the petition should be filed with the Commission's Office of Commission Clerk, within 14 days of publication of this notice.

For additional information, please contact: Rosanne Gervasi, Office of the General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6224.

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 May 17, 2010, the St. Johns River Water Management District, received a petition for variance from DG Palm Bay Malabar, LLC, pursuant to Section 120.542, Florida Statutes. Petitioner is seeking a variance from subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005) (A.H.), for Environmental Resource Permit (ERP) Application 40-009-123594-1. The permit applicant is proposing to construct a new surface water management system, including a wet detention pond, that discharge into the Melbourne-Tillman Water Control District canal system, for a surface water management system known as Dollar General Store Palm Bay, in Brevard County. Subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3, A.H., prohibit the construction, operation, and maintenance of a surface water management system in the Upper St. Johns River Hydrologic Basin that results in an increase in the amount of water being diverted from the Basin to coastal receiving waters. These rules are intended to protect the water resources of the state by limiting discharges of fresh water to estuarine waters and curtailing interbasin diversion. Comments on this petition should be filed with: Sandra Bertram, Acting District Clerk, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2010-20.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Gail Hankinson, Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4391.

NOTICE IS HEREBY GIVEN THAT on May 13, 2010, the South Florida Water Management District (District) Governing Board has issued an order.

SFWMD Order No.: 2010-089-DAO-ROW was issued to Palm Beach County Environmental Resource Management (Application No.: 09-1204-1). The petition for waiver was received by the SFWMD on December 4, 2010. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 35, No. 51, on December 24, 2009. No public comment was received. This Order provides a waiver of the District's criteria to allow two existing gates to remain within the rights of way of C-18W at the Petitioner's existing, previously-authorized pedestrian bridge located approx. 3.99 miles downstream of the Beeline Highway (S.R.710) Bridge; C-18W Canal, Section 30, Township 41 South, Range 42 East, Palm Beach County.

Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), 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 facilities within forty feet of the top of the canal bank within works or land 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 Petitioner from suffering a substantial hardship.

A copy of the Order may be obtained by contacting: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, FL 33406-4680, (561)682-6268 or by email: jurussel@sfwmd.gov.

NOTICE IS HEREBY GIVEN THAT on May 5, 2010, the South Florida Water Management District (District), received a petition for waiver from Adele Gold for a Modification of Right of Way Occupancy Permit No. 10531, Application No.: 10-0505-1M, for utilization of Works or Lands of the District known as the C-17 Canal, Palm Beach County for proposed rip-rap boulder bank stabilization and existing trees within the north right of way of the C-17 Canal located adjacent to 540 Anchorage Drive, Section 16, Township 42 South, Range 43 East, Palm Beach County. The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which prohibits the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1414, West Palm Beach, FL 33406, Attention: Juli Russell, Office of Counsel.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT on May 18, 2010, the Agency for Workforce Innovation, received a petition for variance from subsection 60BB-4.210(1), F.A.C., which provides requirements for maintaining school readiness eligibility and allows an individual to be unemployed for a maximum of 30 days before losing eligibility to receive services. The Petition was filed by: Early Learning Coalition of Osceola County, 1631 East Vine Street, Suite E, Kissimmee, Florida 34744.

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 East Madison Street, MSC #140, Tallahassee, FL 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on April 27, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurant, received a petition for/from Kevin Bunch, Eola Capital, CAT-FL Owner LLC, c/o Cypress West, Tampa, Florida. Petitioner seeks an emergency variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading three elevators for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 27, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for / from Kevin Bunch, Eola Capital, FLA Owner LLC, c/o Registry One, Tampa, Florida. Petitioner seeks an emergency variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading two elevators for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on May 4, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for/from Barbara Burch, Lakeside at Lochmoor Condominium Association, c/o Building D, Lakeside at Lochmoor Condominium, North Ft.

Myers, Florida. Petitioner seeks a temporary variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevator for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on May 4, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for/from Chrissy Cronin, Safe Elevator Corp, c/o Miramar II Condominium, Jensen Beach, Florida. Petitioner seeks an emergency variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading two elevator for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 27, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for/from Chrissy Cronin, Safe Elevator Corp, c/o Island Dunes Admiral Condominium, Jensen Beach, Florida. Petitioner seeks an emergency variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading three elevators for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for/from Robert G. Duncan, Columbia Sussex Corp & Columbia Properties Westshore LLC, c/o Tampa Westshore Marriott, Tampa, Florida. Petitioner seeks an emergency variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for/from Ivan Fuchsman, President, c/o Casuarina Condominium, Highland Beach, Florida. Petitioner seeks an emergency variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 27, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for/from Harvey L. Glaser, Phoenix Management Services, c/o Flagler Yacht Club, West Palm Beach, Florida. Petitioner seeks a temporary variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code

adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevator for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on May 12, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1), (6), Florida Administrative Code, from H & S Catering, Tallahassee, FL. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

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

NOTICE IS HEREBY GIVEN THAT on April 23, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for/from Raymond Henney, President c/o Imperial Cove Clubhouse, Building VIII, Clearwater, Florida. Petitioner seeks a temporary variance to the requirements of A17.3, Section 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevator for door restrictors which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 29, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for / from Alex

Inglis, Flori De Leon Association c/o Flori De Leon Apts. Inc. St. Petersburg, Florida. Petitioner seeks a temporary variance to the requirements of A17.3, Section 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevator for door restrictors which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 29, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for Alex Inglis, Flori De Leon Association c/o Flori De Leon Apts. Inc., St. Petersburg, Florida. Petitioner seeks a temporary variance to the requirements of A17.3, Section 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevator SN 31646 for door restrictors which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 29, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for / from Alex Inglis, Flori De Leon Association c/o Flori De Leon Apts. Inc., St. Petersburg, Florida. Petitioner seeks a temporary variance to the requirements of A17.3, Section 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevator SN 31645 for door restrictors which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on May 17, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition for a Routine Variance on May 7, 2010 for subsection 61C-4.010(6), Florida Administrative Code; Paragraph 6-501.115(A), 2001 Food Code from Jimmy Buffets Margaritaville, Panama City Beach, FL. The above referenced F.A.C. addresses the requirements that live animals are not allowed on the premise of a public food service establishment except as specifically provided in rule. They are requesting to have birds outside on the premise.

The initial petition will publish in Vol. 36, No. 21 on 5/28/10 and approval was contingent upon ensuring that the parrots will have no direct or indirect contact that may contaminate food, clean equipment, utensils, linens, or unwrapped single-service or single-use articles. No other prohibited animals will be allowed on the premise. Approval is also contingent upon the birds being located in and confined to an area where food preparation, food storage or warewashing do not occur. The birds shall be handled and cared for by nonfood employees. The area in which the birds are kept shall be kept in good repair and cleaned according to the prescribed cleaning procedures and as often as necessary to prevent any potential for cross contamination to occur.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on May 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for Jupiter Investment, c/o Jupiter Center, Jupiter, Florida. Petitioner seeks a temporary variance to the requirements of A17.3, Section 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevator for door restrictors which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on May 3, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for/from K. Preben Knudsen, Knudsen Partners c/o Scan Design Building, Altamonte Springs, Florida. Petitioner seeks a temporary variance to the requirements of A17.1, Section 2.13.3, A17.3, Section 3.11.3, where travel exceeds the 25 foot threshold by a minimal amount, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevator for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on May 11, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for/from Paul Komie, Alliance Elevator Consultants Inc., c/o The Land of the President Condominium, West Palm Beach, Florida. Petitioner seeks an variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevator for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 23, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a petition for a Routine Variance on April 20, 2010 for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph

6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1), Florida Administrative Code, from Leon Express, Orlando, FL. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

The variance request posted in Vol. 36, No. 17 on 4/30/10 and approval is contingent upon the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid, the steam table is enclosed within a cabinet with tight-fitting doors and protected by an air curtain installed and operated according to manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on May 3, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for Stacey Lovell, c/o St. James and St. Andrew's Residence of the Palm Beaches Inc., Jensen Beach, Florida. Petitioner seeks an emergency variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading two elevators for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on May 10, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001

FDA Food Code, subsections 61C-4.010(1), (6), Florida Administrative Code, from Lunch Time Catering, Orlando, FL. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on May 7, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance on May 7, 2010 for subsection 61C-4.010(6), Florida Administrative Code, Paragraph 6-501.115(A), 2001 Food Code from Jimmy Buffets Margaritaville, Panama City Beach, FL. The above referenced F.A.C. addresses the requirements that live animals are not allowed on the premise of a public food service establishment except as specifically provided in rule. They are requesting to have birds outside on the premise.

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

NOTICE IS HEREBY GIVEN THAT on April 29, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for/from Ronald E. Nowvickie, VP, Root Real Estate Corp, c/o Indigo Professional Centre, Root Riverfront Partners LLC, Daytona Beach, Florida. Petitioner seeks an emergency variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevator for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 28, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for/from Adrian M. Pfeffer, Associa Benson's Inc., c/o Steamboat Bend East Condominium Association Inc., Ft. Myers, Florida. Petitioner

seeks a temporary variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for Charee Russell, Regional Property Manager, SPM, LCC c/o Casa Santa Marta, Sarasota, Florida. Petitioner seeks a temporary variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for/from Don M. Stichter, Madison Street Properties, Inc., c/o 100 Madison Building, Tampa, Florida. Petitioner seeks a temporary variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevator for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on April 29, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for / from David Vondenberger, Regional Manager, SPM, LCC c/o Orlando Cloisters, Orlando, Florida. Petitioner seeks a temporary variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on May 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition for an Emergency Variance on April 27, 2010 for subsection 61C-4.010(6), Florida Administrative Code, Subparagraph 6-101.11 (A)(1) & (3), 2001 FDA Food Code, Paragraph 6-201.11, 2001 FDA Food Code from The Vineyard Wine Bar. The above referenced F.A.C. addresses the requirement that ceilings in a public food service establishment must be smooth, nonabsorbent and easily cleanable. They are requesting to operate with a ceiling that is not smooth and easily cleanable.

The initial request will be posted in Vol. 36, No. 20 on 5/21/10 and approval is contingent upon the Petitioner having a cleaning regimen to preclude the accumulation of dust, dirt and other debris on the ceiling that could cross contaminate the food and food-contact surfaces. The Petitioner shall also ensure that the historic status of the building and the current menu (consisting of wine and assorted cheese platters) does not change. If changes to the building status or menu do occur, the Petitioner shall notify the Division immediately.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on April 26, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for/from Jamie Winnick, The Lucerne Condo Association, c/o Lucerne Condominium, Lake Worth, Florida. Petitioner seeks an emergency variance to the requirements of A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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, (850)488-1133.

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 Massage Therapy hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement filed by Kenneth Williams, D.C., which was filed on December 10, 2009. The Notice of Petition for Declaratory Statement was published in Vol. 35, No. 52, of the December 31, 2009, Florida Administrative Weekly. The Board considered the Petition at its duly-noticed meeting held on January 22, 2010. The Petitioner inquired whether the establishment license obtained by a massage therapist renting a room in a chiropractic clinic could be used by the entire clinic including a massage therapist employed by the Petitioner to satisfy the establishment licensure requirement.

The Board's Order, filed on March 16, 2010, grants the Petition, finding that Petitioner would not be required to obtain another establishment license.

A copy of the Board's Order may be obtained by contacting: Christy Robinson, Acting Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256.

NOTICE IS HEREBY GIVEN THAT on May 17, 2010, the Board of Medicine, received a petition for variance or waiver filed by Sundara R. Sridhar, M.D., from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition

should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on April 21, 2010, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Children's Home Society and Vassilia Binenszok, assigned Case No.: 10-029W. Subsection 65C-15.017(2), F.A.C. requires staff responsible for the supervision, evaluation and monitoring of the direct child care staff shall have a bachelor's degree in social work, or related area of study from college or university and at least 3 years of experience in working with children.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Faginal Jones at (850)921-8132.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on May 17, 2010, the Florida Housing Finance Corporation, received a petition for waiver of that portion of subparagraph 67-48.0075(7)(a)1., F.A.C. (2008), which requires the principal of a supplemental loan awarded in the 2008 Universal Application Cycle to be forgivable.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Della Harrell, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at www.floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Friends of Mission San Luis, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 10, 2010, 6:00 p.m. – conclusion

PLACE: Mission San Luis Conference Room, 2100 West Tennessee Street, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will meet to discuss end of year income and expenses, fundraising opportunities, and other Friends business.

A copy of the agenda may be obtained by contacting: Jessica Shiver at (850)487-1666.

Pursuant to the provisions of 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: Jessica Shiver at (850)487-1666. If you are 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: Jessica Shiver at (850)487-1666 or jbshiver@dos.state.fl.us.

The **Division of Library and Information Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 15, 2010, 8:30 a.m. – until conclusion

PLACE: Room 307, R. A. Gray Building, 500 S. Bronough St., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review federal fiscal year 2010 grant applications for Library Services and Technology Act funds.

A copy of the agenda may be obtained by contacting: Dolly Frank, Library Program Specialist at (850)245-6631 or e-mail: dafrank@dos.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: Dolly Frank, Library Program Specialist at (850)245-6631 or e-mail: dafrank@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Dolly Frank, Library Program Specialist at (850)245-6631 or e-mail: dafrank@dos.state.fl.us.

The **Division of Library and Information Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 9, 2010, 8:30 a.m. – until conclusion

PLACE: Room 307, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of federal fiscal year 2010 grant applications for Library Services and Technology Act funds.

A copy of the agenda may be obtained by contacting: Dolly Frank, Library Program Specialist at dafrank@dos.state.fl.us or (850)245-6631.

Pursuant to the provisions of 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: Dolly Frank, Library Program Specialist at dafrank@dos.state.fl.us or (850)245-6631. If you are 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: Dolly Frank, Library Program Specialist at dafrank@dos.state.fl.us or (850)245-6631.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida State Fair Authority**, Agricultural Committee announces a public meeting to which all persons are invited.

DATE AND TIME: June 10, 2010, 9:30 a.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher at (813)627-4221.

Pursuant to the provisions of 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: Kathleen Fisher at (813)627-4221. If you are 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: Kathleen Fisher at (813)627-4221.

The **Florida State Fair Authority**, Long Range Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: June 10, 2010, 10:00 a.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher at (813)627-4221.

Pursuant to the provisions of 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: Kathleen Fisher at (813)627-4221. If you are 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: Kathleen Fisher at (813)627-4221.

The **Florida State Fair Authority**, Finance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: June 10, 2010, 11:00 a.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher at (813)627-4221.

Pursuant to the provisions of 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: Kathleen Fisher at (813)627-4221. If you are 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: Kathleen Fisher at (813)627-4221.

The **Florida State Fair Authority Board** announces a public meeting to which all persons are invited.

DATE AND TIME: June 10, 2010, 1:00 p.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher at (813)627-4221.

Pursuant to the provisions of 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: Kathleen Fisher at (813)627-4221. If you are 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: Kathleen Fisher at (813)627-4221.

NOTICE OF CHANGE – The Florida **Alligator Marketing and Education Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 8, 2010, 10:00 a.m.

PLACE: Place has been changed to: Florida Citrus Building, 500 W. 3rd Street, Winter Haven, FL 33881, (863)291-5820

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to conduct general business of the Florida Alligator Marketing and Education Committee, and to discuss marketing and education initiatives for the current and next fiscal year.

A copy of the agenda may be obtained by contacting: John Easley or Martin May at (850)488-0163.

Pursuant to the provisions of 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: John Easley or Martin May at (850)488-0163. If you are 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 Easley or Martin May at (850)488-0163.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry (DOF)** and the Myakka State Forest Management Plan Advisory Group announce two public meetings and a public hearing to which all persons are invited.

MPAG MEETING:

DATE AND TIME: Tuesday, June 15, 2010, 6:15 p.m.

PLACE: 4970 City Hall Boulevard, North Port, FL 34286

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Myakka State Forest Management Plan Advisory Group to prepare for a public hearing later in the evening which will provide recommendations to the DOF to help in preparation of a management plan for the Myakka State Forest.

PUBLIC HEARING:

DATE AND TIME: Tuesday, June 15, 2010, 6:30 p.m.

PLACE: 4970 City Hall Boulevard, North Port, FL 34286

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit comments from the public on the management of the Myakka State Forest. Comments may be presented orally or in writing at the hearing.

Written comments may also be submitted to: DOF's Myakka State Forest, 4723 53rd Avenue, East, Bradenton, FL 34203, Attention: Ed Flowers, and should be mailed so as to arrive at the office by the date of the public hearing.

MPAG MEETING:

DATE AND TIME: Wednesday, June 16, 2010, 9:00 a.m.

PLACE: 4970 City Hall Boulevard, North Port, FL 34286

GENERAL SUBJECT MATTER TO BE CONSIDERED: To allow the Myakka State Forest Management Plan Advisory Group to review comments from the public hearing of June 15, 2010 and provide recommendations to the DOF to help in preparation of a management plan for the Myakka State Forest. A copy of the agenda may be obtained by contacting: Myakka State Forest, 4723 53rd Avenue East, Bradenton, FL 34203 or contacting: Tom Williams at (941)460-1333.

Pursuant to the provisions of 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: DOF's Myakka State Forest office at the above listed address. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Agriculture and Consumer Services, Division of Food Safety** announces a public meeting to which all persons are invited.

DATE AND TIME: May 25, 2010, 10:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Conner Complex, Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Informational and general business meeting of the Florida Food Safety and Food Defense Advisory Council.

A copy of the agenda may be obtained by contacting: Carol Windham at (850)488-0295.

Pursuant to the provisions of 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: Carol Windham at (850)488-0295. If you are 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: Carol Windham at (850)245-5582.

DEPARTMENT OF EDUCATION

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

DATES AND TIMES: Monday, June 28 2010, 8:30 a.m. – 5:00 p.m.; Tuesday, June 29, 2010, 8:30 a.m. – 12:45 p.m. (Executive Committee, Sunday, June 27, 2010, 6:00 p.m. – 7:00 p.m.); An opportunity for public comment, Tuesday, June 29, 2010, 11:30 a.m.

PLACE: Marriott Tampa Airport, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics include Bureau of Exceptional Education and Student Services Update, Graduation/Diploma Options, National Instructional Materials Accessibility Standards (NIMAS)/Florida.

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 West Gaines Street, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 28 days before the workshop/meeting by contacting: Michele Polland, Exceptional Education and Student Services at (850)245-0475. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission**, “the Commission” announces a public meeting to which all persons are invited.

DATES AND TIME: June 7-8, 2010, 8:00 a.m – completion
 PLACE: Rosen Centre Hotel, 9840 International Dr., Orlando, FL 32819, (407)996-9840

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monday, June 7, 2010

- 8:00 a.m. Product Approval POC
- 9:00 a.m. Accessibility Advisory Council
 Consider Accessibility Waiver Applications:
 Pine Creek Sporting Club, 23721 N. E. 48th Avenue, Okeechobee, FL
 Superstein Building, 350 Euclid Avenue, Miami Beach, FL
 University of South Florida Basketball Training Facility, 4202 E. Fowler Avenue, Tampa, FL
 Hollywood Golf, 6000 Universal Boulevard, Orlando, FL
 Hernando Elementary K, 12124 Commercial Way, Weeki Wachee, FL
 Orange County Orlando Magic Recreation Center – Mildred Dixon Site, 303 S. W. Crown Point Road, Winter Garden, FL
 Whispering Pines Center, 609 S. W. 89th Avenue, Miramar, FL
 Winter Park Community Center, 721 W. New England Avenue, Winter Park, FL
 Alpha Delta Pi Sorority House Corporation, 537 West Jefferson Street, Tallahassee, FL

- KIPP School, 1440 McDuff Avenue North, Jacksonville, FL
- Kids Inc. Daycare Facility, 1410 West Indianhead Drive, Tallahassee, FL
- Florida State University – Johnston Building, 143 Honors Way, Tallahassee, FL
- Soho Beach House, 4385 Collins Avenue, Miami Beach, FL
- Greenview Hotel, 1671 Washington Avenue, Miami Beach, FL

- 11:00 a.m. Hurricane Research Advisory Committee
- 1:00 p.m. Accessibility Code Work Group (or upon completion of the Access Council meeting)

Tuesday, June 8, 2010

- 8:30 a.m. Plenary session meeting of the Florida Building Commission
 Review and Approve Agenda
 Review and Approve April 7, 2010 Meeting Minutes and Facilitator’s Report
 Review and Approve March 8, 15, and 29, and April 12, 19, 26, 2010 Teleconference Meeting Summary Reports
 Chair’s Discussion Issues and Recommendations
 Update of the Commission Workplan
 Consider TACs Code Amendment Review Process (rule development workshop)
 Consider Commission Process for Review of TAC Recommendations on Proposed Code Amendments (rule adoption hearing)
 Review TAC Meeting Schedule and Agenda for Each TAC
 Consider Accessibility Waiver Applications
 Pine Creek Sporting Club, 23721 N. E. 48th Avenue, Okeechobee, FL
 Superstein Building, 350 Euclid Avenue, Miami Beach, FL
 University of South Florida Basketball Training Facility, 4202 E. Fowler Avenue, Tampa, FL
 Hollywood Golf, 6000 Universal Boulevard, Orlando, FL
 Hernando Elementary K, 12124 Commercial Way, Weeki Wachee, FL
 Orange County Orlando Magic Recreation Center – Mildred Dixon Site, 303 S. W. Crown Point Road, Winter Garden, FL
 Whispering Pines Center, 609 S. W. 89th Avenue, Miramar, FL
 Winter Park Community Center, 721 W. New England Avenue, Winter Park, FL
 Alpha Delta Pi Sorority House Corporation, 537 West Jefferson Street, Tallahassee, FL

KIPP School, 1440 McDuff Avenue North,
 Jacksonville, FL
 Kids Inc. Daycare Facility, 1410 West Indianhead
 Drive, Tallahassee, FL
 Florida State University – Johnston Building, 143
 Honors Way, Tallahassee, FL
 Soho Beach House, 4385 Collins Avenue, Miami
 Beach, FL
 Greenview Hotel, 1671 Washington Avenue,
 Miami Beach, FL
 Consider Applications for Product and Entity
 Approval
 Consider Applications for Accreditor and Course
 Approval
 Consider Binding Interpretations:
 Consider Petitions for Declaratory Statement:

Second Hearing–

DCA09-DEC-259 by Robert S. Fine Counsel for
 Malibu Lodging Investments, LLC
 DCA09-DEC-411 by Manny Sanchez of
 Fenestration Testing Laboratory, Inc.
 DCA10-DEC-002 by Derrek Runion of
 GreenBuilt, Inc.
 DCA10-DEC-034 by C.W. (Ben) Bentley

First Hearing–

DCA10-DEC-038 by Ray Habic of Gillette
 Generators.
 DCA10-DEC-059 by Paul T. Myers, Building
 Official of Putnam County.
 DCA10-DEC-079 by Richard Mihalich. Chief
 Building Official of City of South Daytona.
 DCA10-DEC-085 by Paul E. Radauskas, C.B.O.
 of Sarasota County.
 DCA10-DEC-091 by George Merlin of George
 Merlin Associates Inc.
 DCA10-DEC-107 by Paul T. Myers, Building
 Official of Putnam County.
 Consider other Legal and Legislative Issues
 Septic System Sizing Workgroup Project Update
 Consider Committee Reports and
 Recommendations:
 Meeting of the Accessibility Code Work Group
 Meeting of the Code Administration TAC
 Meeting of the Education POC
 Meeting of the Energy Code Workgroup
 Meeting of the Green Roofs Subcommittee to the
 Energy Code Workgroup
 Meeting of the Product Approval POC
 Meeting of the Roofing TAC
 Meeting of the Special Occupancy TAC
 Meeting of the Structural TAC

Commission Member Comments and Issues
 General Public Comment
 Review Committee Assignments and Issues for
 the July 15, August 8, 9, 10 & 11, and
 August 23, 24 & 25, 2010 Meetings
 Summary Review of Meeting Work Products
 Adjourn.

A copy of the agenda may be obtained by contacting: Ms.
 Jennifer Drake, 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, Fax:
 (850)414-8436 or see the Commission’s website:
www.floridabuilding.org.

Pursuant to the provisions of the Americans with Disabilities
 Act, any person requiring special accommodations to
 participate in this workshop/meeting is asked to advise the
 agency at least 10 days before the workshop/meeting by
 contacting: Ms. Barbara Bryant, 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,
 Fax: (850)414-8436. If you are hearing or speech impaired,
 please contact the agency using the Florida Relay Service,
 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: 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, Fax: (850)414-8436, or see the
 Commission’s website: www.floridabuilding.org.

The **Florida Communities Trust**, Governing Body announces
 a public meeting to which all persons are invited.

DATE AND TIME: June 2, 2010, 9:00 a.m. – until completion
 of business

PLACE: Tallahassee City Hall, City Commission Chambers,
 300 South Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To
 discuss the Three Sisters Springs project including the
 legislative appropriation in the FY 2010-11 budget and to
 conduct any other business that the Governing Board deems
 necessary.

ACTION TO BE TAKEN: Consideration of above-stated
 business.

A copy of the agenda may be obtained by contacting: The
 Florida Communities Trust at (850)922-2207.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Florida Communities Trust at (850)922-2207. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

DEPARTMENT OF REVENUE

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

DATE AND TIME: June 8, 2010, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the proposed amendments to the Sales and Use Tax rules listed below. These proposed rule amendments were noticed in the April 9, 2010 (Vol. 36, No. 14, pp. 1593-1603), Florida Administrative Weekly.

Rule 12A-1.002, F.A.C. – Practitioners of the Healing Arts

Rule 12A-1.015, F.A.C. – Industrial Gases

Rule 12A-1.020, F.A.C. – Licensed Practitioners; Drugs, Medical Products and Supplies

Rule 12A-1.021, F.A.C. – Prosthetic and Orthopedic Appliances

Rule 12A-1.0215, F.A.C. – Veterinary Sales and Services

Rule 12A-1.097, F.A.C. – Public Use Forms.

A copy of the agenda may be obtained by contacting: Sarah Wachman at (850)922-4830, or by going to the Department's Internet site at <http://dor.myflorida.com/dor/rules>.

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

DEPARTMENT OF TRANSPORTATION

The **Commercial Motor Vehicle Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: June 10, 2010, 8:30 a.m.

PLACE: Hawthorn Suites Lake Buena Vista, 8303 Palm Parkway, Orlando, FL 32836

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or persons under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

A copy of the agenda may be obtained by contacting: Christine Jones, Executive Assistant, Commercial Motor Vehicle Review Board, 325 John Knox Rd., Bldg. K, Tallahassee, FL 32303.

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

NOTICE OF CHANGE – The **State Board of Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 8, 2010, 9:00 a.m. – conclusion

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Monroe Street and Apalachee Parkway, Tallahassee, FLorida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Trustees of the State Board of Administration will consider proposed amended rules and will be asked for approval to file the following rules for notice: Rule 19-7.010, F.A.C. (Pooled Investment Accounts); Rule 19-7.011, F.A.C. (Rate of Return Calculation); Rule 19-7.012, F.A.C. (Pool Participation); Rule 19-7.013, F.A.C. (Reporting Procedures); Rule 19-7.015, F.A.C. (Allocation of Earnings); Rule 19-7.016, F.A.C. (Close of Business); and Rule 19-7.017, F.A.C. (Pooled Investment Account Reserve Fund). This approval previously was scheduled to be sought on May 25, 2010, but it has been rescheduled to June 8, 2010.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1253.

Pursuant to the provisions of 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: Tina Joanos, Agency Clerk, Office of the General Counsel, 1801 Hermitage Blvd., Tallahassee, FL 32308, tina.joanos@sbafla.com, (850)413-1197. If you are 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: Ruth A. Smith, Assistant General Counsel, Office of the General Counsel, 1801 Hermitage Blvd., Tallahassee, Florida 32308, ruth.smith@sbafla.com, (850)413-1182.

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, June 9, 2010, 1:00 p.m.

PLACE: Hyatt Regency Coconut Point Resort & Spa, 5001 Coconut Road, Bonita Springs, Florida 34134

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene in conjunction with the Florida Citrus Industry Annual Conference 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)537-3953.

Pursuant to the provisions of 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)537-3984. If you are 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)537-3953.

PUBLIC SERVICE COMMISSION

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

DATE AND TIME: June 15, 2010, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

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

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

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

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

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

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

DATE AND TIME: June 15, 2010, Immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148.

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

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

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

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

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

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: June 15, 2010, 3:00 p.m.

PLACE: Lake-Sumter Metropolitan Planning Organization, 1616 South 14th Street (US 27), Leesburg, Florida 34748

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is intended to solicit public input as it relates to the Draft East Central Florida 2060 Strategic Policy Plan. East Central Florida Regional Planning Council staff will present an overview of the Plan and solicit any comments and input.

A copy of the agenda may be obtained by contacting: George Kinney, Planning Manager email: gkinney@ecfrpc.org or (407)262-7772.

Pursuant to the provisions of 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: George Kinney email: gkinney@ecfrpc.org or (407)262-7772. If you are 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: George Kinney, Planning Manager email: gkinney@ecfrpc.org.

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

DATE AND TIME: June 9, 2010, 9:30 a.m.

PLACE: Highlands County Commission Chambers, 430 South Commerce Avenue, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Central Florida Regional Planning Council and/or its Executive Committee.

A copy of the agenda may be obtained by contacting: Kathryn Hall at (863)534-7130, ext. 129 or email: khall@cfrc.org.

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

For more information, you may contact: Patricia M. Steed, Executive Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, ext. 130 or email: psteed@cfrc.org.

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

DATE AND TIME: July 26, 2010, 9:30 a.m.

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

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

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of 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: Bobbi Jaroy at (727)570-5151, ext. 10.

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

DATE AND TIME: Thursday, June 17, 2010, 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: Southwest Florida Regional Planning Council monthly board meeting.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at (239)338-2550, ext. 232 or email: 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: Ms. Deborah Kooi at (239)338-2550, ext. 210 or email: dkooi@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: www.swfrpc.org.

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

DATE AND TIME: June 7, 2010, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of Council's Budget Personnel Committee. The Committee will discuss Council's Budget for FY 2010-2011.

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

The **Jackson County Transportation Disadvantaged Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 14, 2010, 10:00 a.m. (Central Time)

PLACE: JTrans Office, 3988 Old Cottondale Road, Marianna, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: In addition to its regular business, the agenda will include the annual update to the TD Service Plan.

A copy of the agenda may be obtained by contacting: Vanita Anderson, ARPC Transportation Disadvantaged Coordinator at (850)674-4571, arpc7@fairpoint.net.

Pursuant to the provisions of 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: Apalachee Regional Planning Council at (850)674-4571. If you are 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 **Calhoun County Transportation Disadvantaged Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 14, 2010, 2:00 p.m. (Central Time)

PLACE: Calhoun County Senior Citizens Center, 16859 N. E. Cayson Street, Blountstown, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: In addition to its regular business, the agenda will include the annual update to the TD Service Plan.

A copy of the agenda may be obtained by contacting: Vanita Anderson, ARPC Transportation Disadvantaged Coordinator at (850)674-4571, arpc7@fairpoint.net.

Pursuant to the provisions of 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: The ARPC at (850)674-4571. If you are 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 **Wakulla County Transportation Disadvantaged Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 15, 2010, 10:00 a.m. (Eastern Time)

PLACE: Wakulla County Public Library, 4330 Crawfordville Hwy., Crawfordville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: In addition to its regular business, the agenda will include the annual update to the TD Service Plan.

A copy of the agenda may be obtained by contacting: Vanita Anderson, ARPC Transportation Disadvantaged Coordinator at (850)674-4571, arpc7@fairpoint.net.

Pursuant to the provisions of 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: Apalachee Regional Planning Council at (850)674-4571. If you are 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 **Liberty County Transportation Disadvantaged Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 15, 2010, 2:00 p.m. (Eastern Time)

PLACE: Veterans Memorial Park Civic Center, 10405 N. W. Theo Jacobs Way, Bristol, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: In addition to its regular business, the agenda will include the annual update to the TD Service Plan.

A copy of the agenda may be obtained by contacting: Vanita Anderson, ARPC Transportation Disadvantaged Coordinator at (850)674-4571, arpc7@fairpoint.net.

Pursuant to the provisions of 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: Apalachee Regional Planning Council at

(850)674-4571. If you are 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 **Franklin County Transportation Disadvantaged Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 16, 2010, 10:00 a.m. (Eastern Time)

PLACE: Franklin County Courthouse Annex Courtroom, 33 Market Street, Apalachicola, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: In addition to its regular business, the agenda will include the annual update to the TD Service Plan.

A copy of the agenda may be obtained by contacting: Vanita Anderson, ARPC Transportation Disadvantaged Coordinator at (850)674-4571, arpc7@fairpoint.net.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least days before the workshop/meeting by contacting: Apalachee Regional Planning Council at (850)674-4571. If you are 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 **Gulf County Transportation Disadvantaged Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 16, 2010, 1:00 p.m. (Eastern Time)

PLACE: Gulf County Transportation Office, 122 Water Plant Road, Port St. Joe, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: In addition to its regular business, the agenda will include the annual update to the TD Service Plan.

A copy of the agenda may be obtained by contacting: Vanita Anderson, ARPC Transportation Disadvantaged Coordinator at (850)674-4571, arpc7@fairpoint.net.

Pursuant to the provisions of 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: the Apalachee Regional Planning Council at (850)674-4571. If you are 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 **Jefferson County Transportation Disadvantaged Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 17, 2010, 10:00 a.m. (Eastern Time)

PLACE: Jefferson County Health Department Annex, 1175 W. Washington Street, Monticello, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: In addition to its regular business, the agenda will include the annual update to the TD Service Plan.

A copy of the agenda may be obtained by contacting: Vanita Anderson, ARPC Transportation Disadvantaged Coordinator at (850)674-4571, arpc7@fairpoint.net.

Pursuant to the provisions of 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: Apalachee Regional Planning Council at (850)674-4571. If you are 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 **Gadsden County Transportation Disadvantaged Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 17, 2010, 2:00 p.m. (Eastern Time)

PLACE: William A. McGill Public Library, 732 Pat Thomas Parkway, Quincy, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: In addition to the regular business, the agenda will include the annual update to the TD Service Plan.

A copy of the agenda may be obtained by contacting: Vanita Anderson, ARPC Transportation Disadvantaged Coordinator at (850)674-4571, arpc7@fairpoint.net.

Pursuant to the provisions of 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: Apalachee Regional Planning Council at (850)674-4571. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

METROPOLIAN PLANNING ORGANIZATIONS

The **Metropolitan Transportation Planning Organization** for the Gainesville Urbanized Area announces a public meeting to which all persons are invited.

DATE AND TIME: June 9, 2010, 10:00 a.m.

PLACE: Jack Durrance Auditorium, Alachua County Administration Building, 12 Southeast 1st Street, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Alachua County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by calling: (352)955-2200. If you are 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 **Hillsborough County MPO Transportation Disadvantaged Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 8, 2010, 10:00 a.m. – 11:30 a.m.

PLACE: The Planning Commission offices, 601 E Kennedy Blvd., 18th Floor, Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Planning subcommittee will meet to discuss the update of the Transportation Disadvantaged Service Plan.

A copy of the agenda may be obtained by contacting: Michele Ogilvie via email: ogilviem@plancom.org or by calling (813)273-3774, ext. 317.

Pursuant to the provisions of 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: Michele Ogilvie via email: ogilviem@plancom.org or by calling (813)273-3774, ext. 317. If you are 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 **Martin Metropolitan Planning Organization** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 7, 2010, 10:00 a.m.

PLACE: Growth Management Conference Room, Administrative Building, 1st Floor, 2401 S. E. Monterey Road, Stuart, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of public transportation services.

A copy of the agenda may be obtained by contacting: www.martinmpo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 3 days before the workshop/meeting by contacting: Transportation assistance to and from meetings for disabled persons may be arranged by calling 1(866)836-7034. Non-English speaking or visually impaired persons who need an accommodation are advised to contact: County Administrator's office at (772)288-5420 or write: 2401 S. E. Monterey Road, Stuart, FL 34996, no later than 3 days before the meeting date. If you are hearing or voice impaired, please call (772)288-5940 (TDD). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Beth Beltran, MPO/Transit Planning Manager at (772)223-7983. Si usted desea recibir esta información en español, por favor llame al (772)221-1498.

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: June 8, 2010, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, Florida 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board meeting to consider District business and conduct public hearings on regulatory and land acquisition matters. A workshop will follow the Board meeting.

A copy of the agenda may be obtained by contacting: Lisa Cheshire or Kristel Callahan at (386)362-1001 or 1(800)226-1066 (Florida Only) or on the District's website at: www.mysuwanneeriver.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida Only). If you are 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 **St. Johns River Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: Monday, June 7, 2010, 1:00 p.m., Governing Board Workshop

PLACE: District Headquarters, Governing Board Room, Executive Building, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Informational workshop on 2010-2011 Budget.

NOTE: One or more Governing Board members may attend and participate in the meeting by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Missy McDermont, 4049 Reid Street, Palatka, Florida 32177, (386)329-4101 or by visiting the District's website: www.sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Monday, June 7, 2010, 4:00 p.m., Projects and Land Committee

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Projects and Land Committee will discuss agenda items followed by Committee recommendations to be approved by the Full Governing Board. In the event a quorum of the Committee is not available for the business meeting at the date, time, and place set forth above, the Committee shall meet on Tuesday, June 8, 2010, 8:00 a.m. at District Headquarters.

NOTE: One or more Governing Board members may attend and participate in the meeting by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177, Attention: Heather Barnes, (386)329-4347 or on the District website: www.floridaswater.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIMES: Tuesday, June 8, 2010, 8:15 a.m., Governing Board and Committee Chairmen's meeting; 9:00 a.m., Finance, Administration and Audit Committee meeting; 10:00 a.m., Regulatory Committee followed by Governing Board meeting and Public Hearing on Land Acquisition. The agenda may identify a time certain for considering specific agenda items.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external budget amendments which affect the adopted budget. NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177, Attention: Missy McDermont, (386)329-4101 or District website: www.floridaswater.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DATE AND TIME: June 10, 2010, 1:30 p.m.

PLACE: Holiday Inn Daytona, 2620 W. International Speedway Blvd., Daytona Beach, FL 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agricultural Advisory Committee – Discussion of proposed irrigation efficiency standards, EPA numeric nutrient standards, and consideration of District funded agricultural water conservation projects.

A copy of the agenda may be obtained by contacting: Vince Singleton at (386)329-4197 or vsingleton@sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Vince Singleton at (386)329-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Wednesday, June 9, 2010, 9:00 a.m.

PLACE: Starkey Environmental Education Center, 10500 Wilderness Road, New Port Richey, FL 34655

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pinellas-Anclote River Basin Board Meeting: Consider Basin business including discussion of the fiscal year 2011 budget and adoption of proposed millage rate. Some Board members may participate in the meeting via communications media technology. This is a change of place from the published annual calendar.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of 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 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.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.

For more information, you may contact: Phyllis.Young@watermatters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4615 (Ad Order EXE0041).

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

DATE AND TIME: Wednesday, June 9, 2010, 9:00 a.m.

PLACE: SWFWMD Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: January 2010, Freeze Event Workshop: Workshop invites discussion of issues relative to the unprecedented freeze event. One or more Governing Board, Basin Board or Advisory Committee members may attend.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of 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 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702, TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.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.

For more information, you may contact: Carol.Lynch@watermatters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4336 (Ad Order EXE0039).

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

DATE AND TIME: Wednesday, June 9, 2010, 11:45 a.m.

PLACE: Starkey Environmental Education Center, 10500 Wilderness Road, New Port Richey, FL 34655

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ribbon Cutting Ceremony: Ceremony to celebrate completion of the educational exhibits at the Starkey Environmental Education Center. One or more Governing or Basin Board members and members of the Pasco County Board of County Commissioners may attend.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of 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 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702, TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.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.

For more information, you may contact: Tahla.Paige@watermatters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4606 (Ad Order EXE0040).

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

DATE AND TIME: Wednesday, June 9, 2010, 1:00 p.m.

PLACE: Starkey Environmental Education Center, 10500 Wilderness Road, New Port Richey, FL 34655

GENERAL SUBJECT MATTER TO BE CONSIDERED: Coastal Rivers Basin Board Meeting: Consider Basin business including discussion of the fiscal year 2011 budget and adoption of proposed millage rate. Some Board members may participate in the meeting via communications media technology. This is a change of date and place from the published annual calendar.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of 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 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702, TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.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.

For more information, you may contact: Tahla.Paige@watermatters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4606 (Ad Order EXE0038).

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

PLACE: SWFWMD Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637

DATE AND TIME: Thursday, June 10, 2010, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Alafia River Basin Board Meeting.

DATE AND TIME: Thursday, June 10, 2010, 1:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Hillsborough River Basin Board Meeting: Consider Basin business including discussion of the fiscal year 2011 budget and adoption of proposed millage rate. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: www.WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of 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 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.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.

For more information, you may contact: Dianna.Bradford@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4604 (Ad Order EXE0037).

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

DATE AND TIME: Wednesday, June 16, 2010, 1:00 p.m.

PLACE: SWFWMD Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL 34240

GENERAL SUBJECT MATTER TO BE CONSIDERED: Environmental Advisory Committee meeting to discuss committee business.

A copy of the agenda may be obtained by contacting: www.WaterMatters.org – Boards, Meetings & Event Calendar; or SWFWMD Planning Department 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of 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 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Teri.Hudson@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4402 (AD Order #40478).

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

DATE AND TIME: Project & Lands Committee Meeting, June 9, 2010, 10:00 a.m.

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

Workshop Meeting

DATE AND TIME: June 9, 2010, 12:00 Noon

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

Regular Business Meeting

DATE AND TIME: June 10, 2010, 9:00 a.m.

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

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes. If Workshop items are not discussed on 6/9, the items may be discussed on 6/10.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters, and may include an amendment to the District's Fiscal Year 2010 budget to revise revenues and expenditures.

A copy of the agenda may be obtained by contacting: Jacki McGorty at (561)682-2087 or http://my.sfwmd.gov/portal/page/portal/pg_grp_govboard/pg_paa_gbgroup_archives.

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

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

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

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

DATE AND TIME: Lake Belt Mitigation Committee, June 11, 2010, 9:00 a.m.

PLACE: SFWMD, B-2, 3rd Floor North, 3N Upper Chain of Lakes, Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Lake Belt Mitigation Committee (LBMC), created pursuant to Section 373.41492, Florida Statutes, to discuss a variety of Lake Belt issues.

A copy of the agenda may be obtained by contacting: Susan Brown at (561)682-2743, <http://www.sfwmd.gov/org/pld/proj/lakebelt/mitigcom.html>, Teleconference information, Local SFWMD: (561)682-6700, Nationwide Toll Free 1(866)433-6299, Meeting ID #: 3828.

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

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

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

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

DATES AND TIME: Conflict Resolution Board, January 5, 2011, 9:30 a.m.; If continuation is needed, January 6, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: January 20, 2011, 9:30 a.m.; If continuation is needed, January 21, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

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

DATES AND TIME: February 7, 2011, 9:30 a.m.; If continuation is needed, February 8, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: February 21, 2011, 9:30 a.m.; If continuation is needed, February 22, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: March 7, 2011, 9:30 a.m.; If continuation is needed, March 8, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: March 21, 2011, 9:30 a.m.; If continuation is needed, March 22, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: April 5, 2011, 9:30 a.m.; If continuation is needed, April 6, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: April 20, 2011, 9:30 a.m.; If continuation is needed, April 21, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATE AND TIME: May 5, 2011, 9:30 a.m.; If continuation is needed, May 6, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: May 20, 2011, 9:30 a.m.; If continuation is needed, May 23, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: June 6, 2011, 9:30 a.m.; If continuation is needed, June 7, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: June 20, 2011, 9:30 a.m.; If continuation is needed; June 21, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: July 5, 2011, 9:30 a.m.; If continuation is needed, July 6, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: July 20, 2011, 9:30 a.m.; If continuation is needed, July 21, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: August 5, 2011, 9:30 a.m.; If continuation is needed, August 8, 2011, 9:30 a.m. (B-1 3A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: August 22, 2011, 9:30 a.m.; If continuation is needed, August 23, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: September 6, 2011, 9:30 a.m.; If continuation is needed, September 7, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: September 20, 2011, 9:30 a.m.; If continuation is needed, September 21, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: October 5, 2011, 9:30 a.m.; If continuation is needed, October 6, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: October 20, 2011, 9:30 a.m.; If continuation is needed, October 21, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: November 7, 2011, 9:30 a.m.; If continuation is needed, November 8, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: November 21, 2011, 9:30 a.m.; If continuation is needed, November 22, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: December 5, 2011, 9:30 a.m.; If continuation is needed, December 6, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

DATES AND TIME: December 20, 2011, 9:30 a.m.; If continuation is needed, December 21, 2011, 9:30 a.m. (B-1 2A Bridge Conference Room)

PLACE: SFWMD Headquarters, B-1 Building, 2A Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

Appeals from any South Florida Water Management District decision may require a record of the proceedings. Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conflict Resolution Board Meeting.

A copy of the agenda may be obtained by contacting: by writing: South Florida Water Management District, P. O. Box 24680, Mail Stop Code 6510, West Palm Beach, Florida 33416-4680.

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

For more information, you may contact: Rosanne Smith, HR Solutions Department at (561)682-6352, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406.

REGIONAL UTILITY AUTHORITIES

The **Peace River Manasota Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: June 2, 2010, 9:30 a.m.

PLACE: DeSoto County Administration Building, 201 East Oak Street, Arcadia, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will convene to conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: Peace River Manasota Regional Water Supply Authority, 6311 Atrium Drive, Suite 100, Bradenton, Florida 34202.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: (941)316-1776. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

SPACE FLORIDA

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

DATE AND TIME: Tuesday, June 1, 2010, 10:00 a.m. – 2:00 p.m. (EST)

PLACE: Space Florida, Room 9030, Center for Space Education, Kennedy Space Center Visitor Complex, Cape Canaveral, FL

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

A copy of the agenda may be obtained by contacting: Contacting Deb Spicer, Vice President, Communications, Government, and External Affairs at email: 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: Contacting Deb Spicer, Vice President, Communications, Government, and External Affairs at email: 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: Contacting Deb Spicer, Vice President, Communications, Government, and External Affairs at email: dspicer@spaceflorida.gov.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, Planning and Evaluation Unit announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 10, 2010, 10:00 a.m. – 12:00 Noon (EDT)

PLACE: Reserve your Webinar seat now at: <https://www2.gotomeeting.com/register/452605851>.

Audio information: This webinar will be presented using Voice Over Internet Protocol (VOIP). To utilize VOIP, please have speakers and a microphone connected to your computer. If speakers and a microphone are not available to you, or your computer doesn't have a sound card, please login to the webinar and follow the prompts to call the conference line (long distance charges apply).

To avoid long distance charges, please see the audio options below. If you have any questions prior to the webinar regarding the audio options, please contact: Shandra McGlohon, Florida Department of Elder Affairs, email: mcglohonsa@elderaffairs.org, (850)414-2317.

Audio options (USB equipment is ideal):

- (1) USB or analog headset.
- (2) Headphones and microphone.
- (3) Speakers and microphone.
- (4) Speakers only – Questions and comments can be submitted via the Question Pane.

After registering you will receive a confirmation email containing information about joining the Webinar.

System Requirements

PC-based attendees

Required: Windows® 7, Vista, XP, 2003 Server or 2000

Macintosh®-based attendees

Required: Mac OS® X 10.4.11 (Tiger®) or newer

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion regarding available data and process for requesting data.

A copy of the agenda may be obtained by contacting: Abbie R. Messer, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2105, email: messera@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 days before the workshop/meeting by contacting: Abbie R. Messer, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2105, email: messera@elderaffairs.org. If you are

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

For more information or to request the VOIP Audio Device Recommendations document, Contact: Abbie R. Messer, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2105, email: messera@elderaffairs.org.

The **Department of Elder Affairs** announces a telephone conference call to which all persons are invited.

DATES AND TIME: Tuesday, August 10, 2010; Tuesday, November 9, 2010; Tuesday, January 11, 2011, 11:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, When prompted enter Conference Code: 4142039#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion between the Department of Elder Affairs and the Florida Association of Aging Service Providers of the issues affecting elders and the aging service network in the state of Florida.

A copy of the agenda may be obtained by contacting: Sarah Owen, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2000, email: owens@elderaffairs.org.

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

For more information, you may contact: Sarah Owen, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2000, email: owens@elderaffairs.org.

The **Department of Elder Affairs** announces a telephone conference call to which all persons are invited.

DATES AND TIME: Wednesday, August 11, 2010; Wednesday, November 10, 2010; Wednesday, January 12, 2011, 11:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, When prompted, enter Conference Code: 4142039#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion between the Department of Elder Affairs and the Florida Council on Aging on the issues affecting elders and the aging service network in the state of Florida.

A copy of the agenda may be obtained by contacting: Sarah Owen, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32317, (850)414-2000, email: owens@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Sarah Owen, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32317, (850)414-2000, email: owens@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sarah Owen, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32317, (850)414-2000, email: owens@elderaffairs.org.

The Florida **Department of Elder Affairs, Communities for a Lifetime** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 8, 2010, 10:00 a.m. – 12:00 Noon (EDT)

PLACE: Creative Senior Center, 31 Memorial Parkway Southwest, Fort Walton Beach, Florida 32548

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presenters will discuss how seniors can protect themselves against economic and consumer fraud.

A copy of the agenda may be obtained by contacting: Janine R. Harris, Community Relations Manager, Florida Department of Elder Affairs, Communities for a Lifetime, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2373 or via email: harrisj@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Janine R. Harris, Community Relations Manager, Florida Department of Elder Affairs, Communities for a Lifetime, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2373 or email: harrisj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janine R. Harris, Community Relations Manager, Florida Department of Elder Affairs, Communities for a Lifetime, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2373 or email: harrisj@elderaffairs.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

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

DATE AND TIME: June 8, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: The Arc Jacksonville, 1050 North Davis Street, Jacksonville, Florida 32209

GENERAL SUBJECT MATTER TO BE CONSIDERED: These public meetings are being held to provide stakeholders and all interested parties with the opportunity to provide input on the extension request for Florida's 1115 Research and Demonstration Waiver. During the meetings, the following items will be discussed: legislation passed during the 2010 Florida Legislative Session which impacts the waiver, overview of the existing waiver and description of the draft extension request. There will be an opportunity for public comment at the meetings.

A copy of the agenda may be obtained by contacting: Linda Macdonald, Bureau of Health Systems Development, 2727 Mahan Drive, MS #50, Tallahassee, FL 32308, (850)412-4031, email: Linda.Macdonald@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Linda Macdonald, Bureau of Health Systems Development, 2727 Mahan Drive, MS #50, Tallahassee, FL 32308, (850)412-4031, email: Linda.Macdonald@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Linda Macdonald, Bureau of Health Systems Development, 2727 Mahan Drive, MS #50, Tallahassee, FL 32308, (850)412-4031, email: Linda.Macdonald@ahca.myflorida.com.

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

DATE AND TIME: June 9, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Broward County Health Department, Main Auditorium, 780 S. W. 24 Street, Fort Lauderdale, FL 33315

GENERAL SUBJECT MATTER TO BE CONSIDERED: These public meetings are being held to provide stakeholders and all interested parties with the opportunity to provide input on the extension request for Florida's 1115 Research and Demonstration Waiver. During the meetings, the following items will be discussed: legislation passed during the 2010 Florida Legislative Session which impacts the waiver, overview of the existing waiver and description of the draft extension request. There will be an opportunity for public comment at the meetings.

A copy of the agenda may be obtained by contacting: Linda Macdonald, Bureau of Health Systems Development, 2727 Mahan Drive, MS #50, Tallahassee, FL 32308, (850)412-4031, email: Linda.Macdonald@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Linda Macdonald, Bureau of Health Systems Development, 2727 Mahan Drive, MS #50, Tallahassee, FL 32308, (850)412-4031, email: Linda.Macdonald@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Linda Macdonald, Bureau of Health Systems Development, 2727 Mahan Drive, MS #50, Tallahassee, FL 32308, (850)412-4031, email: Linda.Macdonald@ahca.myflorida.com.

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

DATE AND TIME: June 10, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: Nassau County Children and Family Education Center, 86207 (479) Felmor Road, Yulee, FL 32097

GENERAL SUBJECT MATTER TO BE CONSIDERED: These public meetings are being held to provide stakeholders and all interested parties with the opportunity to provide input on the extension request for Florida's 1115 Research and Demonstration Waiver. During the meetings, the following items will be discussed: legislation passed during the 2010 Florida Legislative Session which impacts the waiver, overview of the existing waiver and description of the draft extension request. There will be an opportunity for public comment at the meetings.

A copy of the agenda may be obtained by contacting: Linda Macdonald, Bureau of Health Systems Development, 2727 Mahan Drive, MS #50, Tallahassee, FL 32308, (850)412-4031, email: Linda.Macdonald@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Linda Macdonald, Bureau of Health Systems Development, 2727 Mahan Drive, MS #50, Tallahassee, FL 32308, (850)412-4031, email: Linda.Macdonald@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Linda Macdonald, Bureau of Health Systems Development, 2727 Mahan Drive, MS #50, Tallahassee, FL 32308, (850)412-4031, email: Linda.Macdonald@ahca.myflorida.com.

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

DATE AND TIME: June 11, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Clay County Agricultural Center, 2463 SR 16 W. Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: These public meetings are being held to provide stakeholders and all interested parties with the opportunity to provide input on the extension request for Florida's 1115 Research and Demonstration Waiver. During the meetings, the following items will be discussed: legislation passed during the 2010 Florida Legislative Session which impacts the waiver, overview of the existing waiver and description of the draft extension request. There will be an opportunity for public comment at the meetings.

A copy of the agenda may be obtained by contacting: Linda Macdonald, Bureau of Health Systems Development, 2727 Mahan Drive, MS #50, Tallahassee, FL 32308, (850)412-4031, email: Linda.Macdonald@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Linda Macdonald, Bureau of Health Systems Development, 2727 Mahan Drive, MS #50, Tallahassee, FL 32308, (850)412-4031, email: Linda.Macdonald@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Linda Macdonald, Bureau of Health Systems Development, 2727 Mahan Drive, MS #50, Tallahassee, FL 32308, (850)412-4031, email: Linda.Macdonald@ahca.myflorida.com.

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

DATE AND TIME: June 11, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: Baker County Health Department, 480 W. Lowder Street, McClenny, FL 32063

GENERAL SUBJECT MATTER TO BE CONSIDERED: These public meetings are being held to provide stakeholders and all interested parties with the opportunity to provide input on the extension request for Florida's 1115 Research and Demonstration Waiver. During the meetings, the following items will be discussed: legislation passed during the 2010 Florida Legislative Session which impacts the waiver,

overview of the existing waiver and description of the draft extension request. There will be an opportunity for public comment at the meetings.

A copy of the agenda may be obtained by contacting: Linda Macdonald, Bureau of Health Systems Development, 2727 Mahan Drive, MS #50, Tallahassee, FL 32308, (850)412-4031, email: Linda.Macdonald@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Linda Macdonald, Bureau of Health Systems Development, 2727 Mahan Drive, MS #50, Tallahassee, FL 32308, (850)412-4031, email: Linda.Macdonald@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Linda Macdonald, Bureau of Health Systems Development, 2727 Mahan Drive, MS #50, Tallahassee, FL 32308, (850)412-4031, email: Linda.Macdonald@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Barbers' Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 9, 2010, 9:00 a.m.

PLACE: Four Seasons Resort, 2800 South Ocean Boulevard, Palm Beach, Florida 33480, (561)582-2800

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular board business.

A copy of the agenda may be obtained by contacting: Florida Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)922-6096.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)922-6096. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, August 18, 2010, 10:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9226020#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (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 48 hours before the workshop/meeting by contacting: the Board office at (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).

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 Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 14, 2010, Rules Discussion, 1:00 p.m. (EST); Tuesday, June 15, 2010, General Business Meeting, 10:00 a.m. or soon thereafter

PLACE: The Hilton Cocoa Beach Oceanfront, 1550 N. Atlantic Avenue, Cocoa Beach, FL 32931, 1(866)580-7402

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rules Discussion and General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (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 48 hours before the workshop/meeting by contacting: the Board office at (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).

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 Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The **Department of Business and Professional Regulation, Board of Employee Leasing Company** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 15, 2010, 10:00 a.m. or soon thereafter

PLACE: The Hyatt Regency Sarasota on Sarasota Bay, 1000 Blvd. of the Arts, Sarasota, Florida 34236, (941)953-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767, (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 48 hours before the workshop/meeting by contacting: the Board office at (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).

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 Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

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

DATE AND TIME: June 4, 2010, 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4878197#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement Committee.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399-0773.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: the Board 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.

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

DATE AND TIME: June 23, 2010, 9:00 a.m.

PLACE: Conference Call: (888)808-6959, Conference Code: 9226020#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting portions which are closed to the public. Agenda available on request.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

Pursuant to the provisions of 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: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154. If you are 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: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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

DATE AND TIME: June 9, 2010, 6:00 p.m.

PLACE: Florida Department of Environmental Protection, Northeast District Office, 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32256-7577

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting to discuss issues and solicit public comment related to the Lower St. Johns River Tributaries Fecal Coliform Basin Management Action Plan (BMAP) II. The primary topic of discussion during this meeting will be the Finalization of the BMAP document that will be proposed for adoption by Secretarial Order.

A copy of the agenda may be obtained by contacting: Ms. Amy Tracy, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3500, Tallahassee, Florida 32399-2400 or e-mail: amy.tracy@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ms. Amy Tracy at (850)245-8506. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: June 10, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: Peace River Manasota Regional Water Supply Authority, 6311 Atrium Drive, Suite 100, Lakewood Ranch, FL 34202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Council Business for administering the Myakka River as a Wild and Scenic River.

A copy of the agenda may be obtained by contacting: Natalie Balcer, Division of Recreation and Parks, District 4 Administration, 1843 S. Tamiami Tr., Osprey, FL 34229 or by calling (941)486-2052.

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

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

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, June 14, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4513843#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Oceans and Coastal Council will meet to further its duties under the Oceans and Coastal Resources Act.

A copy of the agenda may be obtained by contacting: Becky Prado by e-mail: rebecca.prado@dep.state.fl.us or by phone (850)245-2094, mail: 3900 Commonwealth Blvd., MS #235, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Becky Prado at rebecca.prado@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Southwest District (SWD), Air Resource Management Program and Industrial Wastewater Program** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 17, 2010, 9:00 a.m.

PLACE: Southwest District Office, 13051 North Telecom Parkway, Temple Terrace, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: All Concrete Batch Plants (CBP) operating in Citrus, Desoto, Hardee, Hernando, Hillsborough, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota and Sumter counties are invited to a workshop to be hosted by the SWD Air Resource Management and Industrial Wastewater staff. The goal of the workshop is to assist affected facilities in understanding their permit requirements to ensure compliance and minimize their impact on the environment. Specifically, this workshop will provide information on the CBP Air General Permit, CBP Air Compliance and Enforcement issues, CBP Industrial Wastewater Permitting, CBP Industrial Wastewater Design Criteria, and CBP Industrial Wastewater Compliance and Enforcement issues.

A copy of the agenda may be obtained by contacting: Ms. Rhonda Hughes at (813)632-7600, ext. 114 or Rhonda.Hughes@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Mr. Mike Zavosky at (813)632-7600, ext. 437. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Rhonda Hughes at (813)632-7600, ext. 114 or Rhonda.Hughes@dep.state.fl.us.

DEPARTMENT OF HEALTH

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

DATE AND TIME: Friday, June 25, 2010, 8:30 a.m.

PLACE: Hyatt Regency Grand Cypress, One Grand Cypress Boulevard, Orlando, Florida 32836

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Sharon Guilford, Acting Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing website: www.doh.state.fl.us/mqa/chiro/index.html.

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

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

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

DATE AND TIME: Tuesday, June 15, 2010, 9:30 a.m.

PLACE: Conference Call: (888)808-6959, Conference Code: 2454393#, Department of Health, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Sharon Guilford, Acting Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/podiatry/index.html.

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

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

The **Department of Health, Board of Psychology** announces a conference call to which all persons are invited.

DATE AND TIME: June 10, 2010, 9:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959. After dialing the meet me number, when prompted, enter Conference Code 4246812343 followed by the # sign in order to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Sub-Committee Meeting.

A copy of the agenda may be obtained by writing: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the board office at (850)245-4373, ext. 3467.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office at (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The Probable Cause Panel of the **Council of Licensed Midwifery** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 17, 2010, 3:00 p.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 245-4594#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Christy Robinson, Acting Executive Director, Council of Licensed Midwifery, 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: Christy Robinson 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 **Department of Health** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 24, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be for evaluating Lifeguarding and Swimming Instructor Training programs proposed to be considered as equivalent with paragraph 64E-9.008(1)(a), Florida Administrative Code. The advisory group will provide an assessment of the programs to the department. The general subject matter to be considered is Starfish Aquatics Institute's AquaTech Best Practices for Pool and Aquatic Facility Operators book and Standards and Guidelines.

A copy of the agenda may be obtained by contacting: Robert Pryor, Department of Health, Bureau of Water Programs, 4052 Bald Cypress Way, BIN #C-22, Tallahassee, FL 32399-7017, (850)245-4240, ext. 2369, email: bob_pryor@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 10 days before the workshop/meeting by contacting: Pat Duncan, Department of Health, Bureau of Water Programs, 4052 Bald Cypress Way, BIN #C-22, Tallahassee, FL 32399-7017, (850)245-4240, ext. 2366, email: pat_duncan@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.

For more information, you may contact: Robert Pryor at (850)245-4444, ext. 2369 or Pat Duncan at (850)245-4444, ext. 2366 to obtain the conference call number.

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

DATE AND TIME: July 15, 2010, 9:00 a.m.

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, (407)859-0552

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Technical Review and Advisory Panel will discuss issues relating to onsite sewage treatment and disposal systems which may require changes to Chapter 64E-6, Florida Administrative Code. The panel may also discuss research proposals as requested by the Research review and Advisory Committee.

A copy of the agenda may be obtained by contacting: Shirley Kugler, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin # A08, Tallahassee, Florida 32399-1713.

The **Bureau of Emergency Medical Services** announces a public meeting to which all persons are invited.

DATES AND TIMES: June 28, 2010, 8:00 a.m. – 6:00 p.m.; June 29, 2010, 8:00 a.m. – 6:00 p.m.; June 30, 2010, 8:00 a.m. – 1:00 p.m.

PLACE: The Rosen Centre Hotel, 9840 International Drive, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business meeting of the Emergency Medical Services Advisory Council.

A copy of the agenda may be obtained by contacting: Desi Lassiter at (850)245-4055.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Desi Lassiter at (850)245-4055. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Desi Lassiter at (850)245-4055.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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

DATE AND TIME: May 28, 2010, 8:30 a.m.

PLACE: 1601 W. Gulf Atlantic Hwy., Wildwood, FL 34785

GENERAL SUBJECT MATTER TO BE CONSIDERED: Department of Children and Families.

- Invitation to Negotiate
- To Become the Lead Agency for CBC in Circuit 5/Central Region
- ITN# C5CBCITN2010
- Advertisement Number: C5CBCITN2010 Addendum 6

In accordance with the terms and conditions of the Florida Department of Children and Families Invitation to Negotiate, Solicitation Number: C5CBCITN2010 (hereinafter, the ITN), The Florida Department of Children and Families (hereinafter, the Department) has the right to amend, modify, supplement or clarify the ITN at any time in its sole discretion. In this regard, the Department hereby amends, modifies, supplements and/or clarifies the ITN as follows:

The 3rd Negotiation Meeting has been changed to:

DATE AND TIME: May 28, 2010, 8:30 a.m.

PLACE: 1601 W. Gulf Atlantic Hwy., Suite 2002, Wildwood, FL 34785

A copy of the agenda may be obtained by contacting: John Pridham at (352)330-5802.

Pursuant to the provisions of 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: John Pridham at (352)330-5802. If you are 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 Children and Family Services** announces a public meeting to which all persons are invited.

DATES AND TIME: July 7, 2010; October 6, 2010, 9:00 a.m.

PLACE: United Way of Charlotte County, 17831 Murdock Circle, Suite A, Port Charlotte, Florida 33948

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Circuit 20 Charlotte Community Alliance meetings, to which all interested persons are invited.

A copy of the agenda may be obtained by contacting: Chantel Phillips at (941)255-7480 or (941)627-3539.

For additional information or pursuant to Section 286.26 F.S., if you are a qualified individual with a disability and need special accommodations to participate in this meeting, contact: Robert McHarry, Department of Children and Families, (239)338-1431, at least 48 hours in advance of the meeting.

The **Department of Children and Families** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, June 8, 2010, 2:00 p.m. (Eastern Time)

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council on Homelessness will review and approve its 2010 Annual Report at this meeting, and will also elect officers for the Council for FY 2010-11.

A copy of the agenda for the meeting can be obtained from the Office on Homelessness by calling (850)922-4691.

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

For more information, you may contact: Office on Homelessness at (850)922-4691.

The **Circuit 9 Community Meeting** announces a public meeting to which all persons are invited.

DATE AND TIME: June 2, 2010, 1:30 p.m.

PLACE: Valencia Community College, Criminal Justice Campus, 8600 Valencia College Lane, Orlando, Florida 32825

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will be held to discuss the Department's strategic plan, objectives and the community's needs.

A copy of the agenda may be obtained by contacting: Nicole J. Peterson-Musgray at (407)245-0400, ext. 104.

Pursuant to the provisions of 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: Nicole J. Peterson-Musgray at (407)245-0400, ext. 104. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 15, 2010, 10:00 a.m. (Tallahassee Local Time)

PLACE: The Offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

BCC Apartments, a 104-unit multifamily residential rental development located on or about 21160 S. W. 112th Avenue, Cutler Bay, Miami-Dade County, Florida 33189. The owner and operator of the development is SP BCC LP, 2430 Estancia Blvd., Suite 101, Clearwater, Florida 33761 or such successor in interest in which Southport Financial Services, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Cambridge Management, Inc., 1916 64th Avenue West, Tacoma, Washington 98466. The tax-exempt bond amount is not to exceed \$6,100,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting: Len Stirrat at (850)488-4197.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Len Stirrat at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 15, 2010, 10:00 a.m. (Tallahassee Local Time)

PLACE: The Offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Belleair Place Apartments II, a 144-unit multifamily residential rental development located on or about 1754 Clearwater Largo Road and 1760 Clearwater Largo Road, Clearwater, Pinellas County, Florida 33756. The owner and operator of the development is BPA II, Ltd., 340 Pemberwick Road, Greenwich, Connecticut 06831 or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, Connecticut 06831. The tax-exempt bond amount is not to exceed \$10,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting: Len Stirrat at (850)488-4197.

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DATE AND TIME: June 15, 2010, 10:00 a.m. (Tallahassee Local Time)

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Broward Garden Apartments, a 96-unit multifamily residential rental development located on or about 2960 N. W. 19th Street, Fort Lauderdale, Broward County, Florida 33311. The owner and operator of the development is Trinity-Florida, LLC, 33 S. Gay Street, Suite 200, Baltimore, MD 21202 or such successor in interest in which Chesapeake Community Advisors, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Premier Property Management, 2325 W. Shiawassee, #202, Fenton Michigan 48430. The tax-exempt bond amount is not to exceed \$7,350,000.

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Captiva Cove Apartments, a 92-unit multifamily residential rental development located on or about 1201 South Dixie Highway West, Pompano Beach, Broward County, Florida 33060. The owner and operator of the development is Captiva Cove Associates, Ltd., 2100 Hollywood Boulevard, Hollywood, Florida 33020 or such successor in interest in which CSG Development Services, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is CSG Management Services, LLC, 2100 Hollywood Boulevard, Hollywood, Florida 33020. The tax-exempt bond amount is not to exceed \$7,600,000.

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Caribbean West, a 102-unit multifamily residential rental development located on or about 12140 S. W. 200th Street, South Miami Heights, Miami-Dade County, Florida 33177. The owner and operator of the development is CW Redevelopment, LLC, 4243-D Northlake Blvd., Palm Beach Gardens, Florida 33410 or such successor in interest in which Creative Choice Homes, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed

development is Proxypro Management, Inc., 4243 A. Northlake Blvd., Palm Beach Gardens, Florida 33410. The tax-exempt bond amount is not to exceed \$4,200,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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Civic Tower, a 196-unit multifamily residential rental development located on or about 1855 N. W. 15th, Miami, Miami-Dade County, Florida 33125. The owner and operator of the development is ADP Housing Partners 19, LP, 1700 Seventh Avenue #2075, Seattle, Washington 98101 or such successor in interest in which American Opportunity Foundation, Inc. and/or Allied Pacific Development, LLC, or

an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is HSI Management, Inc., 5505 Interstate North Parkway, Suite 200, Atlanta, Georgia 30328. The tax-exempt bond amount is not to exceed \$17,730,000.

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rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Colonial Lakes Apartments, a 132-unit multifamily residential rental development located on or about the Southwest corner of the intersection of Lake Worth Road and Westview Street, Greenacres, Palm Beach County, Florida. The owner and operator of the development is Colonial Lakes Apartments, Ltd., 340 Pemberwick Road, Greenwich, Connecticut 06831 or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, Connecticut 06831. The tax-exempt bond amount is not to exceed \$11,000,000.

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Colony Lakes Apartments, a 220-unit multifamily residential rental development located on or about 1500 E. Mowry Drive, Homestead, Miami-Dade County, Florida 33033. The owner and operator of the development is Colony Lakes Preservation, L.P., 60 Columbus Circle, New York, New York 10023 or such successor in interest in which Colony Lakes Developer, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is TRG Management Company of Florida, 444 Brickell Avenue, #200, Miami, Florida 33131. The tax-exempt bond amount is not to exceed \$9,750,000.

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Coral Gardens, a 92-unit multifamily residential rental development located on or about 250 S. W. 14th Avenue, Homestead, Miami-Dade County, Florida 33030. The owner and operator of the development is CG Redevelopment, LLC, 4243-D Northlake Blvd., Palm Beach Gardens, Florida 33410 or such successor in interest in which Creative Choice Homes, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Proxipro Management, Inc., 4243 A. Northlake Blvd., Palm Beach Gardens, Florida 33410. The tax-exempt bond amount is not to exceed \$6,300,000.

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Crossroads, a 94-unit multifamily residential rental development located on or about 4381 Crossroads Court, Orlando, Orange County, Florida 32811. The owner and operator of the development is SP Crossroads LP, 2430 Estancia Blvd., Suite 101, Clearwater, Florida 33761 or such successor in interest in which Southport Financial Services, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Cambridge Management, Inc., 1916 64th Avenue West, Tacoma, Washington 98466. The tax-exempt bond amount is not to exceed \$5,250,000.

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The Dakota Apartments, a 120-unit multifamily residential rental development located on or about the north and south side of Dakota Drive on the west side of the intersection of Dakota Drive and Central Boulevard, Jupiter, Palm Beach County, Florida. The owner and operator of the development is Dakota Jupiter Partners, LP, 8380 Resource Drive, Suite 1, West Palm Beach, FL 33404 or such successor in interest in which Eastwind Development, LLC, NuRock Development Group, Inc., and/or Housing Partnership, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is NuRock Management Group, LLC, 3460 Preston Ridge Road, Suite 175, Alpharetta, Georgia 30005. The tax-exempt bond amount is not to exceed \$14,000,000.

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East Lake Apartments, a 88-unit multifamily residential rental development located on or about Northwest corner of N. W. 9th Avenue and N. W. 33rd Street, Pompano Beach, Broward County, Florida. The owner and operator of the development is Andrews Avenue Apartments, Ltd., 340 Pemberwick Road, Greenwich, Connecticut 06831 or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, Connecticut 06831. The tax-exempt bond amount is not to exceed \$9,000,000.

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Douglas A. Fraser Towers, a 156-unit multifamily residential rental development located on or about 745 Avenue A, S.W., Winter Haven, Polk County, Florida 33880. The owner and operator of the development is EHDOD Douglas A. Fraser Towers Limited Partnership, 1580 Sawgrass Corporate Parkway, Suite 210, Ft. Lauderdale, Florida 33323 or such successor in interest in which EHDOD Development Services, LLC and/or Telesis Development Services, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the

proposed development is Elderly Housing Development and Operations Corporation, 1580 Sawgrass Corporate Parkway, Suite 210, Ft. Lauderdale, Florida 33323. The tax-exempt bond amount is not to exceed \$2,967,000.

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Glorieta Apartments, a 328-unit multifamily residential rental development located on or about 13180 Port Said Road, Opa-Locka, Miami-Dade County, Florida 33054. The owner and operator of the development is Glorieta Partners, Ltd., 2200 Corporate Blvd., N. W., Suite 302, Boca Raton, Florida 33431 or such successor in interest in which Creative Choice Homes, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Proxypro Management, Inc., 4243 A. Northlake Blvd., Palm Beach Gardens, Florida 33410. The tax-exempt bond amount is not to exceed \$23,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting: Len Stirrat at (850)488-4197.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Len Stirrat 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).

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DATE AND TIME: June 15, 2010, 10:00 a.m. (Tallahassee Local Time)

PLACE: The Offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Greynolds Commons, a 100-unit multifamily residential rental development located on or about the northwest corner of N. E. 179th Street and West Dixie Highway (including all land east and west of N. E. 25th Avenue right of way and 17990 West Dixie Highway, North Miami Beach, Miami-Dade County, Florida 33160. The owner and operator of the development is Greynolds Common, Ltd., 1666 Kennedy Causeway, Suite 505, North Bay Village, Florida 33141 or such successor in interest in which Landmark Development Corp., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, 1002 West 23rd Street, Suite 400, Panama City, Florida 32405. The tax-exempt bond amount is not to exceed \$13,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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Griffin Heights Apartments, a 100-unit multifamily residential rental development located on or about 1010 Basin Street, Tallahassee, Leon County, Florida 32304. The owner and operator of the development is New Griffin Apartments, L.P., 2409 Mall Drive, Suite A, North Charleston, South Carolina 29406 or such successor in interest in which Griffin Apartments GP, L.L.C. and/or SCG Development Co., L.L.C., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Orange State Construction, Inc., 641 McDonnell Drive, Tallahassee, Florida 32310. The tax-exempt bond amount is not to exceed \$5,915,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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Groves of Delray II, a 158-unit multifamily residential rental development located on or about 1301 S.W. 10th Avenue, Delray Beach, Palm Beach County, Florida 33444. The owner and operator of the development is Groves of Delray, II, 777 East Atlantic Avenue, 200, Delray Beach, Florida 33483 or such successor in interest in which Auburn Development, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Auburn Management, Inc., 777 East Atlantic Avenue, 200, Delray Beach, Florida 33483. The tax-exempt bond amount is not to exceed \$11,408,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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Kings Terrace, a 300-unit multifamily residential rental development located on or about 12801, 12601, 12501, and 12401 N. W. 27th Avenue, Miami, Miami-Dade County, Florida 33167. The owner and operator of the development is Kings Terrace, LLC, 9400 S. Dadeland Blvd., Ste. 100, Miami, Florida 33156 or such successor in interest in which Pinnacle Housing Group, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Professional Management, Inc., 9095 S. W. 87th Avenue, Suite 777, Miami, Florida 33176. The tax-exempt bond amount is not to exceed \$24,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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Kissimmee Homes, a 105-unit multifamily residential rental development located on or about 2188 McLaren Circle, Kissimmee, Osceola County, Florida 34744. The owner and operator of the development is Kissimmee Homes – Orlando, L.P., 3111 Paces Mill Road, Ste. A-250, Atlanta, Georgia 30339 or such successor in interest in which The Hallmark Companies, Inc. and/or Pinnacle Housing Group, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is The Hallmark Companies, Inc., 311 Paces Mill Road, Ste. C-200, Atlanta, Georgia 30339. The tax-exempt bond amount is not to exceed \$3,900,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should

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La Joya Apartments, a 150-unit multifamily residential rental development located on or about the northeast corner of S. W. 268 Street and 143 Avenue, Naranja, Miami-Dade County, Florida 33032. The owner and operator of the development is Tower Road Gardens, Ltd., 5709 N. W. 158th Street, Miami Lakes, Florida 33014 or such successor in interest in which RS Development Corp., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Centennial Management Corp., 5709 N. W. 158th Street, Miami Lakes, Florida 33014. The tax-exempt bond amount is not to exceed \$12,145,000.

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Monterra Apartments, a 300-unit multifamily residential rental development located on or about the NW corner of University Drive and Sheridan Street, Cooper City, Broward County, Florida. The owner and operator of the development is ZOM Monterra, L.P., 413 N. Federal Highway, Fort Lauderdale, FL 33301 or such successor in interest in which ZF Development, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is ZOM Residential

Services, Inc., 1950 Summit Park Drive, Suite 300, Orlando, Florida 32810. The tax-exempt bond amount is not to exceed \$27,283,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental developments located in Fort Lauderdale, Broward County, Florida in the aggregate face amount, not to exceed the amount listed below:

Northwest Gardens IV, 3 multifamily residential rental developments located on or about 725 N. W. 12th Terrace, units 1-30, 731 N. W. 12th Avenue, units 31-126, and 719 N. W. 10th Terrace, units 127-150, Fort Lauderdale, Broward County, Florida 33311. The owner and operator of each of the developments is Northwest Properties IV, Ltd., 2950 S. W. 27th Avenue, Suite 200, Miami, Florida 33133 or such successor in interest in which Northwest Properties IV Development, LLC and/or Northwest Properties GP, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed developments is Carlisle Property Management, Inc., 2950 S. W. 27th Avenue, Suite 200, Miami, Florida 33133. The tax-exempt bond amount is not to exceed \$12,500,000.

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additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Pine Meadow Apartments, a 78-unit multifamily residential development located on or about 7025 University Avenue, Gainesville, Alachua County, Florida 32607. The owner and operator of the development is Pine Meadow Redevelopment, Ltd., 8300 Greensboro Drive, Suite 800, McLean, Virginia 22102 or such successor in interest in which SCG Development Co., L.L.C. and/or Royal American Development, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Development, Inc., 1004 West 23rd Street, Suite 400, Panama City, Florida 32405. The tax-exempt bond amount is not to exceed \$4,875,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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Pelican Cove Apartments, a 112-unit multifamily residential rental development located on or about the southeast corner of N. W. 25th Avenue and N. W. 187th Street, Miami Gardens, Miami-Dade County, Florida 33056. The owner and operator of the development is Pelican Cove Associates, Ltd., 2100 Hollywood Boulevard, Hollywood, Florida 33020 or such successor in interest in which CSG Development Services, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is CSG Management Services, LLC, 2100 Hollywood Boulevard, Hollywood, Florida 33020. The tax-exempt bond amount is not to exceed \$7,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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The Preserve at Boynton Beach, Phase I, a 64-unit multifamily residential rental development located on or about 1866 Northeast 5th Street, Boynton Beach, Palm Beach County, Florida 33435. The owner and operator of the development is Boynton Village Associates, Ltd., 2100 Hollywood Boulevard, Hollywood, Florida 33020 or such successor in interest in which CSG Development Services, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is CSG Management Services, LLC, 2100 Hollywood Boulevard, Hollywood, Florida 33020. The tax-exempt bond amount is not to exceed \$6,000,000.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Regatta Pointe Apartments, a 108-unit multifamily residential rental development located on or about the northeast corner of N. W. 32nd Avenue and N. W. 41st Street, Miami, Miami-Dade County, Florida 33142. The owner and operator of the development is Regatta Pointe Associates, Ltd., 2100 Hollywood Boulevard, Hollywood, Florida 33020 or such successor in interest in which CSG Development Services, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is CSG Management Services, LLC, 2100 Hollywood Boulevard, Hollywood, Florida 33020. The tax-exempt bond amount is not to exceed \$9,250,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting: Len Stirrat at (850)488-4197.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Len Stirrat at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 15, 2010, 10:00 a.m. (Tallahassee Local Time)

PLACE: The Offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Sand Dunes Apartments, a 104-unit multifamily residential rental development located on or about 8011 Front Beach Road, Panama City, Bay County, Florida 32407. The owner and operator of the development is Sand Dunes Redevelopment, Ltd., 8300 Greensboro Drive, Suite 800, McLean, Virginia 22102 or such successor in interest in which SCG Development Co., L.L.C. and/or Royal American Development, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Development, Inc., 1004 West 23rd Street, Suite 400, Panama City, Florida 32405. The tax-exempt bond amount is not to exceed \$7,750,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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Solabella, a 92-unit multifamily residential rental development located on or about the southeast corner of N. W. 175th Street and N. W. 7th Avenue, Miami Gardens, Miami-Dade County, Florida 33169. The owner and operator of the development is Legacy Pointe Associates, Ltd., 2100 Hollywood Boulevard, Hollywood, Florida 33020 or such successor in interest in which CSG Development Services, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is CSG Management Services, LLC, 2100 Hollywood Boulevard, Hollywood, Florida 33020. The tax-exempt bond amount is not to exceed \$7,800,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should

be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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DATE AND TIME: June 15, 2010, 10:00 a.m. (Tallahassee Local Time)

PLACE: The Offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Sorrento at Miramar, a 320-unit multifamily residential rental development located on or about the N. W. corner of Douglas Road and Homestead Extension of Florida's Turnpike, Miramar, Broward County, Florida. The owner and operator of the development is ZOM Foxcroft, L.P., 413 N. Federal Highway, Fort Lauderdale, FL 33301 or such successor in interest in which ZF Development, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is ZOM Residential Services, Inc., 1950 Summit Park Drive, Suite 300, Orlando, Florida 32810. The tax-exempt bond amount is not to exceed \$28,325,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the attention of Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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PLACE: The Offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

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TM Alexander, a 151-unit multifamily residential rental development located on or about 1400 N. W. 19th Street, Miami, Miami-Dade County, Florida 33125. The owner and operator of the development is ADP Housing Partners 19, LP, 1700 Seventh Avenue #2075, Seattle, Washington 98101 or such successor in interest in which American Opportunity Foundation, Inc. and/or Allied Pacific Development, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the

proposed development is HSI Management, Inc., 5505 Interstate North Parkway, Suite 200, Atlanta, Georgia 30328. The tax-exempt bond amount is not to exceed \$15,300,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Trotters Chase Apartments, a 168-unit multifamily residential rental development located on or about southwest corner of Griffin road and S. W. 58th Avenue, Davie, Broward County, Florida. The owner and operator of the development is Copley Square Partners, LP, 8380 Resource Drive, Suite 1, West Palm Beach, FL 33404 or such successor in interest in which Eastwind Development, LLC and/or NuRock Development Group, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is NuRock Management Group, LLC, 3460 Preston Ridge Road, Suite 175, Alpharetta, Georgia 30005. The tax-exempt bond amount is not to exceed \$16,700,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Villa Capri, a 220-unit multifamily residential rental development located on or about 14500 S. W. 280th Street, Homestead, Miami-Dade County, Florida 33032. The owner and operator of the development is Villa Capri Associates, Ltd., 2100 Hollywood Boulevard, Hollywood, Florida 33020 or such successor in interest in which CSG Development Services, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is CSG Management Services, LLC, 2100 Hollywood Boulevard, Hollywood, Florida 33020. The tax-exempt bond amount is not to exceed \$16,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Village at the Park, a 152-unit multifamily residential rental development located on or about 625 Auburn Circle West, Delray Beach, Palm Beach County, Florida 33444. The owner and operator of the development is Village at the Park, 777 East Atlantic Avenue, 200, Delray Beach, Florida 33483 or such successor in interest in which Auburn Development, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Auburn Management, Inc., 777 East Atlantic Avenue, 200, Delray Beach, Florida 33483. The tax-exempt bond amount is not to exceed \$10,643,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), June 14, 2010, and should be addressed to the Attention: Len Stirrat, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

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FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission, Division of Law Enforcement** announces a workshop to which all persons are invited.

DATE AND TIME: June 15, 2010, 6: 00 p.m. – 8:00 p.m.

PLACE: Fort Lauderdale Executive Airport, Airport Administration Building, 6000 N. W. 21st Avenue, Fort Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: The focus of this workshop is to discuss proposed changes to Rule 68A-6.003, Florida Administrative Code, pertaining to new applicants requesting authorization to possess Class I or Class II wildlife. The issue includes, but is not limited to: Requiring applicants to meet local building codes and zoning requirements for the construction of the facility and notification requirements for the Florida Fish and Wildlife Conservation Commission and the counties upon notice of application.

A copy of the agenda may be obtained by contacting: Captain Linda Harrison at (850)488-6253.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Captain Linda Harrison at (850)488-6253.

The Florida **Fish and Wildlife Conservation Commission, Division of Law Enforcement** announces a workshop to which all persons are invited.

DATE AND TIME: June 16, 2010, 6:00 p.m. – 8:00 p.m.

PLACE: Florida Department of Highway Safety and Motor Vehicles, 133 S Semoran Boulevard, Orlando, FL 32807

GENERAL SUBJECT MATTER TO BE CONSIDERED: The focus of this workshop is to discuss proposed changes to Rule 68A-6.003, Florida Administrative Code, pertaining to new applicants requesting authorization to possess Class I or Class II wildlife. The issue includes, but is not limited to: Requiring applicants to meet local building codes and zoning requirements for the construction of the facility and notification requirements for the Florida Fish and Wildlife Conservation Commission and the counties upon notice of application.

A copy of the agenda may be obtained by contacting: Captain Linda Harrison at (850)488-6253.

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For more information, you may contact: Captain Linda Harrison at (850)488-6253.

The Florida **Fish and Wildlife Conservation Commission, Division of Law Enforcement** announces a workshop to which all persons are invited.

DATE AND TIME: June 17, 2010, 6: 00 p.m. – 8:00 p.m.

PLACE: Florida Department of Agriculture and Consumer Services, Division of Plant Industry, 1911 S. W. 34th Street, Gainesville, FL 32608

GENERAL SUBJECT MATTER TO BE CONSIDERED: The focus of this workshop is to discuss proposed changes to Rule 68A-6.003, Florida Administrative Code, pertaining to new applicants requesting authorization to possess Class I or Class II wildlife. The issue includes, but is not limited to: Requiring applicants to meet local building codes and zoning requirements for the construction of the facility and notification requirements for the Florida Fish and Wildlife Conservation Commission and the counties upon notice of application.

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For more information, you may contact: Captain Linda Harrison at (850)488-6253.

AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

The **Agency for Enterprise Information Technology (AEIT)** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 7, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: Room 225A, 4030 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Enterprise Services Strategic Plan – meeting of the technical workgroup to discuss non-strategic IT services.

A copy of the agenda may be obtained by contacting: Damu Kuttikrishnan at Damu.Kuttikrishnan@ait.myflorida.com or (850)410-2954.

Pursuant to the provisions of 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: Damu Kuttikrishnan at Damu.Kuttikrishnan@ait.myflorida.com or (850)410-2954. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

The **Florida Atlantic Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: June 8, 2010, 8:00 a.m.

PLACE: 3701 FAU Blvd., Suite 210, Incubator Conference Room, Boca Raton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General matters pertaining to Authority business.

A copy of the agenda may be obtained by contacting: Scott Ellington at (561)416-6092, Scott@research-park.org.

NORTH FLORIDA TRANSPORTATION PLANNING ORGANIZATION

The **North Florida Transportation Planning Organization** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 3, 2010, 9:00 a.m.

PLACE: North Florida TPO/Board Room, 1022 Prudential Drive, Jacksonville, FL 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Duval County Transportation Disadvantaged Local Coordinating Board will hear concerns regarding the coordinated transportation system in conjunction with the Board's bi-monthly meeting.

A copy of the agenda may be obtained by contacting: Ginny Montgomery at (904)306-7500 or Elizabeth DeJesus at (904)306-7505.

For more information, you may contact: Elizabeth De Jesus at (904)306-7505.

ADVOCACY CENTER FOR PERSONS WITH DISABILITIES, INC.

The **Advocacy Center for Persons with Disabilities, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 25, 2010, 9:00 a.m. – 5:00 p.m.

PLACE: Wyndham Jacksonville Riverwalk, 1515 Prudential Drive, Jacksonville, FL 32207, (904)396-5100

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advocacy Center for Persons with Disabilities, Inc., Florida's Protection and Advocacy Programs Quarterly Meeting of the Board of Directors and Members.

A copy of the agenda may be obtained by contacting: Paige Morgan at (850)488-9071, ext. 219.

Pursuant to the provisions of 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: Paige Morgan at (850)488-9071, ext. 219. If you are 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: Paige Morgan at (850)488-9071, ext. 219.

NORTHWOOD SHARED RESOURCE CENTER

The **NSRC Technical Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: June 3, 2010, 3:00 p.m.

PLACE: Department of Juvenile Justice, Knight Bldg., Room 1134, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Subject Matter.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.myflorida.com.

SOUTHWOOD SHARED RESOURCE CENTER

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 2, 2010, 10:00 a.m.

PLACE: Room 129, Burns Building, 605 Suwannee Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of Executive Directors and Board Chairs of the three state primary data centers and the CIO Council Chair.

A copy of the agenda may be obtained by contacting: Faye Hall at (850)414-4772, faye.hall@dot.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 2 days before the workshop/meeting by contacting: Faye Hall at (850)414-4772, faye.hall@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Faye Hall at (850)414-4772, faye.hall@dot.state.fl.us.

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 7, 2010, 3:00 p.m.

PLACE: Room 114, Executive Conference Room, Caldwell Building, 107 E. Madison Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Operations and Finance Committee.

A copy of the agenda may be obtained by contacting: Judith Joseph at (850)245-7290, judith.joseph@flaawi.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Judith Joseph at (850)245-7290, judith.joseph@flaawi.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Judith Joseph at (850)245-7290, judith.joseph@flaawi.com.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL, INC.

The **Florida Developmental Disabilities Council, Inc.** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, June 11, 2010, Committee Meetings, 8:30 a.m. – 6:30 p.m.; Friday, June 12, 2010, Full Council Meeting, 8:30 a.m. – 2:30 p.m.

PLACE: Hyatt Regency Jacksonville – Riverfront, 225 East Coastline Drive, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Thursday, June 11, 2010: Committee Meetings.

Friday, June 12, 2010: Full Council Meeting.

Meeting times are subject to change.

To receive a copy of the agenda, or request special accommodations for participation in the meeting, please contact: Debra Dowds, 124 Marriott Drive, Suite 203, Tallahassee, FL 32301-2981, 1(800)580-7801, Local (850)488-4180, or TDD toll free 1(888)488-8633.

A copy of the agenda may be obtained by contacting: Bonnie Newsome at (850)488-4180.

Pursuant to the provisions of 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: Bonnie Newsome at (850)488-4180. If you are 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: Bonnie Newsome at (850)488-4180.

FLORIDA PORTS ORGANIZATIONS

The **Florida Seaport Transportation and Economic Development Council (FSTED)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 9, 2010, 9:30 a.m. – 12:30 p.m.

PLACE: Hilton Miami Downtown, 1601 Biscayne Boulevard, Miami, FL 33132

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Toy Keller, Florida Ports Council Offices at (850)222-8028.

Pursuant to the provisions of 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: Toy Keller, Florida Ports Council Offices at (850)222-8028. If you are 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: Toy Keller, Florida Ports Council Offices at (850)222-8028.

FLORIDA LEAGUE OF CITIES

The **Florida League of Cities** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 3, 2010, 10:00 a.m. – 2:00 p.m.

PLACE: The Shores Hotel, 2637 S. Atlantic Avenue, Daytona Beach Shores, Florida, (386)767-7350

GENERAL SUBJECT MATTER TO BE CONSIDERED: Thursday, June 3, 2010

- 10:00 a.m. Florida Municipal Loan Council
- 11:00 a.m. Florida Municipal Pension Trust Fund
- 12:00 Noon Joint Luncheon (FMPTF/FMIvT/FMLC)
- 1:00 p.m. FMPTF/FMIvT Joint Meeting (to receive reports from Atlanta Capital/ACG)
- 2:00 p.m. Florida Municipal Investment Trust

Evening Dinner for those staying over (meet in lobby at 6:45 p.m.)

A copy of the agenda may be obtained by contacting: Linda Bridges at email: lbridges@flcities.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Linda Bridges at email: lbridges@flcities.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).

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: Linda Bridges at email: lbridges@flcities.com.

SOIL AND WATER CONSERVATION DISTRICTS

The **Clay County Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: June 7, 2010, 1:00 p.m.

PLACE: Clay County Extension Office, 2463 SR 16 W., Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting Notice.

For more information, you may contact: Sally Doyle at (904)284-6355.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

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

DATE AND TIME: June 8, 2010, 10:00 a.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items shall include approval of minutes; legislative update; operations report; financial report; and committee reports on: 2009 Financial Audit; update on federal tax matters; 2010 Audit Committee meeting schedule; Audit Committee Charter procedures checklist; auditor selection; Market Assistance Plan; cause, frequency, and severity analysis; executive compensation and benefits; agency authorization process; application submission process; investment marketplace update; compliance review of current investment portfolio; review of policy and guidelines for investment of assets and associated matters; investment manager's performance/selection; 2010 Investment Committee meeting schedule; investment software solicitation; return of

premium dividend; program to eliminate the 2009 Subplan D deficit; review of rates, rating plans and policy forms and associated matters to include application forms; 2010 loss ratio selection; confirmation of actuary; Operations Manual; 2009 Operations Report; disaster recovery matters; document management; fixed administration expenses; banking relationships; 401K management & administration; and budget expense considerations.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

BABCOCK RANCH, INC.

The Board of Directors of **Babcock Ranch, Inc.** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 3, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: (904)596-2362 (not toll-free) When prompted, enter the following Participant ID number: 63683903#. After entering the ID number, the public will be joined to the call. The Board will not be taking public testimony or comments during this call.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Legislative Committee will conduct discussion on preparing a Legislative Request regarding, but not limited to, seeking funding and other legislation to allow Babcock Ranch, Inc. to effectively assume management of ranch operations.

A copy of the agenda or for more information, you may contact: Debbie Upp at (863)465-2571, ext. 251.

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."

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 Pharmacy hereby gives notice that on April 5, 2010, it received a Petition for Declaratory Statement filed by Century Pharmacy. The petition does not state a specific statute

or rule. The petition asks for clarification concerning the necessary steps in obtaining licensure in order to distribute medications at the local hospital.

Copies of the petition may be obtained from: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

Section VIII

Notices of Petitions and Dispositions Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX

Notices of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB10MB-159, Corry Bldg. 281 Renovations, estimated budget: \$1.4M, to be opened July 15, 2010 at 2:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: The work includes the demolition, deconstruction and renovation of Corry Village Building 281. Demolition shall include entire

interior space, architectural finishes and non-load bearing walls. Demolition also includes the removal of electrical, mechanical and plumbing utilities fixtures and trim. The contractor’s pre-qualification criteria may be found at the UF Purchasing website and will be discussed at the mandatory pre-bid meeting. Mandatory pre-bid meeting will be held June 10, 2010, 10:00 a.m., in 101 Elmore Hall, Gainesville, FL. Questions should be directed to: Mercedes Bongiovanni, mbongio@ufl.edu or (352)392-1331. For more information visit www.purchasing.ufl.edu.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, purchasing@ufl.edu or (352)392-1331 within three (3) days of the event.

Professional Services for Engineering Services

The Florida School for The Deaf and The Blind (FSDB) announces that professional services are required for the project listed below.

PROJECT NAME: Campus Infrastructure, Replacement/Conversion of the Heating Hot Water (HHW) Distribution System.

PROJECT LOCATION: Florida School for the Deaf & the Blind, 207 San Marco Avenue, St. Augustine, FL 32084

SERVICES TO BE PROVIDED: Engineering services for a new distribution system shall replace a failing underground piping HHW supply and return loop throughout the campus. The distribution system shall be reliable, cost effective, energy efficient, and maintainable.

Strategies may include alternative solutions with the utilization of existing boilers and a complete repair or replacement of underground piping. Individual buildings may require metering systems to be installed to determine loads with other conversions within the campus buildings. The funding shall require multi construction phases based on yearly PECO appropriation.

Construction bidding services shall be provided for construction. The project shall conform to the FSDB construction standards and the campus values use of substantial design.

PROJECT NUMBER: FSDB – 20100002

PROJECT BUDGET: TBD

CONSTRUCTION BUDGET: TBD

FSDB PROJECT MANAGER: Scott Baker

PHONE NUMBER: (904)827-2360

RESPONSE DUE DATE/TIME: Tuesday, June 29, 2010, by 3:00 p.m.

INSTRUCTIONS FOR SUBMITTAL: Firms interested in being considered for this project should access www.fsdb.k12.fl.us, Other Services – Facilities Maintenance & Construction – Construction Information – Selection of Architect/Engineer Firms.

DCPS OFDC-RFQ-007-09/10 Remodeling, Renovation and New Construction at R. E. Lee HS No. 33
DCSB Project No.: C-91460

NOTICE TO PROFESSIONAL CONSULTANTS-OFFICE OF FACILITIES DESIGN AND CONSTRUCTION-Request for Qualifications (RFQ)-OFDC RFQ-007-09/10-Professional Services-Architectural/Engineering Services. The Office of Facilities Design and Construction announces that Architectural/Engineering Professional Services are required for a project entitled REMODELING, RENOVATION AND NEW CONSTRUCTION AT ROBERT E. LEE HIGH SCHOOL NO. 33/DCSB Project No.: C-91460 for Duval County Public Schools. The firm selected will be responsible for design, bid review and construction administration of this project having an estimated construction cost of approximately \$28,000,000.00 (CONSTRUCTION BUDGET). The project scope shall consist of design and construction of a new cafeteria addition building, renovation and remodeling of classroom, administrative, and athletic facilities and associated sitework. Applicants are advised that all plans, drawings and specifications for this project may be reused by the Owner for future projects in the School District. Applications are to be sent to: Duval County Public Schools Facilities Design and Construction, 1701 Prudential Drive, 5th Floor, Jacksonville, FL 32207-8182.

PROJECT MANAGER: Tony Gimenez

PHONE NO.: (904)390-2279

RESPONSE DUE DATE: JUNE 17, 2010 AND WILL BE ACCEPTED UNTIL 4:30 p.m.

MBE GOALS: 15% overall based on available MBE’s. Information on the selection process can be found at www.duvalschools.org – http://www.duvalschools.org/static/aboutdcps/departments/facilities/selection_booklets.asp.

Selection of Architect/Engineer.doc.

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.”

EXPRESSWAY AUTHORITIES

REQUEST FOR LETTERS OF INTEREST
TOLL SYSTEM REPLACEMENT CONSULTANT
CONTRACT NO.: 000702

The Orlando-Orange County Expressway Authority (Authority) requires the services of a qualified consultant to assist the Authority in determining the need to upgrade and/or replace the existing toll collection hardware and software systems and to assist in the process to procure hardware and software if necessary. Shortlist consideration will be given to only those firms who are qualified as determined by the Authority based on information provided by the firms in response to this request.

DESCRIPTION: The selected firm will work closely with Authority staff to identify the need for upgrades for the Authority's Toll Collection systems including Host and Back Office systems, Plaza systems, In-lane systems and Violation Enforcement systems. The selected consultant will assist the Authority staff in: analyzing the existing system components; determining hardware and software components to be replaced; developing the scope of services for the future system upgrade; developing the system acceptance criteria; the evaluation and selection process for procurement of a new toll collection system.

The selected consultant and its subconsultants, if any, will not be allowed to enter into any other contract with the Authority during the term of this Contract which would create or involve a conflict of interest with the services as described herein.

LETTERS OF INTEREST SUBMITTAL REQUIREMENTS: Consultants wishing to be considered shall submit six (6) sets of a Letter of Interest package and one (1) digital copy of the entire package in "pdf" format. The letter shall be a maximum of ten (10) pages exclusive of attachments and resumes. The packages shall include the following:

1. Firm's Experience – Describe the firm's experience and qualifications. Provide a brief description of all related projects, similar in scope to this project, completed for the last five (5) years. Each project identified shall include the firm's Project Manager, a brief description including scope, system functionality, project start and completion dates. Include the name of the project owner, a contact name and telephone number.
2. Personnel Experience – Resumes of the consultant's proposed Project Manager and other key personnel presently employed by the consultant who will be assigned to the project. The Project Manager shall have at least five (5) years of experience in toll collection systems design and/or implementation. The roles that key personnel will fill on the project and their availability shall be highlighted. Resumes shall include education, professional registrations, years of experience, years with the firm and actual work performed by the individual.

3. Project Team – The consultant must demonstrate that it is providing a team that will:
 - (i) Support the analysis of the existing system components,
 - (ii) Determine hardware and software components to be replaced,
 - (iii) Develop the scope of services for the future system upgrade,
 - (iv) Develop the system acceptance criteria, and
 - (v) Develop the evaluation and selection process for procurement of a new toll collection system.

As part of the response to this item, the consultant shall identify anticipated subconsultants to be used, if any. The consultant shall provide the same information about subconsultant companies and their employees as is required about the consultant and its employees. The information furnished shall include a description of the work to be performed by each subconsultant and the percentage of the total effort that the work represents. A project organizational chart shall be submitted.

The Authority encourages participation of local minority and women business enterprises for all of its projects. The consultant shall identify any local certified minority and women business enterprises that it proposes to use. Consultants requiring assistance or information with regard to the Authority's DBE/MBE/WBE certification requirements and utilization can contact the Authority's Director of Business Development at (407)690-5000.

4. Office Location and Corporate Registration – The office assigned responsibility and its physical address shall be identified. The consultant shall have an office and key staff located within the State of Florida. Consultants that are corporations must be registered to do business in Florida prior to the submittal of the Letter of Interest and shall submit evidence of such registration under this item.

Failure to submit any of the above required information may be cause for rejection of the package as non-responsive.

SELECTION: The Authority's Evaluation Committee will shortlist firms based on the Committee's evaluation and scoring of the Letters of Interest and qualifications information received. Scoring of the submittals will be as follows: Firm's Experience – 35 points; Personnel Experience – 30 points; Project Team – 30 points; Office Location and Corporate Registration – 5 points. The three (3) firms with the highest point totals will be shortlisted. More than 3 firms may be shortlisted at the Committee's option. If less than 3 firms submit responses, the Authority, at its sole discretion, may elect to continue the selection process or re-advertise the project.

Shortlisted firms will proceed to the next step in the process which includes preparation and submittal of a Technical Proposal and an oral presentation. The Authority will provide the shortlisted firms with a submittal requirements package

including a Scope of Services for use in preparing the Technical Proposal. Each firm will be evaluated and ranked by the Authority's Evaluation Committee based on the Technical Proposal and oral presentation.

CODE OF ETHICS: All consultants selected to work with the Authority are required to comply with the Authority's Code of Ethics, a copy of which may be viewed on the Authority's web site at: www.oceca.com.

EQUAL OPPORTUNITY STATEMENT: The Orlando-Orange County Expressway Authority, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964, hereby notifies all firms and individuals that it will require affirmative efforts be made to ensure participation by minorities.

MINORITY / WOMEN / DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION: Minority / Women / Disadvantaged Business Enterprises will not be discriminated against on the basis of race, color, sex, or national origin in consideration for qualification or an award by the Authority.

NON-SOLICITATION PROVISION: From the first date of publication of this notice, no person may contact any Authority Board Member, Officer or Employee or any selection committee member, with respect to this notice or the services to be provided, except as related to the Submittal Requirements detailed above. Reference is made to the lobbying guidelines of the Authority for further information regarding this Non-Solicitation Provision.

LETTER OF INTEREST RESPONSE DEADLINE:

June 14, 2010, 1:30 p.m. (Orlando Local Time)

AUTHORITY CONTACT PERSON:

Mr. Robert Johnson
Manager of Procurement
Telephone: (407)690-5372
E-mail: johnsonr@oceca.com

LETTER OF INTEREST RESPONSE ADDRESS:

Orlando-Orange County Expressway Authority
4974 ORL Tower Road
Orlando, FL 32807

Re: Toll System Replacement Consultant
Contract No. 000702

ORLANDO-ORANGE COUNTY EXPRESSWAY
AUTHORITY

Claude Miller
Director of Procurement

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

FLORIDA HOUSING FINANCE CORPORATION

Request for Proposal 2010-05 for Hearing Officer Services
The Florida Housing Finance Corporation invites all qualified Offerors to submit proposals for consideration in accordance with the terms and conditions set forth in this Request for Proposals (RFP) 2010-05 relating to hearing officer services. Florida Housing intends to select one or more attorneys for hearing officer services will be required to preside at informal hearings for Florida Housing, resolve legal issues and procedural questions that arise and to issue Recommended Orders within a short time frame.

Proposals shall be accepted until 2:00 p.m. (Eastern Time), Thursday, June 24, 2010, to the 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 Request for Proposals, which outlines selection criteria and applicant's responsibilities, please submit your request to the attention of Sherry Green, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at: http://apps.floridahousing.org/StandAlone/FHFC_ECM/AppPage_LegalRFPs.aspx.

Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

Request for Qualifications (RFQ) 2010-06

The Florida Housing Finance Corporation invites all qualified firms to provide printing, copying and reproduction services in accordance with the terms and conditions set forth in this Request for Qualifications (RFQ) 2010-06, to submit proposals for consideration. Proposals shall be accepted until 2:00 p.m. (Eastern Time), Wednesday, June 23, 2010, to the 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 Request for Qualifications, which

outlines selection criteria and applicant's responsibilities, please submit your request to the Attention of Sherry Green, or you can download the Request for Qualifications from the Florida Housing Finance Corporation web site at: http://apps.floridahousing.org/StandAlone/FHFC_ECM/AppPage_LegalRFQs.aspx. Any modifications that occur to the Request for Qualifications will be posted at the web site and may result in an extension of the deadline.

CITY OF FORT LAUDERDALE

NOTICE TO CONTRACTORS

Sealed bids will be received until 2:00 p.m., Wednesday, June 23, 2010, in the Office of the City Engineer, Public Services Department (Engineering and Architectural Services), City Hall, 100 North Andrews Avenue, 4th Floor, City of Fort Lauderdale, Florida and opened immediately thereafter in the Conference Room, for PROJECT #11577 – WASTEWATER CONVEYANCE SYSTEM LONG-TERM REMEDIATION PROGRAM PROJECT #18 – BASIN A-21.

This project contains no drawing files.

The work includes: The rehabilitation of approximately 21,800 LF of 8-18 inch mainline sewer identified in the contract documents by using the cured-in-place pipe method for rehabilitation of the sewer pipes. The work includes pre and post television survey, flow monitoring, flow bypass, traffic control, site restoration, and related operations resulting in complete and satisfactory rehabilitation of the mainline wastewater collection system piping in Sewer Basin A-21.

A pre-bid meeting will be held at 2:00 p.m., Wednesday, June 2, 2010, at the Program Management Team Office at 200 North Andrews Avenue, Suite 300 (Third Floor), Fort Lauderdale, Florida. The pre-bid meeting is recommended but not mandatory.

Bidding blanks may be obtained at the Office of the City Engineer. Specifications are on file in the Office of the City Engineer. Bidders are encouraged to carefully review the project specifications, particularly Sections 02520 and 02563 as there have been revisions to these sections.

This project may be funded in whole or in part by the Florida Department of Environmental Protection, State Revolving Fund. Bidders are encouraged to become familiar with the provisions of the Supplementary Conditions contained in these documents and in particular the requirements of Article 20, Equal Employment Opportunity.

It will be the sole responsibility of the bidder to clearly mark bid as such, and ensure that his bid reaches the City prior to the bid opening date and time listed.

A certified check, cashier's check, bank officer's check or bid bond for 5% of the amount bid, made payable to the City of Fort Lauderdale, Florida, shall accompany each proposal.

The City of Fort Lauderdale reserves the right to waive any informality in any bid and to reject any or all bids.

Information on bid results and projects currently out to bid can be obtained by calling the pre-recorded City of Fort Lauderdale Bid Information Line at (954)828-5688. For general inquiries please call: (954)828-5772.

Section XII Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Adly Moto, LLC, intends to allow the establishment of Go Anywhere Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Herchee Industrial Co., Ltd., (HERH) at 9050A Navarre Parkway, Navarre (Santa Rosa County), Florida 32566, on or after May 20, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Go Anywhere Scooters, LLC, are dealer operator(s): Jerry Rogers, 9050 Navarre Parkway, Navarre, Florida 32566, and Pat Rogers, 9050 Navarre Parkway, Navarre, Florida 32566, principal investor(s): Jerry Rogers, 9050 Navarre Parkway, Navarre, Florida 32566, and Pat Rogers, 9050 Navarre Parkway, Navarre, Florida 32566.

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: Henry Li, Adly Moto, LLC, 11725 Hurd Drive, Suite 108, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Adly Moto, LLC, intends to allow the establishment of Go Anywhere Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Shanghai Jialing Vehicle Co., Ltd., (JIAL) at 9050A Navarre Parkway, Navarre (Santa Rosa County), Florida 32566, on or after May 20, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Go Anywhere Scooters, LLC, are dealer operator(s): Jerry Rogers, 9050 Navarre Parkway, Navarre, Florida 32566, and Pat Rogers, 9050 Navarre Parkway, Navarre, Florida 32566, principal investor(s): Jerry Rogers, 9050 Navarre Parkway, Navarre, Florida 32566, and Pat Rogers, 9050 Navarre Parkway, Navarre, Florida 32566.

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A copy of such petition or complaint must also be sent by U.S. Mail to: Henry Li, Adly Moto, LLC, 1200 Lakeside Parkway Suite 325, Flower Mound, Texas 75028.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles Corp., intends to allow the establishment of Quicky Scooters Motorcar Exchange, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co., Ltd., (ZHEJ) at 1149 Estero Boulevard, Ft. Myers (Lee County), Florida 33931, on or after May 20, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Quicky Scooters Motorcar Exchange, LLC, are dealer operator(s): Mark A. Alexa, 1149 Estero Boulevard, Ft. Myers, Florida 33931; principal investor(s): Mark A. Alexa, 1149 Estero Boulevard, Ft. Myers, Florida 33931.

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: Carlos Ponce, Mod Cycles Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Adly Moto, LLC, intends to allow the establishment of Scooters (R) Us, as a dealership for the sale of motorcycles manufactured by Her Chee Industrial Co., Ltd. (HERH) at 1050 Jensen Beach Boulevard, Jensen Beach (Martin County), Florida 34957, on or after May 18, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Scooters (R) Us are dealer operator(s): Mario Marchionni, 1050 Jensen Beach Boulevard, Jensen Beach, Florida 34957, principal investor(s): Mario Marchionni, 1050 Jensen Beach Boulevard, Jensen Beach, Florida 34957.

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: Henry Li, Adly Moto, LLC, 1200 Lakeside Parkway Suite 325, Flower Mound, Texas 75028.

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 Adly Moto, LLC, intends to allow the establishment of Scooters (R) Us, as a dealership for the sale of motorcycles manufactured by China Jialing Industrial Group Co., Ltd. (JIAL) at 1050 Jensen Beach Boulevard, Jensen Beach (Martin County), Florida 34957, on or after May 18, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Scooters (R) Us are dealer operator(s): Mario Marchionni, 1050 Jensen Beach Boulevard, Jensen Beach, Florida 34957, principal investor(s): Mario Marchionni, 1050 Jensen Beach Boulevard, Jensen Beach, Florida 34957.

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: Henry Li, Adly Moto, LLC, 1200 Lakeside Parkway Suite 325, Flower Mound, Texas 75028.

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, Inc., intends to allow the establishment of Scooter Town, as a dealership for the sale of motorcycles manufactured by Huzhou Daizi Zhenhua Technology Trade Co., Ltd., (DAIX) at 1095 Bald Eagle Drive, Marco Island (Collier County), Florida 34145, on or after May 20, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Town are dealer operator(s): Matt Walthour, 1095 Bald Eagle Drive, Marco Island, Florida 34145; principal investor(s): Matt Walthour, 1095 Bald Eagle Drive, Marco Island, Florida 34145.

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, Inc., 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 More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Pacific Rim International West, Inc., intends to allow the establishment of Stiver's of Englewood, Inc., dba Booty Scooters, as a dealership for the sale of motorcycles

manufactured by Huzhou Daixi Zhenhua Technology Trade Co., Ltd., (DAIX) at 850 South River Road, Englewood (Sarasota County), Florida 34223, on or after May 20, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Stiver's of Englewood, Inc., dba Booty Scooters, are dealer operator(s): William Stiver, 850 South River Road, Englewood, Florida 34223; principal investor(s): William Stiver, 850 South River Road, Englewood, Florida 34223.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Wendy Yu, Pacific Rim International West, Inc., 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 More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC, intends to allow the establishment of Waylen Bay Motorsports, LLC, d/b/a Gables Motorsports as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co., Ltd. (GUNG) at 7300 Bird Road, Miami (Miami-Dade County), Florida 33155, on or after May 18, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Waylen Bay Motorsports, LLC, d/b/a Gables Motorsports are dealer operator(s): Nigel Bailey, 7300 Bird Road, Miami, Florida 33155; principal investor(s): Nigel Bailey, 7300 Bird Road, Miami, Florida 33155.

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: Elinore Hollingsworth, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the State Board of Administration of Florida (the Board) of the estimated borrowing capacity, estimated claims-paying capacity, and projected balance of the Florida Hurricane Catastrophe Fund (the Fund) as of December 31, 2010, in compliance with the requirements of Section 215.555(4)(c)2., Florida Statutes. The Fund's projected post-event borrowing capacity estimate is \$15.941 billion. Given the current state of the financial markets, the range of potential borrowing capacity estimates is dependent on many factors, such as: the size of the event, the markets accessed, the time necessary to access such markets, and the interest rates utilized. The estimated borrowing capacity and projected available year-end cash balance, together with other liquid resources, provides the Fund with a total estimated claims-paying capacity of \$25.461 billion over the next twelve months. Greater detail can be obtained in the "May 2010 Estimated Claims Paying Capacity Report," which can be found on the Fund's website at www.sbafla.com/fhcf/ under "Bonding Program." The obligation of the Board for the payment of reimbursable losses is limited in Section 215.555(4)(c)2., Florida Statutes, and shall not exceed the actual claims-paying capacity of the Fund. The projected year-end balance on December 31, 2010, is estimated to be

\$6.020 billion, which represents the amount of assets available to pay claims, not including any bond proceeds, resulting from Covered Events which may occur during the June 1, 2010 through May 31, 2011 Contract Year. The Board recognizes that its good faith estimate is being made while highly volatile global financial market conditions exist; therefore, changing market conditions can dramatically impact the Fund's actual claims-paying capacity either positively or negatively. Current conditions may or may not be the same if and when the Board determines that it is necessary to seek the issuance of revenue bonds.

FLORIDA PAROLE COMMISSION

NOTICE IS HEREBY GIVEN THAT the Florida Parole Commission has issued four orders Denying Petitions to Initiate Rulemaking in response to petitions filed by Jeffrey Jerome Walker on April 14, 2010. By orders dated May 12, 2010, the Commission denied the petitions finding that any rule changes would be inconsistent with the Commission's discretion in parole matters and with the legislative intent of Chapter 947, F.S., Rules 23-21.006, .010, .013, F.A.C.

A copy of the petitions and the Commission's Order Nos.: 10-01-AR, 10-02-AR, 10-03-AR, and 10-04-AR may be obtained by contacting: Sarah Rumph, General Counsel, Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450.

AGENCY FOR HEALTH CARE ADMINISTRATION

Heart of Florida Regional Medical Center
Emergency Service Exemption

The Agency for Health Care Administration has received applications for an emergency service exemption from Heart of Florida Regional Medical Center, 40100 US Hwy. 27 N., Davenport, FL 33837 pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Otolaryngology & Urology. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Jessica Munn, 2727 Mahan Drive, MS #31, Tallahassee, FL 32308, (850)412-4359 or by e-mail: jessica.munn@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE OF AVAILABILITY

FLORIDA FINDING OF NO SIGNIFICANT IMPACT CRESTVIEW, FLORIDA

The Department of Environmental Protection has determined that Crestview's proposed project for the expansion of the Wastewater Treatment Facility will not have a significant adverse affect on the environment. The total project cost is estimated at \$19,049,000. 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 Finding of No Significant Impact can be obtained by writing: Bhupendra Vora, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8380.

NOTICE OF AVAILABILITY

FLORIDA FINDING OF NO SIGNIFICANT IMPACT WALTON/OKALOOSA/SANTA ROSA REGIONAL UTILITY AUTHORITY, FLORIDA (DESTIN WATER USERS, INC. [DWUI] WASTEWATER TREATMENT FACILITY)

The Department of Environmental Protection has determined that DWUI's proposed project for the expansion of the wet weather storage and reject water storage capacity and expansion of the reclaimed water system will not have a significant adverse affect on the environment. The total project cost is estimated at \$3,277,000. 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 Finding of No Significant Impact can be obtained by writing: Bhupendra Vora, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8380.

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On May 17, 2010, 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 Janet Elizabeth Mowery, S.U. License #SU 39620. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and

welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 17, 2010, 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 Jennifer Marie Chesky, R.N. License #RN 9260579. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 17, 2010, 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 Timothy Lofton, L.P.N., License #PN 1085811. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 17, 2010, 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 Susan Joy Walker, R.N. License #RN 2868782. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., June 18, 2010):

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: Community Holding Company of Florida, Inc. (Community Bank, Destin), Miramar Beach, Florida

Proposed Purchaser: Community Bancshares of Mississippi, Inc. ("CBM"), Brandon, Mississippi

Received: May 17, 2010

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a written withdrawal of the following application:

APPLICATION WITHDRAWN

Application To Acquire Control

Financial Institution to be Acquired: Palm Bancorp, Inc. (The Palm Bank), Tampa, Florida

Proposed Applicant Group: Marty E. Adams, Kevin T.

Thompson, and John S. Loeber

Received: January 27, 2010

Withdrawn: May 12, 2010

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN May 10, 2010
 and May 14, 2010

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE

Division of Elections

1S-2.042	5/11/10	5/31/10	36/14	
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Division of Cultural Affairs

IT-1.036	5/12/10	6/1/10	36/14	
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

5F-8.0011	5/10/10	5/30/10	36/5	36/14
5F-8.0012	5/10/10	5/30/10	36/5	
5F-8.009	5/10/10	5/30/10	36/5	
5F-8.0125	5/10/10	5/30/10	36/5	
5F-8.0127	5/10/10	5/30/10	36/5	
5F-8.0128	5/10/10	5/30/10	36/5	
5F-8.014	5/10/10	5/30/10	36/5	
5F-8.015	5/10/10	5/30/10	36/5	
5F-8.016	5/10/10	5/30/10	36/5	36/14
5F-8.025	5/10/10	5/30/10	36/5	
5F-8.050	5/10/10	5/30/10	36/5	

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

9G-2.002	5/13/10	6/2/10	36/12	
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DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

11B-18.004	5/14/10	6/3/10	36/10	
11B-18.0053	5/14/10	6/3/10	36/10	
11B-20.001	5/14/10	6/3/10	36/10	
11B-20.0017	5/14/10	6/3/10	36/10	
11B-27.0011	5/14/10	6/3/10	36/10	
11B-27.002	5/14/10	6/3/10	36/10	
11B-27.00212	5/14/10	6/3/10	36/10	
11B-27.00213	5/14/10	6/3/10	36/10	
11B-27.0022	5/14/10	6/3/10	36/10	
11B-27.004	5/14/10	6/3/10	36/10	
11B-27.005	5/14/10	6/3/10	36/10	
11B-27.013	5/14/10	6/3/10	36/10	
11B-27.014	5/14/10	6/3/10	36/10	
11B-30.006	5/14/10	6/3/10	36/10	
11B-35.001	5/14/10	6/3/10	36/10	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
11B-35.0024	5/14/10	6/3/10	36/10	
11B-35.003	5/14/10	6/3/10	36/10	
11B-35.006	5/14/10	6/3/10	36/10	

Division of Criminal Justice Information Systems

11C-6.004	5/14/10	6/3/10	36/10	
11C-7.006	5/14/10	6/3/10	36/10	
11C-7.007	5/14/10	6/3/10	36/10	

Division of Local Law Enforcement Assistance

11D-6.001	5/14/10	6/3/10	36/10	
11D-6.003	5/14/10	6/3/10	36/10	

Medical Examiners Commission

11G-2.005	5/14/10	6/3/10	36/10	
11G-2.006	5/14/10	6/3/10	36/10	

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid Program Office

59G-4.040	5/11/10	5/31/10	36/9	
59G-4.340	5/11/10	5/31/10	36/5	36/14
59G-13.051	5/11/10	5/31/10	36/11	36/15

DEPARTMENT OF MANAGEMENT SERVICES

Division of Building Construction

60D-15.001	5/10/10	5/30/10	36/8	36/15
60D-15.002	5/10/10	5/30/10	36/8	36/15

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Code Administrators and Inspector

61G19-5.002	5/12/10	6/1/10	36/6	
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DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

64B3-12.001	5/11/10	5/31/10	36/7	
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Board of Massage Therapy

64B7-25.001	5/13/10	6/2/10	36/1	36/13
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Vital Statistics

64V-1.022	5/12/10	6/1/10	36/7	
64V-1.023	5/12/10	6/1/10	36/7	
64V-1.024	5/12/10	6/1/10	36/7	
64V-1.025	5/12/10	6/1/10	36/7	